

State of Iowa
2007

JOURNAL OF THE HOUSE

2007
REGULAR SESSION
EIGHTY-SECOND
GENERAL ASSEMBLY

Convened January 8, 2007
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Volume I
January 8, 2007—April 10, 2007

CHESTER J. CULVER, Governor
PATRICK MURPHY, Speaker of the House
JOHN P. KIBBIE, President of the Senate

Published by the
STATE OF IOWA
Des Moines

EIGHTY-SECOND GENERAL ASSEMBLY
2007 Regular Session
OFFICERS OF THE HOUSE

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MARVIN HOLLINGSHEAD, <i>Assistant Sergeant-at-Arms</i>	Des Moines
JERRY ORMAN, <i>Doorkeeper</i>	Windsor Heights
MIKE DOWNS, <i>Doorkeeper</i>	Altoona
JIM GLENN, <i>Doorkeeper</i>	Des Moines
HAROLD HARKER, <i>Doorkeeper</i>	Urbandale
ROBERT YEAGER, <i>Doorkeeper</i>	Windsor Heights
MARK WILLEMSSEN, <i>Facilities Manager</i>	Johnston
MARK S. LUNDBERG, <i>Conservation/Restoration</i> <i>Specialist II</i>	Des Moines
DICK LABERTEW, <i>Conservation/Restoration</i> <i>Specialist II</i>	Indianola

ELECTED OFFICERS, SUPREME COURT JUSTICES AND
IOWA COURT OF APPEALS JUDGES

ELECTIVE STATE OFFICERS

Official Address, Des Moines, Iowa

- CHESTER J. CULVER, *Governor* West Des Moines
- PATTY JUDGE, *Lieutenant Governor* Albia
- MICHAEL A MAURO, *Secretary of State* Des Moines
- DAVID A. VAUGHT, *Auditor of State* West Des Moines
- MICHAEL L. FITZGERALD, *Treasurer of State* Urbandale
- BILL NORTHEY, *Secretary of Agriculture
and Land Stewardship* Spirit Lake
- TOM MILLER, *Attorney General* Des Moines

JUSTICES OF THE IOWA SUPREME COURT

- MARSHA K. TERNUS, *Chief Justice* Grimes
- BRENT APPEL, *Justice* Ackworth
- MARK S. CADY, *Justice* Fort Dodge
- DARYL HECHT, *Justice* Sioux City
- JERRY L. LARSON, *Justice* Harlan
- MICHAEL J. STREIT, *Justice* Johnston
- DAVID WIGGINS, *Justice* West Des Moines

IOWA COURT OF APPEALS JUDGES

- ROSEMARY S. SACKETT, *Chief Judge* Okoboji
- DAVID BAKER, *Judge* Cedar Rapids
- LARRY J. EISENHAUER, *Judge* Ankeny
- TERRY L. HUITINK, *Judge* Ireton
- ROBERT E. MAHAN, *Judge* Waterloo
- JOHN C. MILLER, *Judge* Burlington
- ANURADHA VAITHESWARAN, *Judge* Des Moines
- GAYLE NELSON VOGEL, *Judge* Spirit Lake
- VAN D. ZIMMER, *Judge* Vinton

MEMBERS OF THE HOUSE—EIGHTY—SECOND GENERAL ASSEMBLY — 2007 REGULAR SESSION

Name	Residence	Age	Occupation	Representative District	Former Legislative Service
Abdul-Samad, Ako.....	Des Moines		CEO.....	66 Polk	82
Alons, Dwayne.....	Hull	61	Farmer	4th— <i>Sioux</i> , Lyon	78, 79, 79X, 79XX, 80, 80X, 80XX, 81, 81X, 82
Anderson, Richard.....	Clarinda	51	Attorney	97th— <i>Page</i> , Fremont, Mills	81, 81X, 82
Arnold, Richard	Russell	62	Farmer	72nd— <i>Lucas</i> , Mahaska, Marion, Monroe	76, 77, 78, 79, 79X, 79XX, 80, 80X, 80XX, 81, 81X 82
Bailey, McKinley	Webster City.....		Student	9th — <i>Franklin</i> , <i>Hamilton</i> , Webster, Wright	82
Baudler, Clel.....	Greenfield.....		Retired State Trooper/Farmer	58th— <i>Adair</i> , Audubon, Cass, Guthrie	78, 79, 79X, 79XX, 80, 80X, 80XX, 81, 81X, 82
Bell, Paul	Newton.....	57	Retired Police Lieutenant	41st— <i>Jasper</i>	76, 77, 78, 79, 79X, 79XX, 80, 80X, 80XX, 81, 81X, 82
Berry, Deborah L.....	Waterloo.....	49	Corporate Fundraising Director	22nd— <i>Blackhawk</i>	80, 80X, 80XX, 81, 81X 82
Boal, Carmine.....	Ankeny.....	51	Legislator.....	70th— <i>Polk</i>	78, 79, 79X, 79XX, 80, 80X, 80XX, 81, 81X, 82
Bukta, Polly	Clinton		Retired Educator	26th— <i>Clinton</i>	77, 78, 79, 79X, 79XX, 80, 80X, 80XX, 81, 81X, 82
Chambers, Royd E.....	Sheldon	46	Educator/IA Air National Guard	5th— <i>O'Brien</i> , Clay, Osceola, Sioux	80, 80X, 80XX, 81, 81X 82
Clute, Dan.....	Clive.....		Vice President/Public Affairs.....	59th— <i>Polk</i>	82
Cohon, Dennis M.....	Burlington		Special Education Teacher.....	88th— <i>Des Moines</i>	72, 72X, 72XX, 73, 74, 74X, 74XX, 75, 76, 77, 78, 79, 79X, 79XX, 80, 80X, 80XX, 81, 81X, 82
Dandekar, Swati A.....	Marion	56	Community Leader.....	36th— <i>Linn</i>	80, 80X, 80XX, 81, 81X
Davitt, Mark	Indianola.....	55	Communications Consultant	74th— <i>Warren</i>	80, 80x, 80XX, 81, 81X, 82
De Boef, Betty R.....	What Cheer	56	Partner in farming and wood grinding operation	76th— <i>Keokuk</i> , Iowa, Poweshiek, Tama	79, 79X, 79XX, 80, 80X, 80XX, 81, 81X, 82
Deyoe, Dave.....	Nevada.....		Farmer	10th— <i>Story</i>	82

MEMBERS OF THE HOUSE—EIGHTY—SECOND GENERAL ASSEMBLY – 2007 REGULAR SESSION

Name	Residence	Age	Occupation	Representative District	Former Legislative Service
Dolecheck, Cecil	Mount Ayr	56	Farmer	96th— <i>Ringgold</i> , Adams, Montgomery, Taylor, Union	77, 78, 79, 79X, 79XX, 80, 80X, 80XX, 81, 81X, 82
Drake, Jack	Lewis	73	Farmer	57th— <i>Pottawattamie</i> , Cass, Shelby	75, 76, 77, 78, 79, 79X, 79XX, 80, 80X, 80XX, 81, 81X, 82
Foegen, Ro	Mount Vernon	69	Social Worker-Retired	29th— <i>Linn</i> , Johnson	77, 78, 79, 79X, 79XX, 80, 80X, 80XX, 81, 81X, 82
Ford, Wayne W.	Des Moines	54	Exec. Director Urban Dreams	65th— <i>Polk</i>	77, 78, 79, 79X, 79XX, 80, 80X, 80XX, 81, 81X, 82
Forristall, Greg	Macedonia		Retired Farmer	98th— <i>Mills</i> , <i>Pottawattamie</i>	82
Freyer, Marcella R.	Emmetsburg	69	Retired Teacher	7th— <i>Palo Alto</i> , Emmet, Kossuth	77, 78, 79, 79X, 79XX 80, 80X, 80XX, 81, 81X, 82
Gaskill, Mary	Ottumwa	66	Retired County Auditor	93rd— <i>Wapello</i>	80, 80X, 80XX, 81, 81X, 82
Gayman, Elesha	Davenport		Non Profit Sector	84th— <i>cott</i>	82
Gipp, Chuck	Decorah	60	Farmer	16th— <i>Winneshiek</i> , Allamakee	74, 74X, 74XX, 75, 76, 77, 78, 79, 79X, 79XX, 80, 80X, 80XX, 81, 81X, 82
Granzow, Polly	Eldora	65	Farmer	44th— <i>Hardin</i> , Marshall	80, 80X, 80XX, 81, 81X, 82
Grassley, Pat	New Hartford		Farmer	17th— <i>Bremer</i> , <i>Butler</i>	82
Greiner, Sandra H.	Keota	62	Farmer	89th— <i>Washington</i> , Jefferson, Johnson	75, 76, 77, 78, 80, 80X, 80XX, 81, 81X, 82
Heaton, Dave	Mt. Pleasant	62	Restaurant Owner	91st— <i>Henry</i> , Lee	76, 77, 78, 79, 79X, 79XX, 80, 80X, 80XX, 81, 81X, 82
Heddens, Lisa K.	Ames	43	Family Support Coordinator	46th— <i>Story</i> , Boone	80, 80X, 80XX, 81, 81X, 82
Hoffman, Clarence C.	Denison	74	Insurance	55th— <i>Crawford</i> , Ida, Monona, Woodbury	78, 79, 79X, 79XX, 80, 80X, 80XX, 81, 82

MEMBERS OF THE HOUSE—EIGHTY—SECOND GENERAL ASSEMBLY — 2007 REGULAR SESSION

Name	Residence	Age	Occupation	Representative District	Former Legislative Service
Horbach, Lance J.	Tama	49	Insurance Agent	40th—Tama, Grundy	78, 79, 79X, 79XX, 80, 80X, 80XX, 81, 81X, 82
Hunter, Bruce	Des Moines		IA Student Loan Counselor	62nd—Polk	80, 80X, 80XX, 81, 81X, 82
Huseman, Daniel A.	Aurelia	55	Farmer	53rd—Cherokee, Plymouth, Woodbury	76, 77, 78, 79, 79X, 79XX, 80, 80X, 80XX, 81, 81X, 82
Huser, Geri D.	Altoona		Lawyer/Social Worker	42nd—Polk, Jasper	77, 78, 79, 79X, 79XX 80, 80X, 80XX, 81, 81, 82
Hutter, Joseph I.	Bettendorf	69	Retired Police Officer	82nd—Scott	80, 80X, 80XX, 81 (2 nd), 81X
Jacobs, Elizabeth "Libby" S.	West Des Moines	51	Community Relation Director	60th—Polk	76, 77, 78, 79, 79X, 79XX, 80, 80X, 80XX, 81, 81X, 82
*Jacoby, Dave	Coralville	51	Program Director	30 th —Johnson	80, 80X, 80XX, 81, 81X
Jochum, Pam	Dubuque		Instructor for NICC	27th—Dubuque	75, 76, 77, 78, 79, 79X 79XX, 80, 80X, 80XX, 81, 82
Kaufmann, Jeffrey A.	Wilton	44	Teacher/Livestock Operator	79th Cedar, Johnson, Muscatine	81, 81X, 82
Kelley, Doris	Waterloo		Telecommunications Consultant	20th—Black Hawk	82
Kressig, Bob	Cedar Falls	52	Retired (John Deere)	19th Black Hawk	81, 81X, 82
Kuhn, Mark A.	Charles City	57	Family Farmer	14th—Floyd, Cerro Gordo, Mitchell	78, 79, 79X, 79XX, 80, 80X, 80XX, 81, 81X, 82
Lensing, Vicki	Iowa City		Funeral Home Owner	78th—Johnson	79, 79X, 79XX, 80, 80X, 80XX, 81, 81X, 82
Lukan, Steven F.	New Vienna	29	Tire Technician	32nd—Dubuque, Delaware	80, 80X, 80XX, 81, 82
Lykam, Jim D.	Davenport		Small Business Owner	85th—Scott	73, 80, 80X, 80XX, 81, 81X, 82
Mascher, Mary	Iowa City	52	Teacher	77th—Johnson	76, 77, 78, 79, 79X, 79XX, 80, 80X, 80XX, 81, 82
May, Mike	Spirit Lake	62	Retired Teacher/Resort Owner	6th—Dickinson, Clay	81, 81X, 82
McCarthy, Kevin M.	Des Moines	36	Attorney	67th—Polk	80, 80X, 80XX, 81, 81X, 82

*Elected in Special Election August 26, 2003

MEMBERS OF THE HOUSE—EIGHTY—SECOND GENERAL ASSEMBLY – 2007 REGULAR SESSION

Name	Residence	Age	Occupation	Representative District	Former Legislative Service
Mertz, Dolores M.	Ottosen	79	Farmer/Legislator	8th—Kossuth, Humboldt, Pocahontas, Webster	73, 74, 74X, 74XX, 75, 76, 77, 78, 79, 79X, 79XX, 80, 80X, 80XX, 81, 81X, 82
Miller, Helen	Fort Dodge	62	Attorney/Arts Educator	49th—Webster	80, 80X, 80XX, 81, 81X, 82
Miller, Linda J.	Bettendorf		Registered Nurse/Clinic Mgr.	82nd—Scott	82
*Murphy, Patrick J.	Dubuque	48	Democratic Leader	28th—Dubuque	73, 74, 74X, 74XX, 75, 76, 77, 78, 79, 79X, 79XX, 80, 80X, 80XX, 81, 81X, 82
Oldson, Jo	Des Moines	51		61st—Polk	80, 80X, 80XX, 81, 81X, 82
Olson, Donovan	Boone	42	Distance Education Coordinator	48th—Boone, Dallas	80, 80X, 80XX, 81, 81X, 82
Olson, Rick L.	Des Moines	56	Attorney	68th—Polk	81, 81X, 82
Olson, Steven N.	DeWitt	60	Farmer	83rd—Clinton, Scott	80, 80X, 80XX, 81, 81X, 82
Olson, Tyler	Cedar Rapids		Attorney	38th—Linn	82
Palmer, Eric J.	Oskaloosa		Attorney	75th—Mahaska, Poweshiek	82
Paulsen, Kraig	Hiawatha	43	Attorney	35th—Linn	80, 80X, 80XX, 81, 81X, 82
Petersen, Janet	Des Moines	37	Marketing Communications Consultant	64th—Polk	79, 79X, 79XX, 80, 80X, 80XX, 81, 81X, 82
Pettengill, Dawn E.	Mt. Auburn	52	Retirement /Investor Services	39 th —Benton, Iowa	81, 81X, 82
Quirk, Brian J.	New Hampton	34	Electrical Contractor	15th—Chickasaw, Howard, Winneshiek	79, 79X, 79XX, 80, 80X, 80XX, 81, 81X, 82
Raecker, J. Scott	Urbandale	42	Exec. Director-Institute for Character Development	63rd—Polk	78, 79, 79X, 79XX, 80, 80X, 80XX, 81, 81X, 82
Rants, Christopher C.	Sioux City	40	Self Employed	54th—Woodbury	75, 76, 77, 78, 79, 79X, 79XX, 80, 80X, 80XX, 81, 81X, 82
Rasmussen, Daniel J.	Independence	60	Exe. Land Improvement Contractor Cont. Assn.	23rd—Buchanan, Black Hawk	80, 80X, 80XX, 81, 81

*Elected in Sprial Election June 12, 2001

MEMBERS OF THE HOUSE—EIGHTY—SECOND GENERAL ASSEMBLY — 2007 REGULAR SESSION

Name	Residence	Age	Occupation	Representative District	Former Legislative Service
Rayhons, Henry V.	Garner	71	Farmer	11th— <i>Hancock</i> , Winnebago, Worth	77, 78, 79, 79X, 79XX, 80; 80X, 80XX, 81, 81X, 82
Reasoner, Michael J.	Creston	47	State Legislator	95th— <i>Union</i> , Clark, Decatur	80, 80X, 80XX, 81, 81X, 82
Reichert, Nathan	Muscatine	37	Allsteel Customer Support	80th— <i>Muscatine</i>	81, 81X, 82
Roberts, Rod	Carroll	50	Dev. Dir./Christian Churches/ Church of Christ in Iowa	51st— <i>Carroll</i> , Crawford, Sac	80, 80X, 80XX, 81, 81X 82
Sands, Thomas R.	Columbus Junction	53	Banker/Farmer/Appraiser	87th— <i>Louisa</i> Des Moines, Muscatine	80, 80X, 80XX, 81, 81X 82
Schickel, Bill	Mason City	56	Radio Station Gen. Manager	13th— <i>Cerro Gordo</i>	80, 80X, 80XX, 81, 81X, 82
Schueller, Thomas J.	Maquoketa	52	Contractor	25th— <i>Jackson</i> , Clinton, Dubuque	81 (2 nd), 81X, 82
Shomshor, Paul C., Jr.	Council Bluffs	40	Certified Public Accountant	100th— <i>Pottawattamie</i>	81, 81X, 82
Smith, Mark	Marshalltown	55	Independent Social Worker	43rd— <i>Marshall</i>	79, 79X, 79XX, 80, 80X 80XX, 81, 81X, 82
Soderberg, Chuck	LeMars	50	VP Planning & Legis Services, NW Power Cooperative	3rd— <i>Plymouth</i> , Sioux	81, 81X, 82
Staed, Art	Cedar Rapids		Educator	37th— <i>Linn</i>	82
Struyk, Douglas L.	Council Bluffs	37	Small Business Owner/Attorney	99th— <i>Pottawattamie</i>	80, 80X, 80XX, 81, 81X 82
Swaim, Kurt	Bloomfield	57	Attorney	94th— <i>Davis</i> Appanoose, Wayne	80, 80X, 80XX, 81, 81X, 82
*Taylor, Dick	Cedar Rapids	74	Electrician/Project Manager	33rd— <i>Linn</i>	78, 79, 79X, 79XX, 80, 80X, 80XX, 81, 81X, 82
**Taylor, Todd	Cedar Rapids	40	Union Representative	34th— <i>Linn</i>	76, 77, 78, 79, 79X, 79XX, 80, 80X, 80XX, 81, 81X, 82

*Elected in Special Election January 4, 2000

**Elected in Special Election June 27, 1995

MEMBERS OF THE HOUSE—EIGHTY—SECOND GENERAL ASSEMBLY – 2007 REGULAR SESSION

Name	Residence	Age	Occupation	Representative District	Former Legislative Service
Thomas, Roger	Elkader	57	Farmer/Paramedic	24th—Clayton, Delaware, Fayette	77, 78, 80, 80X, 80XX, 81, 81X, 82
Tjepkes, David A.	Gowrie	63	Retired State Trooper	50th—Webster, Calhoun, Greene	80, 80X, 80XX, 81, 82
Tomenga, F. Walter	Johnston	61	Management Consultant	69th—Polk	81, 81X, 82
Tymeson, Jodi S.	Winterset	52	Natl. Brigadier General in Iowa National Guard/ Licensed Teacher	73rd—Madison, Dallas, Warren	79, 79X, 79XX, 80, 80X, 80XX, 81, 81X, 82
Upmeyer, Linda L.	Garner	55	Nurse Practitioner	12th—Hancock, Cerro Gordo, Franklin	80, 80X, 80XX, 81, 81X, 82
Van Engelenhoven, James L.	Pella		Farmer	71st—Marion, Jasper	78, 79, 79X, 79XX, 80, 80X, 80XX, 81, 81X, 82
Van Fossen, Jamie	Davenport	47	Economic Development Analyst-Mid-American Energy	81st—Scott	76, 77, 78, 79, 79X, 79XX, 80, 80X, 80XX, 81, 81X, 82
Watts, Ralph C.	Adel	63	Engineer, Business Mgmt. Retired	47th—Dallas, Boone	80, 80X, 80XX, 81, 81X, 82
Wendt, Roger F.	Sioux City	74	Retired School Administrator	2nd—Woodbury	80, 80X, 80XX, 81, 81X, 82
Wenthe, Andrew	Hawkeye		Dir. External Affairs Upper IA University	18th—Black Hawk, Bremer, Fayette	82
Wessel-Kroeschell, Beth	Ames	48	Legislator	45th—Story	81, 81X, 82
Whitaker, John R.	Hillsboro		Family Farmer	90th—Van Buren, Jefferson, Wapello	80, 80X, 80XX, 81, 81X, 82
Whitead, Wesley E.	Sioux City	74	Retired	1st—Woodbury	77, 78, 80, 80X, 80XX, 81, 81X, 82
Wienczek, Tami Jo	Waterloo		Partner-Public Relations Firm	21st—Black Hawk	82
Winckler, Cindy Lou	Davenport	57	Educator/Quality Learning Consultant	86th—Scott	79, 79X, 79XX, 80, 80X, 80XX, 81, 81X, 82
Windschitl, Matt W.	Missouri Valley		Switchman-Union Pacific R.R.	56th—Harrison, Monona, Pottawattamie	82

MEMBERS OF THE HOUSE—EIGHTY—SECOND GENERAL ASSEMBLY — 2007 REGULAR SESSION

Name	Residence	Age	Occupation	Representative District	Former Legislative Service
Wise, Philip.....	Keokuk.....	61	Consultant, Retired Educator.....	92nd— <i>Lee</i>	72, 72X, 72XX, 73, 74, 74X, 74XX, 75, 76, 77, 78, 79, 79X, 79XX, 80, 80X, 80XX, 81, 81X, 82
Worthan, Gary.....	Storm Lake		Farmer	52nd— <i>Buena Vista, Sac</i>	82
Zirkelbach, Raymond	Monticello.....	29	Correctional Officer/ Soldier	31st— <i>Jones, Dubuque</i>	81, 81X, 82

JOURNAL OF THE HOUSE

First Calendar Day - First Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, January 8, 2007

Pursuant to chapter two (2), sections two point one (2.1) and two point three (2.3), code of Iowa, the House of Representatives of the Eighty-second General Assembly of Iowa, 2007 Regular Session, convened at 10:00 a.m., Monday, January 8, 2007.

The House was called to order by the Honorable John Whitaker, state representative from Van Buren County.

Prayer was offered by Rabbi Beryl Padorr, Rabbi of Tifereth Israel Synagogue, Des Moines. She was the guest of Speaker Elect Patrick Murphy of Dubuque County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Tyler Murphy, the grandson of Speaker Elect Patrick Murphy.

TEMPORARY OFFICERS

On motion by Smith of Marshall, Mark Brandsgard of Polk County was elected acting Chief Clerk. Mark Brandsgard presented himself and took and subscribed to the following oath:

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

Kressig of Black Hawk moved that the Honorable John Whitaker from Van Buren County be elected Temporary Speaker.

The motion prevailed and the oath of office was administered to the Honorable John Whitaker by Acting Chief Clerk Brandsgard.

Temporary Speaker Whitaker in the chair.

Wendt of Woodbury moved that a committee of five on credentials be appointed and that the accredited list of the Secretary of State be accepted.

The motion prevailed and the following committee was appointed: Wendt of Woodbury, chair, Bell of Jasper, Berry of Black Hawk, Tymeson of Madison and May of Dickinson.

REPORT OF COMMITTEE ON CREDENTIALS

MR. SPEAKER: We, your committee on credentials, respectfully report that we find the following named persons duly elected to and entitled to seats in the House of Representatives of the Eighty-second General Assembly as shown by duplicate copies of the certificates of election on file in the office of the Secretary of State:

CERTIFICATION

STATE OF IOWA
Office of
THE SECRETARY OF STATE

To the Honorable, The Chief Clerk of the House of Representatives:

I, MICHAEL A. MAURO, Secretary of State of the State of Iowa, custodian of the files and records pertaining to elections in the State, do hereby certify that the State Canvassing Board has declared that at the General Election held on November 7, 2006, each of the following named persons was duly elected to the office of State Representative for the term of two years beginning on the first day of January, 2007:

- First Wesley Whitead
Second Roger F. Wendt
Third Chuck Soderberg
Fourth Dwayne Alons
Fifth Royd E. Chambers
Sixth Mike May
Seventh Marcella R. Frevert
Eighth Dolores M. Mertz
Ninth McKinley Bailey
Tenth Dave Deyoe
Eleventh Henry V. Rayhons
Twelfth Linda Upmeyer
Thirteenth Bill Schickel
Fourteenth Mark A. Kuhn
Fifteenth Brian J. Quirk
Sixteenth Chuck Gipp
Seventeenth Pat Grassley
Eighteenth Andrew Wenthe
Nineteenth Bob Kressig
Twentieth Doris J. Kelley

Twenty-first.....	Tami Wiencek
Twenty-second	Deborah L. Berry
Twenty-third	Dan Rasmussen
Twenty-fourth	Roger Thomas
Twenty-fifth	Thomas J. Schueller
Twenty-sixth	Polly Bukta
Twenty-seventh.....	Pam Jochum
Twenty-eighth.....	Pat Murphy
Twenty-ninth	Ro Foege
Thirtieth.....	Dave Jacoby
Thirty-first	Ray Zirkelbach
Thirty-second	Steven F. Lukan
Thirty-third	Dick Taylor
Thirty-fourth	Todd Taylor
Thirty-fifth	Kraig Paulsen
Thirty-sixth	Swati A. Dandekar
Thirty-seventh	Art Staed
Thirty-eighth.....	Tyler Olson
Thirty-ninth	Dawn Pettengill
Fortieth.....	Lance J. Horbach
Forty-first.....	Paul Bell
Forty-second.....	Geri Huser
Forty-third.....	Mark Smith
Forty-fourth.....	Polly Granzow
Forty-fifth.....	Beth Wessel-Kroeschell
Forty-sixth.....	Lisa Heddens
Forty-seventh.....	Ralph Watts
Forty-eighth.....	Donovan Olson
Forty-ninth.....	Helen Miller
Fiftieth.....	David A. Tjepkes
Fifty-first	Rod Roberts
Fifty-second	See Below
Fifty-third.....	Dan Huseman
Fifty-fourth.....	Christopher Rants
Fifty-fifth.....	Clarence C. Hoffman
Fifty-sixth.....	Matt W. Windschitl
Fifty-seventh.....	Jack Drake
Fifty-eighth	Clel Baudler
Fifty-ninth.....	Dan Clute
Sixtieth.....	Libby Jacobs
Sixty-first	Jo Oldson
Sixty-second	Bruce Hunter
Sixty-third	Scott Raecker
Sixty-fourth	Janet Petersen
Sixty-fifth	Wayne W. Ford
Sixty-sixth	Ako Abdul-Samad
Sixty-seventh	Kevin McCarthy
Sixty-eighth.....	Rick L. Olson
Sixty-ninth	Walt Tomenga
Seventieth	Carmine Boal
Seventy-first.....	Jim Van Engelenhoven
Seventy-second.....	Richard D. Arnold

Seventy-third	Jodi Tymeson
Seventy-fourth	Mark Davitt
Seventy-fifth	Eric J. Palmer
Seventy-sixth	Betty R. De Boef
Seventy-seventh	Mary Mascher
Seventy-eighth	Vicki Lensing
Seventy-ninth	Jeff Kaufmann
Eightieth	Nathan K. Reichert
Eighty-first	Jamie Van Fossen
Eighty-second	Linda J. Miller
Eighty-third	Steven Olson
Eighty-fourth	Elesha Gayman
Eighty-fifth	Jim Lykam
Eighty-sixth	Cindy L. Winckler
Eighty-seventh	Thomas R. Sands
Eighty-eighth	Dennis M. Cohoon
Eighty-ninth	Sandra H. Greiner
Ninetieth	John Whitaker
Ninety-first	Dave Heaton
Ninety-second	Philip Wise
Ninety-third	Mary Gaskill
Ninety-fourth	Kurt Swaim
Ninety-fifth	Michael J. Reasoner
Ninety-sixth	Cecil Dolecheck
Ninety-seventh	Richard Anderson
Ninety-eighth	Greg Forristall
Ninety-ninth	Doug L. Struyk
One Hundredth	Paul Shomshor

I further certify that due to the death on September 5, 2006, of Mary Lou Freeman, the only candidate for the office of State Representative in the Fifty-Second District, a special election was held pursuant to the requirements of Iowa Code section 49.58 for the purpose of electing a person to fill that office. At the special election held on the twelfth day of December 2006 Gary Worthan was duly elected to the office of State Representative in the Fifty-Second District for the term of two years beginning on the first day of January, 2007.

(Seal) IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Secretary of State at the Statehouse in Des Moines, this second day of January, 2007.

Michael A. Mauro, Secretary of State

I hereby acknowledge receipt of the original copy of this document on the 2nd day of January, 2007.

MARK BRANDSGARD, Chief Clerk of the House of Representatives

ROGER WENDT, Chair
 PAUL BELL
 DEBORAH BERRY
 JODI TYMESON
 MIKE MAY

Wendt of Woodbury moved that the report of the committee on credentials be adopted.

The motion prevailed and the report was adopted.

MEMBERS' OATH OF OFFICE

The following members took and subscribed to the oath of office as follows:

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

Ako Abdul-Samad
 Dwayne Alons
 Richard Anderson
 Rich Arnold
 McKinley Bailey
 Clel Baudler
 Paul Bell
 Deborah Berry
 Carmine Boal
 Polly Bukta
 Royd Chambers
 Dan Clute
 Dennis Cohoon
 Swati Dandekar
 Mark Davitt
 Betty De Boef
 Dave Deyoe
 Cecil Dolecheck
 Jack Drake
 Ro Foege
 Wayne Ford
 Greg Forristall
 Marcella Frevert
 Mary Gaskill
 Elesha Gayman
 Chuck Gipp
 Polly Granzow
 Pat Grassley
 Sandy Greiner
 Dave Heaton
 Lisa Heddens
 Clarence Hoffman
 Lance Horbach

Helen Miller
 Linda Miller
 Patrick Murphy
 Jo Oldson
 Donovan Olson
 Rick Olson
 Steve Olson
 Tyler Olson
 Eric Palmer
 Kraig Paulsen
 Janet Petersen
 Dawn Pettengill
 Brian Quirk
 Scott Raecker
 Christopher Rants
 Dan Rasmussen
 Henry Rayhons
 Mike Reasoner
 Nathan Reichert
 Rod Roberts
 Tom Sands
 Bill Schickel
 Tom Schueller
 Paul Shomshor
 Mark Smith
 Chuck Soderberg
 Art Staed
 Doug Struyk
 Kurt Swaim
 Dick Taylor
 Todd Taylor
 Roger Thomas
 Dave Tjepkes

Bruce Hunter
 Dan Huseman
 Geri Huser
 Libby Jacobs
 Dave Jacoby
 Pam Jochum
 Jeff Kaufmann
 Doris Kelley
 Bob Kressig
 Mark Kuhn
 Vicki Lensing
 Steve Lukan
 Jim Lykam
 Mary Mascher
 Mike May
 Kevin McCarthy
 Dolores Mertz

Walt Tomenga
 Jodi Tymeson
 Linda Upmeyer
 Jim Van Engelenhoven
 Jamie Van Fossen
 Ralph Watts
 Roger Wendt
 Andrew Wenthe
 Beth Wessel-Kroeschell
 John Whitaker
 Wes Whitead
 Tami Wienczek
 Cindy Winckler
 Matt Windschitl
 Phil Wise
 Gary Worthan
 Ray Zirkelbach

ELECTION OF SPEAKER

Reasoner of Union presented the name of the Honorable Patrick J. Murphy of Dubuque County as candidate for Speaker of the House of Representatives of the Eighty-second General Assembly.

Mertz of Kossuth seconded the nomination of Patrick J. Murphy for Speaker of the House.

Rants of Woodbury seconded the nomination of Patrick J. Murphy for Speaker of the House and moved that the Chief Clerk be authorized to cast the votes of all the members of the House of Representatives of the Eighty-second General Assembly.

In accordance with the foregoing motion, the Acting Chief Clerk cast the votes of all the members of the House of Representatives for the Honorable Patrick J. Murphy as the Speaker of the House of Representatives of the Eighty-second General Assembly, was declared duly elected to that office.

Miller of Webster moved that a committee of two be appointed to escort the Speaker to the chair.

The motion prevailed and the following committee was appointed: Miller of Webster and Gipp of Winneshiek.

PRESENTATION OF SPEAKER

The Honorable Patrick J. Murphy was escorted to the Speaker's station and, having been sworn, assumed the chair. Temporary Speaker Whitaker presented Speaker Murphy with the gavel and congratulated him on his unanimous election.

Speaker Murphy thanked the House for the honor bestowed upon him and offered the following remarks:

First off I want to thank the people of the district that I represent, House District 28 of Dubuque. I've had the opportunity and the privilege of serving the people of that district for the last 18 years, and I appreciate the trust they have placed in me. But I also need to thank the members of this body for electing me as Speaker, and to my caucus for selecting me as their leader for the past three and a half years. I appreciate the trust that you have placed in me. It's been very humbling experience to have the opportunity to serve the citizens of the state of Iowa. I will try to do my best.

I'd also like to thank a few other people. I want to thank my family for everything they have done for me over the years. I wouldn't be able to be here unless I had a wife that was very committed. I want to thank my wife Teri, my children Jake, John, Joe, and Natalie, my daughters-in-law Jill and Stephanie, and to our three grandchildren, especially Tyler for leading us in the Pledge of Allegiance this morning.

I also want to take a second to remember one person who can't be here today, Representative Ray Zirkelbach, who is serving his country in Iraq. He has been over there for about 13 months, and our thoughts and prayers should be with Representative Zirkelbach every day when we do the opening prayer in this chamber, and for all of our troops that are defending this country.

I also want to thank Francis Guinta, a friend of my family for 30 years and one who's always helped me with my campaigns. And I know all the other 99 members will appreciate the next person I want to thank – my treasurer Vicki Krug. She's never been off by one penny in 18 years.

I was the ninth of ten kids and it definitely helped when I ran for public office; my siblings made up for all they did to me as the second youngest of ten kids when I put them to work on my campaign in 1989. And I wouldn't be here without the support of my brothers and sisters and my brothers-in-law and sisters-in-law, and for all the help from my nieces and nephews. I want to also thank the staff. I think members would agree on the importance of the support staff we have, whether it's the central staff or the caucus staff.

I need to personally thank some of the campaign staff – Karen Erickson, Kevin Boyd, Adam Phillips, Steve Chasse, and Tim Gannon, for their help over the last three years. Finally, I'd like to mention three people – my dad, my father-in-law, and my sister – who have passed away and could not be here today.

I believe in the American dream and in creating opportunities for Iowans to reach

it. The "Plan for Prosperity", which will be our roadmap this year, will harness the strength of our schools, our economy, and our natural resources with the values of Iowans to create a force for progress.

The "Plan for Prosperity" focuses on three major areas – improving learning from childhood through college; making Iowa the environmental "Green State"; and rewarding hard work.

Prosperity begins with a quality education and strong parental involvement. Children must be prepared to enter our schools, challenged with a rigorous K-12 curriculum, and taught by highly-qualified teachers. Higher education must be within the financial grasp of every Iowa student.

Our goal is to raise teacher salaries to at least 25th in the nation within five years. We must insist that teachers are certified in the subjects they teach and that students who are falling behind will get remedial help. We must provide state universities with sufficient funding so that tuition increases do not exceed the normal rate of inflation. And we must restore state support for work-study programs.

Iowa has energy alternatives – soy-based diesel, biomass, and wind energy - that can strengthen our economy, make a cleaner environment, create good jobs, and lessen reliance on foreign oil.

Our goal must be to establish Iowa as "The Green State" – internationally recognized for its alternative and renewable energy leadership. To that end, we intend to develop the nation's first bio-refinery for the next generation of ethanol technology and significantly increase the amount of electricity generated from renewable energy sources.

We must make Iowa a leader in the manufacture of alternative energy production equipment. We should create a private partnership to commercialize alternative fuels research and technology. It is also essential that we secure Iowa's food supply against catastrophic diseases and bio-terrorism.

Finally, we must assure that no one who works full-time is living in poverty. Right now, many hardworking Iowa families can barely make ends meet due to low wages and inadequate health care coverage. Similarly, main street businesses struggle with high commercial property taxes that stifle growth.

The "Plan for Prosperity" addresses the needs of small businesses and working families and offers hope for Iowans working hard to be successful. I hope we can all support legislation to raise the minimum wage from \$5.15/hour to \$7.25/hour. It has been 15 years since we last raised the minimum wage and there are over 100,000 Iowans currently making the minimum wage, 70% of whom are heads of household. This will be the first bill introduced and passed this year in the Iowa House. In addition, we must improve worker training programs at community colleges so that Iowans wanting to enhance their job prospects can acquire the skills they need.

On the business end, we must enable small businesses to pool their purchasing power and lower the cost of providing health insurance to their employees. And we must find a way to reduce property taxes on Iowa businesses without shifting the burden onto homeowners and farmers.

This is an ambitious agenda, but one that rewards hard work and makes it easier for Iowans to fulfill their dreams in Iowa. With this plan, all of Iowa's greatest assets can be fit together to reach a common goal for all Iowans – prosperity.

Those are things I think we can do to help our state prosper and to help our citizens prosper, and to help our children succeed in this state, so that we can grow this state and grow this economy. There's no question that it's an honor and a privilege to be here and I want to work with both Democrats and Republicans.

I don't care how big of a hole there is; I don't care what impediment there is; my goal is to build a bridge over to the other side, to work with anybody who wants to make this state prosper. That's my goal as Speaker and I ask for your support and help. I thank this body for the opportunity to serve you as Speaker. This is the opportunity for us as a body to move forward, to move ahead, to see what we can do to improve the lives of the average citizens of the state of Iowa. Thank you.

Smith of Marshall moved that Mark Brandsgard be elected permanent Chief Clerk of the House.

The motion prevailed and Mark Brandsgard was declared elected permanent Chief Clerk.

COMMITTEE TO NOTIFY THE GOVERNOR

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

The motion prevailed and the following committee was appointed: Winckler of Scott, Chair, Wenthe of Fayette and De Boef of Keokuk.

COMMITTEE TO NOTIFY THE SENATE

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

The motion prevailed and the following committee was appointed: T. Taylor of Linn, Chair, Bailey of Hamilton and Alons of Sioux.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 1

McCarthy of Polk asked and received unanimous consent for the immediate consideration of the following House Concurrent

Resolution, and moved its adoption:

1 HOUSE CONCURRENT RESOLUTION 1
 2 By McCarthy and Rants
 3 *Be It Resolved By The House Of Representatives, The*
 4 *Senate Concurring,* That a joint convention of the two
 5 houses of the 2007 session of the Eighty-second General
 6 Assembly be held on Monday, January 8, 2007, at 2:00 p.m.;
 7 and
 8 *Be It Further Resolved,* That at this joint convention
 9 the votes for Governor and Lieutenant Governor be canvassed
 10 and the results announced and recorded as provided by law.
 11 *Be It Further Resolved,* That Governor Thomas J. Vilsack
 12 be invited to deliver his condition of the state message at
 13 a joint convention of the two houses of the General Assembly
 14 on Tuesday, January 9, 2007, at 10:00 a.m., and that
 15 the Speaker of the House of Representatives and the President
 16 of the Senate be designated to extend the invitation to him.

The motion prevailed and the resolution was adopted.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 2

McCarthy of Polk asked and received unanimous consent for the immediate consideration of the following House Concurrent Resolution and moved its adoption:

1 HOUSE CONCURRENT RESOLUTION 2
 2 By McCarthy and Rants
 3 *Be It Resolved By The House Of Representatives, The*
 4 *Senate Concurring,* That a joint convention of the two
 5 houses of the 2007 session of the Eighty-second General
 6 Assembly be held on Wednesday, January 10, 2007, at
 7 10:00 a.m.; and
 8 *Be It Further Resolved,* That Chief Justice Ternus
 9 be invited to present her message of the condition of
 10 the judicial branch at this convention, and recommend
 11 such matters as the Chief Justice deems expedient,
 12 pursuant to section 602.1207 of the Code.

The motion prevailed and the resolution was adopted.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 3

McCarthy of Polk asked and received unanimous consent for the immediate consideration of the following House Concurrent Resolution and moved its adoption:

1 HOUSE CONCURRENT RESOLUTION 3

2 By McCarthy and Rants

3 A concurrent resolution relating to the appointment of
4 a joint inaugural committee.5 *Be It Resolved By The House Of Representatives, The*
6 *Senate Concurring,* That a joint committee be designated,
7 consisting of six members of the House of Representatives
8 to be appointed by the Speaker of the House, and six members
9 of the Senate to be appointed by the President of the
10 Senate, to arrange for the inauguration of the Governor and
11 Lieutenant Governor.

The motion prevailed and the resolution was adopted.

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following resolutions be immediately messaged to the Senate: **House Concurrent Resolutions 1, 2 and 3.**

ELECTION OF SPEAKER PRO TEMPORE

Foegen of Linn placed in nomination the Honorable Polly Bukta of Clinton County as candidate for Speaker pro tempore of the House of Representatives of the Eighty-second General Assembly.

Frevert of Palo Alto seconded the nomination of Representative Polly Bukta as Speaker pro tempore of the House of Representatives.

S. Olson of Clinton seconded the nomination of Representative Polly Bukta as Speaker pro tempore of the House of Representatives and moved that the Chief Clerk be authorized to cast the votes of all the members of the House of Representatives of the Eighty-second General Assembly.

In accordance with the foregoing motion, the Chief Clerk cast the votes of all the members of the House of Representatives for the Honorable Polly Bukta as Speaker pro tempore of the House of Representatives of the Eighty-second General Assembly. The Honorable Polly Bukta of Clinton County, having received all the votes cast for the office of Speaker pro tempore of the House of Representatives of the Eighty-second General Assembly, was declared duly elected to that office.

Frevert of Palo Alto moved that a committee of two be appointed to escort the Speaker pro tempore to the chair.

The motion prevailed and the following committee was appointed: Frevert of Palo Alto and S. Olson of Clinton.

Representative Bukta was escorted to the Speaker's station and, being duly sworn, offered the following remarks:

Mr. Speaker, ladies and gentlemen of the House, family members and honored guests, welcome to the Iowa House of Representatives. Thank you for making the trip to Des Moines to celebrate with us on this first day of the Eighty-second General Assembly. Thank you, spouses and children of my colleagues for the sacrifices you have made and will continue to make to permit your loved one the time and space needed to do the important work of the state.

I first want to thank my colleagues for the distinct honor of electing me to serve as the second woman Speaker Pro Tempore of the Iowa House of Representatives. I will not take my duties lightly, and will serve you, my peers, and the state of Iowa to the best of abilities. I pledge to you, my fellow members to maintain an open-door policy regardless of party affiliation as I work with the newly elected Speaker and Majority Leader in this transition period.

Now for the real reason we are here today. We are here to celebrate with our friends and family the honor bestowed on us by the voters in our respective districts. We are here to celebrate the 164 years that this Body has been serving the people of IOWA.

This year, however, we have more reason to celebrate than ever before. As our state has diversified, the House of Representatives has reflected that trend which better represents all the people of our great state.

Today we celebrate the twenty-eight elected women – a record number for the Iowa House.

Today, we celebrate our five elected minority members – a record four African Americans, and one Indian American.

Today, we celebrate a new youth movement in the House with a record number of eight members who are 30 and under. Think of the energy and fresh ideas these folks are bringing to our assembly!

Today we truly celebrate the fact that the People's House looks more and more like the PEOPLE we represent.

Today we celebrate all of us who come from different backgrounds, have different jobs, life experiences, and are at different phases in our lives. Let's use these different perspectives to build consensus and govern this state in the manner we are sent here to do – with responsibility, dedication and hard work.

Again, to my colleagues – THANK YOU FOR YOUR CONFIDENCE IN ME, to the staff members, door keepers, and maintenance crew – thank you for the hours of work to ready this chamber for opening day. To our families and friends – thank you for sharing our joy and celebration. ENJOY THE DAY!

REPORT OF THE COMMITTEE TO NOTIFY THE GOVERNOR

Winckler of Scott, Chair of the committee appointed to notify the Governor that the House was ready to receive it in joint convention, reported that the committee had performed its duty.

REPORT OF THE COMMITTEE TO NOTIFY THE SENATE

T. Taylor of Linn, chair of the committee appointed to notify the Senate that the House was ready to receive it in joint convention, reported that the committee had performed its duty.

COMMITTEE FROM THE SENATE

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

SPECIAL ORDER

McCarthy of Polk moved that the assignment of seats to the members of the House be made a special order for this afternoon at 3:00 p.m., which motion prevailed.

ADOPTION OF HOUSE RESOLUTION 1

Smith of Marshall asked and received unanimous consent for the immediate consideration of the following resolution and moved its adoption:

1. HOUSE RESOLUTION 1
2. By Bukta
3. *Be It Resolved By The House Of Representatives,*
4. That each member of the House of Representatives shall
5. be entitled to select and appoint a secretary, and
6. such secretary may be called upon to aid in the
7. discharge of the clerical work of the House of
8. representatives. Only expert typists will be
9. considered qualified. The Speaker and Chief Clerk

10. shall appoint their secretaries and pages to serve for
11. the session, and the Chief Clerk is hereby authorized
12. to employ such additional clerical assistance as his
13. duties may require.

The motion prevailed and the resolution was adopted.

ADOPTION OF HOUSE RESOLUTION 2

Smith of Marshall asked and received unanimous consent for the immediate consideration of the following resolution and moved its adoption:

1. HOUSE RESOLUTION 2
2. By Smith
3. *Be It Resolved By The House Of Representatives,*
4. That a committee of one be appointed to arrange for
5. opening the sessions with prayer.

The motion prevailed and the resolution was adopted.

ADOPTION OF HOUSE RESOLUTION 3

McCarthy of Polk asked and received unanimous consent for the immediate consideration of the following resolution and moved its adoption:

- 1 HOUSE RESOLUTION 3
- 2 BY Murphy
- 3 A resolution honoring the life and work of Wilbur N.
- 4 Rhoads.
- 5 *Whereas,* Wilbur N. Rhoads was born in Iowa and,
- 6 following service in the United States Navy, Iowa
- 7 remained his home for the rest of his life; and
- 8 *Whereas,* following a successful career in business,
- 9 Mr. Rhoads began his career at the House of
- 10 Representatives as a doorkeeper in 1993 and became
- 11 Sergeant-At-Arms commencing in 1998; and
- 12 *Whereas,* in that role Mr. Rhoads supervised many
- 13 legislative pages whom he treated as family, attending
- 14 many of their high school graduation receptions; and
- 15 *Whereas,* for all his years of employment with the
- 16 House of Representatives Mr. Rhoads served with
- 17 dedication, competence, and with an open, good-natured
- 18 manner that made him a friend to all; *Now Therefore,*
- 19 *Be It Resolved By The House Of Representatives,*
- 20 That the House of Representatives notes with sorrow
- 21 the passing of Wilbur N. Rhoads and honors his years
- 22 of service to the House of Representatives; and
- 23 *Be It Further Resolved,* That upon adoption, an

24 official copy of this Resolution be prepared and
25 presented to his wife, Marilyn Rhoads

The motion prevailed and the resolution was adopted.

SPECIAL PRESENTATION

McCarthy of Polk and Rants of Woodbury spoke regarding how much Wilbur Rhoads will be missed by all those serving in the House of Representatives and presented his widow, Mary, with a copy of the resolution.

The House rose and expressed its sympathy and appreciation.

Speaker Murphy introduced to the House the Honorable U.S. Congressmen Leonard Boswell.

The House rose and expressed its welcome.

COMMITTEE ON MILEAGE

Lensing of Johnson moved that a committee of three be appointed to determine the mileage due each member and report the same to the House.

The motion prevailed and the following committee was appointed: Lensing of Johnson, Chair, Davitt of Warren and Sands of Louisa.

ADOPTION OF TEMPORARY RULES OF THE HOUSE

Quirk of Chickasaw moved that the permanent rules of the House and provisions for compensation of employees adopted by the Eighty-first General Assembly be the temporary rules and temporary compensation provisions for the House of the Eighty-second General Assembly.

The motion prevailed.

REMARKS BY MINORITY LEADER

Rants of Woodbury offered the following remarks:

Thank you Mr. Speaker; Mr. Speaker, Ladies and Gentlemen of the House, Friends and Families.

“Truth is the glue that holds government together. Compromise is the oil that makes governments go.” That is how President Gerald Ford described the two basic elements needed to operate an effective government. It is as true today as it was thirty years ago.

Adhering to Ford’s analysis would serve us all well as next few weeks will be a period of adjustment for everyone in this chamber; for some it’s the adjustment of serving for the first time in the people’s House, for some it will be the challenge of accepting a new role of responsibility serving in the majority, and for we Republicans it will be the challenges of our new role as the loyal opposition.

One way to find that compromise, or that oil that makes government go, is to start out on common ground – an area where we have already found compromise. Last year we began the year in a bi-partisan fashion when Representatives Kuhn and Raecker co-sponsored House File 2002. This was the first bill debated by the appropriations committee, and it passed the full House in January. House File 2002 requires that the Senior Living Trust be repaid \$300 million dollars. That bill had unanimous support in this chamber. I would hope there would be unanimity again as we now have a unique opportunity to make the Senior Living Trust whole by transferring our Fiscal Year 07 budget surplus – after the reserves are filled at ten percent – to refill the trust fund. This can be accomplished without impacting the budget for Fiscal Year 08 we are about to begin working on. We have all said that we support that measure, we now have the funds, and the opportunity to do so. Mr. Speaker, I would respectfully ask that we be allowed to honor that promise.

Republicans will be working this session to honor other promises that we have made. Like repaying the Senior Living Trust Fund, several are promises that Democrats made as well. Adopting a mechanism to allow small businesses to pool their employees to purchase health insurance was a campaign theme for both caucuses. You may expect that Republicans will, in the manner of any true loyal opposition, bring our suggestions and ideas to the public debate. For example, Republicans suggest that all employees be allowed to participate – not just 10 percent. Nor do we believe that allowing pooling for only a short period of time will serve those wanting to pool their employees well, rather we need a permanent solution. Additionally, Republicans believe wellness is key to driving down health costs. Changes to drive individual businesses to create a healthy workforce and family must happen. A simple change in Iowa law would allow small group plans to have differing premiums for smokers and nonsmokers. These kinds of “smart change” must occur with pooling if we are to produce results.

Limiting the crushing effect commercial property taxes are having on Iowa’s entrepreneurs is also on the Republican agenda. Speaker Murphy, I couldn’t agree more when you said, “this is the single biggest economic development issue for current existing businesses in this state.” I’m with you. But so far, I haven’t heard a proposed

solution – other than more study. The last thing business owners need is another study. The last thing homeowners need is to become the new victims. There is an old adage, when you are in a hole and need to get out of it, the first thing you do is to stop digging. If we are going to improve Iowa's property tax climate, then the first step must be to limit the growth. To the Democrats who supported last biennium's House File 847, you know where the answer lies. If you are still interested in actually limiting the growth of property taxes, and not just shifting the burden to someone else, Republicans are here and ready to help – again, filling the role of the loyal opposition.

Earlier I spoke about starting out on common ground. Unfortunately one place that common ground will not exist is when Democrats pursue an agenda for which you do not have a public mandate. Gutting Iowa's Right to Work Law thru any type of forced unionism was not part of your pre-election agenda. We can't find it in any of your mailings, TV ads, or newspaper advertisements – yet it was rolled out the week following the election on Iowa public television.

Make no mistake; if you didn't campaign on it, you don't have a mandate for it. Raising the minimum wage – Democrats have a mandate. Forcing non-union members to pay union dues – Democrats have no mandate. Expanding job training at community colleges, mandate. Taking away an individual's right to choose whether or not to participate in a political organization – no mandate. 6% allowable growth for schools, mandate. Destroying Iowa's business climate – no mandate.

There is nothing "fair" about forcing individuals to pay dues to a union or any organization they do not choose to belong to. The first half of Iowa's motto is, "our liberties we prize" – attacking our Right to Work Law is an attack on those liberties. If Democrats pursue that course, you can expect Republicans to hold fast to the rest of our motto – our rights we will maintain.

More than two centuries ago, Samuel Adams observed, "It does not take a majority to prevail, but rather an irate, tireless minority keen to set brushfires in people's minds." If Democrats pursue this course of action, expect Republicans to be tireless in our opposition.

Mr. Speaker, I hope it doesn't come to that. There is plenty of common ground and plenty of work to do there. Alternative energy, for instance, is an important issue to both of our members. I can't think of a greater tribute to Representative Mary Lou Freeman, who unexpectedly passed away this fall, than to continue her work creating opportunities for Iowa farmers to raise not just corn and beans, but megawatts and ethanol. Much progress has been made in the last two years, but we must be ever mindful that technology changes, and Iowa must be on the leading edge in developing the next generation of bio based fuels, and more importantly developing a method of storing the vast amounts of energy generated across the windy plains of northern Iowa. Two ways to stay ahead of the curve are to invest in the research arms of our universities and empower the private sector to dictate the direction of that research. If there is one decision I would change from last session, it would be the make up of the Battelle Board, and who guides the research. Representative Wise, Representative Huser – I should have heeded your advice. Should you want to change the course we are on now, I would be glad to assist you in that effort.

I know that some of you are waiting for the Teddy Roosevelt quote – and others of you are just waiting for me to quit talking. Well, not today. But don't worry, I'll be

quoting Roosevelt often enough this year. You see, Roosevelt began his career in elective office in 1882 as a member of the New York General Assembly. During his tenure in the people's house he made his mark by often rising during the heat of debate from the back of the chamber on procedural points of order, shouting to get the attention of the Speaker. I trust, Mr. Speaker, that pushing my button will suffice – shouting won't be necessary.

Mr. Speaker, Ladies and Gentlemen, congratulations again on your individual victories. Great challenges await us all, and I look forward to the opportunity to work with each and every one of you. Mr. Speaker, Republicans are ready to go to work.

REMARKS BY THE MAJORITY LEADER

McCarthy of Polk offered the following remarks:

Thank you Mr. Speaker, Mr. Speaker, Ladies and Gentlemen of the House.

As the new Majority Leader, I want to acknowledge the outstanding work of my predecessor, Representative Gipp. Representative Gipp, you ran a first-rate office. As a leader, you were fair and open and you listened to all members, regardless of party. Thank you. Representative Rants, I enjoyed our meeting last week and look forward to working with you. If our meeting last week was an indication of things to come, I think you will agree that we can develop a good working relationship. I will do my best to keep you and your caucus informed on the bills we will be debating.

Like all of us here, we would not have been elected without the strong support of our friends and family and I want to acknowledge and thank my family that are present...my wife Marcy and our four-year old daughter Kennedy and my father and mother, Bill and Linda McCarthy.

Prior to this year, for most of the past few decades, voters in Iowa chose to have divided Government...where one political party controlled one or more chambers of the legislature and a different political party controlled the executive branch. After choosing divided government, we were always told that the resulting message Iowans were sending was that they wanted bi-partisan cooperation...that the message of divided control was that they wanted both parties to work together for the common good. But, we do not have a divided government this year. For the first time in four decades the Democrats control the House, Senate and the Executive Branch. If divided government equaled a message of cooperation for us as elected officials, what then is the message that voters sent to us this year where only one party now controls? Do we now have leave to abandon bi-partisanship? Is that the message voters gave us? Should we in the majority party avoid difficult bi-partisan work to instead take the easy road and utilize the structural power that we now have to accomplish our goals?

We know intuitively, of course, that this was not the message voters gave us this year at all. Rather, we know that now, probably more than any other time in our state's history; Iowans want us to put aside our petty differences and to resist the easy temptation to slip back into partisan bickering.

After last fall's campaigns, this may be harder than we would all like to admit. Several of you have just come off hard-fought, negative political campaigns. Some

campaigns were so negative that it left the candidates involved longing for the good old days of negative campaigning where the opponents merely distorted each other's records. We need to improve the tone of our political discourse. Why? Because it is desperately needed and it is the right thing to do.

I believe the challenge this session for us in the majority party is to recognize that always traveling down the easy road of using our new power will not be as productive as the more difficult road is of bi-partisanship. The challenge for all of us here this year is to recognize that no one party has sole monopoly on the truth and that more often than not...the best legislation springs, not from partisan conflict, but from our work across party lines. This will not be easy, but we all know that in the long-run the easy road is never the best course to take. Let's all commit to take the road less traveled and to take that more difficult journey...together. Thank you Mr. Speaker.

INTRODUCTION OF BILLS

House File 1, by McCarthy, Abdul-Samad, Bailey, Bell, Berry, Bukta, Cohoon, Dandekar, Davitt, Foege, Ford, Frevert, Gaskill, Gayman, Heddens, Hunter, Huser, Jacoby, Jochum, Kelley, Kressig, Kuhn, Lensing, Lykam, Mascher, Mertz, H. Miller, Murphy, Oldson, D. Olson, R. Olson, T. Olson, Palmer, Petersen, Pettengill, Quirk, Reasoner, Reichert, Schueller, Shomshor, Smith, Staed, Swaim, D. Taylor, T. Taylor, Thomas, Wendt, Wenthe, Wessel-Kroeschell, Whitaker, Whitead, Winckler, Wise and Zirkelbach, a bill for an act relating to the state minimum hourly wage requirements and providing an effective date.

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

House File 2, by Wise and Cohoon, a bill for an act relating to the designation of pilot project cities for a targeted jobs withholding tax credit to be used for funding improvements in certain urban renewal areas and including effective and applicability date provisions.

Read first time and referred to committee on **ways and means**.

House File 3, by Wise and Cohoon, a bill for an act relating to pilot project city designations in certain counties for a targeted jobs withholding tax credit to be used for funding improvements in certain urban renewal areas and including effective and applicability date provisions.

Read first time and referred to committee on **ways and means**.

House File 4, by Wise, Pettengill, Berry, H. Miller, Foege, Bukta, Mertz, Abdul-Samad, Frevert, D. Taylor, Gaskill, Quirk, Heddens, Kressig, Kelley, Swaim, Wenthe, Thomas, Reasoner, Shomshor, Murphy, Smith, Kuhn, Schueller, T. Taylor, Whitaker, Staed, Lykam, Winckler, Wessel-Kroeschell, Petersen, Bell, Wendt, Jacoby, Oldson, Cohoon, Whitead, D. Olson, Davitt and R. Olson, a bill for an act providing for association group health care plans, including a five-year association group health care plan pilot project, association group health care plan actuarial studies, wellness initiatives, providing an appropriation, and providing an effective date.

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

House File 5, by Heddens, Bailey, Gayman, Wenthe, Kuhn, Frevert, D. Olson, Reichert, Jochum, Whitaker, Lykam, Bukta, Davitt, Murphy, Abdul-Samad and Staed, a bill for an act relating to the maximum finance charge allowed for consumer loans secured by a certificate of title to a motor vehicle and making penalties applicable.

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

House File 6, by Heddens and Dandekar, a bill for an act relating to the compulsory school attendance age and providing an effective date.

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

House File 7, by Wise, a bill for an act providing for the establishment of a lean manufacturing institute and making an appropriation.

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

RULE 57 SUSPENDED

McCarthy of Polk asked and received unanimous consent to suspend Rule 57, relating to committee notice and agenda for a meeting of the committee on administration and rules, upon recess.

STANDING COMMITTEES APPOINTED

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

ADMINISTRATION AND RULES – 14 Members

Quirk, Chair	Heddens	Paulsen	Upmeyer
Reasoner*	Kaufmann	Petersen	Whitaker
Roberts**	McCarthy	Rants	
Foege	Murphy	Struyk	

AGRICULTURE – 21 Members

Mertz, Chair	Frevert	Miller, H.	Reichert
Whitaker*	Gayman	Olson, S.	Struyk
Drake**	Greiner	Pettengill	Swaim
Davitt	Huseman	Rayhons	Wenthe
De Boef	Kuhn	Reasoner	Worthan
Dolecheck			

APPROPRIATIONS – 25 Members

Oldson, Chair	Dandekar	Heaton	Roberts
Kuhn*	De Boef	Hunter	Schickel
Raecker**	Dolecheck	Huseman	Taylor, T.
Alons	Foege	Jacoby	Watts
Berry	Ford	Lukan	Wenthe
Chambers	Gayman	Reichert	Winckler
Cphoon			

COMMERCE – 23 Members

Petersen, Chair	Hoffman	Paulsen	Struyk
Jacoby*	Jacobs	Pettengill	Taylor, D.
Soderberg**	Kelley	Quirk	Upmeyer
Bailey	Kressig	Reichert	Van Fossen
Berry	Lukan	Sands	Wise
Clute	Oldson	Shomshor	

ECONOMIC GROWTH – 21 Members

Thomas, Chair	Dandekar	Miller, H.	Schueller
Staed*	Ford	Olson, D.	Van Fossen
Hoffman**	Granzow	Olson, T.	Wenthe
Anderson	Horbach	Petersen	Wienczek
Bailey	May	Schickel	Wise
Clute			

EDUCATION – 23 Members

Wendt, Chair	Chambers	Heddens	Staed
Mascher*	Cphoon	Kaufmann	Tymeson
May**	Dolecheck	Kelley	Wienczek
Abdul-Samad	Foege	Miller, L.	Winckler
Boal	Forristall	Palmer	Wise
Bukta	Gayman	Raecker	

ENVIRONMENTAL PROTECTION – 21 Members

Olson, D., Chair	Deyoe	Kressig	Olson, T.
Frevert*	Drake	Kuhn	Sands
Olson, S.**	Gaskill	Lensing	Smith
Alons	Greiner	Miller, H.	Watts
Anderson	Jochum	Olson, R.	Wessel-Kroeschell
De Boef			

GOVERNMENT OVERSIGHT – 9 Members

Lensing, Chair	Baudler	Olson, S.	Tymeson
Ford*	Berry	Swaim	Whitead
Watts**			

HUMAN RESOURCES – 21 Members

Smith, Chair	Grassley	Mascher	Roberts
Abdul-Samad*	Heaton	Miller, L.	Soderberg
Granzow**	Heddens	Olson, T.	Tomenga
Foege	Hunter	Palmer	Upmeyer
Ford	Jacoby	Petersen	Wessel-Kroeschell
Forristall			

JUDICIARY – 21 Members

Swaim, Chair	Horbach	Oldson	Struyk
Palmer*	Huser	Olson, R.	Tomenga
Anderson**	Jacobs	Paulsen	Wendt
Baudler	Lensing	Schueller	Wessel-Kroeschell
Boal	Mertz	Smith	Winckler
Heaton			

LABOR – 17 Members

Olson, R. Chair	Grassley	Murphy	Tymeson
Taylor, T.*	Hunter	Palmer	Van Engelenhoven
Horbach**	Jochum	Rants	Watts
Abdul-Samad	Mascher	Staed	Winckler
Chambers			

LOCAL GOVERNMENT – 21 Members

Gaskill, Chair	Cohon	Lykam	Thomas
Kressig*	Deyoe	Olson, D.	Tjepkes
Kaufmann**	Hoffman	Rasmussen	Van Engelenhoven
Arnold	Huser	Schueller	Van Fossen
Bukta	Kelley	Taylor, D.	Whitead
Clute			

NATURAL RESOURCES – 21 Members

Bell, Chair	Davitt	Rasmussen	Upmeyer
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Taylor, D.*	Huseman	Reichert	Van Engelenhoven
Rayhons**	Lukan	Shomshor	Wenthe
Arnold	Lykam	Soderberg	Whitaker
Bailey	Mertz	Taylor, T.	Whitead
Baudler			

PUBLIC SAFETY – 21 Members

Lykam, Chair	Heddens	Mascher	Swaim
Berry*	Hunter	Olson, R.	Tjepkes
Baudler**	Kressig	Olson, S.	Tomenga
Alons	Kuhn	Rayhons	Whitaker
Bell	Lukan	Sands	Worthan
Gayman			

STATE GOVERNMENT – 21 Members

Jochum, Chair	Gipp	Lensing	Shomshor
Pettengill*	Greiner	Miller, L.	Taylor, T.
Boat**	Jacobs	Quirk	Wendt
Abdul-Samad	Jacoby	Raecker	Wessel-Kroeschell
Drake	Kaufmann	Roberts	Whitead
Gaskill			

TRANSPORTATION – 21 Members

Huser, Chair	Cohoon	May	Roberts
Lykam*	Dandekar	Mertz	Swaim
Tjepkes**	Gaskill	Olson, D.	Whitaker
Arnold	Gipp	Rasmussen	Windschitl
Bell	Huseman	Reasoner	Worthan
Bukta			

VETERANS AFFAIRS – 15

Whitead, Chair	Bailey	Granzow	Watts
Taylor, D.*	Bell	Miller, H.	Windschitl
Tymeson**	Bukta	Staed	Worthan
Alons	Chambers	Thomas	

WAYS AND MEANS – 25 Members

Shomshor, Chair	Grassley	Olson, T.	Thomas
Schueller*	Huser	Pettengill	Van Fossen
Sands**	Jacobs	Quirk	Wendt
Davitt	Jochum	Reasoner	Wienczek
Deyoe	Kaufmann	Soderberg	Windschitl
Forristall	Kelley	Struyk	Wise
Frevert			

ETHICS – 6 Members

Davitt, Chair	Schickel**	Raecker
Bell*	Olson, T.	Tymeson

HOUSE APPROPRIATIONS SUBCOMMITTEES

ADMINISTRATION AND REGULATION – 9 Members

Hunter, Chair	Drake	Kressig	Wiencsek
Kelley*	Gaskill	Pettengill	Worthan
Alons**			

AGRICULTURE AND NATURAL RESOURCES – 9 Members

Kuhn, Chair	Bell	Grassley	Olson, D.
Bailey*	Deyoe	Mertz	Rasmussen
De Boef**			

ECONOMIC DEVELOPMENT – 9 Members

Dandekar, Chair	Clute	Hoffman	Staed
Olson, T.*	Forristall	Schueller	Thomas
Schickel**			

EDUCATION – 9 Members

Winckler, Chair	Boal	Dolecheck	Mascher
Wenthe*	Davitt	Frevert	May
Chambers**			

HEALTH AND HUMAN SERVICES – 9 Members

Foegen, Chair	Abdul-Samad	Miller, L.	Smith
Gayman*	Granzow	Palmer	Tomenga
Heaton**			

JUSTICE SYSTEMS – 9 Members

Taylor T., Chair	Anderson	Jochum	Taylor, D.
Wessel-Kroeschell*	Horbach	Olson, R.	Tjepkes
Lukan**			

TRANSPORTATION, INFRASTRUCTURE AND CAPITALS – 9 Members

Cohoon, Chair	Gipp	Quirk	Shomshor
Reichert*	Lykam	Rayhons	Windschitl
Huseman**			

* Vice Chair

** Ranking Member

HOUSE COMMITTEE ASSIGNMENTS

Ako Abdul-Samad	Education Human Resources, Vice Chair Labor State Government Health and Human Services, Appropriations Subcommittee
Dwayne Alons	Appropriations Environmental Protection Public Safety Veterans Affairs Administration and Regulation, Appropriations Subcommittee, Ranking Member
Richard Anderson	Economic Growth Environmental Protection Judiciary, Ranking Member Justice System, Appropriations Subcommittee
Richard Arnold	Local Government Natural Resources Transportation
McKinley Bailey	Commerce Economic Growth Natural Resources Veterans Affairs Agriculture and Natural Resources, Appropriations Subcommittee, Vice Chair
Clel Baudler	Government Oversight Judiciary Natural Resources Public Safety, Ranking Member
Paul Bell	Ethics Natural Resources, Chair Public Safety Transportation Veterans Affairs Agriculture and Natural Resources, Appropriations Subcommittee
Deborah Berry	Appropriations Commerce Government Oversight Public Safety, Vice Chair

Carmine Boal	Education Judiciary State Government, Ranking Member Education, Appropriations Subcommittee
Polly Bukta	Education Local Government Transportation Veterans Affairs
Royd Chambers	Appropriations Education Labor Veterans Affairs Education, Appropriations Subcommittee, Ranking Member
Dan Clute	Commerce Economic Growth Local Government Economic Development, Appropriations Subcommittee
Dennis Cohoon	Appropriations Education Local Government Transportation Transportation, Infrastructure and Capitals, Appropriations Subcommittee, Chair
Swati Dandekar	Appropriations Economic Growth Transportation Economic Development, Appropriations Subcommittee, Chair
Mark Davitt	Agriculture Ethics, Chair Natural Resources Ways and Means Education, Appropriations Subcommittee
Betty De Boef	Agriculture Appropriations Environmental Protection Agriculture and Natural Resources, Appropriations Subcommittee, Ranking Member
Dave Deyoe	Environmental Protection Local Government

Ways and Means
Agriculture and Natural Resources,
Appropriations Subcommittee

Cecil Dolecheck
Agriculture
Appropriations
Education
Education,
Appropriations Subcommittee

Jack Drake
Agriculture, Ranking Member
Environmental Protection
State Government
Administration and Regulation,
Appropriations Subcommittee

Ro Foege
Administration and Rules
Appropriations
Education
Human Resources
Health and Human Services,
Appropriations Subcommittee, Chair

Wayne Ford
Appropriations
Economic Growth
Government Oversight, Vice Chair
Human Resources

Greg Forristall
Education
Human Resources
Ways and Means
Economic Development,
Appropriations Subcommittee

Marcella Frevert
Agriculture
Environmental Protection, Vice Chair
Ways and Means
Education,
Appropriations Subcommittee

Mary Gaskill
Environmental Protection
Local Government, Chair
State Government
Transportation
Administration and Regulation,
Appropriations Subcommittee

Elesha Gayman
Agriculture
Appropriations
Education
Public Safety
Health and Human Services,
Appropriations Subcommittee, Vice Chair

Chuck Gipp	State Government Transportation Transportation, Infrastructure and Capitals, Appropriations Subcommittee
Polly Granzow	Economic Growth Human Resources, Ranking Member Veterans Affairs Health and Human Services, Appropriations Subcommittee
Pat Grassley	Human Resources Labor Ways and Means Agriculture and Natural Resources, Appropriations Subcommittee
Sandy Greiner	Agriculture Environmental Protection State Government
Dave Heaton	Appropriations Human Resources Judiciary Health and Human Services, Appropriations Subcommittee, Ranking Member
Lisa Heddens	Administration and Rules Education Human Resources Public Safety
Clarence Hoffman	Commerce Economic Growth, Ranking Member Local Government Economic Development, Appropriations Subcommittee
Lance Horbach	Economic Growth Judiciary Labor, Ranking Member Justice System, Appropriations Subcommittee
Bruce Hunter	Appropriations Human Resources Labor Public Safety Administration and Regulation, Appropriations Subcommittee, Chair

Dan Huseman	Agriculture Appropriations Natural Resources Transportation Transportation, Infrastructure and Capitals, Appropriations Subcommittee
Geri Huser	Judiciary Local Government Transportation, Chair Ways and Means
Libby Jacobs	Commerce Judiciary State Government Ways and Means
Dave Jacoby	Appropriations Commerce, Vice Chair Human Resources State Government
Pam Jochum	Environmental Protection Labor State Government, Chair Ways and Means Justice System, Appropriations Subcommittee
Jeff Kaufmann	Administration and Rules Education Local Government State Government Ways and Means
Doris Kelley	Commerce Education Local Government Ways and Means Administration and Regulation, Appropriations Subcommittee, Vice Chair
Bob Kressig	Commerce Environmental Protection Local Government, Vice Chair Public Safety Administration and Regulation, Appropriations Subcommittee
Mark Kuhn	Agriculture Appropriations, Vice Chair Environmental Protection

	Public Safety Agriculture and Natural Resources, Appropriations Subcommittee, Chair
Vicki Lensing	Environmental Protection Government Oversight, Chair Judiciary State Government
Steven Lukan	Appropriations Commerce Natural Resources Public Safety Justice System, Appropriations Subcommittee, Ranking Member
Jim Lykam	Local Government, Natural Resources Public Safety, Chair Transportation, Vice Chair Transportation, Infrastructure and Capitals, Appropriations Subcommittee
Mary Mascher	Education, Vice Chair Human Resources Labor Public Safety Education, Appropriations Subcommittee
Mike May	Economic Growth Education, Ranking Member Transportation Education, Appropriations Subcommittee
Kevin McCarthy	Administration and Rules
Dolores Mertz	Agriculture, Chair Judiciary Natural Resources Transportation Agriculture and Natural Resources, Appropriations Subcommittee
Helen Miller	Agriculture Economic Growth Environmental Protection Veterans Affairs
Linda Miller	Education Human Resources State Government Health and Human Services, Appropriations Subcommittee

Pat Murphy	Administration and Rules Labor
Jo Oldson	Appropriations, Chair Commerce Judiciary
Donovan Olson	Economic Growth Environmental Protection, Chair Local Government Transportation Agriculture and Natural Resources, Appropriations Subcommittee
Rick Olson	Environmental Protection Judiciary Labor, Chair Public Safety Justice System, Appropriations Subcommittee
Steve Olson	Agriculture Environmental Protection, Ranking Member Government Oversight Public Safety
Tyler Olson	Economic Growth Environmental Protection Ethics Human Resources Ways and Means Economic Development, Appropriations Subcommittee, Vice Chair
Eric Palmer	Education Human Resources Judiciary, Vice Chair Labor Health and Human Services, Appropriations Subcommittee
Kraig Paulsen	Administration and Rules Commerce Judiciary
Janet Petersen	Administration and Rules Commerce, Chair Economic Growth Human Resources
Dawn Pettengill	Agriculture Commerce State Government, Vice Chair

	Ways and Means Administration and Regulation, Appropriations Subcommittee
Brian Quirk	Administration and Rules, Chair Commerce State Government Ways and Means Transportation, Infrastructure and Capitals, Appropriations Subcommittee
J. Scott Raecker	Appropriations, Ranking Member Education State Government
Christopher Rants	Administration and Rules Labor
Dan Rasmussen	Local Government Natural Resources Transportation Agriculture and Natural Resources, Appropriation Subcommittee
Henry Rayhons	Agriculture Natural Resources, Ranking Member Public Safety Transportation, Infrastructure and Capitals, Appropriations Subcommittee
Mike Reasoner	Administration and Rules, Vice Chair Agriculture Transportation Ways and Means
Nathan Reichert	Agriculture Appropriations Commerce Natural Resources Transportation, Infrastructure and Capitals, Appropriations Subcommittee, Vice Chair
Rod Roberts	Administration and Rules Appropriations Human Resources State Government Transportation
Tom Sands	Commerce Environmental Protection Public Safety Ways and Means, Ranking Member

Bill Schickel	Appropriations Economic Growth Ethics Economic Development, Appropriations Subcommittee
Tom Schueller	Economic Growth Judiciary Local Government Ways and Means, Vice Chair Economic Development, Appropriations Subcommittee
Paul Shomshor	Commerce Natural Resources State Government Ways and Means, Chair Transportation, Infrastructure and Capitals, Appropriations Subcommittee
Mark Smith	Environmental Protection Human Resources, Chair Judiciary Health and Human Services, Appropriations Subcommittee
Chuck Soderberg	Commerce, Ranking Member Human Resources Natural Resources Ways and Means
Art Staed	Economic Growth, Vice Chair Education Labor Veterans Affairs Economic Development, Appropriations Subcommittee
Doug Struyk	Administration and Rules Agriculture Commerce Judiciary Ways and Means
Kurt Swaim	Agriculture Government Oversight Judiciary, Chair Public Safety Transportation
Dick Taylor	Commerce Local Government

	Natural Resources, Vice Chair Veterans Affairs, Vice Chair Justice System, Appropriations Subcommittee
Todd Taylor	Appropriations Labor, Vice Chair Natural Resources State Government Justice System. Appropriations Subcommittee, Chair
Roger Thomas	Economic Growth, Chair Local Government Veterans Affairs Ways and Means Economic Development, Appropriations Subcommittee
Dave Tjepkes	Local Government Natural Resources Transportation, Ranking Member Justice System, Appropriations Subcommittee
Walt Tomenga	Human Resources Judiciary Public Safety Health and Human Services, Appropriations Subcommittee
Jodi Tymeson	Education Ethics Government Oversight Labor Veterans Affairs, Ranking Member
Linda Upmeyer	Administration and Rules Commerce Human Resources Natural Resources
Jim Van Engelenhoven	Labor Local Government Natural Resources
Jamie Van Fossen	Commerce Local Government Ways and Means
Ralph Watts	Appropriations Environmental Protection

	Government Oversight, Ranking Member Labor Veterans Affairs
Roger Wendt	Education, Chair Judiciary State Government Ways and Means
Andrew Wenthe	Agriculture Appropriations Economic Growth Natural Resources Education, Appropriations Subcommittee, Vice Chair
Beth Wessel-Kroeschell	Environmental Protection Human Resources Judiciary State Government Justice System, Appropriations Subcommittee, Vice Chair
John Whitaker	Administration and Rules Agriculture, Vice Chair Natural Resources Public Safety Transportation
Wes Whitead	Government Oversight Local Government Natural Resources State Government Veterans Affairs, Chair
Tami Wienczek	Economic Growth Education Ways and Means Administration and Regulation, Appropriations Subcommittee
Cindy Winckler	Appropriations Education Judiciary Labor Education, Appropriations Subcommittee, Chair
Matt Windschitl	Transportation Veterans Affairs Ways and Means Transportation, Infrastructure and Capitals, Appropriations Subcommittee

Phil Wise	Commerce Economic Growth Education Ways and Means
Gary Worthan	Agriculture Public Safety Transportation Veterans Affairs Administration and Regulation, Appropriations Subcommittee
Ray Zirkelbach	Committees to be assigned upon return from Military service in Iraq.

On motion by McCarthy of Polk, the House was recessed at 11:29 a.m., until 2:00 p.m.

AFTERNOON SESSION

The House reconvened at 2:02 p.m., Speaker Murphy in the chair.

COMMITTEE TO NOTIFY THE SENATE

T. Taylor of Linn moved that a committee of three be appointed to notify the Senate that the House was ready to receive it in joint convention.

The motion prevailed and the Speaker appointed as such committee: T. Taylor of Linn, chair, Bailey of Hamilton and Alons of Sioux.

The House stood at ease at 2:02 p.m., until the fall of the gavel.

The House resumed session at 2:16 p.m., Speaker Murphy in the chair.

REPORT OF THE COMMITTEE TO NOTIFY THE SENATE

T. Taylor of Linn, chair of the committee to notify the Senate that the House was ready to receive it in joint convention, reported that the committee had performed its duty.

The report was accepted and the committee discharged.

The Sergeant-at-Arms announced the arrival of the President of the Senate, the Secretary of the Senate and the honorable body of the Senate.

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

JOINT CONVENTION

In accordance with law and the concurrent resolution duly adopted, the joint convention was called to order at 2:21 p.m., President Kibbie presiding.

Senator Gronstal moved that the roll call be dispensed with and that the President of the joint convention be authorized to declare a quorum present.

The motion prevailed.

President Kibbie announced a quorum present and the joint convention duly organized.

CANVASS OF VOTES

President Kibbie announced that the time had arrived for the canvass of votes for the offices of Governor and Lieutenant Governor at the General Election held on November 7, 2006, and announced as teller, on the part of the Senate, Bolkcom of Johnson, and assistant tellers Senators Quirmbach of Story and Mulder of Sioux, and as teller, on the part of the House, Representative Shomshor of Pottawattamie, and assistant tellers Representatives Abdul-Samad of Polk and Watts of Dallas.

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

The returns were opened in the presence of the joint convention and the tellers then proceeded to canvass the vote for Governor and

Lieutenant Governor of the State of Iowa, cast at the General Election held on November 7, 2006.

The House stood at ease at 2:22 p.m., until the fall of the gavel.

The House resumed session at 2:46 p.m., President Kibbie in the chair.

McCarthy of Polk moved that the joint convention recess until 10:00 a.m., Tuesday, January 9, 2006.

The motion prevailed and the joint convention was recessed at 2:46 p.m.

AFTERNOON SESSION

The House reconvened at 2:57 p.m., Speaker Murphy in the chair.

Speaker pro tempore Bukta of Clinton in the chair at 3:28 p.m.

SPECIAL ORDER

The hour for the special order having arrived, the members were requested to vacate their seats.

The drawing of seats was as follows:

1. Speaker of the House Murphy—floor seat
2. Speaker pro tempore Bukta
3. Majority Floor Leader McCarthy
4. Minority Floor Leader Rants
5. Assistant Floor Leaders —
6. Members with defective sight, hearing and physical disability
7. Drawing by seniority:
 - a. Former Speaker
 - b. Returning members, by seniority
 - c. New members

The drawing of seats proceeded with the following results:

Name	Seat No.
Ako Abdul-Samad	27
Dwayne Alons	32
Richard Anderson	36

Rich Arnold	31
McKinley Bailey.....	74
Clel Baudler	26
Paul Bell.....	86
Deborah Berry.....	13
Carmine Boal	83
Polly Bukta.....	84
Royd Chambers.....	30
Dan Clute	4
Dennis Cohoon.....	67
Swati Dandekar.....	15
Mark Davitt	10
Betty De Boef.....	2
Dave Deyoe.....	16
Cecil Dolecheck	65
Jack Drake	46
Ro Foege	96
Wayne Ford.....	91
Greg Forristall.....	38
Marcella Frevert.....	82
Mary Gaskill	55
Elesha Gayman.....	75
Chuck Gipp	62
Polly Granzow.....	52
Pat Grassley.....	18
Sandy Greiner.....	33
Dave Heaton.....	6
Lisa Heddens	54
Clarence Hoffman.....	53
Lance Horbach.....	8
Bruce Hunter	93
Dan Huseman	45
Geri Huser.....	5
Libby Jacobs.....	66
Dave Jacoby	78
Pam Jochum.....	89
Jeff Kaufmann.....	48
Doris Kelley.....	17
Bob Kressig.....	9
Mark Kuhn.....	90
Vicki Lensing	37
Steve Lukan	56
Jim Lykam	71
Mary Mascher	97
Mike May	12
Kevin McCarthy.....	100
Dolores Mertz.....	7
Helen Miller	92
Linda Miller	40
Patrick Murphy.....	14
Jo Oldson.....	80
Donovan Olson.....	3

Rick Olson	70
Steve Olson	34
Tyler Olson.....	19
Eric Palmer	72
Kraig Paulsen	68
Janet Petersen	1
Dawn Pettengill	11
Brian Quirk.....	43
Scott Raecker	60
Christopher Rants	99
Dan Rasmussen	29
Henry Rayhons	64
Mike Reasoner	87
Nathan Reichert	79
Rod Roberts.....	98
Tom Sands.....	47
Bill Schickel	51
Tom Schueller	57
Paul Shomshor.....	85
Mark Smith.....	23
Chuck Soderberg.....	42
Art Staed	73
Doug Struyk	25
Kurt Swaim.....	44
Dick Taylor.....	88
Todd Taylor	95
Roger Thomas	61
Dave Tjepkes.....	22
Walt Tomenga.....	58
Jodi Tymeson	28
Linda Upmeyer	81
Jim Van Engelenhoven.....	35
Jamie Van Fossen.....	50
Ralph Watts	24
Roger Wendt.....	59
Andrew Wenthe	21
Beth Wessel-Kroeschell.....	41
John Whitaker	63
Wes Whitead	69
Tami Wienczek	77
Cindy Winckler	39
Matt Windschitl.....	49
Phil Wise	94
Gary Worthan	20
Ray Zirkelbach.....	76

McCarthy of Polk moved that the assignment of seats be accepted as listed.

The motion prevailed.

COMMUNICATION FROM SECRETARY OF STATE

The following communication from the Secretary of State has been received and is on file in the office of the Chief Clerk:

REPORT TO THE EIGHTY-SECOND GENERAL ASSEMBLY REGARDING THE PUBLICATION OF PROPOSED CONSTITUTIONAL AMENDMENTS

To the Honorable, the Chief Clerk of the House of Representatives:

I, CHESTER J. CULVER, Secretary of State of the State of Iowa, do hereby certify that the following named newspapers were designated to publish HOUSE JOINT RESOLUTION # 5, Acts of the Eighty-first General Assembly. In accordance with Chapter 49A, Code of Iowa, affidavits showing proof of those publications are on file in this department and are recorded as follows:

<u>Congressional District Newspapers</u>	<u>2006 Dates of Publication</u>
First	Dubuque Telegraph Herald, Dubuque Quad City Times, Davenport Waterloo Courier, Waterloo
	8/10 9/13 10/04 8/07 9/11 10/02 8/07 9/11 10/02
Second	Burlington Hawkeye, Burlington Cedar Rapids Gazette, Cedar Rapids
	8/07 9/11 10/02 8/07 9/11 10/02
Third	Des Moines Register, Des Moines Oskaloosa Herald and Shopper, Oskaloosa
	8/10 9/15 10/05 8/10 9/11 10/02
Fourth	Ames Daily Tribune, Ames Fort Dodge Messenger, Fort Dodge
	8/08 9/12 10/03 8/08 9/12 10/03
Fifth	Council Bluffs Non-Pareil, Council Bluffs Sioux City Journal, Sioux City
	8/08 9/12 10/03 8/11 9/15 10/06

(Seal)

IN TESTIMONY WHEREOF, I hereunto set my hand and affixed the seal of the Secretary of State at the Capitol, in Des Moines, this nineteenth day of December, 2006.

CHESTER J. CULVER, Secretary of State

I hereby acknowledge that I received the original copy of this document on the nineteenth day of December, 2006.

MARGARET A. THOMSON, Chief Clerk of the House

COMMUNICATIONS RECEIVED

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

Board of Regents

Annual report (2005-06) of College Bound and IMAGES programs at the Regents universities, pursuant to Chapter 262.93, Code of Iowa.

Annual reports from the University of Iowa, Iowa State University and the University of Northern Iowa on the Progress of Regents Institutions on Tech Transfer, Iowa Values Fund and Patents and Licenses, pursuant to Chapter 262B.3, Code of Iowa.

Annual report of information from Iowa State University on the sale of the ISU Ankeny Experimental Farm and use of proceeds from the sale, pursuant to Chapter 266.39F, Code of Iowa.

Citizens' Aide/Ombudsman

Annual report, pursuant to Chapter 2C, Code of Iowa.

2006 report of "Investigation of Luther City Council Violation of Open Meetings Law", pursuant to Chapter 2C.17, Code of Iowa.

2006 report of "Investigation into Randolph Public Library's Closed Session Violation", pursuant to Chapter 2C.17, Code of Iowa.

Department of Administrative Services

Internal Service Funds Report, pursuant to Chapter 8A.123, Code of Iowa.

Fiscal year 2006 Affirmative Action in Iowa report, pursuant to Chapter 19B.5, Code of Iowa.

Fiscal year 2006 Affirmative Action in Iowa Report, pursuant to Chapter 19B.5, Code of Iowa.

Fiscal year 2006 annual report, pursuant to Chapter 19B.5, Code of Iowa.

Department of Economic Development

Fiscal year 2006 report of pilot project program, pursuant to Chapter 403.19A(3)"1", Code of Iowa.

Fiscal year 2006 Value-Added Agricultural Products and Processing Financial Assistance Program, pursuant to Chapter 15E.111(8), Code of Iowa.

2006 Foreign Land Ownership Report, pursuant to Chapter 15.331B, Code of Iowa.

Report of activities of the Iowa Commission on Volunteer Service, pursuant to Chapter 15H.2(2)"h", Code of Iowa.

Department of Education

Fiscal year 2006 savings to K-12 schools that participated in Iowa Communications Network (ICN) video field trip sessions, pursuant to Chapter 8D.10, Code of Iowa.

Department of Human Rights

Report of savings gained by use of Iowa Communications Network (ICN) services, pursuant to Chapter 8D.10, Code of Iowa.

Department of Human Services

Annual report of savings through the use of the Iowa Communications Network (ICN), pursuant to Chapter 8D.10, Code of Iowa.

Department of Justice

Report of actual costs of time expended enforcing the Iowa Competition Law, pursuant to Chapter 13.34, Code of Iowa.

2006 annual report of Prosecutor Intern Program, pursuant to Chapter 13.2(12), Code of Iowa.

Department of Natural Resources

Annual report of Oil Overcharge Restitution Programs covering expenditures of Petroleum Violation Escrow, pursuant to Chapter 458A, Code of Iowa.

Lake Restoration annual report and plan, pursuant to Chapter 28J, Code of Iowa.

2005 Public Drinking Water Program Compliance report, pursuant to Chapter 455B.105 (5), Code of Iowa.

Department of Public Health

Supplemental Child Death Review Team report for 2006, pursuant to Chapter 135.43, Code of Iowa.

Iowa direct care worker task force report and recommendations, pursuant to Chapter 88, 2005 Iowa Acts.

Annual report of anatomical gift annual donation and compliance, pursuant to Chapter 142C.17, Code of Iowa.

Department of Revenue

Fiscal year 2006 savings report of Iowa Communications Network (ICN) usage, pursuant to Chapter 8D.10, Code of Iowa.

Annual report documenting progress in developing the Tax Credit Tracking and Analysis System, pursuant to Chapter 6.2, Code of Iowa.

Department of Transportation

Fiscal year 2005 Road Use Tax Fund/Primary Road Fund budget reversion, pursuant to Chapter 307.46 (2), Code of Iowa.

Annual report of the Transportation Improvement Program, pursuant to Chapter 7A.9, Code of Iowa.

Fiscal year 2006 Recycled Content Plastic Bag and Soy Inks Report, pursuant to Chapter 307.21, Code of Iowa.

Quarterly report on the progress of the building project for the Motor Vehicle Division, pursuant to Chapter 8.33, Code of Iowa.

Iowa Alcoholic Beverages Division

2005 annual report, pursuant to Chapter 123.5, Code of Iowa.

Iowa Civil Rights Commission

Fiscal year 2006 annual savings report on Iowa Communications Network (ICN) usage, pursuant to Chapter 8D.10, Code of Iowa.

Iowa Communications Network

2006 annual report, pursuant to Chapter 8D.10, Code of Iowa.

Iowa Juvenile Justice Advisory Council (JJAC)

Annual compliance report, pursuant to Chapter 223(a)(3)(D)(ii), Juvenile Justice and Delinquency Prevention Act.

Iowa Public Employees Retirement System

Fiscal year 2006 Iowa Communications Network (ICN) report, pursuant to Chapter 8D.10, Code of Iowa.

Iowa Telecommunications and Technology Commission

Report of savings associated with the Iowa Communications Network's (ICN) use of the network during fiscal year 2006, pursuant to Chapter 8D.10, Code of Iowa.

Report of maintenance contract, pursuant to Chapter 8D.3(3)(g), Code of Iowa.

Iowa Veterans Home

Iowa Communications Network (ICN) annual cost-savings report for fiscal year 2006, pursuant to Chapter 8D.10, Code of Iowa.

Iowa Vocational Rehabilitation Services

Annual report of savings relating to Iowa Communications Network (ICN), pursuant to Chapter 8D.10, Code of Iowa.

Iowa Workforce Development

Annual report, pursuant to Chapters 7E.3(4), 86.9, 91.4(5) and 96.11(1), Code of Iowa.

Municipal Fire and Police Retirement System of Iowa

Annual report, pursuant to Chapter 411.5, Code of Iowa.

Office of Drug Control Policy

2007 Iowa Drug Control Strategy, pursuant to Chapter 80E.2, Code of Iowa.

Public Employment Relations Board

Fiscal year 2006 annual report, pursuant to Chapter 7E.3(4), Code of Iowa.

State Library

Annual report of savings with the use of Iowa Communications Network (ICN), pursuant to Chapter 8D.10, Code of Iowa.

On motion by McCarthy of Polk the House adjourned at 3:37 p.m., until 9:00 a.m., Tuesday, January 9, 2007.

JOURNAL OF THE HOUSE

Second Calendar Day - Second Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, January 9, 2007

The House met pursuant to adjournment at 9:02 a.m., Speaker Murphy in the chair.

Prayer was offered by the honorable Imam Ako Abdul-Samad, state representative from Polk County and of the Islamic Center of Des Moines.

The Journal of Monday, January 8, 2007 was approved.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by House Page, Mason Frank of Adel.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on January 8, 2007, adopted the following resolution, in which the concurrence of the Senate was asked:

House Concurrent Resolution 1, that joint convention of the two houses of the 2007 session of the Eighty-second General Assembly be held on Monday, January 8, 2007, at 2:00 p.m.

Also: That the Senate has on January 8, 2007, adopted the following resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 2, that joint convention of the two houses of the 2007 session of the Eighty-second General Assembly be held on Wednesday, January 10, 2007, at 10:00 a.m.

Also: That the Senate has on January 8, 2007, adopted the following resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 3, a concurrent resolution relating to the appointment of a joint inaugural committee.

MICHAEL E. MARSHALL, Secretary

The House stood at ease at 9:08 a.m., until the fall of the gavel.

The House resumed session at 9:33 a.m., Speaker Murphy in the chair.

Quirk of Chickasaw moved the adoption of the Employees of the House report.

Rants of Woodbury rose on a point of order.

Quirk of Chickasaw deferred the motion.

COMMITTEE TO NOTIFY THE SENATE

Jacoby of Johnson moved that a committee of three be appointed to notify the Senate that the House was ready to receive it in joint convention.

The motion prevailed and the Speaker appointed as such committee the following: Jacoby of Johnson, chair, Kelley of Black Hawk and Wiencek of Black Hawk.

REPORT OF THE COMMITTEE TO NOTIFY THE SENATE

Jacoby of Johnson, chair of the committee to notify the Senate that the House was ready to receive it in joint convention, reported that it had performed its duty.

The report was accepted and the committee discharged.

JOINT CONVENTION

In accordance with law and House Concurrent Resolution 1, duly adopted, the joint convention was called to order, President Kibbie presiding.

Senator Gronstal of Pottawattamie moved that the roll call be dispensed with and that the President of the joint convention be authorized to declare a quorum present.

The motion prevailed.

President Kibbie announced a quorum present and the joint convention duly organized.

Gronstal of Pottawattamie moved that a committee of six, consisting of three members from the Senate and three members from the House of Representatives be appointed to escort Governor-elect

Culver and Lieutenant Governor-elect Patty Judge into the House chamber.

The motion prevailed and the President appointed as such committee Senators Beall of Webster, Seng of Scott and Putney of Tama on the part of the Senate, and Representatives Ford of Polk, Hunter of Polk and Upmeyer of Hancock, on the part of the House.

Gronstal of Pottawattamie moved that a committee of six, consisting of three members from the Senate and three members from the House of Representatives be appointed to notify and escort Governor Thomas J. Vilsack into the House chamber to receive him.

The motion prevailed and the President appointed as such committee Senators Rielly of Mahaska, Wood of Scott and Ward of Polk on the part of the Senate, and Representatives Oldson of Polk, Palmer of Mahaska and Gipp of Winneshiek, on the part of the House.

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

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

Governor-elect Chester J. Culver and Lieutenant Governor-elect Patty Judge were escorted into the House chamber.

Lieutenant Governor Sally Pederson was escorted into the House chamber.

Mrs. Christie Vilsack, wife of the Governor, and their son, Jess and his fiancée Kate Devine, were escorted into the House chamber.

The committee waited upon Governor Thomas J. Vilsack and escorted him to the Speaker's station.

President Kibbie then presented Governor Thomas J. Vilsack who delivered the following condition of the state address:

Thank you.

Mr. President, thank you very much and Mr. Speaker, thanks to you as well. And I want to thank all the members of the General Assembly for the opportunity to visit with you as governor for the last time to speak about the condition of our great state.

For the past eight years, I've considered this special moment, a moment of honor and privilege, to be able to speak directly to the people of our great state about the challenges, the choices and chances we collectively face. Today I feel particularly honored by the fact that the Governor-Elect, Chet Culver, and the Lieutenant Governor-Elect, Patty Judge, have found time in their busy schedule to join us today. Thank you for being here today. And I believe I speak for all of us here that we are looking forward to your special day on Friday when you will be sworn in as our next governor and lieutenant governor.

And speaking of lieutenant governors, no governor in the country has ever had a stronger or better relationship and the one that I have had with Lieutenant Governor Sally Pederson. Lieutenant Governor Pederson has added her voice to those who have little voice and she has stirred us to action. Mental health parity, a redesign of the mental health system, affordable housing for people with disabilities, a tour of the state to promote art and the important role it plays in all of our lives.

Greater diversity in boards and commission and staff appointments and comparable worth for the first time for women working in state government occurred with her leadership and reflect and represent her conscience and her commitment.

I want to take this opportunity to thank my partner for eight great years and I'd ask you to join me in doing so as well. I might get in a little trouble at home if I didn't also say a few words about Iowa's first volunteer and our first lady, Christie Vilsack. From the day I took the oath of office, no Iowan has worked longer and harder to make Iowa a great place to live, work and raise families.

I've watched Christie, I've watched her as kindergarteners clutched the book that she gave them, their first book, clutching it as if it was the most precious thing on earth. And indeed, a love of books and reading is precious. Christie through her foundation blessed over 200,000 of our children with that special moment.

I've watched as she's left Terrace Hill very early in the morning and didn't come back until very late at night so she could visit every possible library. She has visited over 500 libraries, the souls of our communities she calls them. And she also encouraged all of us to provide for the first time direct financial assistance to our libraries through the Enrich Iowa program.

I watched as she invited certified teacher librarians back into our Code and into our schools and thousands of Iowans to Terrace Hill for the Spring Fling, her monthly teas and receptions to Iowans who never thought they would have the opportunity to see the inside of the governor's mansion much less than the private quarters. Yes, I've watched her raise the profile of all of our first ladies and the contribution that they have made to our collective history with the first lady's exhibit in Terrace Hill.

Yes, I've watched and I've wondered at her energy, her passion and her commitment.

Honey, I want you to know I love you and I care deeply for you and I am so appreciative of the eight years that you have given to me, to the people of Iowa and especially to our children.

I'm certainly glad to have my son and his fiancée Kate with us today as well. And before I acknowledge the other dignitaries who are with us, I would like to say a word about state workers and the staff, the loyal staff who has served us and my administration for the last eight years. You know, we have weathered war, an attack on our country and some of the tough fiscal conditions any state government has ever seen. Through it all these individuals who work for us have also suffered personal tragedy and celebrated personal triumph.

Despite all of that they gave us countless hours of their effort and energy and passion to make this state a better place to live, work and raise families.

The same can be said for those who are our directors and those who serve on boards and commissions throughout this great state. I want you all to know that I owe them a debt of gratitude that I will never ever be able to repay. We are a great state because we have people willing to make sacrifices for us.

I'd like to acknowledge the dignitaries who are with us and I'd like to begin with this historic moment to acknowledge Iowa's first woman chief justice of the Supreme Court, Chief Justice Marsha Ternus and members of the Iowa Supreme Court.

I'd also like to welcome members of our Court of Appeals. It's an awkward moment for judges in this circumstance because they're not supposed to acknowledge any applause. It's part of our judiciary and we're proud of it.

Let me say, Madam Chief Justice, that I am excited about the opportunity that I'll witness tomorrow, a historic opportunity, as you give your inaugural Condition of the Judiciary speech. And as a proud member of the Iowa Bar Association, let me also say that we as Iowans are fortunate to have competent and independent judges throughout this great state.

Let me take this opportunity to acknowledge these distinguished public servants and all of our judges for their public service and most specifically for the work that they do that guarantees to us justice and equality under the law every day in our state.

As Iowans we are equally blessed by the dedication and commitment shown to us by our statewide elected officials. I've traveled to all four corners of the country and I can tell you that no state has ever been better served by an attorney general than we have been served by Tom Miller through his distinguished career.

And the same can also be said for our state treasurer. No state has been better served by our state treasurer than Mike Fitzgerald.

I want to thank these two gentlemen for their service and I want to tell you that they are acknowledged by their colleagues to be the best in the business and we are fortunate to have them.

They are also joined by our auditor, David Vaudt. Let me tell you that the auditor has continued the strong and proud tradition of the auditor's office as Richard Johnson was as the independent watchdog over the activities of state government and local government for the people of our state.

Mr. Auditor, I appreciate your hard work, I appreciate what you have done for us to make sure that we are doing the right thing for the people every day.

Now, that trio is joined by two newcomers, two newly elected statewide elected officials: Our Secretary of Agriculture and Land Stewardship Bill Northey and our Secretary of State Michael Mauro. These gentlemen have only been on the job for a week but I suspect they already know that they have fairly large shoes to fill.

But both of them bring compassion and passion, commitment and energy to the job. And I'm sure that they're going to succeed for themselves but more importantly they're going to succeed for all of us. Welcome.

I started my service 14 years ago walking into this state capitol and taking the oath of office as a state senator so I fully appreciate how busy members of the General Assembly are when a General Assembly first begins and so I do appreciate the opportunity that you have given me today to spend a few minutes of your time as you begin your work and as I finish mine.

I know because I've worked with most of you that all of the members of this General Assembly are dedicated and caring Iowans. I know that you hold in your heart what is best for the state of Iowa and that you're committed to making sure that you do good work.

Let me take this opportunity on behalf of all of the people of Iowa to thank you for your service, for your dedication and your commitment.

Now, during the course of my time here I've had the opportunity to deal primarily with the leadership and let me say a few words about leadership on both sides of the aisle. On the Republican side, I've had the opportunity to work with Speakers Corbett, Siegrist and Rants, Leaders Iverson, Lundby and Gipp and Presidents Lamberti and Kramer. I want to thank each of them for their understanding, for their willingness to work through good faith disagreements to a point where we could reach consensus and conclusion for the people of Iowa.

We are well served by a strong two-party system and their party has been well led throughout the eight years I have been governor. I've also been fortunate to work with leaders on my side, Leaders Schrader and Meyers and now speaker Pat Murphy. On the senate side President Jack Kibbie and Senate Majority Leader Mike Gronstal.

This is going to be tough because these are my friends. No governor has ever had a closer friendship, a closer relationship and better advisers than I have had from these leaders.

My party is fortunate and the caucuses are fortunate to have this leadership. I will miss working with them and miss working with you, but I know that both caucuses are well led and that both caucuses are geared towards a session that will be historic, that

will move this state forward and so I wish you all the very best of luck in your dealings with one another.

Now, during the recent holiday I took my family in on tour of this great Capitol. I figured it was the fitting thing to do to appreciate the magnitude of this beautiful building as I was prepared to leave it.

The highlight of the tour was a trip to the top of our Capitol, to the very top of the dome. I had never been there before. I climbed all 298 steps from this floor to the top and I can tell you that every step was worth it for the view.

At first my view focused on the gold detail of our beautiful Capitol. As I walked outside and looked at the walkway that surrendered our dome, I began to reflect on the work that had been done in the last eight years and the people who made it happen.

I realized at that point that more than the landscape of our great state had changed. We as a people had changed. We are more hopeful and optimistic as our state leads an energy revolution not just for Iowa but for the entire nation.

We take pride in knowing that we are the best at producing ethanol and soy diesel and renewable fuel and that the rest of the nation is looking for us for leadership.

We are more tolerant and welcoming as witnessed by the fact that we created New Iowan Centers and we expanded their number to welcome people from all over the world to our great state, to make them feel part of our community.

And we are more cognizant of our environment as we begin the process of reversing decades of decline on our water resources. All of that and much more bodes very well for the future but only, only if we accept the challenge and the opportunity that change presents.

From the top of the Capitol looking east I looked at the Grimes office building and recognized that that's where our department of education worked and just beyond that is an elementary school, the Capitol View school. It's part of the Des Moines school district. It is an elementary school that the governor's office has a special relationship with. It represents the growing diversity of our state.

It is there that I met a very precocious fourth grader by the name of Chrystal Martin. You know, over the last seven years we in this great Capitol have worked hard to create over 200 million dollars of assistance to views class sizes in the elementary grades.

Iowans, all of us, were concerned and worried about an erosion of the skills, the reading skills of our young children by virtue of the fact that we had seen eight consecutive years of declining test scores.

Well, Chrystal was part of a generation of learners that we were concerned about and was not fairing as well as we had hoped until we collectively decided to take action and change things for the better.

Well, when Chrystal saw me she walked up and she said, "Are you the governor?" And I said, "Yes, I am." She stood up straight and tall and she said, "Well, I'm

Chrystal Martin and they told me that I couldn't read at grade level but I just got my test scores back and I'm reading at grade level."

Well, ladies and gentlemen, I looked into the eyes of that child and I saw more than I needed to see about the importance of class size reduction and focusing on reading skills. More than the six consecutive years of improved test scores we've seen recently. I saw power in the eyes of that child, the power to read, the power to learn and most importantly of all the power to achieve dreams.

We need to continue our class size reduction efforts and build on that and build we did when we began the process of strong start, our early childhood initiative. It focused on children zero to six years of age. We wanted them to have their parents be their first and best teacher, we wanted to improve quality childcare, we wanted to expand access to preschool.

Well, every child in our state deserves a better future but our work to ensure that better future is not finished. Indeed, while thousands of children have been helped by Strong Start, thousands more remain in need of help and that is the challenge that the change we started presents.

Do we continue to work for those who have no powerful lobby but represent 100 percent of our future. That is the opportunity that change presents. We'll be able to expand Strong Start to a point where every child has access to preschool. Let universal preschool in this state be the change that allows and enables every child in our state a chance, the opportunity to start school ready to learn, able to learn and excited about learning.

Let us be the first state in the union to make that unqualified guarantee to every single child in our state.

Great learning requires great teaching and teachers deserve our respect and they deserve to be well paid. No athlete, no CEO, no governor on their best day performs as much magic as a classroom teacher performs every day. Yet teaching salaries lag behind the salaries of those who entertain us, those who operate our companies and those who govern us.

I applaud the Governor-Elect and legislative leaders for their intention to expand and accelerate the work we started to improve teaching salaries by raising them to the national average, but this General Assembly could use this opportunity to look for more innovative ways to reward stellar performance in our schools by creating a new and improved compensation system.

The current compensation system was modeled after activities 90 years ago and during that period of time little has changed. I believe the legacy of this General Assembly and our new leaders will not be a preservation of the old but an acceptance and embracement of the new.

I believe you can blaze a new trail waiting for no state, no city, no school district. Let Iowa be the leader that delivers a new and improved compensation system. Let Iowa be the leader that says to every single teacher you are respected and you will be compensated accordingly. Let Iowa do that for our teachers and most importantly of all for our children.

One final word about education. I know that it's appropriate and necessary for us to continue to talk about the rising cost of college and university tuitions and plans to help reduce the heavy load that our youngsters are currently having to carry, but I hope that we extend that conversation a bit to recognize that there are some who do not go to college not because they can't afford it but because they've not graduated from high school.

Now, our state is one of the best states in terms of high school graduation rates and we can take pride in that but the drop out rate among minority students while it is approved still conditions to lag behind. We need help. We need help for those students who need extra help. Additional investments in the Iowa Jobs for America's Graduate program that we started several years ago, a high school dropout prevention program, will guarantee continued success.

Nine out of ten Iowa seniors graduate from high school but only seven out of ten are minority students. It's not enough in our state for every white child to graduate from high school to have a shot at college and a better future.

It's necessary and important for us to continue to work until every child regardless of color graduates from high school and has a shot at college and a brighter and better future.

That is a challenge that change presents to us and for our future and our children's future we must meet and accept that challenge for if we do not all of us will share in the consequence of failure. As I looked to the north from the top of the Capitol I looked at the Mercy Hospital clinic and I thought of my good friend Doctor Steve Gleason. Doctor Steve worked at Mercy and he also worked at this Capitol. He was a passion at advocate for healthcare reform. It was his belief that every Iowa and every American deserved access to quality healthcare and that that access should never be denied or delayed.

If he were with us today, I think he would be happy with the fact that Iowa is only one of two states that reduced the number of uninsured last year and we ranked second in the nation in overall healthcare coverage. Almost 92 percent of our citizens are covered.

But I don't think Steve would be satisfied with that. I think he would remind us that every Iowan, every Iowan deserves coverage, every Iowa and deserves to get the care they need when they need it.

And so my challenge to you and the challenge that change presents is simply this: Let Iowa, let our state be the first, let this General Assembly and this new administration be the first not just to promise universal access to healthcare but to deliver on that promise to every singled child and every single adult and every single citizen of this state. We can do this.

And for those who may be doubtful, for those who may wonder whether we can afford it, let me simply say I believe we cannot afford not to. This is something that we can do in this state. You have worked hard, you have gotten us to this point, let's finish the job in healthcare.

Now, as important as that job is you should not be satisfied with just simply providing universal coverage. As tough and as challenging and as daunting as that task may be. We started down another path in healthcare, an important path, a path of actually reducing the cost of healthcare to Iowa citizens.

We established the Senior Living Trust to reduce the need for nursing home care and allow people to remain in their homes with greater dignity for longer periods of time. We extended healthcare insurance coverage to a series of mental illness so that folks wouldn't have to get so sick that they finally got attention.

We also created the Iowa Cares program in an effort to say to those who are uninsured at Broadlawns and at the University of Iowa Hospitals and Clinics you don't have to go to an expensive and necessary emergency room visit, you can go to a less expensive doctor's office visit.

We began this important work and understand how significant it is. We have begun the transformation of our healthcare system from one that simply prevents diseases and treats diseases to one that not only prevents but also occurs the incurable.

You have three important missions it seems to me in this General Assembly that you ought to give very serious consideration to as you continue this transformation.

First, we must begin the process of accelerating our efforts to reduce childhood obesity. Our children need to be active, our children need to eat nutritious snacks, our children need to be healthy, we owe it to them.

Second, it's important that we continue to expand dramatically our efforts to reduce teenage smoking and other drug use.

And third and finally and this is important if we're interested in occurring incurable diseases, we must lift the ban on nuclear cell transplants now.

As I moved to the view of the Capitol that looks west I recognized an appreciated our work here had changed the landscape of the city of Des Moines view is Vision Iowa program and the Values Fund and it occurred to me that through those program and the communities and attraction tourism program we've not just changed the landscape of one community, we've changed the landscape of hundreds of communities in 90 counties in over 500 projects and that number continues to grow.

Over ten billion dollars of Capitol investment has been committed and will create or retain well over 30,000 jobs and that number will also increase over time. These projects and these programs have allowed us to have one of the fastest growing economies in the country, have enabled us to record a record number of employed Iowans, have improved family incomes above the national median for the first time in some time, helped to reverse the brain drain and perhaps as importantly as anything established Iowa as the undisputed leader in renewable energy production.

But the time is past due, the time is past due to extend economic progress for those who work at minimum wage jobs. Let's bring the progress that we've experienced as a state to everyone. Let's raise the minimum wage and let's do it this year.

As I thought about our work on the economy through these programs, I thought of Terri Goodman from Dubuque, Iowa. For me she represents the spirit of this new Iowa.

She lives in Dubuque and she was one of the primary movers of the Dubuque Vision Iowa project, the America River Museum. It's a museum that led to a contribution and participation by folks from all over the country in investing tens of millions of dollars along the riverfront in Dubuque. It helped to transform that community.

It also celebrates the ecology and the important role that the Mississippi River plays. Well, after the museum opened I just assumed that that was all there was. But Terri representing this new spirit had more ideas, more opportunities to expand, more opportunities to take a further step and that's precisely what we need to continue to do here in this Capitol.

We cannot be satisfied with where we have, we must be satisfied that we need to get to a different place. That's why I hope that this General Assembly will continue to fund and expand great places. It's the next generation of Vision Iowa and I hope that there's a more focused Values Fund effort as the Governor-Elect has suggested to make sure that our state is indeed the energy secure state that it needs to be and can be. Let us be as the Governor-Elect has suggested the first state in the country to sever our relationship with foreign oil and foreign oil supplies so that we can provide a growing economy for our state.

You know, Governor-Elect, I realize the more times I refer to you the more times they stand up.

You know, Terri Goodman's vision extended beyond bricks and mortar. She understood the economic power of our water resources and we should as well. We now know more about our water after monitoring it for eight years and we know the need for improving it. We have a plan for those improvements and last year we made a one-year down payment to advance that plan.

But now I ask the General Assembly to display the courage of your convictions by an aggressive multiyear effort. It's time for us to make a clear statement about our concern for the environment. It's time for us to have a multiyear Vision Iowa-like program to clean up our water, to take full advantage of the potential of our water resources.

In doing so Iowa cannot only be an energy leader, we can and we must and we should be an environmental leader as well.

Now, I know that there may be some who ask whether or not such an aggressive ambitious agenda would be accomplished. I don't believe there is any question it can be. A growing economy that improved revenues last year and this year makes this agenda possible and more.

Our reserve accounts are full and we're well on our way to repaying the entire debt we owe to the Senior Living Trust. It's a payoff for all the hard work and sacrifices that previous general assemblies are made.

Finally I looked to the south, to the south of this great Capitol, and I saw the memorial to the fallen and I reflected on the current war and calls I've made to family members. I made one just last week.

You know, war and death and destruction caused from it do not distinguish on color or culture. Just simply read the names on the memorial. They come from all walks of life, all parts of our world. We owe those who serve us a great debt.

We've attempted to repay it in small ways. First-time home buyers assistance program for our National Guard men and women, money for injured soldiers and their families, Bobby and Michelle's bill, a veterans trust fund so we continue to make sure that veterans understand that they have earned rights and privileges. Full college tuition assistance and a national cemetery, an appropriate final resting place for those who have sacrificed so much.

But it is not enough. It is not enough. We can and we must do more. We can honor their sacrifice by promoting tolerance, understanding and compassion for those who may be different than us. The current strife in Iraq stems from a failure to accept diversity of blood and belief. Sunnis, Shias and Kurds do not get along. Their children die, our children die. If we really want to honor those who have given so much for us, we should not depend on the Iraq I say to accept that responsibility. That is our responsibility.

So let us pledge here and now as Americans, not as Republicans or Democrats, but as Americans, let us dedicate ourselves to making diversity in whatever form it may come a reason to love and not to hate, a reason to accept and not reject, a reason to celebrate and not to fight.

We can start by making our schools safe for all of our children by passing the antibullying bill. Do it for them, do it for us and do it now.

This war has cost us a lot. It has hollowed out our military, it has in my view weakened our National Guard and it puts our nation at risk. This war has compromised our national government's ability to meet the needs here at home. Better schools, accessible and affordable healthcare and modern infrastructure.

Now the president and the congress are poised to make a big mistake even bigger by escalating America's involvement by adding more troops and investing more resources, by failing to recognize that the responsibility for success lies not with us but with the Iraqis and their government.

Understand that escalation will come at the expense of families and communities here in Iowa and across the nation. We will once again send National Guard troops from this state to Iraq for another long-term deployment. Escalation will further erode our nation's ability to adequately fund needs here at home.

As governor and as the commander in chief, I have an obligation to speak out and to urge the president and congress not to put more Iowans and Americans in harm's way in Iraq.

But I have another obligation. One that extends beyond my role as governor and commander in chief. It is as an Iowan and as an American. And I use that obligation

to ask you, the members of the General Assembly, to speak out as well. I ask you to use your collective voice to pass a resolution urging our president and our congress not to make this tragic mistake for those who will unnecessarily die.

This may not be part of the agenda, this may not be part of what you plan to do, but I ask you today and throughout this General Assembly to look down deep inside your heart and ask yourself if you're doing all you can do to make sure we do not make a big mistake even bigger.

Let me end my time with you today where I began, with a thank you. I owe a thank you to the people of Iowa for granting me the privilege that few have ever had, the opportunity to serve them as governor.

While challenges clearly remain, we have built a state better prepared for what lies ahead. I have given it my all and I have done my best, but as I leave I'm confident. I'm confident that Iowa's best is yet to come starting right here and starting right now. God bless you all.

ADOPTION OF EXTRAORDINARY RESOLUTION

Senator Gronstal of Pottawattamie asked and received unanimous consent for the immediate consideration of the following Extraordinary Resolution and moved its adoption:

EIGHTY-SECOND GENERAL ASSEMBLY

EXTRAORDINARY RESOLUTION

By: Senate members Angelo, Appel, Beall, Behn, Black, Boettger, Bolkcom, Connolly, Courtney, Danielson, Dearden, Dotzler, Dvorsky, Fraise, Gaskill, Gronstal, Hahn, Hancock, Hartsuch, Hatch, Heckroth, Hogg, Horn, Houser, Johnson, Kettering, Kibbie, Kreiman, Lundby, McCoy, McKibben, McKinley, Mulder, Noble, Olive, Putney, Quirnbach, Ragan, Rielly, Schmitz, Schoenjahn, Seng, Seymour, Stewart, Ward, Warnstadt, Wieck, Wood, Zaun, Zieman; and

House members Abdul-Samad, Alons, Anderson, Arnold, Bailey, Baudler, Bell, Berry, Boal, Bukta, Chambers, Clute, Cohoon, Dandekar, Davitt, De Boef, Deyoe, Dolecheck, Drake, Foege, Ford, Forristall, Frevert, Gaskill, Gayman, Gipp, Granzow, Grassley, Greiner, Heaton, Heddens, Hoffman, Horbach, Hunter, Huseman, Huser, Jacobs, Jacoby, Jochum, Kaufmann, Kelley, Kressig, Kuhn, Lensing, Lukan, Lykam, Mascher, May, McCarthy, Mertz, Miller, H., Miller, L., Murphy, Oldson, Olson, D., Olson, R., Olson, S., Olson, T., Palmer, Paulsen, Petersen, Pettengill, Quirk, Raecker, Rants, Rasmussen, Rayhons, Reasoner, Reichert, Roberts, Sands, Schickel, Schueller, Shomshor, Smith, Soderberg, Staed, Struyk, Swaim, Taylor, D., Taylor, T., Thomas, Tjepkes, Tomenga, Tymeson, Upmeyer, Van Engelenhoven, Van Fossen, Watts, Wendt, Wenthe, Wessel-Kroeschell, Whitaker, Whitead, Wiencek, Winckler, Windschitl, Wise, Worthan, and Zirkelbach.

An Extraordinary Resolution honoring Governor Thomas J. Vilsack for his eight years as Governor of the State of Iowa.

Whereas, Thomas J. Vilsack today addressed the Eighty-second General Assembly of the State of Iowa and in so doing, delivered, in addition to his Inaugural Address in 1998, his eighth and last Condition of the State message to the Iowa General Assembly as Governor of the State of Iowa; and

Whereas, This Joint Convention of 50 Senators and 100 Representatives therefore is honored to represent the hundreds of women and men who served in the four General Assemblies during Governor Vilsack's eight-year tenure as Governor; and

Whereas, Beginning today the state's historians and others will record and evaluate the ways in which Governor Vilsack's dedicated public service as the 39th Governor of the State of Iowa has enriched the history of Iowa state government, and the ways in which his service has touched the lives of all Iowans; *Now Therefore*,

Be It Resolved By The Eighty-Second General Assembly In Joint Convention, That the Joint Convention remark for posterity upon Governor Thomas J. Vilsack's relationship, as head of the executive branch of state government, to the legislative branch of state government, to wit:

Thomas J. Vilsack's two-term tenure as Governor has been marked by a constructive separation of powers during which the Governor's policy objectives have been effectively communicated to the General Assembly, and the General Assembly has freely exercised its constitutionally mandated independence in making public policy through its lawmaking function. The results of this relationship will be recalled by others in more detail than can be expressed in this Resolution, but for members of the General Assembly whose service parallels Governor Vilsack's service, the following general contributions will serve as reminders of the many significant policy changes fashioned during Governor Vilsack's tenure in office from 1999 until today:

1. **ECONOMIC DEVELOPMENT.** Creation of the Iowa Values Fund to grow the Iowa economy by creating jobs and securing capital investments; the Vision Iowa and Community Attraction and Tourism Programs to improve communities through investments in education, cultural, and recreational attractions; and the Great Places Program to identify unique places to live, work, and play.

2. **EDUCATION.** Establishment of lifelong opportunities for learning, emphasizing early childhood programming, higher standards of student achievement, class size reduction, and access to Iowa's libraries to enrich its citizenry.

3. **HUMAN SERVICES.** Initiatives to increase health care coverage to uninsured children and to provide continuing access to high-quality health care through the federal-state Medicaid program, related indigent care programs, and mental health insurance coverages.

4. **RENEWABLE ENERGY.** Creation of incentives to facilitate the development of the renewable energy industry, including ethanol and biodiesel fuel and wind energy production.

5. **ENVIRONMENT.** Water quality initiatives to prioritize water quality improvements for rivers and lakes and to monitor quality through

volunteers; and the expansion of outdoor recreation opportunities through the creation of a destination state park.

6. **CRIMINAL JUSTICE.** Strengthening of the criminal justice system through restrictions placed on pseudoephedrine sales and enhanced penalties.

7. **GOVERNMENT EFFICIENCY AND ACCESSIBILITY.** Creation of entrepreneurial charter state agencies and the Department of Administrative Services; and providing state government accountability and access to government institutions through electronic portals.

Be It Further Resolved by the Eighty-second General Assembly In Joint Convention,
That Governor Vilsack be recognized for the national leadership he assumed as Governor of the State of Iowa, including as a Chair of the Midwestern Governors' Conference, the National Governors' Association, the Democratic Governors' Association, and the Democratic Leadership Council; and

Be It Further Resolved by the Eighty-second General Assembly In Joint Convention,
That we hereby admonish writers, historians, and journalists, young and old, to compose their portrayals and analyses of the Thomas J. Vilsack years with wisdom, thoroughness, and compassion; and

Be It Further Resolved by the Eighty-second General Assembly In Joint Convention,
That the Joint Convention honor Governor Thomas J. Vilsack for his devoted service to the State of Iowa and the citizens of this State; and

Be It Further Resolved by the Eighty-second General Assembly In Joint Convention,
That a copy of this Resolution be forwarded to Governor Thomas J. Vilsack, and to First Lady Christie Vilsack, where it is hoped it will be received as a symbol of appreciation, good wishes, and affection extended by the Eighty-second General Assembly and the people of Iowa to the Governor, First Lady, and their family.

The motion prevailed and the resolution was adopted.

President Kibbie presented Governor Thomas J. Vilsack with an enrolled copy of the resolution.

Governor Thomas J. Vilsack was escorted from the House chamber by the committee previously appointed.

On motion by McCarthy of Polk, the Joint Convention was dissolved at 10:54 a.m.

The House resumed session at 11:00 a.m., Speaker Murphy in the chair.

RULE 57 SUSPENDED

McCarthy of Polk asked and received unanimous consent to suspend Rule 57, relating to committee notice and agenda, for a meeting with the committee on commerce at 1:00 p.m. today.

REPORT OF COMMITTEE ON MILEAGE

Mr. Speaker: Your committee appointed to determine the mileage each member is entitled to begs leave to submit the following report:

Name	Round Trip Miles
Ako Abdul-Samad.....	NONE
Dwayne A. Alons.....	460
Richard T. Anderson.....	264
Richard D. Arnold.....	140
McKinley D. Bailey.....	150
Clel E. Baudler.....	122
Paul A. Bell.....	76
Deborah L. Berry.....	260
Carmine R. Boal.....	NONE
Mary P. Bukta.....	400
Royd E. Chambers.....	440
Dan D. Clute.....	NONE
Dennis M. Cohoon.....	322
Swati A. Dandekar.....	252
Mark P. Davitt.....	34
Betty R. De Boef.....	166
David R. Deyoe.....	72
Cecil Dolecheck.....	180
Jack E. Drake.....	180
Romaine H. Foege.....	270
Wayne W. Ford.....	NONE
Gregory A. Forristall.....	250
Marcella R. Frevert.....	340
Mary A. Gaskill.....	180
Elesha L. Gayman.....	328
Charles R. Gipp.....	400
Polly A. Granzow.....	140
Patrick L. Grassley.....	206
Sandra H. Greiner.....	192
David E. Heaton.....	284
Lisa K. Heddens.....	77
Clarence C. Hoffman.....	240
Lance J. Horbach.....	150
Bruce L. Hunter.....	NONE
Daniel A. Huseman.....	330
Geri D. Huser.....	NONE
Elizabeth S. Jacobs.....	NONE
David J. Jacoby.....	230
Mary Pamela Jochum.....	400
Jeffrey A. Kaufmann.....	276
Doris J. Kelley.....	230
Robert M. Kressig.....	225
Mark A. Kuhn.....	280
Victoria S. Lensing.....	240
Steven F. Lukan.....	348

James K. Lykam	330
Mary J. Mascher	240
William M. May	408
Kevin M. McCarthy	NONE
Dolores M. Mertz	262
Helen N. Miller	200
Linda J. Miller	372
Patrick J. Murphy	400
Joanne M. Oldson	NONE
Donovan G. Olson	104
Rick L. Olson	NONE
Steven N. Olson	360
Tyler G. Olson	255
Eric J. Palmer	130
Kraig M. Paulsen	250
Janet A. Petersen	NONE
Dawn E. Pettengill	224
Brian J. Quirk	320
Jeffrey S. Raecker	NONE
Christopher C. Rants	395
Daniel J. Rasmussen	280
Henry V. Rayhons	250
Michael J. Reasoner	150
Nathan K. Reichert	314
Rodney A. Roberts	180
Thomas R. Sands	300
William P. Schickel	242
Thomas J. Schueller	362
Paul C. Shomshor, Jr.	270
Mark D. Smith	104
Charles J. Soderberg	450
Arthur M. Staed	257
Douglas L. Struyk	266
Robert Kurt Swaim	208
Richard D. Taylor	252
Todd E. Taylor	248
Roger D. Thomas	340
David A. Tjepkes	180
F. Walter Tomenga	NONE
Jodi S. Tymeson	60
Linda L. Upmeyer	226
James L. Van Engelenhoven ..	104
James K. Van Fossen	340
Ralph C. Watts	44
Roger F. Wendt	400
Andrew J. Wenthe	352
Beth A. Wessel-Kroeschell ..	70
John R. Whitaker	270
Wesley E. Whitead	402
Tami J. Wienczek	225
Cindy L. Winckler	334
Matthew W. Windschitl	256

Philip L. Wise.....	350
Gary T. Worthan.....	300
Raymond S. Zirkelbach	330

Respectfully submitted,
MARK P. DAVITT, Chair
VICTORIA S. LENSING
THOMAS R. SANDS

On motion by McCarthy of Polk the House adjourned at 11:02 a.m., until 9:00 a.m., Wednesday, January 10, 2007.

JOURNAL OF THE HOUSE

Third Calendar Day - Third Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, January 10, 2007

The House met pursuant to adjournment at 9:00 a.m., Speaker Murphy in the chair.

Prayer was offered by Reverend Tony Harold, pastor of Prince of Peace Catholic Church, Clinton. He was the guest of Speaker pro tempore Bukta of Clinton County.

The Journal of Tuesday, January 9, 2007 was approved.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by House Page Lindsay Norton of Muscatine.

INTRODUCTION OF BILLS

House File 8, by Wise, a bill for an act concerning communications by employers concerning political and religious issues.

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

House File 9, by Reasoner, a bill for an act modifying the compulsory school attendance age to include certain children who are five years of age.

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

COMMITTEE TO NOTIFY THE SENATE

Dandekar of Linn moved that a committee of three be appointed to notify the Senate that the House was ready to receive it in joint convention.

The motion prevailed and the Speaker appointed as such committee the following: Dandekar of Linn, chair, Staed of Linn and Boal of Polk.

REPORT OF THE COMMITTEE TO NOTIFY THE SENATE

Dandekar of Linn, chair of the committee to notify the Senate that the House was ready to receive it in joint convention, reported that it had performed its duty.

The report was accepted and the committee discharged.

The Sergeant-at-Arms announced the arrival of the President of the Senate, the Secretary of the Senate and the honorable body of the Senate.

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

JOINT CONVENTION

In accordance with law and House Concurrent Resolution 2, duly adopted, the joint convention was called to order, President Kibbie presiding.

Senator Gronstal of Pottawattamie moved that the roll call be dispensed with and that the President of the joint convention be authorized to declare a quorum present.

The motion prevailed.

Senator Gronstal of Pottawattamie moved that a committee of six consisting of three members from the Senate and three members from the House of Representatives, be appointed to escort Governor Thomas J. Vilsack to the House Chamber for the Condition of the Judicial Branch Message.

The motion prevailed and the President appointed as such committee Senators Kreiman of Davis, Heckroth of Bremer and Hahn of Muscatine, on the part of the Senate, and Representatives Quirk of

Chickasaw, Gayman of Scott and Horbach of Tama, on the part of the House.

Senator Gronstal of Pottawattamie moved that a committee of six consisting of three members from the Senate and three members from the House of Representatives, be appointed to notify Chief Justice Marsha K. Ternus that the joint convention was ready to receive her.

The motion prevailed and the President appointed as such committee Senators Hogg of Linn, Schmitz of Jefferson and McKibben of Marshall, on the part of the Senate, and Representatives R. Olson of Polk, T. Olson of Linn and Anderson of Page, on the part of the House.

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

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

Denny Drake, husband of the Chief Justice, her son Rob Drake and her daughter Brooklyn Drake were escorted into the House chamber.

Lieutenant Governor Sally Pederson was escorted into the House chamber.

The committee waited upon Governor Thomas J. Vilsack and escorted him into the House chamber.

The committee waited upon Chief Justice Marsha K. Ternus who delivered the following Condition of the Judicial Branch Message:

Mr. President, Mr. Speaker, Governor Vilsack and Lieutenant Governor Pederson, members of the General Assembly, state officials, judges and friends:

Introduction

The ceremonial events of this week carry great meaning, not just for those of us who work in state government, but for all Iowans. They serve to remind us of the

significance of our endeavor to do what is best and right for Iowa, which is, after all, the reason we are all here. Regardless of our different roles, tenure, political affiliation—or lack of political affiliation—we all made a conscious decision to hold public office, first and foremost, because we care deeply about serving the people of our great state.

This common goal—to do what is best and right for Iowans—is a strong unifying force that serves as the foundation of our working relationships. Naturally, we can share a goal and disagree on how to reach it. But so long as our common goal is our first consideration, we can achieve a great deal to move Iowa forward. I and the other members of the judicial branch look forward to working with you in this spirit.

Now, I turn to the reason we are gathered here this morning: the State of the Judiciary. I regard this address as one of the chief justice's most important duties. This occasion is the best opportunity for the judicial branch to share with you and the people of Iowa our assessment of the state's court system and to let you know what improvements and issues are on the horizon.

Today, I'm pleased to report that our assessment is positive. The judicial branch is ably performing its constitutional and statutory duties. This good report is due primarily to the efforts of the nearly 2000 dedicated individuals who are the judicial branch of government. Public service inspires and drives their efforts every day. Working together as a team, our judges and professional staff skillfully fulfill our vital mission, which is administering justice according to law, equally to all people. I am immensely proud of them.

Our capacity to resolve thousands upon thousands of cases efficiently and effectively is also a result of your support. You have a solid history of providing the resources, statutory procedures and fair compensation required to operate a high caliber court system. We are grateful and trust that you will give the work of the courts similar consideration again this year.

While this good news certainly makes this message easier to deliver—and probably easier for you to receive—there is more to tell you because there is always room for improvement. So today, I intend to discuss some of our efforts to improve the delivery of court services to Iowans. Some improvements are simple changes that are easy to implement; others are multi-faceted and ambitious efforts that will take years to complete. But all are important steps that will serve the best interests of the public.

E-filing and Paperless Courts

Nothing has transformed our service to the public more than information technology and the Internet. In the past few years, we've harnessed the power of technology so Iowans can pay fines, check child support payment records, watch supreme court oral arguments, check criminal backgrounds, read appellate court opinions, track down judgments and liens, and determine court schedules online, 24/7.

Now we're poised to begin our most ambitious undertaking ever—the transformation from a paper-based to a completely paperless court system. We plan to begin by testing electronic filing and paperless procedures in two pilot counties later this year. Once the pilot project testing is completed, we will implement electronic filing in the appellate courts. After that is done, we will gradually add the remaining

trial courts. If all goes as planned, we will have E-filing available statewide in five years.

Switching to a completely electronic system will require special court rules. For the past year, a very capable committee has worked diligently on the procedural rules we will need to implement and manage a paperless system, rules that will be released for public comment tomorrow. I want to take this opportunity to publicly acknowledge the thoughtful and thorough work of this committee, chaired by Judge Robert Hutchison of Des Moines and attorney David Beckman of Burlington.

Our transformation into a paperless court will dramatically modernize court operations and revolutionize public access to the courts. Just imagine the benefits. Iowans will be able to search and view entire court files online, around-the-clock, from the convenience of their home, office, or local library. E-filing means no more last minute dashes or long drives to the courthouse to file papers. Judges, court staff, lawyers, litigants and others will have immediate and simultaneous access to court files. The pressure on clerks' staff to hunt down files and make copies will vanish. Local governments will be relieved of the cost of leasing more space in which to warehouse paper files.

Information Security and Privacy Concerns

While a paperless operation will produce substantial benefits to court staff, court users, and the public, it will also produce heightened concerns about information security and personal privacy. Court records routinely contain personal identification information and other material of a personal or sensitive nature. Although most of this information is presently available to the public, it is, for all practical purposes, unseen. The task of finding and accessing a paper record in one file among thousands of files located in one of our one hundred courthouses impedes widespread dissemination and misuse of these records. But after the judicial branch shifts to electronic filing and record management, court records will be readily available for unconstrained, global public consumption. Individuals involved in court proceedings will be more vulnerable to identity theft and prying eyes. Such universal and easy access is a concern not only for the courts and other government offices that use or are contemplating the use of online access to records, but also for the citizens of Iowa who value their security and privacy.

I want to emphasize that the courts protect and will continue to protect information that is confidential by law; but current laws do not bestow confidential status on most of our records, which include, among other items, birth dates, addresses, children's names, and financial account information. There is a valid reason to restrict public access to personal identification information, financial account information and other information that could be used by identity thieves, as well as certain information that could expose people, such as minor children and victims, to other types of harm. Protecting this information will require a combination of court rules and legislative action, as well as diligence on the part of attorneys and litigants.

The first safeguard is simple. Lawyers and litigants should simply omit personal information from papers and exhibits when such information is not required by law or is not germane to a legal issue in a case. To instill this safeguard into our procedures, the Supreme Court recently adopted new rules to discourage people from filing information the court does not need.

But how do we protect personal information that is material to a proceeding or required by law? In this situation, we propose additional court rules that will apply to information provided to the court in electronic format. First, we propose that certain information, such as birth dates, children's names, financial account numbers and social security numbers, be submitted on a separate, protected information form that will be kept confidential. Second, when it is necessary to refer to or use protected information in a court document, a party would provide only a portion of the information. For example, if a minor child's name is necessary, parties would use only the child's initials. Or if a financial account number is pertinent, the party would use only the last four digits. We need and recommend your approval of a statutory amendment that will give the judicial branch the authority to protect personal information in this manner.

Now, what about other privacy concerns that will naturally arise with online access to court records? Court records contain all sorts of personal and sensitive information, such as tax returns, employment history, medical records, financial assets, and even the details of family disputes. Should information of this nature that courts receive and maintain in electronic format be available to the public to the same extent as it is currently available in our paper-based system? All Iowans value openness in government, but perhaps the balance between access to public information that explains government action and the protection of personal information citizens consider private should be reexamined. This issue requires a policy decision of tremendous importance to the citizens of this state. It is a policy decision properly to be made by you—the legislature. We hope you will give this issue your full attention this legislative session.

Improving Jury Service

Now I turn to another example of our plans to improve service to the public—a plan that focuses on the people who serve the state by answering the call to jury duty. Each year thousands of Iowans from many walks of life take time away from their families and jobs to fulfill this important civic function. They are essential to our justice system, and they are truly unsung heroes.

We recognize that their time is valuable, and so over the years we have adopted a number of measures to make jury service more convenient and less time-consuming. Later this year, we will begin another juror-friendly service—E-juror, a web-based program that will enable people summoned for jury service to respond to and complete the summons online. This feature will also allow jurors to contact court staff directly by email when they have questions about their service. E-juror will join our growing list of online services that connect the courts with the people.

While time-saving measures and convenient services make it easier for Iowans to fulfill their civic duty, these steps are only part of what we can and should do for citizens who take time from their normal responsibilities to perform this important function. As you know, we pay jurors a small amount for each day of service, a mere \$10 per day. There is one exception. With the aid of the statutory authority you gave us in 2005, we recently established by court rule a pay differential for jurors who serve on long trials. Rather than the basic \$10 per day, jurors receive \$50 per day after the seventh day of service. It is now time to take the next logical step and increase the basic fee.

For several reasons, we recommend that you increase the basic fee for jury duty from \$10 per day to \$30 per day. According to information from the National Center for State Courts, Iowa's \$10 fee is near the bottom of the range of fees paid by state courts. Iowa's fee has remained unchanged for thirty-three years. A \$10 fee in 1974, when the current fee was set, adjusted for inflation, would be worth more than \$40 today. While our recommendation of \$30 per day is admittedly less than the lost wages and child-care costs incurred by many jurors, we believe it is a reasonable sum. It will at least lessen the financial burden borne by Iowans performing this valuable public service. We estimate that the total cost of this increase will be around \$2 million a year. But the Jury and Witness Revolving Account should be able to absorb the additional expense for the next few years. Please recognize the personal sacrifice, financial and otherwise, made by jurors every day by paying them a more reasonable sum for their service to the public.

Assisting Self-Represented Litigants

Now I want to talk a bit about the efforts of the judicial branch to address the needs of self-represented litigants, a growing category of court customers. Whether people represent themselves as a matter of choice or out of necessity, they have a right to access court services without an attorney. But in all honesty, the vast majority of litigants who represent themselves are ill equipped to effectively serve as their own legal counsel. Typically, they are unfamiliar with the law and unfamiliar with court procedures. Their lack of knowledge and skill affects more than the outcome of their cases—it places additional burdens on an already overtaxed court system because litigants who represent themselves frequently expect judges and court employees to help them with their lawsuits, diverting valuable resources from other cases and public services. Rather than ignore this difficult issue, we are taking concrete steps to accommodate the needs of these litigants.

Forms and Instructions

Our hard-working and talented Pro Se Forms Advisory Committee, chaired by Judge Patrick Grady from Cedar Rapids and Iowa City attorney Dan Bray, is putting the finishing touches on our first two sets of easy-to-use forms and instructions for litigants who represent themselves. One set is designed for divorcing couples without children, which is usually the simplest type of dissolution. Another set is designed to help parents who seek modification of child support orders—a process that I know is of great concern to many of your constituents. Once the forms and instructions are finished, the court will make them available on our website. We do not plan to stop with the introduction of these forms, however. Over time, we intend to adopt more forms and instructions to assist self-represented litigants with other court procedures. These efforts are important because they will enhance court access for Iowans who cannot afford an attorney.

Unbundled Legal Services

Do-it-yourself forms and instructions are immensely helpful to Iowans who choose to represent themselves in court, but forms can never be a substitute for professional legal advice. Realistically, however, many people cannot afford the expense of hiring an attorney to represent them in court. To assist in meeting the legal needs of Iowans, we have now proposed amendments to our rules of civil procedure and the rules governing attorneys' ethical obligations to encourage limited-scope legal assistance, a

practice referred to as unbundled legal services. These changes will make it easier for a lawyer to perform a particular task, such as drafting a petition or attending one hearing on behalf of a client, without requiring the lawyer to handle every aspect of a case from beginning to end. The end result is more affordable legal representation for the citizens of Iowa, which we hope will encourage more people to obtain legal assistance.

Children and the Courts

I next turn to the most important matter I want to discuss with you: our efforts to improve the lives of children who come to court because they need treatment or protection—Iowa's most vulnerable citizens. Within this context, I will address two topics: our efforts to improve the lives of foster children who are waiting for permanent homes and our deep concern about the well-being of children who are waiting for treatment of mental health problems. Make no mistake: Whatever we can do to help these children will benefit not only these innocent kids, but also the public in general because we can reduce the odds that neglected children will become delinquent juveniles and adult criminals.

Children Waiting for Treatment

I begin with children waiting for treatment. In 2005, you narrowed the statutory definition of "child in need of assistance." This small, well-intentioned amendment has resulted in a serious unexpected problem.

The previous definition of "child in need of assistance" allowed a juvenile judge to order treatment for a child who suffers from a serious mental illness or disorder, or emotional damage and whose parent, guardian or custodian is unwilling *or unable* to provide treatment. The 2005 amendment struck the two words "or unable." The purpose of the amendment was to enable parents who do not have the financial means to obtain mental health treatment for their children to obtain it at state expense without being compelled to relinquish custody of their child. The avoidance of unnecessarily placing children in state custody is a laudable goal, and I commend you for it. However, a cap on the number of people who can be served under the new procedure means many children are not receiving the treatment they need.

I understand that more than 300 children are waiting for such treatment. Our juvenile judges tell me that too often children wait too long. Their parents are at wit's end. And while they wait, the children's problems worsen. Many of these children get into trouble and end up in court for delinquency. We witness this problem every day in the courts of this state.

The Director of the Department of Human Services and I have discussed this problem. The department is also concerned that more children need help and recommends additional funds to raise the cap so another 100 children can be treated. This recommendation is certainly a step in the right direction, and we support it. But what about the other 200 or so children who need help now? Placing an artificial cap on the number of children who can be treated may serve a budgetary goal, but it does not meet the needs of our most vulnerable children. Without treatment now they will not have the tools to grow into responsible citizens. It is your choice to make. We urge you to provide funds for the treatment of children suffering from a mental disorder or illness at a level that can realistically meet the need for such treatment.

Children Waiting for a Permanent Family

Our concerns about the welfare of children do not stop here. We are enormously concerned about the lives and the futures of children in foster care. As you know, a foster child is a child who has been removed from his or her home and is living in the care of the state—either in a foster home, a group residence or an institution.

In Iowa, just over 5000 children, about the number of children enrolled in the Marshalltown School District, live in foster care. While most of us think of foster children as those who have been abused, most foster children are in the system because of neglect. Their average age is eleven years, they spend about eighteen months in foster care, and they live in two or three placements. It is well documented that the profound uncertainty caused by the frequent and generally unexpected relocation of a foster child from one unfamiliar home to another disrupts their emotional development in ways that plague them well into adulthood.

Foster care is intended to be a temporary haven for children, not a permanent home. But tragically, many foster children never find a permanent home. Instead, they “age out” when they become eighteen years old or graduate from high school. According to Casey Family Programs, young adults who emerge from foster care have higher rates of unemployment, poverty, mental health problems, unplanned pregnancies, homelessness, public assistance, and incarceration. As you can see, the impact of foster care drift extends beyond the children—our society pays a high price.

This brings me to a point that should be obvious: Society as a whole benefits when we expeditiously find foster children safe, permanent homes with good families because, when we do, it is more likely that these children will become not only well-adjusted, responsible adults—they will become good parents to our future children.

I'm confident that all of us in government who share responsibility for the child welfare system recognize the importance of finding these children safe and permanent homes without undue delay. But as we all know, every aspect of our child welfare system is overburdened and undervalued. Iowans like to say that we put our children first; it's now time to show that we mean it.

Children's Justice Initiative

Recently, the Iowa Supreme Court and the Judicial Council embarked on a mission to make court oversight of child welfare cases a top priority. Let me emphasize that this program will not end once we have achieved a specific set of results nor will it end on a particular date. This initiative represents a permanent, ongoing, fundamental cultural change that will reflect our conviction that the interests of children must come first in our justice system.

As a springboard for this change, we have begun an effort that has been christened: “The Children's Justice Initiative.” We are fortunate to begin this initiative with a solid foundation already in place and a detailed blueprint in our hands.

The foundation for our efforts is our own highly regarded Court Improvement Project. For the past decade, our Court Improvement Project committees and staff, working with our dedicated juvenile judges, have developed many improvements that enhance the timeliness and quality of child welfare proceedings. The talented staff and

organization of the Court Improvement Project is well-suited to support our new initiative.

The blueprint for our Children's Justice Initiative is the landmark report of the 2004 PEW Commission on Children in Foster Care. The PEW Commission is a national, nonpartisan entity dedicated to accomplishing sweeping broad-based reforms of our nation's child welfare system. Among other things, the commission calls for:

- Collaborative efforts between courts, child welfare agencies, and others,
- A dedicated corps of specially trained judges committed to children and families,
- The adoption of best practices in dependency courts to ensure courts make well-informed decisions that place children in permanent homes as soon as possible,
- Steps to attract and retain a pool of highly qualified attorneys to represent parents and children,
- Multi-disciplinary, cross-system training for all participants, and
- More resources for the child welfare system.

The PEW Commission's report will inspire, guide and inform our efforts. Therefore, we want to share this report with you. We will provide a summary of the PEW Commission report to you later today. I hope you will find the time to read it, as it is vitally important for everyone holding state office to understand the needs of our most vulnerable citizens and what we all can do to address those needs.

Our first step to improve outcomes for children in foster care is focused on our own procedures and practices in dependency court. I will describe two specific actions we have already undertaken.

Assessments

With the assistance of our Court Improvement Project staff, we are assessing the effectiveness and timeliness of court practices in dependency cases in seventeen counties within a year. The assessment involves file reviews, on-site visits of juvenile court hearings, interviews of participants, and surveys. Our auditors compile all of the information into a report, which they share with a community team that develops plans for improvements. Sometimes only a small change in local culture or routine can have an enormous and positive effect on the well-being of foster children.

One Judge/One Child

Our most significant improvement involves directing more judicial resources to the juvenile court to implement a practice we refer to as the one judge/one child model. The one judge/one child concept is simple: one judge presides over every juvenile court proceeding involving a particular child. This practice allows the judge assigned to a child's case to become thoroughly familiar with that family's unique set of problems. As a result, hearings are less likely to be postponed and court decisions are better informed and more consistent. Another important benefit of this practice is that the child sees at least one familiar face—the face of the judge—the entire time the child is in foster care. For older children who come to court proceedings, their judge may be the only constant figure in their life.

You may be asking yourselves why such an obvious and seemingly simple practice was not followed until now. It's a matter of resources, case scheduling practices, and priorities. While some courts have used the one judge/one child model for a number of years, now, under the leadership of our chief judges, we are committing the necessary resources so children throughout the state receive the same level of judicial service, attention and skill. I am proud to announce that we have a cadre of exceptional judges who have volunteered to take on this difficult assignment. Their commitment to the well-being of our state's most vulnerable children is admirable. In addition, each judicial district is modifying its scheduling practices and assignments to devote more attention to dependency cases. These changes have not been easy, and I want to take this opportunity to thank the judges and court administrators who have worked so hard to implement the best practice of having one judge preside over all proceedings involving one child. The lives of children in foster care will be better for these efforts.

I forewarn you, however, that our significant realignment of judicial resources may create delays in other cases, particularly civil cases, and thus raise concerns of some of your constituents. But we believe the benefits derived from this realignment far outweigh any disadvantages. Certainly the need to find a permanent, safe home for these innocent and vulnerable children must be our priority.

Collaboration

While the first phase of the children's justice initiative focuses on court procedures, over time we will expand the scope of our reform efforts in keeping with the recommendations of the PEW Commission. Collaboration among courts and public agencies on both state and local levels is essential to accomplish the far-reaching reforms we envision. To jump start our collaboration with others, the judicial branch is sponsoring a statewide summit in March. This summit will bring together representatives of all branches of state government, including state and local public officials, attorneys, social workers, and other stakeholders, to foster communication and spark wide-scale improvements in the management of child-in-need-of-assistance cases. We invite you to attend. Your participation, even if it is just for a short time, will send a strong message that we are united in our commitment to improve the outcomes for foster children.

Legislative Action to Help Children

I know you are concerned about the lives and futures of children in foster care. Your actions last year to provide financial assistance to children after they age out of the foster care system illustrates your commitment. The assistance you provided will have a beneficial and lasting effect on the lives of these children. Now I have several recommendations for more improvements that require your action.

First, we request that you provide additional resources to the juvenile courts, including two new district associate judges, associated support staff and more juvenile court officers and technicians. These resources will increase our capacity to effectively address the rising need for more juvenile court services and more juvenile judges.

We also whole-heartedly support the expansion of Iowa's Court Appointed Special Advocate program, or CASA. CASA recruits, trains and assigns volunteers who serve as guardians ad litem in child welfare cases. CASA volunteers, who are themselves extraordinary public servants, provide the court with in-depth information about a

child. They serve as an extra set of eyes and ears for the judge. The Iowa Child Advocacy Board seeks funds this year to take the CASA program statewide. We think the expansion of the CASA program would be a wise investment that will pay dividends in the form of better outcomes for kids, and we encourage you to support the Board's request.

Finally, we urge you to raise the hourly rate for court-appointed attorneys who handle juvenile cases. Competitive pay is absolutely essential for the state to recruit and maintain a sufficient number of well-qualified attorneys to represent children and parents involved in juvenile court. The state pays attorneys who represent drunk drivers more than we pay attorneys who represent our most vulnerable children. What does that say about our priorities? Do we really believe that the legal representation of children is less important? We urge you to raise the compensation for lawyers who represent children in juvenile court.

The judicial branch can accomplish a great deal to improve the lives and prospects of foster children. But we can accomplish a great deal more with your backing—for it is up to you to marshal the resources and tools we need to ensure the well-being of these kids. I ask you to take this responsibility to heart when you set your priorities. When we invest in their future, we invest in the future of Iowa.

Conclusion

Now, with the future of Iowa firmly in mind, I come to the conclusion of my remarks.

There are many considerations that draw us to public service. For me, and probably, for many of you, the greatest consideration is the opportunity, indeed the privilege, to shape the future for the common good. Speaking on behalf of the Judicial Branch of Iowa, we intend to make the most of this privilege.

And so, today, I have given you a report that is focused on our mission, focused on the public and focused on the future. The state of the judiciary is good, and we are fully resolved to make it better. All of the efforts and plans I have mentioned—E-filing and online access to court records, E-juror, raising the jury fee, forms for self-represented litigants, unbundled legal services and the Children's Justice Initiative—will move Iowa forward.

But before I close, I appeal to you one more time to do everything in your power to increase the chances that foster children find a permanent and loving family. I hope I have convinced you this objective is of vital importance. If I have not, let me explain it on a more personal level. I am confident every parent in this room, including my husband and me, would agree that the most important task they have ever undertaken is raising their children. We know children are shaped and influenced for the rest of their lives by the successes and failures we have as parents.

Our responsibility as a society is no less important. We have an obligation to parent foster children—to focus our full attention and support in an effort to successfully find them a permanent home where they will be loved, nurtured, protected and raised to be responsible and productive adults. The novelist Graham Greene wrote: "There is always one moment in childhood when the door opens and lets the

future in." Together, we can open the doors to a bright future for Iowa's foster children. Let's start now.

Thank you.

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

Chief Justice Marsha K. Ternus was escorted from the House chamber by the committee previously appointed.

INAUGURAL COMMITTEE APPOINTED

The Speaker announced the appointment of the following members of the inaugural committee on the part of the House: D. Olson of Boone, Frevert of Palo Alto, Wessel-Kroeschell of Story, Alons of Sioux, Jacobs of Polk and Raecker of Polk.

On motion by McCarthy of Polk the Joint Convention was dissolved at 10:55 a.m.

The House resumed session at 10:58 a.m., Speaker Murphy in the chair.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- | | |
|--------|--|
| 2007\1 | Robyn and Dorothy Tangeman, Guttenberg — For celebrating their 50 th wedding anniversary. |
| 2007\2 | Robert and Dorothy Buckner, Elkader — For celebrating their 60 th wedding anniversary. |
| 2007\3 | Sally Murphy, Strawberry Point — For celebrating her 80 th birthday. |
| 2007\4 | Eileen Schares, Gilbertville — For celebrating her 80 th birthday. |
| 2007\5 | Myron and Milly Lohman, Hazelton — For celebrating their 50 th wedding anniversary. |

- 2007\6 Coba Mulder, Rock Valley — For celebrating her 90th birthday.
- 2007\7 Gladys Lamasters, Iowa Falls — For celebrating her 90th birthday.
- 2007\8 Darwin and Barb Funke, State Center — For celebrating their 50th wedding anniversary.
- 2007\9 Dan Petruccelli, Davenport — For celebrating his 80th birthday.
- 2007\10 James Kennedy Public Library, Dyersville — For being ranked Best in the State by Hennen's American Public Library Ratings.
- 2007\11 Ryan C. Ehring, Manchester — For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\12 Adell Eustice, Hampton — For celebrating her 80th birthday.
- 2007\13 Emil Noelck, Hampton — For celebrating his 90th birthday.
- 2007\14 Hazel Fox, Adair — For celebrating her 90th birthday.
- 2007\15 Larry and Norma Wildin, Winterset — For celebrating their 50th wedding anniversary.
- 2007\16 Lee and Mary Stephenson, Mason City — For celebrating their 60th wedding anniversary.
- 2007\17 Val and Margaret Infante, Mason City — For celebrating their 50th wedding anniversary.
- 2007\18 Helen Blunt, Mason City — For celebrating her 100th birthday.
- 2007\19 Phyllis Polsdofer, Mason City — For celebrating her 80th birthday.
- 2007\20 Algean Hayward, Green Island — For celebrating her 90th birthday.
- 2007\21 Virginia Cooper, Sioux City — For celebrating her 80th birthday.
- 2007\22 Alvina Barbee, Sioux City — For celebrating her 85th birthday.
- 2007\23 Pearl Bowman, Sioux City — For celebrating her 93rd birthday.
- 2007\24 Jared Laures, Waukon — For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\25 Cody Stange, Harpers Ferry — For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\26 Hans Wallerer, Harpers Ferry — For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.

SUBCOMMITTEE ASSIGNMENTS

House File 1

Labor: Jochum, Chair; Mascher and Watts.

House File 2

Ways and Means: Wise, Chair; Reasoner and Soderberg.

House File 3

Ways and Means: Wise, Chair; Kaufmann and Reasoner.

House File 6

Education: Winckler, Chair; Chambers and Staed.

RESOLUTION FILED

HCR 4, by Smith, a concurrent resolution calling upon Iowans to observe Iowa Family Development and Self-Sufficiency Week.

Laid over under **Rule 25**.

On motion by McCarthy of Polk the House adjourned at 11:00 a.m., until 9:00 a.m., Thursday, January 11, 2007.

JOURNAL OF THE HOUSE

Fourth Calendar Day - Fourth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, January 11, 2007

The House met pursuant to adjournment at 9:07 a.m., Speaker Murphy in the chair.

Prayer was offered by the honorable Christopher Rants, Minority Leader of the House.

The Journal of Wednesday, January 10, 2007 was approved.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Minority Leaders' Page Elizabeth Smith from Spirit Lake.

INTRODUCTION OF BILLS

House File 10, by Tymeson, a bill for an act relating to rules of the state board of education regarding the use of telecommunications as the exclusive means to provide any course required by the minimum educational standards for accreditation.

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

House File 11, by Tymeson, a bill for an act relating to public land included in territory subject to voluntary annexation.

Read first time and referred to committee on **local government**.

House File 12, by Tymeson, a bill for an act relating to the inclusion of kindergarten and prekindergarten pupils in the actual enrollment of a school district.

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

House File 13, by Reasoner, a bill for an act relating to county recorders and vital record fees and providing an effective date.

Read first time and referred to committee on **local government**.

House File 14, by R. Olson and Tomenga, a bill for an act increasing the taxes imposed on cigarettes and tobacco products and providing for deposit of the increased revenue generated in the senior living trust fund, and providing an applicability date and an effective date.

Read first time and referred to committee on **ways and means**.

House File 15, by Petersen, a bill for an act requiring licensed and registered child care facilities to identify how financial responsibility for injuries is addressed.

Read first time and referred to committee on **human resources**.

ADOPTION OF THE MILEAGE REPORT

Lensing of Johnson moved the adoption of the mileage report as found on pages 61 through 63 of the House Journal.

The motion prevailed and the report was adopted.

EMPLOYEES OF THE HOUSE

Quirk of Chickasaw moved the adoption of the following Administration and Rules, (previously deferred) report:

REPORT OF ADMINISTRATION AND RULES COMMITTEE

MR. SPEAKER: Pursuant to Senate Concurrent Resolution 3, your committee on administration and rules submits the following to be employed in the indicated positions, and at the indicated classification, grades and steps, and the changes in the classification of the indicated officers and employees to be effective on the date indicated:

<u>Position</u>	<u>Name</u>	<u>Grade And Step</u>	<u>Class of Appoint- ment</u>	<u>Eff. Date</u>
Doorkeeper	Harold L. Harker	11-1	S-O	03-06-06
Confidential Sec II to Chief Clerk	Jacquelyn M. Seymour	32-4 to 32-5	P-FT	05-19-06

<u>Position</u>	<u>Name</u>	<u>Grade and Step</u>	<u>Class of Appointment</u>	<u>Eff. Date</u>
Admin Asst I to Speaker	Timothy J. Albrecht	29-3 to 29-4	P-FT	06-16-06
Legislative Research Analyst II	Dwayne Dean Fiihr, Jr.	32-3 to 32-4	P-FT	06-16-06
Editor I	Vicki L. Jones	22-2 to 22-3	P-FT	06-30-06
Indexing Assistant	Katherine G. Kenline	19-1 to 19-2	P-FT	06-30-06
Supervisor of Secretaries I	Linda C. Rosky	24-5 to 24-6	P-FT	06-30-06
Legislative Research Analyst I	Kelly M. Ryan	29-2 to 29-3	P-FT	06-30-06
Legislative Research Analyst II	Mary K. Earnhardt	32-2 to 32-3	P-FT	07-14-06
Sr Leg. Research Analyst	Lewis E. Olson	38-4 to 38-5	P-FT	07-14-06
Sr Leg. Research Analyst	Bradley A. Trow	38-2 to 38-3	P-FT	07-28-06
Chief Clerk	Margaret Thomson	44-4 to 44-5	P-FT	09-22-06
Assistant Chief Clerk II	Susan K. Jennings	35-4 to 35-5	E-FT	11-03-06
Assistant Legal Counsel	Doreen R. Terrell	27-6 to 27-7	P-FT	11-17-06
Sr Caucus Secretary	David L. Epley	24-6 to 24-7	P-FT	12-01-06
Leg.i. Research Analyst	Kristin A. Gray	27-4 to 29-4	P-FT	12-01-06
Leg. Research Analyst I	Kelly M. Ryan	29-3 to 29-4	P-FT	12-01-06
Sr Editor	Gayle A. Goble	30-5 to 30-6	P-FT	12-15-06
Text Processor I	Joseph M. Gilde	19-3	P-FT	12-18-06
Sr Caucus Secretary	David L. Epley	24-7 to 29-3	P-FT	12-26-06
Leg. Research Analyst	Devin L. Boerm	27-2	P-FT	12-26-06
Caucus Secretary	Jake D. Friedrichsen	21-1	P-FT	12-26-06
Leg. Research Analyst	Ezekiel L. Furlong	27-2	P-FT	12-27-06
Legislative Secretary	Mary M. Sanders	16-4 to 24-1	S-O P-FT	12-27-06
Supervisor of Sec I		24-1	P-FT	
Admin Asst III to Speaker	Allison G. Dorr Kleis	35-3 to 35-4	P-FT	12-29-06
Confidential Sec II to Speaker	Becky L. Lorenz	32-2 to 32-3	P-FT	12-29-06
Assistant Chief Clerk II	David F. Schrader	35-3	P-FT	12-29-06
Assistant Editor	Robin Bennett	19-1 to 19-2	E-FT	01-02-07

<u>Position</u>	<u>Name</u>	<u>Grade and Step</u>	<u>Class of Appointment</u>	<u>Eff. Date</u>
Legislative Secretary	Diane K. Burget	15-3 to	S-O	01-02-07
Clerk to Chief Clerk		16-4		
Admin Asst to Leader	Mark N. Langgin	27-3	P-FT	01-02-07
Admin Asst II to Leader	Scott D. Ourth	32-3	P-FT	01-02-07
Legislative Secretary	Janet R. Ramsay	16-4 to	S-O	01-02-07
Exec. Sec to Chief Clerk		24-1	E-FT	
Legislative Secretary	Rachelle D. Thomas	15-1 to	S-O	01-02-07
Recording Clerk I		21-2	S-O	
Assistant Bill Clerk	Joyce A. Hendrix	12-1	S-O	01-03-07
Bill Clerk	JoAnn B. Quade	14-4	S-O	01-03-07
Asst. to the Legal Counsel	Kathy J. Stachon	19-1	S-O	01-03-07
Assistant Sergeant-at-Arms	Maynard L. Boatwright	14-4 to	S-O	01-04-07
Sergeant-at-Arms I		17-3		
Doorkeeper	Michael Downs	11-1	S-O	01-04-07
Doorkeeper	Jack R. Hall	11-1	S-O	01-04-07
Assistant Sergeant-at-Arms	Marvin Hollingshead	14-4	S-O	01-04-07
Assistant Sergeant-at-Arms	Gerald V. Orman	14-3 to	S-O	01-04-07
Chief Doorkeeper		12-3		
Doorkeeper	Robert B. Yeager	11-2 to	S-O	01-04-07
		11-3		
Switchboard Operator	Rita Carlson	14-2	S-O	01-05-07
Sr Admin Asst to Leader	Mark W. Brandsgard	38-7 to	P-FT	01-08-07
Chief Clerk		44-4		
Sr Legislative Research Analyst	Edward J. Conlow	38-7 to	P-FT	01-08-07
Sr Admin Asst to Speaker		38-7		
Leg. Research Analyst II	Dwayne Dean Fiihr, Jr.	32-4 to	P-FT	01-08-07
Admin Asst II to Speaker		32-4		
Leg. Committee Secr.	Clarice E. Alons	17-3 to	S-O	01-08-07
Legislative Secretary		16-3		
Leg. Committee Secr.	Jake Appel	17-1	S-O	01-08-07
Leg. Committee Secr.	Cheryl K. Arnold	17-3 to	S-O	01-08-07
Legislative Secretary		15-3		
Legislative Secretary	Bradley P. Bell	16-2 to	S-O	01-08-07
Leg. Committee Secr.		17-2		
Legislative Committee Secretary	Susan M. Betsinger	17-4 to	S-O	01-08-07
Legislative Secretary		15-4		
Legislative Secretary	Ellen Bettini	15-1	S-O	01-08-07
Legislative Secretary	Jodi Bierman	17-1	S-O	01-08-07
Legislative Secretary	Curtis I. Bigsby	16-2 to	S-O	01-08-07
Leg. Committee Secr.		17-2		
Leg. Committee Secr.	Lindsay Bland	17-1	S-O	01-08-07
Legislative Secretary	Jacob Bossman	15-1	S-O	01-08-07

<u>Position</u>	<u>Name</u>	<u>Grade and Step</u>	<u>Class of Appointment</u>	<u>Eff. Date</u>
Leg. Committee Sec. Legislative Secretary	Adrienne H. Branstad	17-1 to 16-1	S-O	01-08-07
Legislative Secretary	Samuel Braun	16-1	S-O	01-08-07
Leg. Committee Sec.	Larry Breheny	17-1	S-O	01-08-07
Leg. Committee Sec. Legislative Secretary	Melissa Burmester	18-1	S-O	01-08-07
Legislative Secretary	Chad R. Burton	15-1	S-O	01-08-07
Legislative Secretary	Melissa Cameron	16-1	S-O	01-08-07
Legislative Secretary	Jordan Carey	16-1	S-O	01-08-07
Leg. Committee Sec. Legislative Secretary	Jeni Danilson	17-1	S-O	01-08-07
Legislative Secretary	Shirley M. Danskin- White	15-7+2 to 17-7+2	S-O	01-08-07
Leg. Committee Sec. Legislative Secretary	Mary K. Davis	15-3 to 17-3	S-O	01-08-07
Leg. Committee Sec. Legislative Secretary	Darcy Dolezal	16-1	S-O	01-08-07
Legislative Secretary	Neal T. Doyle	16-1 to 17-1	S-O	01-08-07
Leg. Committee Sec. Leg. Committee Sec.	Shirley J. Drake	17-5 to 16-5	S-O	01-08-07
Legislative Secretary	Kathy Eaton	15-3	S-O	01-08-07
Legislative Secretary	Lindsey Ellerbach	16-1	S-O	01-08-07
Legislative Secretary	Mary K. Ellett	16-1 to 18-1	S-O	01-08-07
Leg. Committee Sec. Legislative Secretary	Kelley A. Fifer	17-2 to 15-3	S-O	01-08-07
Legislative Secretary	Mark Fleagle	17-1	S-O	01-08-07
Legislative Secretary	Harry W. Flipping	15-2 to 16-2	S-O	01-08-07
Leg. Committee Sec. Legislative Secretary	Jennifer Frank	16-1	S-O	01-08-07
Legislative Secretary	Lindsey Frank	16-1	S-O	01-08-07
Legislative Secretary	Martha L. Fullerton	17-2 to 16-2	S-O	01-08-07
Legislative Secretary	Cassandra Furlong	16-1	S-O	01-08-07
Leg. Committee Sec.	Charles Goyer	17-1	S-O	01-08-07
Leg. Committee Sec. Legislative Secretary	Donna W. Greenwood	17-7 to 16-7	S-O	01-08-07
Leg. Committee Sec. Legislative Secretary	Megan L. Hess	17-1 to 16-1	S-O	01-08-07
Leg. Committee Sec. Legislative Secretary	Lynn M. Hoffman	17-3 to 16-3	S-O	01-08-07
Legislative Secretary	Tiffanee L. Hokel	16-1 to 15-1	S-O	01-08-07
Legislative Secretary	Jane Hughes	15-1	S-O	01-08-07
Leg. Committee Sec.	Kelli A. Huser	17-1	S-O	01-08-07
Legislative Secretary	Nathan G. Huss	15-1 to 18-1	S-O	01-09-06
Leg. Committee Sec. Leg. Committee Sec.	Amanda Hynek	18-1	S-O	01-08-07

<u>Position</u>	<u>Name</u>	<u>Grade and Step</u>	<u>Class of Appointment</u>	<u>Eff. Date</u>
Leg. Committee Sec.	Judy Jay	17-1	S-O	01-08-07
Assistant Chief Clerk II	Susan K. Jennings	35-5 to	E-FT	11-03-06
Legislative Secretary		15-7+2	S-O	01-08-07
Legislative Secretary	Elizabeth A. Junk	16-1	S-O	01-08-07
Legislative Secretary	Catherine S. Jury	16-7 to	S-O	01-08-07
Leg. Committee Sec.		17-7		
Legislative Secretary	Robert F. Kaufmann	16-2 to	S-O	01-08-07
		18-2		
Legislative Secretary	Erin T. Kreiman	16-2 to	S-O	01-08-07
Leg. Committee Sec.		17-2		
Legislative Secretary	Karen Kurth	15-1	S-O	01-08-07
Legislative Secretary	Brittany Lagemann	16-1	S-O	01-08-07
Legislative Secretary	Carol J. Lamb	15-1 to	S-O	01-08-07
		16-1		
Legislative Secretary	Ben Leifker	15-1	S-O	01-08-07
Legislative Secretary	Jennifer Lee Lunsford	17-2 to	S-O	01-08-07
		18-2		
Legislative Secretary	Amy L. Lynch	15-2 to	S-O	01-08-07
		17-2		
Legislative Secretary	Susan M. Mahedy-Ridgway	17-2 to	S-O	01-08-07
		16-2		
Legislative Secretary	Marlene J. Martens	16-5 to	S-O	01-08-07
		15-5		
Leg. Committee Sec.	Steve Mandernach	17-1	S-O	01-08-07
Leg. Committee Sec.	Carole Martin	17-1	S-O	01-08-07
Legislative Secretary	Will Mason	16-1	S-O	01-08-07
Legislative Secretary	Margie A. May	16-1	S-O	01-08-07
Leg. Committee Sec.	Nancy M. McDowell	17-1 to	S-O	01-08-07
Legislative Secretary		16-1		
Legislative Secretary	Susan G. Meimann	15-2 to	S-O	01-08-07
Leg. Committee Sec.		17-2		
Legislative Secretary	Anthony R. Menendez	16-1	S-O	01-08-07
Legislative Secretary	Michele Meyer	15-1	S-O	01-08-07
Legislative Secretary	Twyla L. Miller	17-7+2 to	S-O	01-08-07
		15-7+2		
Leg. Committee Sec.	Laura L. Mommsen	17-2 to	S-O	01-08-07
Legislative Secretary		15-2		
Leg. Committee Sec.	Melba K. Murken	17-3 to	S-O	01-08-07
Legislative Secretary		16-3		
Legislative Secretary	Natasha Newcomb	16-1	S-O	01-08-07
Leg. Committee Sec.	Brenda R. Olson	17-1	S-O	01-08-07
Legislative Secretary	Carrie Olson	16-1	S-O	01-08-07
Legislative Secretary	Brian Phillips	17-1	S-O	01-08-07
Leg. Committee Sec.	J.P. Porter	17-1	S-O	01-08-07
Leg. Committee Sec.	Martha S. Raecker	18-2 to	S-O	01-08-07
Legislative Secretary		16-2		
Legislative Secretary	Josie M. Rundlett	17-1	S-O	01-08-07

<u>Position</u>	<u>Name</u>	<u>Grade and Step</u>	<u>Class of Appointment</u>	<u>Eff. Date</u>
Legislative Secretary	Melodie K. Schueller	15-2 to 16-2	S-O	01-08-07
Legislative Secretary	Connie Smith	18-1	S-O	01-08-07
Leg. Committee Secr.	Fran D. Smith	18-1	S-O	01-08-07
Legislative Secretary	Virginia A. Sourbeer	17-3 to 16-3	S-O	01-08-07
Legislative Secretary	Kristen J. Stewart-Rowen	15-1 to 16-1	S-O	01-08-07
Legislative Secretary	Rosemary G. Thomas	16-2 to 17-2	S-O	01-08-07
Leg. Committee Secr.	M. Bernadine Travers	17-1 to 16-1	S-O	01-08-07
Legislative Secretary	Eileen M. Tyler	18-6 to 17-6	S-O	01-08-07
Leg. Committee Secr.	Christian Ucles	17-1	S-O	01-08-07
Legislative Secretary	Darlene A. VanOort	18-3 to 16-3	S-O	01-08-07
Leg. Committee Secr.	Ruth A. Vander Linden	17-1 to 16-1	S-O	01-08-07
Legislative Secretary	Dustin Wagner	16-1	S-O	01-08-07
Legislative Secretary	Megan M. Warner	17-1	S-O	01-08-07
Legislative Secretary	Anita R. Wendt	16-2 to 17-2	S-O	01-08-07
Leg. Committee Secr.	Barbara B. Wennerstrum	17-7+2 to 15-7+2	S-O	01-08-07
Legislative Secretary	David H. White	16-2 to 15-2	S-O	01-08-07
Legislative Secretary	Jeff Yanceck	16-1	S-O	01-08-07

PAGES-GROUP I

<u>Position</u>	<u>Name</u>	<u>Grade and Step</u>	<u>Class of Appointment</u>	<u>Eff. Date</u>
Speaker's Page	Abby L. Finkenauer	9-1	S-O	01-08-07
Chief Clerk's Page	Amanda M. Grieder	9-1	S-O	01-08-07
Chief Clerk's Page	Lindsay D. Norton	9-1	S-O	01-08-07
Page	Trevor P. Boeckmann	9-1	S-O	01-08-07
Page	Katherine R. Clark	9-1	S-O0	01-08-07
Page	Alexandra C. Elgersma	9-1	S-O	01-08-07
Page	Adam J. Fisher	9-1	S-O	01-08-07
Page	Chynna P. Frana	9-1	S-O	01-08-07
Page	Mason D. Frank	9-1	S-O	01-08-07
Page	Brian E. Gress	9-1	S-O	01-08-07
Page	Allyson C. Hansen	9-1	S-O	01-08-07
Page	Heidi D. Hortsman	9-1	S-O	01-08-07

<u>Position</u>	<u>Name</u>	<u>Grade and Step</u>	<u>Class of Appointment</u>	<u>Eff. Date</u>
Page	Tiffany M. Kelderhouse-Tucker	9-1	S-O	01-08-07
Page	Alejandro Patino	9-1	S-O	01-08-07
Page	Madison B. Short	9-1	S-O	01-08-07
Page	Elizabeth A. Smith	9-1	S-O	01-08-07
Page	Brianna J. Steitzer	9-1	S-O	01-08-07
Page	Hannah L. Van Fossen	9-1	S-O	01-08-07
Page	Heather A. Van Fossen	9-1	S-O	01-08-07
Page	Krista J. Wiley	9-1	S-O	01-08-07
Page	Kathryn J. Wollan	9-1	S-O	01-08-07

PAGES-GROUP II

Page	Jordan P. Anderson	9-1	S-O	01-08-07
Page	Jordan R. Campbell	9-1	S-O	01-08-07
Page	Desmond P. Grady	9-1	S-O	01-08-07
Page	Kelsey R. Heino	9-1	S-O	01-08-07
Page	Lena M. Mays	9-1	S-O	01-08-07
Page	Angela L. Tweedy	9-1		01-08-07

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

Legislative Research Analyst I	Timothy R. Coonan			06-09-06
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Pursuant to Senate Concurrent Resolution 3, duly adopted, the following is a list of changes for officers and employees of the Joint Senate/House:

Leg. Security Officer I	Mahlon Y. Lamp	20-3 to 20-4	P-FT	05-05-06
Leg. Security Officer I	Marshall T. Irwin	20-4 to 20-5	P-FT	07-14-06
Leg. Security Officer I	Carl E. Lami	20-4 to 20-5	P-FT	07-14-06
Leg. Security Officer I	Robert J. Porter	20-4 to 20-5	P-FT	07-14-06
Leg. Security Officer I	Judith A. Salier	20-4 to 20-5	P-FT	07-14-06
Leg. Security Officer I	Curtis L. Scott	20-2 to 20-3	P-FT	07-14-06
Leg. Security Officer I	Leo R. Skeffington	20-2 to 20-3	P-FT	07-14-06
Leg. Security Officer I	Gordon M. Skeffington	20-1	P-FT	11-03-06
Leg. Security Officer I	Robert W. Cornwell	20-1	P-FT	11-17-06
Leg. Security Officer I	Steven D. Marsh	20-4 to 20-5	P-FT	12-01-06
Leg. Security Officer I	Kent M. Stevens	20-3 to 20-4	P-FT	12-15-06

<u>Position</u>	<u>Name</u>	<u>Grade and Step</u>	<u>Class of Appointment</u>	<u>Eff. Date</u>
Leg. Security Coordinator I	Shawna S. Ferguson	23-4 to 23-5	P-FT	12-29-06

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

Leg. Security Officer I	Nickolas S. Brown			06-23-06
Leg. Security Officer I	Richard A. Crawford			07-05-06

The motion prevailed and the report was adopted.

RULE 57 SUSPENDED

McCarthy of Polk asked and received unanimous consent to suspend Rule 57, relating to committee notice and agenda, for a meeting of the committee on administration and rules at 2:00 p.m. today.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

2007\27	Phillip and Lenna Simmons, Knoxville – For celebrating their 60 th wedding anniversary.
2007\28	Jim and Marge Henderson, Toddville – For celebrating their 60 th wedding anniversary.
2007\29	John and Lois Heffernen, Coggon – For celebrating their 50 th wedding anniversary.
2007\30	Jerome and Mary Seifried, Hiawatha – For celebrating their 50 th wedding anniversary.
2007\31	Arthur Pohm, Ames – For celebrating his 80 th birthday.
2007\32	Russell Powers, Boone – For celebrating his 80 th birthday.
2007\33	Marjorie Buechler, Boone – For celebrating her 80 th birthday.

- 2007\34 Willard Murry, Madrid – For celebrating her 80th birthday.
- 2007\35 Marcella Partridge, Ames – For celebrating her 80th birthday.
- 2007\36 Kenneth Clouser, Gilbert – For celebrating his 80th birthday.
- 2007\37 Walter Twetten, Ames – For Celebrating his 80th birthday.
- 2007\38 Ladonna Deal, Ames – For celebrating her 80th birthday.
- 2007\39 Dixie Lickteig, Ames – For celebrating her 80th birthday.
- 2007\40 Helen Coe, Ames, – For celebrating her 80th birthday.
- 2007\41 Evelyn Loots, Ames – For celebrating her 80th birthday.
- 2007\42 Roy Kuhn, Ames – For celebrating his 80th birthday.
- 2007\43 Alice Kay, Ames – For celebrating her 80th birthday.
- 2007\44 Treva Martsching, Ames – For celebrating her 80th birthday.
- 2007\45 Eugene Buechler, Boone – For celebrating his 85th birthday.
- 2007\46 Clara Whattoff, Ames – For celebrating her 85th birthday.
- 2007\47 James Herrick, Ames – For celebrating his 85th birthday.
- 2007\48 Robert Benson, Ames – For celebrating his 85th birthday.
- 2007\49 Paul Skarda, Ames – For celebrating his 90th birthday.
- 2007\50 Bernice Goff, Ames – For celebrating her 90th birthday.
- 2007\51 Nina Goodwin, Ames – For celebrating her 90th birthday.
- 2007\52 Juanita Lutz, Ames – For celebrating her 90th birthday.
- 2007\53 Jean Riggs, Ames – For celebrating her 90th birthday.
- 2007\54 Yen Chang, Ames – For celebrating his 90th birthday.
- 2007\55 Lester Scott, Ames – For celebrating his 95th birthday.
- 2007\56 Mildred Dryer, Ames – For celebrating her 95th birthday.
- 2007\57 Robert and Gay Moffitt, North English – For celebrating their 50th wedding anniversary.
- 2007\58 Randall and Kay Betz, Ladora – For celebrating their 50th wedding anniversary.

- 2007\59 Mr. and Mrs. Franklin Coopersmith, What Cheer – For celebrating their 60th wedding anniversary.
- 2007\60 Wayne and Evelyn Patten, Brooklyn – For celebrating their 65th wedding anniversary.
- 2007\61 Mabel Rhinehart, Brooklyn – For celebrating her 100th birthday.
- 2007\62 Glen (Chub) Thatcher, What Cheer – For celebrating his 85th birthday.
- 2007\63 Harvey and June Von Ahsen, Williamsburg – For celebrating their 60th wedding anniversary.
- 2007\64 Mary Webb, Sigourney – For celebrating her 80th birthday.
- 2007\65 Ray and Loretta Thomas, Hedrick – For celebrating their 55th wedding anniversary.
- 2007\66 Herbert and Maxine Hammes, Sigourney – For celebrating their 65th wedding anniversary.
- 2007\67 Alec Sundermann, Waukee – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\68 Bob and Lois Williams, Sioux City – For celebrating their 50th wedding anniversary.
- 2007\69 Minderd and Lois Mars, Primghar – For celebrating their 60th wedding anniversary.
- 2007\70 Oscar and Marie Klein, Alton – For celebrating their 50th wedding anniversary.
- 2007\71 Henry and Florence Bader, Le Mars – For celebrating their 50th wedding anniversary.
- 2007\72 Gene and Janet Wurth, Remsen – For celebrating their 50th wedding anniversary.
- 2007\73 John and Gertrude Vander Schaaf, Orange City – For celebrating their 60th wedding anniversary.
- 2007\74 Leonard and Ella Molzen, Le Mars – For celebrating their 65th wedding anniversary.
- 2007\75 Ken and Hermina Louwerse, Orange City – For celebrating their 50th wedding anniversary.
- 2007\76 Darrel and Lorraine Berkenpas, Le Mars – For celebrating their 50th wedding anniversary.

- 2007\77 Laura Lauters, Le Mars – For celebrating her 100th birthday.
- 2007\78 Zachary Pasker, Manchester – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.

SUBCOMMITTEE ASSIGNMENTS

House File 9

Education: Mascher, Chair; Dolecheck, Gayman, Wendt and Wiencek.

House File 10

Education: Heddens, Chair; Forristall and Kelley.

House File 12

Education: Mascher, Chair; Gayman, L. Miller, Tymeson and Wendt.

On motion by McCarthy of Polk the House adjourned at 9:23 a.m., until 8:30 a.m., Friday, January 12, 2007 in room 6 at Hy-Vee Hall.

JOURNAL OF THE HOUSE

Fifth Calendar Day - Fifth Session Day

Room 6 Hy-Vee Hall
Des Moines, Iowa, Friday, January 12, 2007

The House met pursuant to adjournment at 8:38 a.m., Speaker Murphy in the chair.

Prayer was offered by the honorable Senate President, John P. "Jack" Kibbie.

The Journal of Thursday, January 11, 2006 was approved.

COMMITTEE TO NOTIFY THE SENATE

Petersen of Polk moved that a committee of three be appointed to notify the Senate that the House was ready to receive it in joint convention.

The motion prevailed and the Speaker appointed as such committee: Petersen of Polk, chair, Heddens of Story and Tymeson of Madison.

REPORT OF THE COMMITTEE TO NOTIFY THE SENATE

Petersen of Polk, chair of the committee to notify the Senate that the House was ready to receive it in joint convention, reported that the committee had performed its duty. The report was accepted and the committee discharged.

The Sergeant-at-Arms announced the arrival of the President of the Senate, the Secretary of the Senate and the honorable body of the Senate.

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

JOINT CONVENTION

The Joint Convention reconvened at the Hy-Vee Hall at 8:40 a.m., President Kibbie presiding.

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

The motion prevailed.

President Kibbie declared a majority of the General Assembly present at the Joint Convention.

The report of canvass of the vote was read by Mark Brandsgard, the Secretary of the Joint Convention, as follows:

MADAM PRESIDENT AND GENTLEMEN AND LADIES OF THE JOINT CONVENTION:

Your tellers, appointed by the President of the Senate and the Speaker of the House of Representatives to canvass the vote cast for candidates for Governor and Lieutenant Governor at the election held November 7, 2006 beg leave to make the following report of the total vote cast for Governor:

Chester J. Culver.....	569,021
Jim Nusslé.....	467,425
Wendy S. Barth.....	7,850
Kevin Litten.....	5,735
Mary J. Martin.....	1,974
Scattering.....	1,250

And the total vote cast for Lieutenant Governor at the election, held November 7, 2006:

Patty Judge.....	569,021
Bob Vander Plaats.....	467,425
Richard L. Johnson.....	7,850
Mark Nelson.....	5,735
Kevin A. Dwire.....	1,974
Scattering.....	1,250

All of which is most respectfully submitted.

JOE BOLKCOM
Teller of the Senate
HERMAN QUIRMBACH
Assistant Teller
DAVE MULDER
Assistant Teller
MARK W. BRANDSGARD
Secretary of the Joint Convention

PAUL SHOMSHÓR
Teller of the House
AKO ABDUL-SAMAD
Assistant Teller
RALPH WATTS
Assistant Teller

Senator Bolkom of Johnson moved that the report be adopted.

The motion prevailed and the report was adopted.

President Kibbie of the joint convention announced that the Honorable Chester J. Culver and the Honorable Patty Judge, having received the highest number of votes cast for Governor and Lieutenant Governor of the State of Iowa, respectively, for the ensuing term, or until a successor is duly elected and qualified.

The following certificates were signed in the presence of the joint convention:

CERTIFICATE OF ELECTION
STATE OF IOWA
GENERAL ASSEMBLY
HALL OF THE HOUSE OF REPRESENTATIVES

GREETING:

This is to certify that upon a canvass in Joint Convention of the two Houses of the Eighty-second General Assembly of the State of Iowa, of all the votes cast at the general election held November 7, 2006, for the office of Governor of the State of Iowa, it appeared that Chester J. Culver received the highest number of all votes cast for any candidate at said election for said office and was thereupon declared duly elected to said office for the term of four years and until a successor is duly elected and qualified.

Signed in the presence of the Joint Convention this Fifteenth day of January, A.D., 2007.

PATRICK MURPHY
Speaker of the House

JOHN P. "JACK" KIBBIE
Presiding Officer of the
Joint Convention

JOE BOLKCOM
Teller of the Senate

PAUL SHOMSHOR
Teller of the House

MARK W. BRANDSGARD
Chief Clerk of the House and Secretary of the Joint Convention

CERTIFICATE OF ELECTION
STATE OF IOWA
GENERAL ASSEMBLY
HALL OF THE HOUSE OF REPRESENTATIVES

GREETING:

This is to certify that upon a canvass in Joint Convention of the two Houses of the Eighty-second General Assembly of the State of Iowa, of all the votes cast at the general election held November 7, 2006, for the office of Lieutenant Governor of the State of Iowa, it appeared that Patty Judge received the highest number of all votes cast for any candidate at said election for said office and was thereupon declared duly elected to said office for the term of four years and until a successor is duly elected and qualified.

Signed in the presence of the Joint Convention this Fifteenth day of January, A.D., 2007.

PATRICK J. MURPHY
Speaker of the House

JOHN P. "JACK" KIBBIE
Presiding Officer
of the Joint Convention

JOE BOLKCOM
Teller of the Senate

PAUL SHOMSHOR
Teller of the House

MARK W. BRANDSGARD
Chief Clerk of the House and Secretary of the Joint Convention

President Kibbie then directed that the abstract of votes and certificates of election be filed with the Secretary of State.

Senator Gronstal of Pottawattamie moved that a committee of six, consisting of three members from the Senate and three members from the House, be appointed to notify Governor-elect Chester J. Culver and Lieutenant Governor-elect Patty Judge of the official result of the canvass of votes.

The motion prevailed and the President named as such committee Senators Hancock of Dubuque, McCoy of Polk and Johnson of Osceola, on the part of the Senate and Representatives Shomshor of Pottawattamie, Abdul-Samad of Polk and Tomenga of Polk, on the part of the House.

The Joint Convention stood at ease at 8:45 a.m., until the fall of the gavel.

The Joint Convention reconvened at 9:15 a.m., Senator pro tempore Danielson presiding.

REPORT OF COMMITTEE

Senator Gronstal of Pottawattamie announced that the joint committee appointed to notify Chester J. Culver and Patty Judge of their election to the office of Governor and Lieutenant Governor of Iowa, respectively, submitted the following report and moved its adoption:

REPORT OF COMMITTEE

MR. PRESIDENT: As a committee appointed at the Joint Convention to notify the Honorable Chester J. Culver and the Honorable Patty Judge of their election to the office of Governor and Lieutenant Governor, respectively, we beg leave to report that we have performed the duty assigned to us and that they stand ready to assume duties of the offices to which they were elected.

Respectfully submitted,

JOE BOLKCOM
HERMAN QUIRMBACH
DAVE MULDER

PAUL SHOMSHOR
AKO ABDUL-SAMAD
RALPH WATTS

The motion prevailed and the report was adopted.

The Joint Convention stood at ease and proceeded to the floor of the auditorium for the inauguration of Governor-elect Chester J. Culver and Lieutenant Governor-elect Patty Judge.

The Joint Convention reconvened at 9:45 a.m., President Kibbie presiding.

The Legislative Inaugural Committee, consisting of Senators Dearden of Polk, Olive of Story, Appel of Warren, Putney of Tama, Ward of Polk and Johnson of Osceola, on the part of the Senate and Representatives D. Olson of Boone, Frevert of Palo Alto, Wessel-Kroeschell of Story, Alons of Sioux, Jacobs of Polk and Raecker of Polk, on the part of the House, were escorted to the front of the rostrum.

The Sergeant-at-Arms announced the arrival of Chief Justice Ternus.

Chief Justice Ternus was escorted to her seat.

Governor Vilsack and his wife, Christie, Lieutenant Governor Sally Pederson and her husband, Jim Autry, former Governor Terry E. Branstad and former Governor Robert D. Ray were seated prior to the Joint Convention.

State Auditor, David Vaudt; Attorney General, Tom Miller; Secretary of State, Michael A. Mauro; Secretary of Agriculture and Land Stewardship, Bill Northey and State Treasurer, Michael Fitzgerald were seated prior to the Joint Convention.

The Sergeant-at-Arms announced the arrival of Lieutenant Governor-elect Patty Judge and her husband, former Senator John Judge.

Lieutenant Governor-elect Patty Judge, her husband and former Senator John Judge, were escorted to their seats.

The Sergeant-at-Arms announced the arrival of Governor-elect Chester J. Culver, his wife, Mari, their daughter Clare and son John.

Governor-elect Chester J. Culver and his family were escorted to their seats.

The colors were advanced by the Iowa National Guard.

The Pledge of Allegiance was led by Sergeant Jeff Downing, USMC and Kimberly Downing.

The National Anthem was sung by 2006 Miss Iowa, Emily Nicholas and her sister, former Miss Iowa Carolyn Nicholas Haugland.

The invocation was delivered by Father James Polich of St. Augustin's Catholic Church, Des Moines.

The following students from Waverly performed a special inaugural reading: Victoria Asplund, Majorie Birgen, Ruth and Rachel Black, Casey Dirksen-Fahrer, Rachel and Robby Lynch, Ander Newell, Emilie and Julianna Norby, Matthew Schulz, Ella Robby, Peter, Katie and Emily Vering.

The oath of office was administered to Lieutenant Governor-elect Patty Judge by Chief Justice Marsha K. Ternus, assisted by her husband, former Senator John Judge.

President Kibbie presented Lieutenant Governor Patty Judge who gave the following remarks:

Thank you all- Governors Vilsack, Brandstad and Ray, Lieutenant Governors Pedersen, Corning, Zimmerman, and Anderson, Chief Justice Turnus, members of the court, distinguished elected officials, my family, friends and fellow Iowans across the state. It is an honor to be here with you this morning – and to be sworn in as Iowa's Lieutenant Governor.

First of all, I want to extend a special thank you to my friend and partner, Chet Culver. Governor-elect, thank you for believing in me and for putting this Culver-Judge team together. It is going to be a real pleasure to serve with you.

I also want to thank Governor Vilsack and Lt. Gov Pederson for their hard work for our state for the past eight years and for the friendship and support they have shown us during this time of transition.

I am an Iowan - born here, went to school here, married a guy from my hometown, raised three sons here – (and they are now raising their own families here in Iowa). I have worked on an Iowa farm, practiced nursing, owned a small town Mainstreet business, served as a community volunteer and as an elected representative for my friends and neighbors that share the southern Iowa community I call home.

As the Secretary of Agriculture for the past eight years, I have also traveled thousands of miles in Iowa and visited communities in every part of the state. And I have met the most incredible people! Iowans who share the pride I feel in our state and who demonstrate that pride everyday in their families, their farms and communities.

As Iowans, we share common ideals no matter where in the state we live. We believe in taking care of our families and in educating our children. We believe hard work leads to success – and we aren't afraid to roll up our sleeves. We believe in working together and in helping our neighbors.

And most of all, today, just as it has since the settlers crossed the Mississippi, our "One Iowa" believes that the future is unlimited.

I first ran for political office at a time when our state was reeling from a farm crisis that left families losing their farms, and mainstreet businesses closing their doors. In truth, I made that run for the state senate because I was really mad – and I decided one day that I should go to Des Moines and let those people know what I think! But even in those dark days, Iowans saw the future's light on the horizon!

And today, I can tell you without reservation – there has never been a time in the history of this state that has been so exciting, when the future has shined so brightly.

Chet Culver and I come to our respective offices at a time when the bio based industry is just beginning. Who would have dreamed even a few years ago that we

could power our cars and trucks from corn and soybeans, generate our electricity from the wind, and create new healthier foods and more environmentally friendly materials all from crops raised here in Iowa. And for this Iowa farmer - that is exciting!

The entire country is buzzing over the opportunities renewable energy offers in breaking the strangle hold of foreign oil. Iowa is the leader today because of a lot of hard working people across this state who believed you could run an engine on corn or soy beans when others said "it can't be done". Well, we proved we could do it! To all of those who rolled up their sleeves and made renewable energy a reality, I say thank you. But, the question we all must ask ourselves now is "what are we going to do next?"

We developed ethanol and soy diesel first, but that is just the very beginning. The world is not standing still, and we must work hard and make smart choices to continue the progress in the bio industry and the emerging bio economy.

Already we have the emergence of biomass opportunities, one of the first bio-refineries in the country is being built in Emmetsburg, and every time I drive throughout our beautiful state, I see more and more wind turbines lining the sky. As your Lieutenant Governor, I intend, and look forward, to continue advocating for clean, environmentally friendly fuels and new innovative materials from the products we produce best in this state - those that grow from our rich soil.

We are so blessed; nowhere else on earth is there such abundance - our soil and water makes us the bread basket, and now also the fueling center, not just of our country but of the entire world. With this abundance comes responsibility - and we must work to protect the soil and to improve and protect our water supplies, leaving this place even better than we found it for our children and our grandchildren.

We face many problems in Iowa as we work to accomplish that goal. Sharp divisions have been drawn that have pitted neighbor against neighbor. An "either or" solution will not do -- we must work through those divisions and bring Iowans together. It is time to engage in long range plans that will allow us both to enjoy a healthy economy and to improve our environment. We will do this together... as one Iowa.

And as we transform not just *Iowa's* economy but the economy of the entire nation from a petrocarbon base to one that is based on renewable crops - we can not afford to forget that Iowans first of all must be safe; safe in our homes, schools, and places of work.

The events of 9/11/01 in New York City and Washington, DC changed forever the way we think about our security and the way we respond to threats, whether caused by humans or by nature.

For the past five years I have been closely involved in emergency planning for the state and on a national level for the security of our food supplies. Governor Culver has asked me to continue that work and take an active role in homeland security and emergency management. Working in partnership with the capable staff and Iowa National Guard we will make certain we are ready to respond to any emergency or threat to the citizens of Iowa. Ensuring safe, healthy, and productive lives for all

Iowans is a very lofty goal- but this administration will be about big dreams and big ideas for ONE IOWA.

Iowans made a choice; they chose to make Chet Culver your Governor and me your Lieutenant Governor. I chose to be standing here today rather than being at home on the farm because I absolutely believe that together with you, Chet Culver and I can accomplish great things for the state we love. We know it won't be easy. There will be those who will tell us "it can't be done" or "we have never done it that way before." So let me say very clearly – Chet Culver and I are people who do not believe in the concept of the impossible.

What we do believe is that when good people decide to join together for a common cause the future is unlimited!

Life is full of challenges. I am aware that the challenge I am about to take one is one of the largest I will ever face. Being entrusted with a position that affects the lives of nearly three million people is something that must be taken very seriously.

At times in my life when faced with difficult challenges I have remembered and thought about the words of a favorite Bible verse. I want to leave you with those words today because I believe the passage clearly sums up the challenges and the opportunities we will see in the next four years. It is from Second Corinthians, chapter 9, verse 8: "It is God's power to provide you richly with every good gift: thus you will have ample means in yourselves to meet each and every situation, with enough to spare for every good cause".

Thank you.

The Gay Men's Chorus performed "The Quest Unending."

The oath of office was administered to Governor-elect Chester J. Culver, by Chief Justice Marsha K. Ternus and assisted by Mari Culver.

President Kibbie presented Governor Chester J. Culver, who delivered the following inaugural address:

Thank you. Thank you very much!

Today is the greatest honor of my life. I want to thank Iowans for their confidence, support and prayers. I also thank God for the many blessings in my life.

Chief Justice Ternus and members of the Court. Speaker Murphy and President Kibbie. Majority Leaders Gronstal and McCarthy. Minority Leaders Lundby and Rants. Members of the General Assembly. Distinguished guests including Governor Ray, Branstad and Senators Harkin and Dodd and to everyone who is here today. I am honored by your presence.

Lieutenant Governor Judge, thank you! Thank you for being my running-mate and my partner in this administration. I am very fortunate to have you by my side.

The people of Iowa will be well-served by your experience, passion, character and common sense.

To my fellow statewide elected officials, agency directors, and the thousands of dedicated state employees. Thank you.

Governor Vilsack and Christie, may God bless you and your family in the days ahead! I wish you all the best.

Christie, you have been a great first lady and your commitment to literacy will not be forgotten.

Governor, Thanks to you, the foundation has been laid and we have made real progress because of your outstanding leadership.

And, on behalf of the people of Iowa, I want to take this opportunity to thank you for your eight years of hard work and dedicated service.

Also, thank you Lieutenant Governor Pederson and Jim Autry. You and your family brought grace and class to your important position.

To my family and friends who are here, many thanks for your loyalty and friendship.

To my parents, thank you for the guidance you give. I am a very fortunate and grateful son. I love you both very much. Dad, I especially want to thank you for the example you set for me.

I would also like to show my appreciation for my step mother, who has been a great influence on me.

And most importantly, thank you Mari, and my children, John and Clare. Thanks for your unconditional love and support. Words can not express my love for you. This will be an exciting new journey for us.

Finally, I want to thank the brave men and women of Iowa who are serving our nation in uniform. You make us all proud!

I love Iowa.

This "land between two rivers" is blessed with people of strong character; a history that is rich; and as the Native Americans who came before us said, "A Beautiful Land."

My fondest childhood memories are docked along the banks of the Mississippi River near McGregor. As a kid, I remember going out in my fishing boat, "Chet's Charter," and enjoying the magnificent surroundings.

Some of my ancestors settled north of there in 1863 and our family lived there for many years. We had a house on the bluff overlooking the river. When you look down

the valley of the mighty Mississippi you get a real sense of the awesome landscape and vast history of our state.

The constant movement of the river also reminds us that things are changing all the time. It rises and falls, freezes and thaws, yet emerges strong and powerful, generation after generation!

Right now, Iowa is experiencing much the same change and with it comes the opportunity for a new era of greatness.

As some of you may have heard, once or twice, I was once a high school government and history teacher!

But I am also a student of history. In my classroom, I would remind my students of the ebbs and flows in our history.

As Iowans, I think we could do much worse than to learn from the lessons provided by those who have come before us.

Our state has always been a state of explorers and pioneers. Chief Black Hawk and the Native Americans taught us how to live off the land.

Marquette and Jolliet were the first Europeans to navigate the Mississippi River in 1673.

Following the Louisiana Purchase, Lewis and Clark made their famous expedition up the Missouri River along our state's western border.

These explorers were fearless! They faced many obstacles, but showed great courage in their pursuit.

Today, we should challenge ourselves to emulate their commitment to pushing the limits of discovery.

These visionaries were undaunted by the practical challenges of the day.

They were guided by: Their faith. Their hopes. And their dreams, even when no one gave them a map!

One of my heroes, President John F. Kennedy, also believed in the importance of exploration and in the relentless pursuit of a new frontier.

He challenged us to win the race to space, saying "We choose to go to the moon and do the other things, not because they are easy, but because they are hard, because that goal will serve; to organize and measure, the best of our energies and skills; because that challenge is one that we are willing to accept, one we are unwilling to postpone, and one which we intend to win."

Well, my fellow Iowans, this is our time!

It's our time to accept the challenge, to explore and discover Iowa's unlimited potential.

It's our time to win the race to become the energy capital of the world.

Let us invoke the lessons previous generations of explorers and leaders have taught us.

Let us all come together as one and lead our own "21st Century Iowa Expedition."

There is an energy frontier open before us, and we must explore it immediately! America and the world are counting on us.

Simply put, we can't afford to duck this responsibility!

It's time for Iowa to become the Silicon Valley of the Midwest.

It's time to create the jobs of the future that will keep your children and my children here at home, where they belong.

It's time to make the entire state of Iowa a laboratory so we remain on the cutting edge of all forms of renewable energy.

We will protect our precious environment: the land, lakes, rivers and streams we all love. However, with the right balance, we can harvest rewards beyond even our wildest imagination.

Our value-added opportunities allow us to take from the earth more than once because we are blessed with the best soil and the most productive farmers in the world.

In addition, we have a tradition of great scientists like Henry Wallace and Norman Borlaug, and a world-class education system that "nurtures" our homegrown talent.

We have already led the nation with ethanol and biodiesel. Now we must maintain that leadership. With the eyes of the world upon us, we must prepare for the next generation energy economy.

We will create an Iowa Power Fund to invest in and attract cutting edge research and development. This will ensure we can lead the way not only in alternative fuels but also in biomass, geothermal, wind and solar energy.

It's time for Iowa to become the first state in the nation to declare energy independence!

We are already on our way!

Whether it's the production of soy lubricant in Waverly, the development of a biorefinery in Emmetsburg, the manufacturing of corn-based plastics in Clinton, the wind storage project in Dallas County, or the new biomass option of burning oat hulls in place of coal in Cedar Falls -- Iowa is on the frontier!

Our dreams of an amazing future, one of energy independence, prosperity and a quality of life second to none, are within our reach. I know we can turn our dreams into reality!

There is another important lesson we must take from those daring souls who have come before us. They understood the importance of working together to get the job done!

So, to the 150 dedicated Iowans who will serve in the 82nd General Assembly, I say this: may our inevitable disagreements reflect deep conviction but not contempt, honest difference but not divisiveness.

Let us work together in a sincere and inclusive way, to create "One Iowa." After all, we serve the same Iowans, they are counting on us, and this state's future belongs to all of us.

And, I want every Iowan to know, we need you!

It doesn't matter whether you are a Republican, Democrat or Independent. Whether you live in rural Iowa or urban Iowa. Whether you are a native Iowan or a new arrival. Young or old. What does matter is that we lock arms for the common good and tap our gold mine of potential.

Together, we will continue to move this great state forward!

However, to achieve this, we who serve, must remember, to respect the will of Iowans. They have spoken, and they expect results.

Iowans expect us to achieve our amazing potential in renewable energy.

They expect us to renew our commitment to educational excellence -- by expanding early childhood education -- getting teacher pay to the national average -- and making college more affordable.

They expect us to find a way to insure that every child has health care -- to save lives by increasing the tobacco tax -- and to give hope to the sick by lifting the ban on stem cell research.

They expect us to pay tribute to our seniors and veterans by showing them the dignity and respect they have earned.

Iowans expect us to find a way to honor and reward hard work by raising the minimum wage.

They expect us to find ways to support and encourage entrepreneurs and small business owners, the dreamers who create jobs across our state.

Iowans also deserve a government that reflects their values! They are right to expect us to be smart with a buck, and to balance our checkbook the same way they do.

And they are right to demand ethical, accountable and open government.

Iowans expect us to encourage, not shy away from, the diversity that has made us a better state. Governor Ray taught us that.

We should never tolerate hate, especially in the form of bullying and threats in the workplace or in our schools.

Finally, I believe we have an obligation to make the most of this important moment in Iowa history -- to explore and harness every bit of potential we have.

But a Governor can't do it alone. That's why today, I am asking for your help. Everyone has a role to play in our 21st Century Expedition.

On Monday, we will honor a great American, Dr. Martin Luther King, who led Americans into action when he said, "Everybody can be great because anybody can serve. You don't have to have a college degree to serve. You don't have to make your subject and verb agree to serve. You only need a heart full of grace and a soul generated by love."

Well, Dr. King was right! Every single one of us can play an important role in this new expedition.

I care deeply about the challenges we face, but I have an even greater faith in Iowa's promise.

Let us work together to build "One Iowa" and in doing so, we will achieve the greatness we all know is possible.

So, as we go from here, let us always remember:

This is our time!

Much is expected of us,

And, our future is unlimited.

Effie Burt performed the song "I'll Make Me a World".

The benediction was offered by Reverend Keith Ratliff of the Maple Street Baptist Church in Des Moines.

McCarthy of Polk moved that the joint convention be now dissolved.

The motion prevailed.

The House reconvened at 10:58 a.m., Speaker Murphy presiding.

On motion by McCarthy of Polk the House adjourned at 10:58 a.m., until 10:00 a.m., Tuesday, January 16, 2007.

JOURNAL OF THE HOUSE

Ninth Calendar Day - Sixth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, January 16, 2007

The House met pursuant to adjournment at 10:05 a.m.; Speaker Murphy in the chair.

Prayer was offered by Imam Abrahami Dremali whom serves at the Islamic Center of Des Moines. He was the guest of Representative Ako Abdul-Samad of Polk County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Anthony Menendez, House Secretary for Representative Ako Abdul-Samad of Polk County.

The Journal of Friday, January 12, 2007 was approved.

INTRODUCTION OF BILLS

House File 16, by Alons, a bill for an act relating to the operation of certain all-terrain vehicles on noninterstate highways, providing a fee, and making penalties applicable.

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

House File 17, by Huser, a bill for an act relating to the annual adjustment of the personal needs allowance for residents of certain facilities.

Read first time and referred to committee on **human resources**.

House File 18, by Abdul-Samad, a bill for an act establishing and making appropriations for an instructional technology program for Iowa's school districts, certain schools governed by the state board of regents, and certain institutions administered by the department of human services.

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

House File 19, by Huser, a bill for an act relating to the senior living trust fund and providing for appropriation of moneys in the fund.

Read first time and referred to committee on **human resources**.

House File 20, by Huser, a bill for an act relating to funding for case management under the Medicaid elderly waiver and providing an appropriation.

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

House File 21, by Wise, a bill for an act providing for the establishment of a high school reform initiative, and making an appropriation.

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

House File 22, by Huser, a bill for an act relating to services for which reimbursement may be provided under a medical assistance home and community-based services waiver for the elderly.

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

House File 23, by Struyk, a bill for an act allowing certain senior residents to hunt deer during the youth and severely disabled deer hunting season.

Read first time and referred to committee on **natural resources**.

House File 24, by Dolecheck, Deyoe, Alons, Windschitl, Sands, Rayhons, Hoffman, Soderberg, Worthan, Baudler, Struyk, Watts, Heaton, Tjepkes, Lukan, Grassley, Kaufmann, Chambers, Huseman, Tymeson, Roberts, Drake, Quirk, May, S. Olson, Clute, Tomenga, Jacoby, Boal, De Boef and Frevert, a bill for an act concerning preference for state employment for nonresident veterans.

Read first time and referred to committee on **veterans affairs**.

House File 25, by Smith, Bailey, Swaim, H. Miller, Kressig, Staed, Whitaker, Gaskill, Dandekar, Hunter, Whitead, Abdul-Samad,

Wenthe, Murphy, Wendt, Pettengill, Berry, Foege, Heddens and Gayman, a bill for an act establishing a suicide prevention program for veterans.

Read first time and referred to committee on **veterans affairs**.

House File 26, by Struyk, a bill for an act concerning the use of moneys appropriated but unexpended for certain vacant state employee positions.

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

House File 27, by Struyk, a bill for an act relating to the coverage of specialized medical equipment under medical assistance home and community-based services waivers.

Read first time and referred to committee on **human resources**.

House File 28, by Arnold, a bill for an act relating to determining which county commissioner of elections shall conduct an election for certain political subdivisions.

Read first time and referred to committee on **local government**.

House File 29, by Smith, Frevert and Kuhn, a bill for an act relating to confinement feeding operations by providing for the approval by counties of construction of structures associated with the operations.

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

House File 30, by Tymeson, a bill for an act relating to elections for certain bond issuance propositions of a school district.

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

ADOPTION OF HOUSE CONCURRENT RESOLUTION 4

Smith of Marshall called up for consideration **House Concurrent Resolution 4**, a concurrent resolution calling upon Iowans to observe Iowa Family Development and Self-Sufficiency Week, and moved its adoption.

The motion prevailed and the resolution was adopted.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **House Concurrent Resolution 4** be immediately messaged to the Senate.

COMMUNICATIONS RECEIVED

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

BOARD OF REGENTS

Annual report on the Beginning Farmer Center at Iowa State University, pursuant to Chapter 266.39E, Code of Iowa.

Summary increased costs for the Regents associated with the use of the Iowa Communication Network (ICN), pursuant to Chapter 8D.10, Code of Iowa.

DEPARTMENT OF ECONOMIC DEVELOPMENT

Report for activities of the ACE Program, the report on IDED goals and objectives, and the report on assistance provided under INJT, pursuant to Chapters 15.113, 260G.4C, 15.108(3)"a"(1) and 15.108(6)"b"(3), Code of Iowa.

DEPARTMENT OF EDUCATION

Accountability annual report, pursuant to Chapter 284.12(1), Code of Iowa.

DEPARTMENT OF TRANSPORTATION

Contract letting summary, pursuant to Chapter 307.12(14), Code of Iowa.

INSTITUTE FOR TOMORROW'S WORKFORCE

Annual report regarding detailed teacher compensation, pursuant to Chapter 7K1, Code of Iowa.

IOWA BOARD OF PAROLE

Fiscal year 2006 Iowa Communications Network (ICN) master report, pursuant to Chapter 8D.10, Code of Iowa.

IOWA COLLEGE STUDENT AID COMMISSION

2006 annual report of the Iowa Teacher Shortage Forgivable Loan Program, pursuant to Chapter 261.11, Code of Iowa.

IOWA LAW ENFORCEMENT ACADEMY

Fiscal year 2006, the ILEA did not utilize the Iowa Communications Network for training sessions, so no related savings generated, pursuant to Chapter 8D.10, Code of Iowa.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- | | |
|---------|--|
| 2007\79 | Harold and Joan McDermott, Sioux City – For celebrating their 50 th wedding anniversary. |
| 2007\80 | Marguerite Mahan, Sioux City – For celebrating her 90 th birthday. |
| 2007\81 | Elsie Kruse, George – For celebrating her 95 th birthday. |
| 2007\82 | Darlyne Mahler, George – For celebrating her 90 th birthday. |
| 2007\83 | Mr. and Mrs. Blayne Keeney, Davenport – For celebrating their 50 th wedding anniversary. |
| 2007\84 | Alexander Guns, Johnston – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America. |
| 2007\85 | Dr. Lowell and Audrey Bond, Ames – For celebrating their 50 th wedding anniversary. |
| 2007\86 | Hariet Kenney, Mason City – For celebrating her 80 th birthday. |
| 2007\87 | Alton and Margie Brandl, Mason City – For celebrating their 50 th wedding anniversary. |
| 2007\88 | Henry J. (Hank) Evans, III, West Des Moines – For being named the West Des Moines Citizen of the year. |
| 2007\89 | Kay Byrne, Sioux City – For celebrating her 80 th birthday. |
| 2007\90 | Earl “Red” Detts, Sioux City – For celebrating his 88 th birthday. |
| 2007\91 | Gerald Bromander, Sioux City – For celebrating his 80 th birthday. |
| 2007\92 | John and Wanda Hamel, Sioux City – For celebrating his 50 th wedding anniversary. |

- 2007\93 Nancy Ferdig, Sioux City – For being named the 2007 Iowa Assistant Principal of the Year.
- 2007\94 Ed Dickinson, Ankeny – For celebrating his 80th birthday.
- 2007\95 Kermit Kloppenburg, Anita – For celebrating his 90th birthday.
- 2007\96 Milo and Sophia Rées, Guthrie Center – For celebrating their 60th wedding anniversary.
- 2007\100 Okoboji-Spirit Lake Debate Team, Okoboji-Spirit Lake – For winning the Sweepstakes Championship Trophy at the Iowa High School Speech Association State Debate Tournament.
- 2007\101 Lawrence and Beatrice “Dolly” Lilienthal, Durant – For celebrating their 65th wedding anniversary.
- 2007\102 Nick Campbell, West Liberty – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\103 Ron and Carolyn Belitz, Tipton – For celebrating their 50th wedding anniversary.
- 2007\104 Gerrit and Joyce Schouten, Hawarden – For celebrating their 50th wedding anniversary.
- 2007\105 Walter and Roberta Dirks, Akron – For celebrating their 70th wedding anniversary.

SUBCOMMITTEE ASSIGNMENTS

House File 4

Commerce: Pettengill, Chair; Paulsen, Quirk, Upmeyer and Wise.

House File 5

Commerce: Jacoby, Chair; Jacobs, Kelley, Kressig, Quirk, Sands and Van Fossen.

House File 7

Appropriations: Jacoby, Chair; Schickel and Wenthe.

House File 8

Labor: Hunter, Chair; Palmer and Tymeson.

House File 15

Human Resources: Petersen, Chair; Abdul-Samad and Forristall.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS**H.S.B. 1 Judiciary**

Relating to the hourly reimbursement rate of attorneys representing indigent persons.

H.S.B. 2 Judiciary

Relating to the conveyance or encumbrance of a homestead.

H.S.B. 3 Judiciary

Relating to the payment of costs of reasonable attorney fees relating to certain paternity and adoption proceedings.

H.S.B. 4 Judiciary

Relating to the duties of directors of nonprofit corporations.

H.S.B. 5 Judiciary

Allowing a competent adult to execute a written instrument directing the final disposition of that person's remains, including coordinating provisions, and providing applicability dates.

H.S.B. 6 Human Resources

Requiring invasive pneumococcal disease immunization for children enrolling in licensed child care centers.

On motion by McCarthy of Polk the House adjourned at 9:23 a.m., until 9:00 a.m., Wednesday, January 17, 2007.

JOURNAL OF THE HOUSE

Tenth Calendar Day - Seventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, January 17, 2007

The House met pursuant to adjournment at 9:04 a.m., Speaker Murphy in the chair.

Prayer was offered by Angela Doty, Chaplain of the Iowa Veterans Home, Marshalltown. She was the guest of Representative Mark Smith of Marshall County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Iowa Veterans Home Choir following a song.

The Journal of Tuesday, January 16, 2007 was approved.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on January 16, 2007, adopted the following resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 4, a concurrent resolution calling upon Iowans to observe Iowa Family Development and Self-Sufficiency Week.

Also: That the Senate has on January 16, 2007, adopted the following resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 1, a concurrent resolution calling upon Iowans to observe Iowa Family Development and Self-Sufficiency Week.

Also: That the Senate has on January 16, 2007, adopted the following resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 2, a concurrent resolution relating to the compensation of chaplains, officers, and employees of the eighty-second general assembly.

Also: That the Senate has on January 16, 2007, adopted the following resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 3, a concurrent resolution relating to joint rules of the Senate and House of Representatives for the Eighty-second General Assembly.

MICHAEL E. MARSHALL, Secretary

INTRODUCTION OF BILLS

House Joint Resolution 1, by Van Fossen, a joint resolution proposing an amendment to the Constitution of the State of Iowa to require approval by vote of the people before certain tax or fee increases take effect.

Read first time and referred to committee on **ways and means**.

House File 31, by Raecker, a bill for an act relating to political campaigns by requiring mandatory disclosures in certain political telephone communications, limiting campaign contributions for statewide and legislative elections, limiting contributions to political parties, providing a penalty for filing a false complaint, and applying other penalties.

Read first time and referred to committee on **state government**.

House File 32, by Petersen, Heddens, Reichert, D. Olson, Gaskill, T. Taylor, Kressig, Whitaker and Pettengill, a bill for an act creating a twenty-first century Iowa scholars program and fund to be administered by the college student aid commission, and requiring a program promotion and support study.

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

House File 33, by Berry, Kressig and Kelley, a bill for an act relating to public safety communications by establishing an Iowa statewide interoperable radio system board.

Read first time and referred to committee on **public safety**.

House File 34, by Raecker, a bill for an act relating to the improper influence of executive branch officials, executive branch employees, members of the general assembly, and legislative employees, and making penalties applicable.

Read first time and referred to committee on **state government**.

House File 35, by Foege, a bill for an act relating to state and local regulation of smoking.

Read first time and referred to committee on **local government**.

House File 36, by Huser and Raecker, a bill for an act relating to political campaigns by limiting campaign contributions for statewide and legislative elections and making penalties applicable.

Read first time and referred to committee on **state government**.

House File 37, by Raecker and Huser, a bill for an act relating to electronic filing of campaign finance organizational statements, dissolution reports, and disclosure reports by candidates for statewide office or for the general assembly, establishing a filing deadline for all statements and reports, providing a penalty, and providing applicability dates.

Read first time and referred to committee on **state government**.

House File 38, by Raecker and Huser, a bill for an act relating to state agency employment opportunities for members of the general assembly within two years after the termination of service.

Read first time and referred to committee on **state government**.

House File 39, by Van Fossen, a bill for an act allocating franchise tax revenues to local jurisdictions.

Read first time and referred to committee on **ways and means**.

House File 40, by Tymeson, Dolecheck, Wiencek, Kaufmann, Forristall, L. Miller, Boal, Chambers and May, a bill for an act providing an individual income tax credit for certain teacher expenses and including a retroactive applicability date provision.

Read first time and referred to committee on **ways and means**.

House File 41, by Van Fossen, a bill for an act relating to the deduction of the capital gain from the sale of capital investments made in or by certain businesses and including an applicability date provision.

Read first time and referred to committee on **ways and means**.

House File 42, by Van Fossen, a bill for an act exempting the services furnished for the production of master audio, video, film, or digital recordings or similar media from the sales and use taxes.

Read first time and referred to committee on **ways and means**.

House File 43, by Pettengill, Kressig, Hunter, Horbach and Quirk, a bill for an act adding one-half unit of personal finance literacy to the education program school districts and accredited nonpublic schools must offer in grades nine through twelve and providing a future effective date.

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

House File 44, by Tymeson, Boal and Chambers, a bill for an act relating to postsecondary education opportunities by establishing a jump-start grant program for the postsecondary education expenses of students who graduate early from high school and by requiring school districts to publicize available postsecondary education opportunities.

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

House File 45, by Tymeson, a bill for an act relating to the minimum hours of instructional school time in a school year for grades one through twelve for school districts, charter schools, and accredited nonpublic schools, and providing an effective date.

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

House File 46, by Tymeson, a bill for an act authorizing school districts to deduct and pay fees for membership in not-for-profit professional education associations.

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

SPONSOR ADDED
(House File 5)

Palmer of Mahaska requested to be added as a sponsor of House File 5.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- | | |
|----------|--|
| 2007\106 | Donald and Betty Moser, Guttenberg – For celebrating their 60 th wedding anniversary. |
| 2007\107 | Harold Seeland, Elkader – For celebrating his 90 th birthday. |
| 2007\108 | Margaret Meyer, Guttenberg – For celebrating her 100 th birthday. |
| 2007\109 | Keith and Mildred Kullmer, LaPorte City – For celebrating their 76 th wedding anniversary. |
| 2007\110 | Ryan Davison, LeClaire – For attaining the rank of Eagle Scout, the highest rank in Boy Scouts of America. |
| 2007\111 | Erik Peterson, LeClaire – For attaining the rank of Eagle Scout, the highest rank in Boy Scouts of America. |
| 2007\112 | Robert and Bernice Brooks, Hiawatha – For celebrating their 60 th wedding anniversary. |
| 2007\113 | George and Marion Meyer, Solon – For celebrating their 60 th wedding anniversary. |
| 2007\114 | Norm and Lou Davis, Solon – For celebrating their 50 th wedding anniversary. |
| 2007\115 | Irene Capagna, Cedar Rapids – For celebrating her 90 th birthday. |
| 2007\116 | Allan Capagna, Cedar Rapids – For celebrating her 91 st birthday. |
| 2007\117 | Bradley Thomas Murphy, Spencer – For attaining the rank of Eagle Scout, the highest rank in Boy Scouts of America. |
| 2007\118 | Verlan and Marilyn Van Gorp, Leighton – For celebrating their 50 th wedding anniversary. |
| 2007\119 | Catherine Merz, Keota – For celebrating her 98 th birthday. |
| 2007\120 | Pauline Street, Sigourney – For celebrating her 85 th birthday. |
| 2007\121 | Carl W. Selby, Williamsburg – For celebrating his 90 th birthday. |
| 2007\122 | Bernice Gustafson, DeWitt – For celebrating her 90 th birthday. |

SUBCOMMITTEE ASSIGNMENTS**House File 16**

Transportation: Whitaker, Chair; Bell and May.

House File 18

Education: Cohoon, Chair; Abdul-Samad and Boal.

House File 21

Education: Wise, Chair; Kaufmann and Palmer.

House File 29

Agriculture: Reasoner, Chair; Drake and H. Miller.

House File 30

Education: Cohoon, Chair; Foege and Forristall.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS**House Study Bill 1**

Judiciary: R. Olson, Chair; Paulsen and Winckler.

House Study Bill 2

Judiciary: Palmer, Chair; Oldson and Tomenga.

House Study Bill 3

Judiciary: Smith, Chair; Paulsen and Wendt.

House Study Bill 4

Judiciary: Schueller, Chair; Boal and Wessel-Kroeschell.

House Study Bill 5

Judiciary: Lensing, Chair; Jacobs and Palmer.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS**H.S.B. 7 Public Safety**

Relating to the standardized training and state certification of reserve peace officers.

H.S.B. 8 Transportation

Relating to administration of highways and regulation of motor vehicles by the state department of transportation, including provisions relating to qualifications of property appraisers, destruction of suspended or revoked driver's licenses, requirements for a temporary restricted driver's license, registration and titling of vehicles, legion of merit special registration plates and fees, antique motor vehicle registration plates and fees, licensing of motor vehicle dealers, motor carrier registration and fuel tax liability, and requirements for operation of motor vehicles in merging traffic including a penalty, and providing effective dates.

RESOLUTIONS FILED

SCR 2, by committee on rules and administration, a concurrent resolution relating to the compensation of chaplains, officers, and employees of the eighty-second general assembly.

Referred to committee on **administration and rules**.

SCR 3, by committee on rules and administration, a concurrent resolution relating to joint rules of the Senate and House of Representatives for the Eighty-second General Assembly.

Referred to committee on **administration and rules**.

On motion by McCarthy of Polk the House adjourned at 9:17 a.m., until 9:00 a.m., Thursday, January 18, 2007.

JOURNAL OF THE HOUSE

Eleventh Calendar Day - Eighth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, January 18, 2007

The House met pursuant to adjournment at 9:02 a.m., Speaker Murphy in the chair.

Prayer was offered by Reverend Kendall Meyer, pastor of Gloria Dei Lutheran Church, Urbandale. He was the guest of Representative Scott Raecker of Polk County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Abby Bowman, from Johnston High School, intern to Representative Scott Raecker of Polk County.

The Journal of Wednesday, January 17, 2007 was approved.

INTRODUCTION OF BILLS

House File 47, by Dandekar and Wendt, a bill for an act relating to reimbursement of advanced placement examination fees paid by or on behalf of students enrolled in public school districts and accredited nonpublic schools or receiving competent private instruction and making an appropriation.

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

House File 48, by Dandekar, T. Olson, Staed, Kuhn and Kelley, a bill for an act relating to the brownfield redevelopment program and fund and making appropriations.

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

House File 49, by Schueller, Kressig, Wenthe, Smith, H. Miller, Pettengill, Quirk, Kelley, Frevert, Bukta, Mertz, Lukan, Gayman, Berry, Wendt and Thomas, a bill for an act permitting cash prizes at

annual game nights conducted by qualified organizations representing volunteer emergency services providers.

Read first time and referred to committee on **state government**.

House File 50, by Wise, a bill for an act providing for the licensing and regulation of motor vehicle equity line of credit lenders, and providing for fees and penalties.

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

House File 51, by Tymeson, a bill for an act limiting the school aid formula to provide funding for four years of high school per student.

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

RULE 57 SUSPENDED

McCarthy of Polk asked and received unanimous consent to suspend Rule 57, related to committee notice and agenda, to move the committee on administration and rules meeting to one hour earlier than scheduled.

On motion by McCarthy of Polk, the House was recessed at 9:09 a.m., until 4:00 p.m.

AFTERNOON SESSION

The House reconvened at 4:02 p.m., Speaker Murphy in the chair.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- | | |
|----------|---|
| 2007\123 | Ora "Buck" Holloway, Irwin – For celebrating his 90 th birthday. |
| 2007\124 | Renea Jay, Columbus Junction – For receiving the Edith Ennis Award from the Tippie College of Business at the University of Iowa. |

- 2007\125 Chuck Wakeley, Malcolm – For his 36 years of dedicated service with the United States Postal Service, the last 15 years serving as the Brooklyn Postmaster.
- 2007\126 Norman and Lorraine Grimm, North English – For celebrating their 50th wedding anniversary.
- 2007\127 Adam Test, Des Moines – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\128 Don Rodgers, Knoxville – For his 60 years of dedicated service with Wells Fargo.
- 2007\129 Mr. and Mrs. Troy McKelvey, Ottumwa – For celebrating their 60th wedding anniversary.
- 2007\130 Vernon Miller, Independence – For celebrating his 100th birthday.
- 2007\131 Irene Wittkop, Jesup – For celebrating her 90th birthday.
- 2007\132 Lillian Shaffer, Donnellson – For celebrating her 100th birthday.
- 2007\133 Fred and Marilyn Davis Strothman, New London – For celebrating their 50th wedding anniversary.
- 2007\134 Vivian and Eileen Jennings, Columbus Junction – For celebrating their 50th wedding anniversary.
- 2007\135 Cy Bryngelson, Marshalltown – For celebrating his 100th birthday.

SUBCOMMITTEE ASSIGNMENTS

House File 11

Local Government: D. Olson, Chair; Kaufmann and Whitead.

House File 17

Human Resources: Wessel-Kroeschell, Chair; Heaton and Palmer.

House File 23

Natural Resources: Davitt, Chair; Van Engelenhoven and Wenthe.

House File 27

Human Resources: Jacoby, Chair; Mascher and Tomenga.

House File 28

Local Government: Gaskill, Chair; Arnold and D. Taylor.

House File 32

Education: Foege, Chair; Forristall and Gayman.

House File 36

State Government: Jochum, Chair; Boal, Kaufmann, Lensing and Wessel-Kroeschell.

House File 43

Education: Cohoon, Chair; Foege and L. Miller.

House File 44

Education: Cohoon, Chair; Boal and Foege.

House File 46

Education: Cohoon, Chair; Foege and Kaufmann.

House File 49

State Government: Quirk, Chair; Greiner, Jacoby, Jochum, Raecker, Roberts and Shomshor.

Senate Concurrent Resolution 2

Administration and Rules: Quirk, Chair; Reasoner and Roberts.

Senate Concurrent Resolution 3

Administration and Rules: Quirk, Chair; Reasoner and Roberts.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS**House Study Bill 6**

Human Resources: Heddens, Chair; L. Miller and T. Olson.

House Study Bill 7

Public Safety: Kuhn, Chair; Kressig and Tjepkes.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 9 Local Government

Relating to local governments by creating a local government innovation commission and fund, creating a center for governing excellence, and including an effective date.

H.S.B. 10 Public Safety

Restricting the presence of a registered sex offender on the real property comprising a school or child care facility and providing a penalty.

H.S.B. 11 Education

Relating to public funding for area education agencies.

H.S.B. 12 Education

Relating to the establishment of state and school antiharassment or antibullying policies, providing data collection and reporting requirements, and providing for immunity and other related matters.

H.S.B. 13 Education

Relating to the compulsory education attendance age and providing an effective date.

H.S.B. 14 Education

Relating to policies establishing residency qualifications for purposes of paying postsecondary tuition and fees at public institutions of higher education.

H.S.B. 15 Education

Relating to an on-site fiscal review to be conducted under phase II of the accreditation process upon recommendation by the school budget review committee.

H.S.B. 16 Education

Relating to the duties and operations of the state board of education, the department of education, and local school boards.

H.S.B. 17 Education

Allowing school districts to count foreign exchange pupils in certified enrollment counts for budget and funding purposes.

H.S.B. 18 Human Resources

Expanding the scope of services under an existing appropriation for the community empowerment initiative involving preschool services and providing effective date and applicability provisions.

H.S.B. 19 Human Resources

Relating to the classification and regulation of controlled substances and making penalties applicable.

H.S.B. 20 Human Resources

Renaming health-related examining boards as licensing boards and providing for the nonreversion of fees collected by the boards.

H.S.B. 21 Human Resources

Requiring children to have a dental screening as a condition of enrollment in elementary or high school and providing an effective date.

H.S.B. 22 Human Resources

Allowing a competent adult to execute a written instrument directing the final disposition of that person's remains.

H.S.B. 23 Human Resources

Relating to child in need of assistance proceedings and appeals in juvenile court.

H.S.B. 24 Commerce

Relating to establishing smokefree public places and workplaces, and providing penalties.

H.S.B. 25 Human Resources

Relating to the regulation and practice of pharmacy, including providing for the establishment of a limited drug and device distributor license.

H.S.B. 26 Human Resources

Relating to the administrative modification of a child support order.

H.S.B. 27 Human Resources

Relating to the practice of pharmacy and the registration of pharmacy technicians.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON COMMERCE

House File 5, a bill for an act relating to the maximum finance charge allowed for consumer loans secured by a certificate of title to a motor vehicle and making penalties applicable.

Fiscal Note is not required.

Recommended **Do Pass** January 18, 2007.

COMMITTEE ON LABOR

House File 1, a bill for an act relating to the state minimum hourly wage requirements and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** January 18, 2007.

On motion by McCarthy of Polk the House adjourned at 4:03 p.m., until 9:00 a.m., Friday, January 19, 2007.

JOURNAL OF THE HOUSE

Twelfth Calendar Day - Ninth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, January 19, 2007

The House met pursuant to adjournment at 9:12 a.m., Speaker Murphy in the chair.

Prayer was offered by Speaker Murphy.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Dawn Pettengill, state representative from Benton County.

The Journal of Thursday, January 18, 2007 was approved.

PETITION FILED

The following petition was received and placed on file:

By Alons of Sioux, from six hundred fifty-nine constituents of the fourth district favoring House File 16, an act relating to the operation of certain all-terrain vehicles on non-interstate highways, providing a fee, and making penalties applicable.

INTRODUCTION OF BILLS

House File 52, by Huser and Pettengill, a bill for an act relating to notice of meetings of the board of township trustees.

Read first time and referred to committee on **local government**.

House File 53, by Tymeson, a bill for an act requiring that ballot propositions relating to certain local option taxes be submitted at the general election only.

Read first time and referred to committee on **state government**.

House File 54, by Swaim, a bill for an act appropriating moneys to the department of natural resources for purposes of conducting an autumn olive cooperative management project.

Read first time and referred to committee on **natural resources**.

House File 55, by Dandekar, Huser, Quirk, Struyk and T. Olson, a bill for an act relating to fees charged for personalized special motor vehicle registration plates associated with military service.

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

House File 56, by Reasoner, Whitaker, Wendt, Heddens, Swaim, Dolecheck, Gaskill, Schickel, De Boef, Hunter, Frevert, Boal, D. Olson, Alons, Soderberg, Kaufmann and Mertz, a bill for an act relating to the sales of beer kegs by requiring an identification number on each keg of beer, recording of the purchase of beer by the keg, and providing penalties.

Read first time and referred to committee on **state government**.

House File 57, by Jochum, a bill for an act to require a landlord to have good cause to terminate a mobile home space rental agreement.

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

House File 58, by T. Taylor, a bill for an act requiring the posting of close-clearance warning devices by railroads and providing a penalty.

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

House File 59, by Whitaker, Swaim, Frevert, Wessel-Kroeschell, Smith, Wendt, Schueller, Bailey, Gaskill and Lukan, a bill for an act providing for the regulation of packers and the purchase of swine from producers, and providing for penalties.

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

House File 60, by Tymeson, Alons, Windschitl, Baudler, Chambers, Struyk, Soderberg, May, Tjepkes, D. Taylor, Worthan,

Watts and Clute, a bill for an act relating to eligible veterans for purposes of the injured veterans grant program.

Read first time and referred to committee on **veterans affairs**.

House File 61, by Jochum, a bill for an act relating to dental health, by establishing a mobile dental health delivery program and a dentist recruitment program, establishing revolving funds, and making appropriations.

Read first time and referred to committee on **human resources**.

House File 62, by Jochum, a bill for an act relating to vocational-technical tuition grants administered by the college student aid commission.

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

House File 63, by Quirk, a bill for an act establishing a dentist recruitment program and revolving fund and making an appropriation.

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

House File 64, by Kaufmann, Worthan, Dolecheck, Heaton, Raecker, Hoffman, Struyk, Soderberg, Granzow and Wiencek, a bill for an act relating to the number of years of supplementary weighting for limited English proficient students and providing effective and applicability dates.

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

House File 65, by Quirk, a bill for an act allowing appeal of denials of dental insurance coverage based on medical necessity.

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

House File 66, by Hunter, Swaim, Jochum and D. Taylor, a bill for an act relating to the provision of certain information for insureds regarding external review of health care coverage decisions.

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

House File 67, by Huser and Raecker, a bill for an act relating to electioneering communications and requiring reports to be filed by persons making these communications and making penalties applicable.

Read first time and referred to committee on **state government**.

House File 68, by Hunter, Wessel-Kroeschell, Kuhn, Lensing, Whitaker, D. Olson, Swaim, Bailey and D. Taylor, a bill for an act relating to mandatory disclosures in certain political telephone communications, and applying a penalty.

Read first time and referred to committee on **state government**.

House File 69, by Hunter, Wessel-Kroeschell, Foegen, Kuhn, Lensing, Swaim and D. Taylor, a bill for an act relating to the definition of dependent adult abuse and making penalties applicable.

Read first time and referred to committee on **human resources**.

House File 70, by Hunter, Wessel-Kroeschell, Kuhn, Lensing, Swaim, Jochum, T. Taylor and D. Taylor, a bill for an act providing an appropriation to review state buildings for compliance with the Americans With Disabilities Act.

Read first time and referred to committee on **state government**.

House File 71, by Hunter, Whitaker, D. Olson, Swaim and D. Taylor, a bill for an act making changes relating to voting machines and requiring that direct recording electronic voting machines used in the state produce paper records to be verified by voters.

Read first time and referred to committee on **state government**.

House File 72, by Kaufmann, Worthan, Baudler, Dolecheck, Rasmussen, May, S. Olson, Drake, Tjepkes, Heaton, Raecker, Lukan, De Boef, Huseman, Deyoe, Alons, Hoffman, Paulsen, Grassley, Soderberg and Granzow, a bill for an act concerning the allocation of gambling tax revenues to the county endowment fund.

Read first time and referred to committee on **state government**.

COMMUNICATIONS RECEIVED

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

BOARD OF REGENTS

Progress report from the University of Iowa on the Consider Iowa Pilot Program, pursuant to Chapter 1180(11), 2006 Legislative Acts.

DEPARTMENT OF ADMINISTRATIVE SERVICES

2006 Comprehensive annual financial report, pursuant to Chapter 7E.3(4), Code of Iowa.

DEPARTMENT OF ECONOMIC DEVELOPMENT

Report providing on-going efforts to coordinate regulatory assistance for the state of Iowa, pursuant to Chapter 15E.19, Code of Iowa.

DEPARTMENT OF HUMAN RIGHTS

Iowa Sex Offender Treatment and Supervision Task Force

Summary of activities and recommendations, pursuant to 2005 Iowa Acts.

DEPARTMENT OF HUMAN SERVICES

Child Welfare and Juvenile Emergency Service Plan report, pursuant to Chapter 232, Code of Iowa.

DEPARTMENT OF NATURAL RESOURCES

Lake restoration 2006 report and 2007 plan, pursuant to Chapter 357E, Code of Iowa.

DEPARTMENT OF PUBLIC DEFENSE

Enhanced 911 status report for Iowa Homeland Security and Emergency Management Division, pursuant to Chapter 34A.7A(3)(a), Code of Iowa.

IOWA'S CENTER FOR AGRICULTURAL SAFETY AND HEALTH

Annual report on I-CASH, pursuant to Chapter 262B, Code of Iowa.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- 2007\136 Jean Steinbeck, Royal — For celebrating her 80th birthday.
- 2007\137 Edwin John and Dorothy Marie Galm, Everly — For celebrating their 60th wedding anniversary.
- 2007\138 Robert and Alenna Jansen, Sully — For celebrating their 50th wedding anniversary.
- 2007\139 Mr. and Mrs. Moeller, Tripoli — For celebrating their 50th wedding anniversary.
- 2007\140 Robert and Marlys Figanbaum, Tripoli — For celebrating their 60th wedding anniversary.
- 2007\141 Church of the Resurrection, Dubuque — For celebrating its sesquicentennial.

SUBCOMMITTEE ASSIGNMENTS

House File 31

State Government: Wessel-Kroeschell, Chair; Boal, Jochum, Kaufmann and Lensing.

House File 34

State Government: Lensing, Chair; Abdul-Samad and Kaufmann.

House File 37

State Government: Lensing, Chair; Raecker and Wessel-Kroeschell.

House File 38

State Government: Jacoby, Chair; Roberts and Whitead.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 10

Public Safety: Swaim, Chair; Baudler, Berry, Lykam and Sands.

House Study Bill 12

Education: Wendt, Chair; May and Palmer.

House Study Bill 13

Education: Wendt, Chair; Chambers and Staed.

House Study Bill 14

Education: Bukta, Chair; Dolecheck and Heddens.

House Study Bill 15

Education: Wendt, Chair; Mascher and Wiencek.

House Study Bill 16

Education: Winckler, Chair; Abdul-Samad and May.

RESOLUTION FILED

HR 4, by Wendt and Whitead, a resolution commemorating the sesquicentennial anniversary of the founding of the city of Sioux City.

Laid over under **Rule 25**.

On motion by McCarthy of Polk the House adjourned at 9:18 a.m., until 1:00 p.m., Monday, January 22, 2007.

JOURNAL OF THE HOUSE

Fifteenth Calendar Day - Tenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, January 22, 2007

The House met pursuant to adjournment at 1:13 p.m., Speaker Murphy in the chair.

Prayer was offered by Reverend Rufus Johnson, pastor of the First Light Christian Fellowship and Fellowship Missionary Baptist Church, Cedar Rapids. He was the guest of Representative Swati Dandekar of Linn County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Hannah Van Fossen, daughter of Representative Jamie Van Fossen and House Page from Scott County.

The Journal of Friday, January 19, 2007 was approved.

INTRODUCTION OF BILLS

House File 73, by May, a bill for an act relating to the speed of a motorboat operated near shore on certain waters.

Read first time and referred to committee on **natural resources**.

House File 74, by Jochum, a bill for an act relating to the regulation of wetlands, mitigation of adverse impacts to wetlands, providing penalties and fees, and making an appropriation.

Read first time and referred to committee on **natural resources**.

House File 75, by Jochum, a bill for an act relating to the sales and use taxes on the operation of bingo games.

Read first time and referred to committee on **state government**.

House File 76, by Hunter, Wessel-Kroeschell, Lensing and D. Taylor, a bill for an act relating to the sale or transfer of firearms between unlicensed persons at a gun show held on state property and providing penalties.

Read first time and referred to committee on **public safety**.

House File 77, by Hunter, D. Olson, Swaim and D. Taylor, a bill for an act providing for reduced automobile insurance premiums for older adults who complete a certified driver safety education course.

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

House File 78, by Hunter, Swaim and D. Taylor, a bill for an act requiring the establishment of emergency plans and procedures for dialysis patients.

Read first time and referred to committee on **human resources**.

House File 79, by Hunter, Wessel-Kroeschell, Whitaker, Swaim, Jochum and D. Taylor, a bill for an act relating to the disclosure of methamphetamine manufacture in real estate installment contracts and real estate transfers.

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

House File 80, by Hunter, Whitaker, D. Olson, Swaim and D. Taylor, a bill for an act concerning veterans, including employment preference and other benefits.

Read first time and referred to committee on **veterans affairs**.

House File 81, by R. Olson, a bill for an act relating to a probation period following certain periods of driver's license suspension, revocation, or bar.

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

House File 82, by R. Olson, a bill for an act relating to grounds for disqualification from operating a commercial motor vehicle.

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

House File 83, by R. Olson, a bill for an act relating to assessing a civil penalty when a person receives a deferred judgment.

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

House File 84, by R. Olson, a bill for an act relating to the reconsideration of the sentence of a person convicted of a felony.

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

House File 85, by Gaskill, a bill for an act relating to the filing of nomination petitions to fill a vacancy on a city council.

Read first time and referred to committee on **local government**.

SPECIAL PRESENTATION

Heddens of Story introduced to the House, Rich Fellingham, President and CEO of the 2006 Special Olympics, whom thanked the House for their support and introduced Jenna Schrack, a Special Olympic athlete and member of the board of directors who presented a plaque thanking the members for their support. House Page Alejandro Patino was introduced and also a participant in the Special Olympics.

The House rose and expressed its welcome.

RULE 57 SUSPENDED

McCarthy of Polk asked and received unanimous consent to suspend Rule 57, relating to committee notice and agenda, for a meeting on the committee on local government at 2:15 p.m., today.

COMMUNICATIONS RECEIVED

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

DEPARTMENT OF EDUCATION

Pay for Performance Commission final report and study of Pay for Performance Systems and Recommendations for Pilot Implementation, pursuant to Chapter 284, Code of Iowa.

DEPARTMENT OF HUMAN SERVICES

Report of child support delinquency, pursuant to Chapter 726.5, Code of Iowa.

OFFICE OF DRUG CONTROL POLICY

Report on methamphetamine abuse in Iowa, pursuant to Chapter 124.401, Code of Iowa.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- | | |
|----------|--|
| 2007\142 | Morgan Krug, Resurrection Elementary School, Dubuque – For receiving 1 st place in the Kdg-2 nd Grade Poster Division of the 2006-2007 Martin Luther King Jr. Tribute Contest. |
| 2007\143 | Claire Grebner, Resurrection Elementary School, Dubuque – For receiving 2 nd place in the Kdg-2 nd Grade Poster Division of the 2006-2007 Martin Luther King Jr. Tribute Contest. |
| 2007\144 | Kate Banwarth, Resurrection Elementary School, Dubuque – For receiving 1 st place in the 3 rd -5 th Grade Poster Division of the 2006-2007 Martin Luther King Jr. Tribute Contest. |
| 2007\145 | Shelby Key, Fulton Elementary School, Dubuque – For receiving 2 st place in the 3 rd -5 th Grade Poster Division of the 2006-2007 Martin Luther King Jr. Tribute Contest. |
| 2007\146 | Julietta Marty, St. Anthony Elementary School, Dubuque – For receiving 1 st place in the 3 rd -5 th Grade Essay Division of the 2006-2007 Martin Luther King Jr. Tribute Contest. |
| 2007\147 | Daniel Kordell, St. Columbkille Elementary School, Dubuque – For receiving 2 nd place in the 3 rd -5 th Grade Essay Division of the 2006-2007 Martin Luther King Jr. Tribute Contest. |
| 2007\148 | Kim Kennedy, Eleanor Roosevelt Middle School, Dubuque – For receiving 1 st place in the 6 th -8 th Grade Poster Division of the 2006-2007 Martin Luther King Jr. Tribute Contest. |

- 2007\149 Megha Thakkar, Eleanor Roosevelt Middle School, Dubuque – For receiving 1st place in the 6th-8th Grade Poster Division of the 2006-2007 Martin Luther King Jr. Tribute Contest.
- 2007\150 Megan Trimble, George Washington Middle School, Dubuque – For receiving 2nd place in the 6th-8th Grade Poster Division of the 2006-2007 Martin Luther King Jr. Tribute Contest.
- 2007\151 Andrea P. Caceres, Eleanor Roosevelt Middle School, Dubuque – For receiving 1st place in the 6th-8th Grade Essay Division of the 2006-2007 Martin Luther King Jr. Tribute Contest.
- 2007\152 Namrata Shivaprakash, Eleanor Roosevelt Middle School, Dubuque – For receiving 2nd place in the 6th-8th Grade Essay Division of the 2006-2007 Martin Luther King Jr. Tribute Contest.
- 2007\153 Nathan Sims, Eleanor Roosevelt Middle School, Dubuque – For receiving 1st place in the 6th-8th Grade Multimedia Presentation Division of the 2006-2007 Martin Luther King Jr. Tribute Contest.
- 2007\154 Sam Compton, Eleanor Roosevelt Middle School, Dubuque – For receiving 1st place in the 6th-8th Grade Multimedia Presentation Division of the 2006-2007 Martin Luther King Jr. Tribute Contest.
- 2007\155 Adam Knier, Eleanor Roosevelt Middle School, Dubuque – For receiving 2nd place in the 6th-8th Grade Multimedia Presentation Division of the 2006-2007 Martin Luther King Jr. Tribute Contest.
- 2007\156 Andrew Enzler, Wahlert Catholic High School, Dubuque – For receiving 1st place in the 9th-12th Grade Essay Division of the 2006-2007 Martin Luther King Jr. Tribute Contest.
- 2007\157 Hannah Black, Wahlert Catholic High School, Dubuque – For receiving 2nd place in the 9th-12th Grade Essay Division of the 2006-2007 Martin Luther King Jr. Tribute Contest.
- 2007\158 Helen Marks, Marshalltown – For celebrating her 102nd birthday.
- 2007\159 Viola Shollenbarger, Marshalltown – For celebrating her 80th birthday.
- 2007\160 Duane Litscher, Stanwood – For celebrating his 80th birthday.
- 2007\161 Arlene Wulf, Lowden – For celebrating his 80th birthday.
- 2007\162 Merlin and Shirley Gadelmann, Clarence – For celebrating their 50th wedding anniversary.
- 2007\163 Leon and Dorothy Dietz, Durant – For celebrating their 50th wedding anniversary.

- 2007\164 Earl and Ramona Denkman, Muscatine – For celebrating their 60th wedding anniversary.
- 2007\165 Leota Nortman, West Liberty – For celebrating her 90th birthday.
- 2007\166 John Frederick and Mabel Lamp, Tipton – For celebrating their 70th wedding anniversary.
- 2007\167 Adrian Panther, Mechanicsville – For celebrating his 90th birthday.
- 2007\168 Sheldon Stenum, Sioux City – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\169 Peggy Koele, Hull – For being named a “Daily Point of Light” by the Points of Light Foundation and Volunteer Center National Network.
- 2007\170 Hubert and Wilmina Lendegent, Rock Valley – For celebrating their 60th wedding anniversary.
- 2007\171 Anna Beek, George – For celebrating her 100th birthday.
- 2007\172 Mr. and Mrs. Jack Babcock, Davenport – For celebrating their 50th wedding anniversary.
- 2007\173 Verl Dillinger, Peru – For celebrating his 100th birthday.
- 2007\174 Harold “Squirt” Vaux, Union – For celebrating his 80th birthday.
- 2007\175 Dorothy Shugar, Ackley – For celebrating her 85th birthday.
- 2007\176 Alfred Jr. and Marlene Perrott, Mason City – For celebrating their 50th wedding anniversary.
- 2007\177 Henry Arends, Mason City – For celebrating his 83rd birthday.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 17

Education: Wise, Chair; L. Miller and Staed.

House Study Bill 24

Commerce: Petersen, Chair; Jacoby and Lukan.

HOUSE STUDY BILL COMMITTEE ASSIGNMENT

H.S.B. 28 Administration and Rules

Relating to permanent rules of the House for the eighty-second general assembly.

H.S.B. 29 Natural Resources

Increasing the number of nonresident wild turkey hunting licenses and antlered or any sex deer hunting licenses that may be issued by the natural resource commission.

H.S.B. 30 Commerce

Relating to the disposition of unclaimed property concerning minerals.

H.S.B. 31 Ethics

Relating to the rules governing lobbyists in the House of Representatives.

H.S.B. 32 Natural Resources

Relating to various conservation and recreation activities under the purview of the department of natural resources, modifying fees, and making penalties applicable.

H.S.B. 33 State Government

Concerning earning restrictions, establishing a bona fide retirement for department of education employees under the Iowa public employees' retirement system, and providing retroactive applicability, an effective date, and an implementation provision.

H.S.B. 34 State Government

Allowing elections in certain cities to be conducted by mail ballots and providing penalties.

H.S.B. 35 Natural Resources

Relating to regulation of the harvesting of commercial fish, turtles, and freshwater mussels and providing for fees and penalties.

H.S.B. 36 State Government

Concerning health and dental coverage for certain peace officers of the department of public safety.

H.S.B. 37 Natural Resources

Regulating the administration of drugs to certain noncaptive vertebrate wildlife and providing a penalty.

RESOLUTION FILED

HCR 5, by McCarthy and Rants, a joint convention of the two houses of the 2007 session of the Eighty-second General Assembly be held on Tuesday, January 30, 2007, at 10:00 a.m.

Laid over under **Rule 25**.

AMENDMENTS FILED

H—1001	H.F.	1	Raecker of Polk
	Upmeyer of Hancock		Jacobs of Polk
	Alons of Sioux		Tymeson of Madison
	Arnold of Lucas		Baudler of Adair
	Boal of Polk		Chambers of O'Brien
	Clute of Polk		De Boef of Keokuk
	Deyoe of Story		Dolecheck of Ringgold
	Drake of Pottawattamie		Forristall of Pottawattamie
	Gipp of Winneshiek		Granzow of Hardin
	Grassley of Butler		Greiner of Washington
	Heaton of Henry		Hoffman of Crawford
	Huseman of Cherokee		Kaufmann of Cedar
	Lukan of Dubuque		May of Dickinson
	L. Miller of Scott		S. Olson of Clinton
	Paulsen of Linn		Rants of Woodbury
	Rasmussen of Buchanan		Rayhons of Hancock
	Roberts of Carroll		Schickel of Cerro Gordo
	Soderberg of Plymouth		Struyk of Pottawattamie
	Tjepkes of Webster		Van Fossen of Scott
	Watts of Dallas		Wiencek of Black Hawk
	Windschitle of Harrison		Worthan of Buena Vista

H—1002	H.F.	1	Kaufmann of Cedar
			Van Fossen of Scott
			May of Dickinson
			Paulsen of Linn
			Anderson of Page
			Baudler of Adair
			Chambers of O'Brien
			De Boef of Keokuk
			Dolecheck of Ringgold
			Gipp of Winneshiek
			Grassley of Butler
			Huseman of Cherokee
			Hoffman of Crawford
			L. Miller of Scott
			Raecker of Polk
			Rasmussen of Buchanan
			Roberts of Carroll
			Schickel of Cerro Gordo
			Tjepkes of Webster
			Tymeson of Madison
			Watts of Dallas
			Windschitl of Harrison
			Baudler of Adair
H—1003	H.F.	1	Watts of Dallas
H—1004	H.F.	1	Baudler of Adair
			Chambers of O'Brien
			De Boef of Keokuk
			Dolecheck of Ringgold
			Forristall of Pottawattamie
			Granzow of Hardin
			Greiner of Washington
			Hoffman of Crawford
			Lukan of Dubuque
			L. Miller of Scott
			Rants of Woodbury
			Rayhons of Hancock
			Soderberg of Plymouth
			Tjepkes of Webster
			Upmeyer of Hancock

Van Fossen of Scott
Worthan of Buena Vista

Windschitl of Harrison

On motion by McCarthy of Polk the House adjourned at 1:29 p.m.,
until 9:00 a.m., Tuesday, January 23, 2007.

JOURNAL OF THE HOUSE

Sixteenth Calendar Day - Eleventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, January 23, 2007

The House met pursuant to adjournment at 9:06 a.m., Speaker Murphy in the chair.

Prayer was offered by Reverend Jim Wallace, pastor of the Central Presbyterian Church, Des Moines. He was the guest of Representative Jo Oldson of Polk County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Jeni Danilson, House Clerk for Representative Donovan Olson of Boone County.

The Journal of Monday, January 22, 2007 was approved.

INTRODUCTION OF BILLS

House File 86, by Swaim and Anderson, a bill for an act concerning limits on obtaining cash through an electronic device at a licensed excursion gambling boat or racetrack enclosure.

Read first time and referred to committee on **state government**.

House File 87, by R. Olson, a bill for an act relating to the revocation of a person's driver's license or nonresident operating privilege for a defendant who has had a previous conviction or revocation.

Read first time and referred to committee on **public safety**.

House File 88, by R. Olson, a bill for an act providing for the reinstatement of a person's driver's license or nonresident operating privilege relating to an operating-while-intoxicated offense not resulting in a conviction or deferred judgment.

Read first time and referred to committee on **public safety**.

House File 89, by R. Olson, a bill for an act relating to a peace officer's statements to a person operating a noncommercial motor vehicle and holding a commercial driver's license who has been requested to submit to a chemical test in an operating-while-intoxicated case.

Read first time and referred to committee on **public safety**.

House File 90, by Tymeson, Sands, Windschitl, Heaton, Huseman, Clute, Jacobs, Deyoe, Baudler, Watts, Lukan, May, Worthan, Alons, Struyk, Soderberg, Kaufmann, De Boef, Roberts, Rasmussen and Forristall, a bill for an act exempting the sale of certain school supplies from the sales and use taxes during a specified time.

Read first time and referred to committee on **ways and means**.

House File 91, by May, a bill for an act creating a special gold star motor vehicle registration plate, establishing fees, and allocating fees to the veterans trust fund.

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

House File 92, by Hunter, Wessel-Kroeschell, Lensing and D. Taylor, a bill for an act relating to discrimination based upon a person's sexual orientation or gender identity under the Iowa civil rights Act.

Read first time and referred to committee on **human resources**.

House File 93, by Smith, a bill for an act relating to the enforcement of a restitution judgment against a person convicted of a criminal offense.

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

House File 94, by Swaim and Anderson, a bill for an act relating to city waterworks franchises.

Read first time and referred to committee on **local government**.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 5

McCarthy of Polk asked and received unanimous consent for the immediate consideration of **House Concurrent Resolution 5**, and moved its adoption:

1. House Concurrent Resolution 5
- 2 By McCarthy and Rants
- 3 *Be It Resolved By The House Of Representatives, The*
- 4 *Senate Concurring, That a joint convention of the two*
- 5 *houses of the 2007 session of the Eighty-second*
- 6 *General Assembly be held on Tuesday, January 30, 2007,*
- 7 *at 10:00 a.m.; and*
- 8 *Be It Further Resolved, That Governor Chester J.*
- 9 *Culver be invited to deliver his budget message at*
- 10 *this joint convention of the two houses of the General*
- 11 *Assembly, and that the Speaker of the House of*
- 12 *Representatives and the President of the Senate be*
- 13 *designated to extend the invitation to him.*

The motion prevailed and the resolution was adopted.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **House Concurrent Resolution 5** be immediately messaged to the Senate.

On motion by McCarthy of Polk, the House was recessed at 9:15 a.m., until 4:00 p.m.

AFTERNOON SESSION

The House reconvened at 4:04 p.m., Speaker Murphy in the chair.

CONSIDERATION OF BILLS

Regular Calendar

House File 1, a bill for an act relating to the state minimum hourly wage requirements and providing an effective date, with report of committee recommending passage, was taken up for consideration.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Heaton of Henry on request of Rants of Woodbury.

The House stood at ease at 4:17 p.m., until the fall of the gavel.

The House resumed session at 4:34 p.m., Speaker Murphy in the chair.

Kaufmann of Cedar asked and received unanimous consent that amendment H-1002 be deferred.

Baudler of Adair asked and received unanimous consent that amendment H-1003 be deferred.

Watts of Dallas asked and received unanimous consent that amendment H-1004 be deferred.

Raecker of Polk offered amendment H-1001 filed by Raecker, et al., as follows:

H-1001

1 Amend House File 1 as follows:

2 1. Page 1, by inserting after line 28 the
3 following:

4 "Sec. _____. DEPARTMENT OF VETERANS AFFAIRS. There
5 is appropriated from the general fund of the state to
6 the department of veterans affairs for the designated
7 fiscal years of the fiscal period beginning July 1,
8 2006, and ending June 30, 2008, the following amounts,
9 or so much thereof as is necessary, to be used for the
10 purposes designated:

11 To cover the estimated fiscal impact of the minimum
12 hourly wage increases enacted in this Act on salaries
13 at the Iowa veterans home:

14 FY 2006-2007 \$ 18,000
15 FY 2007-2008 \$ 88,000

16 Sec. _____. DEPARTMENT OF EDUCATION. There is
17 appropriated from the general fund of the state to the
18 department of education for the designated fiscal
19 years of the fiscal period beginning July 1, 2006, and
20 ending June 30, 2008, the following amounts, or so
21 much thereof as is necessary, to be used for the

22 purposes designated:

23 To cover the estimated fiscal impact of the minimum
24 hourly wage increases enacted in this Act on salaries
25 at the community colleges established under chapter
26 260C:

27 FY 2006-2007 \$ 22,000
28 FY 2007-2008 \$ 410,000

29 Sec. ____ STATE BOARD OF REGENTS. There is
30 appropriated from the general fund of the state to the
31 state board of regents for the designated fiscal years
32 of the fiscal period beginning July 1, 2006, and
33 ending June 30, 2008, the following amounts, or so
34 much thereof as is necessary, to be used for the
35 purposes designated:

36 To cover the estimated fiscal impact of the minimum
37 hourly wage increases enacted in this Act on salaries
38 at the institutions under the control of the state
39 board of regents:

40 FY 2006-2007 \$ 350,000
41 FY 2007-2008 \$ 1,400,000

42 Sec. ____ DEPARTMENT OF HUMAN SERVICES. There is
43 appropriated from the general fund of the state to the
44 department of human services for the designated fiscal
45 years of the fiscal period beginning July 1, 2006, and
46 ending June 30, 2008, the following amounts, or so
47 much thereof as is necessary, to be used for the
48 purposes designated:

49 To cover the estimated fiscal impact of the minimum
50 hourly wage increases enacted in this Act on salaries

Page 2

1 for mental health care services employees:

2 FY 2006-2007 \$ 1,132,688
3 FY 2007-2008 \$ 4,908,228".

4 2. Title page, line 1, by inserting after the
5 word "requirements" the following: ", making
6 appropriations to cover the estimated fiscal impact of
7 increases in the state minimum hourly wage,".

Jochum of Dubuque rose on a point of order that amendment H-1001 was not germane.

The Speaker ruled the point well taken and amendment H-1001 not germane.

Raecker of Polk asked for unanimous consent to suspend the rules to consider amendment H-1001.

Objection was raised.

Raecker of Polk moved to suspend the rules to consider amendment H-1001.

Roll call was requested by Raecker of Polk and Paulsen of Linn.

On the question "Shall the rules be suspended to consider amendment H-1001?" (H.F. 1)

The ayes were, 44:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Granzow	Grassley	Greiner
Hoffman	Horbach	Huseman	Jacobs
Kaufmann	Lukan	May	Miller, L.
Olson, S.	Paulsen	Raecker	Rants
Rasmussen	Rayhons	Roberts	Sands
Schickel	Soderberg	Struyk	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wiencck	Windschitl	Worthan

The nays were, 54:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Pettengill	Quirk	Reasoner
Reichert	Schueller	Shomshor	Smith
Staed	Swaim	Taylor, D.	Taylor, T.
Thomas	Tomenga	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Winckler
Wise	Mr. Speaker		
	Murphy		

Absent or not voting, 2:

Heaton	Zirkelbach
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The motion to suspend the rules lost.

Kaufmann of Cedar offered amendment H-1002, previously deferred, filed by Kaufmann, et al., as follows:

H-1002

1 Amend House File 1 as follows:

2 1. Page 1, by inserting before line 1 the
3 following:

4 "DIVISION I
5 MINIMUM HOURLY WAGE REQUIREMENTS"

6 2. Page 1, by inserting after line 35 the
7 following:

8 "DIVISION II
9 ASSOCIATION GROUP HEALTH CARE PLANS

10 Sec. ____ Section 509.1, Code 2007, is amended by
11 adding the following new subsection:

12 NEW SUBSECTION. 7A. A policy of group health
13 insurance coverage, as defined in section 513B.2,
14 issued by a small employer carrier, as defined in
15 section 513B.2, to a bona fide association, subject to
16 the following requirements:

17 a. The policy provides group health insurance
18 coverage to eligible employees of members of a bona
19 fide association that are small employers as defined
20 in section 513B.2, and to the spouses and dependents
21 of such employees.

22 b. The policy is issued to a bona fide
23 association. For the purposes of this subsection, a
24 bona fide association is an association which meets
25 all of the following requirements:

26 (1) The association is a trade, industry, or
27 professional association which is organized in good
28 faith as a nonprofit corporation under chapter 504 for
29 purposes other than obtaining insurance and has been
30 in existence and actively maintained for at least five
31 continuous years at the time the policy is issued.

32 (2) The association does not condition membership
33 in the association on the health status of employees
34 of its members or the health status of the spouses and
35 dependents of such employees.

36 (3) Group health insurance coverage offered by the
37 association is available to all eligible employees of
38 its members that are small employers as defined in
39 section 513B.2 who choose to participate in the health
40 insurance coverage offered, and to the spouses and
41 dependents of such employees, regardless of the health
42 status of such employees or their spouses and
43 dependents.

44 (4) Group health insurance coverage offered by the
45 association is available only to persons who are
46 eligible employees of a small employer as defined in

47 section 513B.2 that is a member of the association, or
48 to the spouses or dependents of such employees.
49 Sec.____. Section 509.1, subsection 8, unnumbered
50 paragraph 1, Code 2007, is amended to read as follows:

Page 2

1 A policy issued to a resident of this state under a
2 group life, accident, or health insurance policy
3 issued to a group other than one described in
4 subsections 1 through 7 7A, subject to the following
5 requirements:
6 Sec.____. Section 513B.2, subsection 6, paragraph
7 a, subparagraph (3), Code 2007, is amended by striking
8 the subparagraph and inserting in lieu thereof the
9 following:

10 (3) The coverages are provided by a policy of
11 group health insurance coverage through a bona fide
12 association as provided in section 509.1, subsection
13 7A, which meets the requirements for a class of
14 business under section 513B.4. A small employer
15 carrier may condition coverages under such a policy of
16 group health insurance coverage on any of the
17 following requirements:

18 (a) Minimum levels of participation by employees
19 of each member of a bona fide association that offers
20 the coverage to its employees.

21 (b) Minimum levels of contribution by each member
22 of a bona fide association that offers the coverage to
23 its employees.

24 (c) A specified policy term, subject to annual
25 premium rate adjustments as permitted by section
26 513B.4.

27 Sec.____. Section 513B.2, subsection 6, paragraph
28 a, Code 2007, is amended by adding the following new
29 subparagraph:

30 NEW SUBPARAGRAPH. (4) The coverages are provided
31 by a policy of group health insurance coverage through
32 two or more bona fide associations as provided in
33 section 509.1, subsection 7A, which a small employer
34 carrier has aggregated as a distinct grouping that
35 meets the requirements for a class of business under
36 section 513B.4. After a distinct grouping of bona
37 fide associations is established as a class of
38 business, the small group carrier shall not remove a
39 bona fide association from the class based on the
40 claims experience of that association. A small
41 employer carrier may condition coverages under such a
42 policy of group health insurance coverage on any of
43 the following requirements:

44 (a) Minimum levels of participation by employees
45 of each member of a bona fide association in the class

- 46 that offers the coverage to its employees.
- 47 (b) Minimum levels of contribution by each member
- 48 of a bona fide association in the class that offers
- 49 the coverage to its employees.
- 50 (c) A specified policy term, subject to annual

Page 3

1 premium rate adjustments as permitted by section
 2 513B.4.
 3 Sec.____. Section 513B.2, subsection 6, paragraph
 4 b, Code 2007, is amended to read as follows:
 5 b. A small employer carrier may establish ~~no more~~
 6 ~~than two~~ additional groupings under each of the
 7 subparagraphs in paragraph "a" on the basis of
 8 underwriting criteria which are expected to produce
 9 substantial variation in the health care costs.

DIVISION III

WELLNESS INITIATIVES

12 Sec.____. Section 513B.4, Code 2007, is amended by
 13 adding the following new subsection:
 14 NEW SUBSECTION. 6. Notwithstanding subsection 4,
 15 a small employer carrier may offer to transfer a small
 16 employer into a different class of business with a
 17 lower index rate based upon claims experience,
 18 implementation of managed care or wellness programs,
 19 or health status improvement of the small employer
 20 since issue.

21 Sec.____. NEW SECTION. 513B.4B SMALL EMPLOYER
 22 INCENTIVES – SUSPENSION OR MODIFICATION OF PREMIUM
 23 RATE RESTRICTIONS.

- 24 1. In order to encourage voluntary participation
- 25 in wellness or disease management programs, a small
- 26 employer carrier may offer premium credits or
- 27 discounts to a small employer for the benefit of
- 28 eligible employees of that small employer who
- 29 participate in such a program. An employee shall not
- 30 be penalized in any way for not participating in such
- 31 a program.
- 32 2. The commissioner shall adopt, by rule or order,
- 33 provisions allowing suspension or modification of
- 34 premium rate restrictions to enable a small employer
- 35 carrier to provide premium credits or discounts to a
- 36 small employer based on measurable reductions in costs
- 37 of that small employer, including but not limited to
- 38 tobacco use cessation, participation in established
- 39 wellness or disease management programs, and reduced
- 40 administrative or distribution costs.

DIVISION IV

EFFECTIVE DATE"

- 43 3. Title page, line 1, by inserting after the
- 44 word "to" the following: "conditions of employment

- 45 including". .
 46 4. Title page, line 1, by inserting after the
 47 word "requirements" the following: ", association
 48 group health care plans, wellness initiatives,".

Jochum of Dubuque rose on a point of order that amendment H-1002 was not germane.

The Speaker ruled the point well taken and amendment H-1002 not germane.

Kaufmann of Cedar asked for unanimous consent to suspend the rules to consider amendment H-1002.

Objection was raised.

Kaufmann of Cedar moved to suspend the rules to consider amendment H-1002.

Roll call was requested by Kaufmann of Cedar and Paulsen of Linn.

On the question "Shall the rules be suspended to consider amendment H-1002?" (H.F. 1)

The ayes were, 44:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Granzow	Grassley	Greiner
Hoffman	Horbach	Huseman	Jacobs
Kaufmann	Lukan	May	Miller, L.
Olson, S.	Paulsen	Raecker	Rants
Rasmussen	Rayhons	Roberts	Sands
Schickel	Soderberg	Struyk	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wienczek	Windschitl	Worthan

The nays were, 54:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Maşcher

McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Pettengill	Quirk	Reasoner
Reichert	Schueller	Shomshor	Smith
Staed	Swaim	Taylor, D.	Taylor, T.
Thomas	Tomenga	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead .	Winckler
Wise	Mr. Speaker		
	Murphy		

Absent or not voting, 2:

Heaton Zirkelbach

The motion to suspend the rules lost.

Baudler of Adair offered amendment H-1003, previously deferred, filed by him as follows:

H-1003

- 1 Amend House File 1 as follows:
- 2 1. Page 1, by inserting before line 1 the
- 3 following:
- 4 "DIVISION I
- 5 MINIMUM WAGE"
- 6 2. Page 2, by striking line 1 and inserting the
- 7 following:
- 8 "Sec. ___ EFFECTIVE DATE. This division of this
- 9 Act, being deemed of".
- 10 3. Page 2, by inserting after line 2 the
- 11 following:
- 12 "DIVISION II
- 13 BEVERAGE CONTAINER HANDLING FEE
- 14 Sec. ___ Section 455C.2, subsection 2, Code 2007,
- 15 is amended to read as follows:
- 16 2. In addition to the refund value provided in
- 17 subsection 1 of this section, a dealer, or person
- 18 operating a redemption center who redeems empty
- 19 beverage containers or a dealer agent shall be
- 20 reimbursed by the distributor required to accept the
- 21 empty beverage containers an amount which is ~~one cent~~
- 22 two cents per container. A dealer, dealer agent, or
- 23 person operating a redemption center may compact empty
- 24 metal beverage containers with the approval of the
- 25 distributor required to accept the containers."
- 26 4. Title page, line 1, by inserting after the
- 27 word "to" the following: "certain businesses by
- 28 increasing".
- 29 5. Title page, line 2, by inserting before the
- 30 word "providing" the following: "increasing the

31 beverage container handling fee, and".

Jochum of Dubuque rose on a point of order that amendment H-1003 was not germane.

The Speaker ruled the point well taken and amendment H-1003 not germane.

Baudler of Adair asked for unanimous consent to suspend the rules to consider amendment H-1003.

Objection was raised.

Baudler of Adair moved to suspend the rules to consider amendment H-1003.

A non-record roll call was requested.

The ayes were 27, nays 61.

The motion to suspend the rules lost.

Watts of Dallas offered amendment H-1004, previously deferred, filed by Watts, et al., as follows:

H-1004

- 1 Amend House File 1 as follows:
- 2 1. Page 1, line 6, by striking the figure "\$6.20"
- 3 and inserting the following: "\$5.85".
- 4 2. Page 1, by striking line 7 and inserting the
- 5 following: "\$6.55 as of April 1, 2008, and \$7.25 as
- 6 of April 1, 2009."
- 7 3. Page 1, by striking line 21 and inserting the
- 8 following: "January April 1 of 1990, 1991, or 1992,
- 9 2007, 2008, or".
- 10 4. Page 1, line 22, by striking the figure "2008"
- 11 and inserting the following: "2009".
- 12 5. Page 1, by striking lines 27 and 28 and
- 13 inserting the following: "1992 \$4.95 as of April 1,
- 14 2007, \$5.65 as of April 1, 2008, and \$6.35 as of April
- 15 1, 2009."

Roll call was requested by Watts of Dallas and Van Fossen of Scott.

On the question "Shall amendment H-1004 be adopted?" (H.F. 1)

The ayes were, 44:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Granzow	Grassley	Greiner
Hoffman	Horbach	Huseman	Jacobs
Kaufmann	Lukan	May	Miller, L.
Olson, S.	Paulsen	Raecker	Rants
Rasmussen	Rayhons	Roberts	Sands
Schickel	Soderberg	Struyk	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wienczek	Windschitl	Worthan

The nays were, 54:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Pettengill	Quirk	Reasoner
Reichert	Schueller	Shomshor	Smith
Staed	Swaim	Taylor, D.	Taylor, T.
Thomas	Tomenga	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Winckler
Wise	Mr. Speaker Murphy.		

Absent or not voting, 2:

Heaton	Zirkelbach
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Amendment H-1004 lost.

Jochum of Dubuque moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1)

The ayes were, 79:

Abdul-Samad	Anderson	Arnold	Bailey
Baudler	Bell	Berry	Bukta
Cohoon	Dandekar	Davitt	Deyoe
Dolecheck	Drake	Foege	Ford
Frevert	Gaskill	Gayman	Gipp
Granzow	Heddens	Hoffman	Hunter
Huseman	Huser	Jacobs	Jacoby
Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Oldson	Olson, D.
Olson, R.	Olson, S.	Olson, T.	Palmer
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rants	Reasoner	Reichert
Roberts	Schickel	Schueller	Shomshor
Smith	Staed	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Upmeyer	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wiencek
Winckler	Wise	Mr. Speaker	
		Murphy	

The nays were, 19:

Alons	Boal	Chambers	Clute
De Boef	Forristall	Grassley	Greiner
Horbach	Rasmussen	Rayhons	Sands
Soderberg	Tymeson	Van Engelenhoven	Van Fossen
Watts	Windschitl	Worthan	

Absent or not voting, 2:

Heaton	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **House File 1** be immediately messaged to the Senate.

INTRODUCTION OF BILL

House File 95, by committee on ways and means, a bill for an act relating to the designation of pilot project cities for a targeted jobs

withholding tax credit to be used for funding improvements in certain urban renewal areas and including effective and retroactive applicability date provisions.

Read first time and placed on the **ways and means calendar**.

COMMUNICATIONS RECEIVED

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

DEPARTMENT OF EDUCATION

Report of usage of the Iowa Communications Network (ICN), pursuant to Chapter 8D.10, Code of Iowa.

DEPARTMENT OF ELDER AFFAIRS

Annual report for the office of the State Long-Term Care Ombudsman for federal fiscal year 2006, pursuant to Chapter 231.42, Code of Iowa.

DEPARTMENT OF HUMAN SERVICES

Analysis of Medicaid pharmacy issues, pursuant to the 2005 Deficit Reduction Act.

Report of options available under the Federal Family Opportunity Act, pursuant to Chapter 218, Code of Iowa.

DEPARTMENT OF JUSTICE

Report of savings with the Iowa Communications Network (ICN), pursuant to Chapter 8D.10, Code of Iowa.

DEPARTMENT OF MANAGEMENT

Savings report on usage of the Iowa Communications Network (ICN), pursuant to Chapter 8D.10, Code of Iowa.

DEPARTMENT OF PUBLIC DEFENSE

Iowa National Guard

Iowa Communications Network (ICN) savings report, pursuant to Chapter 8D.10, Code of Iowa.

DEPARTMENT OF TRANSPORTATION

Annual report on biodiesel fuel revolving fund, pursuant to Chapter 452A, Code of Iowa.

DEPARTMENT OF VETERANS AFFAIRS

Annual report of the Veterans Trust Fund, pursuant to Chapter 35A.13, Code of Iowa.

IOWA ENERGY CENTER

2006 annual report, pursuant to Chapter 476.16, Code of Iowa.

IOWA WORKFORCE DEVELOPMENT

Iowa Communications Network (ICN) usage, pursuant to Chapter 8D.10, Code of Iowa.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- | | |
|----------|--|
| 2007\178 | Merlin and Marcella Halverson, Kanawha – For celebrating their 50 th wedding anniversary. |
| 2007\179 | Sena Christensen, Clear Lake – For celebrating her 90 th birthday. |
| 2007\180 | Jerry and Betty Arnold, Clear Lake – For celebrating their 51 st wedding anniversary. |
| 2007\181 | Cecelia Roskamp, Kanawha – For celebrating her 90 th birthday. |
| 2007\182 | Maxine Letzring, Kanawha – For celebrating her 90 th birthday. |
| 2007\183 | Loretta Koenigsberg, Sheffield – For celebrating her 80 th birthday. |
| 2007\184 | Bryon and Elizabeth Bales, Hampton – For celebrating their 60 th wedding anniversary. |
| 2007\185 | Willis Engh, Kanwha – For celebrating his 80 th birthday. |
| 2007\186 | Delores Francis, Rockwell – For celebrating her 80 th birthday. |
| 2007\187 | Bob Wolfram, Ventura – For celebrating his 80 th birthday. |
| 2007\188 | Mada Wahling, Shelby – For celebrating her 90 th birthday. |
| 2007\189 | Harold and Mary Hansen, Walnut – For celebrating their 65 th wedding anniversary. |

- 2007\190 Myrle Roberts, Royal – For celebrating her 85th birthday.
- 2007\191 Alex Cary, Mediapolis – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\192 Andrew Langholdt, Mediapolis – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\193 H.M. “Doc” Patterson, Mediapolis – For celebrating his 100th birthday.
- 2007\194 Anna Mae Houtz, Wapello – For celebrating her 100th birthday.

SUBCOMMITTEE ASSIGNMENTS

House File 19

Human Resources: Hunter, Chair; Foege and Roberts.

House File 33

Public Safety: Kressig, Chair; Berry and Tjepkes.

House File 50

Commerce: Jacoby, Chair; Clute, Jacobs, Kelley, Kressig, Quirk and Struyk.

House File 61

Human Resources: Smith, Chair; Granzow and Wessel-Kroeschell.

House File 65

Commerce: Pettengill, Chair; Clute, Hoffman, Quirk and Wise.

House File 66

Commerce: Pettengill, Chair; Hoffman, Quirk, Upmeyer and Wise.

House File 69

Human Resources: Hunter, Chair; Upmeyer and Wessel-Kroeschell.

House File 78

Human Resources: Hunter, Chair; Jacoby and Tomenga.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 9

Local Government: Kressig, Chair; Deyoe and Kelley.

House Study Bill 18

Human Resources: Heaton, Chair; Foege and Smith.

House Study Bill 19

Human Resources: Smith, Chair; Heddens and Roberts.

House Study Bill 20

Human Resources: Wessel-Kroeschell, Chair; Ford and Grassley.

House Study Bill 22

Human Resources: Smith, Chair; Jacoby and Roberts.

House Study Bill 26

Human Resources: Smith, Chair; T. Olson and Upmeyer.

House Study Bill 28

Administration and Rules: Quirk, Chair; Reasoner and Roberts.

House Study Bill 33

State Government: Wendt, Chair; Boal, Drake, Gipp, Jochum, Pettengill and T. Taylor.

House Study Bill 34

State Government: Gaskill, Chair; Abdul-Samad, Gipp, Jacobs and T. Taylor.

House Study Bill 36

State Government: T. Taylor, Chair; Boal, Drake, Gipp, Jochum, Pettengill and Wendt.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS**H.S.B. 38 State Government**

Relating to a meeting of a governmental body concerning an individual whose appointment, hiring, performance, or discharge is being considered and a public records request concerning an applicant, candidate, or nominee being considered for employment with or appointment by a government body.

H.S.B. 39 State Government

Concerning the responsibility for providing medical care to members of the statewide fire and police retirement system for injuries incurred in the performance of their duties.

H.S.B. 40 State Government

Relating to campaign contributions, the filing of disclosure reports, the posting of statements and reports on the internet, the posting of signs on private property, and the escheat of funds from an unknown or unidentifiable source.

H.S.B. 41 State Government

Relating to the racing and gaming commission by modifying provisions regulating horses involved in horse racing and providing an effective date.

H.S.B. 42 State Government

Concerning the line of duty death benefit payable to public safety providers and making an appropriation.

H.S.B. 43 State Government

Concerning charter agencies by eliminating the repeal of the provision, providing for the designation of charter agencies, providing for lease approvals and asset sales, and providing an effective date.

H.S.B. 44 State Government

Relating to the regulation of ethical conduct by governmental entities.

H.S.B. 45 Natural Resources

Relating to civil damages payable for unlawful taking of certain animals and fish.

H.S.B. 46 State Government

Providing for special late voter registration to enable an eligible elector to vote at the polling place on election day and providing a durational residency requirement for voting.

H.S.B. 47 State Government

A joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the qualification of electors.

H.S.B. 48 Ethics

A resolution relating to the House code of ethics.

H.S.B. 49 Labor

Relating to confidential information regarding unemployment insurance benefits and providing penalties.

H.S.B. 50 Labor

Relating to the boiler and pressure vessel safety program enforced by the division of labor services of the department of workforce development.

H.S.B. 51 Labor

Relating to workers' compensation including insurance policy coverages and payments, debt collection practices, compensation for temporary disability, calculation of pieceworkers' compensation, liability for successive injuries, and liability for contractors' employees.

H.S.B. 52 Labor

Regulating professional unarmed combat fighting, prohibiting amateur unarmed combat fighting, and providing for fees and penalties.

H.S.B. 53 Labor

Giving immunity to the labor commissioner and employees of the division of labor services of the department of workforce development from compulsory process in civil proceedings for the purposes of giving testimony or depositions concerning their official duties.

H.S.B. 54 Public Safety

Relating to the implementation of an electronic monitoring system to track pseudoephedrine sales at pharmacies, and making an appropriation.

H.S.B. 55 Public Safety

Creating a disaster aid individual assistance grant fund.

H.S.B. 56 Public Safety

Relating to the department of corrections by increasing penalties for engaging in sex acts with offenders under the supervision of the department of corrections or a judicial district department of correctional services, and eliminating certain reporting requirements.

H.S.B. 57 Public Safety

Prohibiting a person who is the subject of a protective order or who has been convicted of a misdemeanor crime of domestic violence in violation of federal law from possessing, transferring, or selling firearms or offensive weapons and providing a penalty.

H.S.B. 58 Commerce

Providing for the registration of associate real estate appraisers, prohibiting improper influence over an appraiser's evaluation opinion, and imposing a penalty.

H.S.B. 59 Commerce

Extending the future repeal of a provision requiring the issuance of certificates for furnishing local telecommunications services, and providing an effective date.

H.S.B. 60 Commerce

Relating to the maximum finance charge allowed for consumer loans secured by a certificate of title to a motor vehicle and making penalties applicable.

H.S.B. 61 Commerce

Relating to the disposition of certain unclaimed property.

H.S.B. 62 Judiciary

Creating the criminal offence of interference with judicial acts, and providing a penalty.

H.S.B. 63 Judiciary

Creating a private cause of action for certain consumer fraud violations.

H.S.B. 64 Judiciary

Relating to judicial branch practices and procedures, including distribution of court revenue to cities and counties, ordering hearings for forcible entry and detainer actions, and forfeiting bail for failure to appear.

H.S.B. 65 Judiciary

Relating to jury service compensation, reimbursement, and confidentiality and exempting certain governmental employees from jury service compensation.

H.S.B. 66 Labor

Modifying the fee structure relating to amusement ride safety inspections conducted by the division of labor services of the department of workforce development, and providing an effective date.

H.S.B. 67 Labor

Relating to wage payment collection of direct deposit wages as administered by the division of labor services of the department of workforce development.

H.S.B. 68 Labor

Relating to elevator conveyance safety standards enforced by the division of labor services of the department of workforce development.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports

that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON ADMINISTRATION AND RULES

Senate Concurrent Resolution 3, a concurrent resolution relating to joint rules of the senate and house of representatives for the eighty-second general assembly.

Fiscal Note is not required.

Recommended **Do Pass** January 23, 2007.

Committee Bill (Formerly House Study Bill 28), relating to permanent rules of the House for the eighty-second general assembly.

Fiscal Note is not required.

Recommended **Amend and Do Pass** January 23, 2007.

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly House File 2), relating to the designation of pilot project cities for a targeted jobs withholding tax credit to be used for funding improvements in certain urban renewal areas and including effective and retroactive applicability date provisions.

Fiscal Note is not required.

Recommended **Do Pass** January 22, 2007.

On motion by McCarthy of Polk the House adjourned at 7:23 p.m., until 9:00 a.m., Wednesday, January 23, 2007.

JOURNAL OF THE HOUSE

Seventeenth Calendar Day - Twelfth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, January 24, 2007

The House met pursuant to adjournment at 9:07 a.m., Speaker Murphy in the chair.

Prayer was offered by Dr. Bruce Murphy, President of Northwestern College. He was the guest of Representative Chuck Soderberg of Plymouth County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by House Page, Alejandro Patino from Des Moines.

The Journal of Tuesday, January 23, 2007 was approved.

INTRODUCTION OF BILLS

House File 96, by Jochum and Smith, a bill for an act relating to third-party payment of health care coverage costs for mental health conditions, including alcohol or substance abuse treatment services.

Read first time and referred to committee on **human resources**.

House File 97, by Swaim and Anderson, a bill for an act relating to distress criteria for counties under the enterprise zone program.

Read first time and referred to committee on **economic growth**.

House File 98, by Anderson and Swaim, a bill for an act establishing an environmental design and construction program for open animal feeding operations.

Read first time and referred to committee on **environmental protection**.

House File 99, by Swaim and Anderson, a bill for an act prohibiting the distribution of campaign material without the consent of the candidate benefiting from that material, restricting the content of certain types of campaign material, and providing remedies and a penalty.

Read first time and referred to committee on **state government**.

House File 100, by Swaim and Anderson, a bill for an act relating to certain distress criteria under the enterprise zone program.

Read first time and referred to committee on **economic growth**.

House File 101, by Jacobs, Gipp and Boal, a bill for an act relating to electioneering communications and making penalties applicable.

Read first time and referred to committee on **state government**.

House File 102, by Struyk, Baudler, Boal, Drake, Rayhons, Huser, Kaufmann, Windschitl, De Boef, Huseman, L. Miller, Upmeyer, Hoffman, Alons, Sands, Chambers, Van Fossen, Soderberg, May, Clute, Grassley, Deyoe, Jacobs, Granzow, Anderson and Watts, a bill for an act establishing a child endangerment offense for the mother of a newborn child who caused an illegal drug to be present in the newborn child's body, and providing a penalty.

Read first time and referred to committee on **public safety**.

House File 103, by Lukan, a bill for an act exempting victim compensation awards, victim restitution payments, and damages awarded in certain civil actions from the individual income tax and including a retroactive applicability date provision.

Read first time and referred to committee on **ways and means**.

House File 104, by Lukan, a bill for an act providing for the definition of native wine.

Read first time and referred to committee on **state government**.

House File 105, by Lukan, a bill for an act providing an individual income tax credit to volunteer fire fighters and emergency medical services personnel and providing effective and retroactive applicability dates.

Read first time and referred to committee on **ways and means**.

House File 106, by Sands, Tomenga, Dolecheck, Jacobs, May, Kaufmann, Chambers, Rayhons, Windschitl and Soderberg, a bill for an act imposing a moratorium on the issuance or relocation of licenses for gambling games and providing an effective date.

Read first time and referred to committee on **state government**.

House File 107, by Swaim and Anderson, a bill for an act increasing the minimum amount of money necessary to prove financial responsibility for liability for motor vehicle accidents.

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

House File 108, by Lukan, a bill for an act relating to the establishment of an automated victim notification system.

Read first time and referred to committee on **public safety**.

House File 109, by Struyk, a bill for an act relating to assistance limitations for home and vehicle modification applied under certain medical assistance home and community-based services waivers.

Read first time and referred to committee on **human resources**.

House File 110, by Sands, a bill for an act relating to the taxation of gain from the sale of farmland to the state department of transportation and including a retroactive applicability date provision.

Read first time and referred to committee on **ways and means**.

House File 111, by Jochum, a bill for an act relating to private sewage disposal system inspections at the time of property transfer.

Read first time and referred to committee on **environmental protection**.

House File 112, by Struyk, Huser, Kaufmann, Windschitl, De Boef, Huseman, Forristall, Rayhons, Upmeyer, Hoffman, Alons, Sands, Lukan, Chambers, Tymeson, Gipp, Raecker, Soderberg, May, Clute, Grassley, Tjepkes, S. Olson, Rasmussen, Van Engelenhoven, Arnold, Granzow, Anderson, Watts, Horbach, Paulsen, Roberts and Drake, a bill for an act relating to the exclusion of stipends or remuneration paid to volunteer fire fighters from the state individual income tax and including a retroactive applicability date provision.

Read first time and referred to committee on **ways and means**.

House File 113, by Struyk, Huser, Kaufmann, Windschitl, De Boef, Huseman, Forristall, Rayhons, Upmeyer, Hoffman, Alons, Worthan, Sands, Lukan, Chambers, Gipp, Raecker, Van Fossen, Soderberg, May, Clute, Grassley, Tjepkes, Deyoe, Rasmussen, Van Engelenhoven, Arnold, Jacobs, Greiner and Drake, a bill for an act exempting certain military personnel and veterans from a requirement to complete a hunter safety and ethics education course before obtaining a hunting license.

Read first time and referred to committee on **natural resources**.

House File 114, by Struyk, Baudler, Drake, Rayhons, Greiner, Windschitl, Dolecheck, Huser, De Boef, Forristall, L. Miller, Upmeyer, Hoffman, Sands, Tymeson, Raecker, Soderberg, May, Clute, Grassley, Tjepkes, Kaufmann, Huseman, Van Engelenhoven, Arnold, Jacobs, Granzow, Anderson and Watts, a bill for an act requiring the division of vocational rehabilitation of the department of education to provide, or reimburse community colleges for, certain services for hearing-impaired individuals.

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

House File 115, by Struyk, a bill for an act establishing a regulatory efficiency commission.

Read first time and referred to committee on **economic growth**.

House File 116, by Struyk, a bill for an act relating to a limitation on certain county and city property taxes in certain fiscal years and providing for the Act's applicability.

Read first time and referred to committee on **local government**.

House File 117, by Struyk and Huser, a bill for an act providing for the deposit of certain insurance premium tax receipts to the fire and police retirement fund of the statewide fire and police retirement system.

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

SPECIAL PRESENTATION

Soderberg of Plymouth introduced to the House, Professor Jeff Barker from Northwestern College. He was named Iowa Professor of the year.

The House rose and expressed its welcome.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- | | |
|----------|--|
| 2007\195 | Jim Hoven, Albia – For his 31 years of dedicated service with the Iowa State Patrol. |
| 2007\196 | Harlan and Janice Van Roekel, Orange City – For being named 2006 Master Pork Producers by the Iowa Pork Producers Association. |
| 2007\197 | Kenneth and Carmeleta Randolph, Lost Nation – For celebrating their 60 th wedding anniversary. |
| 2007\198 | Arlene Millmeyer, Farmington – For celebrating her 96 th birthday. |
| 2007\199 | Blanche Kutcher, Farmington – For celebrating her 98 th birthday. |
| 2007\200 | Paul and Georgia Ackerman, Nevada – For celebrating their 50 th wedding anniversary. |

SUBCOMMITTEE ASSIGNMENTS

House File 54

Natural Resources: T. Taylor, Chair; Baudler and Mertz.

House File 55

Transportation: D. Olson, Chair; Cohoon and Windschitl.

House File 62

Education: Cohoon, Chair; Boal and Foege.

House File 63

Education: Kelley, Chair; Forristall and Heddens.

House File 64

Education: Bukta, Chair; Staed and Wiencek.

House File 77

Transportation: Mertz, Chair; Gaskill and Roberts.

House File 81

Transportation: Swaim, Chair; Huseman and Reasoner.

House File 82

Transportation: Swaim, Chair; Gaskill and Gipp.

House File 91

Transportation: D. Olson, Chair; Cohoon and Windschitl.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS**House Study Bill 39**

State Government: T. Taylor, Chair; Boal, Drake, Gipp, Jochum, Pettengill and Wendt.

House Study Bill 40

State Government: Gaskill, Chair; Abdul-Samad, Gipp, Jacobs and T. Taylor.

House Study Bill 49

Labor: Palmer, Chair; Grassley and T. Taylor.

House Study Bill 50

Labor: T. Taylor, Chair; Staed and Van Engelenhoven.

House Study Bill 51

Labor: Mascher, Chair; Horbach and Palmer.

House Study Bill 54

Public Safety: Heddens, Chair; Baudler and R. Olson.

House Study Bill 55

Public Safety: Mascher, Chair; Alons and Heddens.

House Study Bill 56

Public Safety: Hunter, Chair; Kuhn and Tjepkes.

House Study Bill 57

Public Safety: Whitaker, Chair; Alons and Berry.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS**H.S.B. 69 Education**

Providing school districts with supplemental funding for students who attend virtual shared classes via the Iowa communications network, and providing a monetary incentive for teachers who instruct virtual shared classes, and providing an applicability date.

H.S.B. 70 Labor

Relating to the workers' compensation liability of employment brokers or temporary employment agencies for their employees.

H.S.B. 71 Judiciary

Relating to a debtor's exempt personal injury payments in state court debt collection and federal bankruptcy actions.

H.S.B. 72 Judiciary

Limiting the fees charged for copies of medical records in connection with certain civil actions.

H.S.B. 73 Judiciary

Relating to contributory fault in a personal injury action.

H.S.B. 74 Judiciary

Providing for the standardized training and state certification of reserve peace officers.

H.S.B. 75 Judiciary

Concerning limitations on actions for civil liability related to the dramshop Act and providing an effective and applicability date provision.

H.S.B. 76 Judiciary

Relating to business corporations, by providing for information required to be filed with the secretary of state and providing for shareholder voting.

H.S.B. 77 Commerce

Relating to the authority of creditors and credit unions in consumer credit or credit union transactions.

H.S.B. 78 Local Government

Relating to documents recorded with the county recorder.

H.S.B. 79 Public Safety

Relating to crime victim compensation.

H.S.B. 80 Local Government

Relating to county recorder fees for certified copies of certain vital statistics records, and providing an effective date.

H.S.B. 81 Environmental Protection

Requiring certain water treatment and supply-related inspections to be conducted when certain property is sold or transferred.

H.S.B. 82 Environmental Protection

Relating to the waste tire management fund and making appropriations.

H.S.B. 83 Environmental Protection

Relating to animal feeding operations, by providing for the enforcement of regulatory provisions.

H.S.B. 84 Environmental Protection

Relating to the handling of manure originating from confinement feeding operations by providing for certification requirements.

H.S.B. 85 Environmental Protection

Relating to permit fees for diverting, storing, or withdrawing water and making appropriations.

H.S.B. 86 Environmental Protection

Relating to enforcement of prohibitions against the use of heavy metals in packaging and packaging components and providing a civil penalty.

H.S.B. 87 Education

Relating to human growth and development and health education under the education standards, authorizing school districts and nonpublic schools to provide comprehensive sexual health education, and establishing related duties for the director of the department of education.

H.S.B. 88 Education

Relating to efforts to improve the educational environment in the classrooms operated by Iowa's school districts.

COMMITTEE RECOMMENDATION.

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON ADMINISTRATION AND RULES

Committee Resolution (Formerly House Study Bill 28), relating to permanent rules of the House for the eighty-second general assembly.

Fiscal Note is not required.

Recommended **Amend and Do Pass** January 23, 2007.

RESOLUTION FILED

HR 5, by committee on administration and rules, a resolution relating to permanent rules of the House for the eighty-second general assembly.

Placed on **calendar**.

On motion by McCarthy of Polk the House adjourned at 9:19 a.m., until 9:00 a.m., Thursday, January 25, 2007.

JOURNAL OF THE HOUSE

Eighteenth Calendar Day - Thirteenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, January 25, 2007

The House met pursuant to adjournment at 9:18 a.m., Speaker Murphy in the chair.

Prayer was offered by the Honorable Marcella Frevert, state representative from Palo Alto County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Trevor Boeckmann, House Page from Vinton.

The Journal of Wednesday, January 24, 2007 was approved.

INTRODUCTION OF BILLS

House File 118, by Dandekar, Pettengill, Petersen, Wise, Bailey, Jacoby, Oldson, Heddens, D. Olson, Shomshor, Wenthe, Kelley, Mertz, Gayman, Staed, Abdul-Samad, Berry, Palmer, T. Olson, Huser, Whitaker, Bukta, Frevert, D. Taylor, Kressig, H. Miller, Reichert, Lykam, Gaskill, Whitead, Wendt, Kuhn, T. Taylor, Quirk, Reasoner, Lensing, Wessel-Kroeschell, Winckler, Hunter, Swaim, Thomas, Foege, R. Olson, Mascher and Schueller, a bill for an act relating to dependent adults and at-risk older adults.

Read first time and referred to committee on **human resources**.

House File 119, by Tymeson, a bill for an act requiring the board of directors of a school district to adopt a parent and guardian involvement policy.

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

House File 120, by Baudler, a bill for an act relating to the issuance of permits to carry weapons.

Read first time and referred to committee on **public safety**.

House File 121, by Chambers, Mertz, Huseman and Alons, a bill for an act relating to the operation of all-terrain vehicles in cities of a certain size, providing a fee, and making penalties applicable.

Read first time and referred to committee on **natural resources**.

House File 122, by Reichert, a bill for an act relating to the annual adjustment of the personal needs allowance for residents of certain facilities and providing an effective date and for retroactive applicability.

Read first time and referred to committee on **human resources**.

House File 123, by Reichert, a bill for an act relating to the sale of wild turkey bones and providing penalties.

Read first time and referred to committee on **natural resources**.

House File 124, by Whitead, Kaufmann, Alons, Lukan, May, Quirk, Thomas and Ford, a bill for an act creating a Vietnam Conflict veterans bonus for a certain period of active duty military service, making an appropriation, and providing a tax exemption and a penalty.

Read first time and referred to committee on **veterans affairs**.

House File 125, by Petersen, a bill for an act establishing billing and payment standards for child care provided under the state child care assistance program administered by the department of human services.

Read first time and referred to committee on **human resources**.

House File 126, by Quirk, a bill for an act relating to examination requirements for dental assistants.

Read first time and referred to committee on **human resources**.

House File 127, by Tymeson, a bill for an act requiring that public schools and accredited nonpublic schools cause the pledge of allegiance to be recited at the beginning of each school day.

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

RULES SUSPENDED

McCarthy of Polk asked and received unanimous consent to suspend the rules for the immediate consideration of House Resolution 6.

ADOPTION OF HOUSE RESOLUTION 6

Shomshor of Pottawattamie and Struyk of Pottawattamie called up for consideration **House Resolution 6**, a resolution honoring Iowa Western Community College's women's volleyball team for winning the Division I National Junior College Athletic Association volleyball tournament, and moved its adoption.

The motion prevailed and the resolution was adopted.

RULES SUSPENDED

McCarthy of Polk asked and received unanimous consent for the immediate consideration of House Resolution 5 and Senate Concurrent Resolution 3.

ADOPTION OF HOUSE RESOLUTION 5

Quirk of Chickasaw called up for consideration the following **House Resolution 5**, and moved its adoption.

- 1 HOUSE RESOLUTION 5
- 2 By Committee on Administration and Rules
- 3
- 4 (Successor To HSB 28)
- 5 A resolution relating to permanent rules of the House
- 6 for the ~~eighty-first~~ ~~eighty-second~~ general assembly
- 7 *Be It Resolved By The House Of Representatives,*
- 8 That the permanent rules of the House for the
- 9 ~~eighty-first~~ ~~eighty-second~~ general assembly be as
- 10 follows:
- 11 DIVISION I – GENERAL RULES
- 12 Rule 1
- 13 Call to Order and Order of Business
- 14 The speaker shall take the chair at the hour to
- 15 which the house has adjourned, and shall immediately
- 16 call the members to order, correct the journal of the
- 17 previous day's proceedings, and proceed to other
- 18 business, including, but not limited to, introduction
- 19 of bills, reports, messages, communications, business

20 pending at adjournment, resolutions and bills on their
21 passage.

22 Rule 2

23 Quorum Call and Time of Convening

24 The house shall convene each Monday at 1:00 p.m.

25 and at ~~8:45~~ 9:00 a.m. on all other legislative days,

26 unless otherwise ordered. The time of convening shall

27 be recorded in the journal. The house shall not

28 convene on Sunday during a regular or special session.

29 The speaker or a member may request a roll call to

30 determine if a quorum is present.

Page 2

1 Rule 3

2 Absences from the House

3 No member shall be absent without leave while the

4 house is in session unless the member is sick or

5 unable to attend.

6 Rule 4

7 Preservation of Order

8 The speaker shall preserve order and decorum and

9 speak to points of order in preference to other

10 members. Subject to an appeal to the house by any

11 member, the speaker shall decide questions of order

12 which shall not be debated.

13 The speaker may have the chamber of the house

14 cleared in case of any disturbance or disorderly

15 conduct.

16 Only past legislators, state officials, persons

17 whose presence is deemed by the speaker to be of

18 special significance to the house, and school classes

19 accompanied by teachers and seated in the galleries

20 shall be introduced in the house.

21 The public may take photographs from the galleries

22 at any time. However, the use of flash bulbs or any

23 other artificial lighting is prohibited. The press

24 may photograph from the press section, but may not use

25 artificial lighting except for live television crews

26 who receive permission in advance from the chief clerk

27 of the house or the sergeant-at-arms. Photographic

28 instruments shall not be used on the house floor at

29 any time when the members are voting on a question put

30 before the house. Photographic instruments may be

Page 3

1 used on the house floor at other times with the

2 consent of the subject or subjects of the photography.

3 Rule 4A

4 Use of Telephonic or Electronic Devices

5 in Chamber Restricted

- 6 1. In order to prevent the disruption of house
7 deliberations, a person shall not do any of the
8 following in the chamber while the house is in
9 session:
- 10 a. Allow any audible signal to be continued to be
11 transmitted to or from a telephonic or electronic
12 device under the person's control.
- 13 b. Disrupt house deliberations by using a
14 telephonic or electronic device to audibly transmit or
15 receive communications.
- 16 2. A member shall not use a telephonic or
17 electronic device to audibly transmit or receive
18 communications while recognized by the presiding
19 officer to speak in debate.
- 20 3. The speaker or other presiding officer may have
21 the chamber cleared of any person acting in violation
22 of this rule.

23 Rule 5

24 Rules of Parliamentary Practice

- 25 The rules of parliamentary practice in Mason's
26 Manual of Legislative Procedure shall govern the house
27 in all cases where they are not inconsistent with the
28 standing rules of the house or the joint rules of the
29 senate and house.

30 Rule 5A

Page 4

1 House Budget

- 2 The speaker of the house shall annually prepare a
3 proposed budget for the house of representatives for
4 the payment of expenses, salaries, per diems, and
5 other items. The proposed budget shall be submitted
6 on the fourteenth day of each legislative session to
7 the house committee in charge of administration, which
8 shall approve a proposed budget in house resolution
9 form within thirty days of receiving the proposed
10 budget from the speaker. The house shall adopt a
11 budget within thirty days of the introduction of the
12 house resolution.

13 Rule 6

14 The Speaker Pro Tempore

- 15 The house shall, at its pleasure, elect a speaker
16 pro tempore. When the speaker shall for any cause be
17 absent, the speaker pro tempore shall preside, except
18 when the chair is filled by appointment by either the
19 speaker or the speaker pro tempore. If a vacancy
20 occurs in the office of speaker, the speaker pro
21 tempore shall assume the duties and responsibilities
22 of the speaker until such time as the house shall
23 elect a new speaker. The speaker or the speaker pro
24 tempore shall have the right to name any member to

25 perform the duties of speaker, but such substitution
26 shall not extend beyond the adjournment. The acts of
27 the speaker pro tempore shall have the same validity
28 as those of the speaker. In the absence of both the
29 speaker and the speaker pro tempore, the house shall
30 name a speaker who shall preside over it and perform

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1 all the duties of the speaker with the exception of
2 signing bills, until such time as the speaker or
3 speaker pro tempore shall be present, and the person's
4 acts shall have the same force and validity as those
5 of the regularly elected speaker.

6 Rule 7

7 Amendment and Suspension of Rules

8 A motion to change or rescind a standing rule or
9 order of the house requires one day's notice. A
10 motion to suspend a rule, or to table or take from the
11 table a matter, requires an affirmative vote of a
12 constitutional majority. Postponing or changing the
13 order of business requires an affirmative vote of a
14 constitutional majority.

15 Rule 8

16 Violation of House Rules

17 The speaker shall, or any member may, call to order
18 a member who transgresses the rules of the house.
19 With leave of the house, the member called to order
20 may be permitted to explain. If the case requires it,
21 the member shall be subject to censure of the house.

22 Rule 9

23 Referral of Rule Violations

24 The speaker shall, upon complaint of a member, or
25 upon the speaker's own motion, refer any alleged
26 violation of house or joint rules by house members,
27 employees or staff to the house ethics committee upon
28 an initial finding that an investigation is warranted.
29 The ethics committee shall investigate such
30 allegations and report them back to the house with a

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1 recommendation.

2 Rule 10

3 Recognition and Decorum in Debate

4 A member who wishes to speak in debate or deliver
5 any matter to the house shall be appropriately
6 attired, with male members wearing coat or tie, and,
7 after recognition by the chair, shall respectfully
8 address the presiding officer by saying "Mr. or Madam
9 Speaker", shall confine all remarks to the question
10 under debate, and shall avoid personalities.

11 Rule 11

12 Limit on Debate

13 No member shall speak more than once on the same
 14 question, without leave of the speaker, nor more than
 15 twice until every member choosing to speak has spoken,
 16 except as provided in Rule 81. A member shall be
 17 limited to ten minutes debate on a bill being
 18 considered prior to its last reading, but may be
 19 granted an extension of time by consent of the house.

20 Rule 12

21 Decorum During Debate

22 No member shall leave the house while the speaker
 23 is putting a question. No one shall pass between the
 24 speaker and a member who is speaking or two members
 25 who have been recognized by the speaker.

26 Rule 13

27 Stating the Question

28 When a motion is made, it shall be stated by the
 29 speaker. A motion made in writing shall be passed to
 30 the desk before it is debated.

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1 Rule 14

2 Putting the Question

3 Questions shall be distinctly put in this form:

4 "All those in favor of (the question) shall say
 5 'aye';" and after the affirmative voice is expressed,
 6 "All those opposed to (the question) shall say 'no'."
 7 If the speaker is in doubt or a member of the house
 8 requests, a nonrecord roll call vote shall be taken.

9 DIVISION II -- EMPLOYEES OF THE HOUSE

10 Rule 15

11 Chief Clerk of the House

12 The chief clerk of the house shall serve as
 13 parliamentarian and chief administrative officer of
 14 the house under the direction of the speaker of the
 15 house. The chief clerk shall supervise the chief
 16 clerk's office; be responsible for the custody and
 17 safekeeping of all bills, resolutions, and amendments
 18 filed, except when they are in the custody of a
 19 committee; have charge of the daily journal; have
 20 control of all rooms assigned for the use of the
 21 house; attest to the accuracy and correctness of text
 22 and action on bills and resolutions; process the
 23 handling of amendments when filed and during the floor
 24 consideration of bills; insert adopted amendments into
 25 bills before transmittal to the senate and prior to
 26 final enrollment; supervise legislative printing and
 27 the distribution of printed material; and perform all
 28 other duties pertaining to the office of the chief

29 clerk.

30 Rule 16

Page 8

1 Reserved

2 Rule 17

3 Sergeant-At-Arms

4 The sergeant-at-arms shall execute all orders of
5 the house and the presiding officer; perform all
6 assigned duties related to the policing and good order
7 of the house; supervise the entrance and exit of all
8 persons to and from the chamber; promptly execute all
9 messages, etc.; provide that the chamber is properly
10 ventilated and open for the use of the members; and
11 perform all other services pertaining to the office of
12 sergeant-at-arms.

13 Rule 18

14 Secretaries

15 All secretaries of the house shall be under the
16 general direction of the speaker and the chief clerk.
17 Secretaries shall be on duty at the house from 8:30
18 a.m. to 4:30 p.m. except when excused by the member to
19 whom the secretary is assigned. Secretaries shall
20 perform such additional duties as may be assigned to
21 them by the chief clerk.

22 Rule 19

23 Extra Compensation of Employees

24 No employee shall receive any extra compensation,
25 except as provided by the house, or tips for services
26 performed while on duty. Any violation of this rule
27 shall be grounds for removal.

28 DIVISION III – VISITORS AND LOBBYISTS

29 Rule 20

30 Admission to the House; Lobbying

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1 The chamber of the house shall include the
2 vestibule, restrooms, cloak room, lounge, visitors'
3 galleries, and floor of the house.

4 The floor of the house shall consist of that area
5 between the press box, speaker's station, and the
6 south wall behind the last row of desks occupied by
7 representatives, excluding the visitors' galleries.

8 During a legislative day while the house is in
9 session, and one-half hour before the house convenes
10 and one-half hour after the house recesses or
11 adjourns, no person shall be admitted to the floor of
12 the house except:

13 1. Members of the general assembly and authorized
14 house employees in the performance of their duties.

- 15 2. Former members of the general assembly who are
16 not registered lobbyists.
- 17 3. A general assembly member's family.
- 18 4. Representatives of the press, radio, and
19 television who shall go directly to and from the press
20 box.
- 21 5. Legislative interns approved by the chief clerk
22 who shall go directly to and from the seat of their
23 assigned representative or to be seated in the
24 perimeter seating area.
- 25 6. Chair, co-chair, and the executive secretary of
26 a political party having members serving in the
27 general assembly.
- 28 7. Personnel of the legislative services agency
29 and citizens' aide/ombudsman's office.
- 30 8. The governor's executive assistants and

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- 1 administrative assistants, members of the state
2 executive council, the lieutenant governor, the
3 attorney general, and the administrative rules
4 coordinator, all of whom shall be confined to the
5 perimeter area.
- 6 The current status of former members of the general
7 assembly shall govern their access to the floor under
8 these rules.
- 9 No other persons shall be allowed on the house
10 floor without permission of the presiding officer of
11 the house.
- 12 No person admitted to the floor of the house,
13 except members of the general assembly, shall, while
14 the house is in session, lobby or attempt to exercise
15 any influence with any member for or against any
16 matter then pending or that may thereafter be
17 considered by the house.
- 18 Notwithstanding the provisions of this rule
19 regarding admission to the floor of the house, a
20 registered lobbyist shall not be admitted to the floor
21 of the house on any day when the house is in session
22 or committees are scheduled to meet from one-half hour
23 before the house convenes or ~~8:45~~ 9:00 a.m., whichever
24 is earlier, until one-half hour after the house
25 adjourns or until 4:30 p.m., whichever is later. A
26 registered lobbyist or other person may be admitted to
27 the house when the house is not in session to gain
28 access to a committee room.
- 29 Each lobbyist shall be given a copy of this rule
30 when the lobbyist registers.

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1 Each member, employee of the house, and registered
2 lobbyist shall report violations of this rule
3 immediately to the sergeant-at-arms.

4 Any person for cause may be summarily dismissed
5 from the chamber of the house, by action of the house,
6 and shall forfeit that person's right to admission
7 thereafter.

8 Rule 20A

9 Legislative Interns

10 Only one legislative intern per member of the house
11 is allowed on the floor of the house at any one time.

12 Rule 21

13 Distribution of Literature

14 No person except a member or employee of the house
15 of representatives shall generally distribute or cause
16 to be distributed any pamphlets, material, or other
17 printed literature to the members' desks in the house.
18 An employee of the house shall generally distribute or
19 cause to be distributed such literature only on behalf
20 of the employee's office or staff.

21 All copies of pamphlets, material, or printed
22 literature distributed by a member or employee of the
23 house of representatives shall bear the name of the
24 member or employee's office or staff.

25 Other distributions of pamphlets, material, or
26 other printed literature shall bear their source of
27 origin and be distributed through the legislative post
28 office by completing a form containing a member's or
29 the chief clerk's authorization, with the
30 authorization form attached to one copy of the

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1 distribution. The copy with the attached
2 authorization form shall be retained for a reasonable
3 time period by the legislative post office.

4 Rule 22

5 Distribution of Materials

6 Printed by the State

7 A member of the house shall not distribute maps,
8 books, and pamphlets such as, but not limited to, How
9 a Bill Becomes Law, which have been printed by the
10 state of Iowa and upon which the name of the member of
11 the house has been affixed unless the member has
12 purchased the materials or unless the member has
13 affixed the words "Paid for by the citizens of Iowa
14 and distributed by representative (member's name)."

15 DIVISION IV – FORMS AND PROCEDURES 16 FOR BILLS AND OTHER DOCUMENTS

17 Rule 23

18 Documents Signed by the Speaker

19 All acts and joint resolutions shall be signed by
20 the speaker, and all writs, warrants, and subpoenas
21 issued by order of the house, shall be signed by the
22 speaker and attested by the chief clerk. The speaker
23 shall cause certificates of recognition or condolence
24 to be issued by the house which shall be signed by the
25 speaker and the chief clerk.

26 Rule 24

27 Presentation of Petitions

28 All petitions, memorials and other papers addressed
29 to the house shall be signed by the member and filed
30 with the chief clerk or the chief clerk's staff.

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1 Rule 25

2 Consideration of Resolutions

3 Action on a resolution, except a memorial
4 resolution, or a proposition requesting information
5 from a state official shall not be taken until one day
6 after the resolution has been placed on the members'
7 desks. After the resolution is adopted, the chief
8 clerk shall transmit certified copies and have the
9 resolution printed in the bound journal. A resolution
10 may be printed in the daily journal upon the approval
11 of the speaker after consultation with the minority
12 leader.

13 Rule 26

14 Unanimous Consent Calendar

15 The speaker may, upon the request of three members,
16 place on a unanimous consent calendar any house
17 resolution or concurrent resolution which does not
18 contain an appropriation and which has been laid over
19 under Rule 25.

20 If such resolution is placed on the unanimous
21 consent calendar, it may be removed only upon a
22 written request submitted to the speaker by a member
23 of the house.

24 If not removed after five legislative days, the
25 chief clerk shall call up the resolution and without
26 debate the speaker shall pronounce that it has passed
27 by unanimous consent.

28 If the resolution is removed from the unanimous
29 consent calendar, the speaker may again lay the
30 resolution over under Rule 25, place it on a different

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1 calendar, or refer the resolution to any of the
2 standing committees of the house.

3 Rule 27

4 Forms of Bills and Joint Resolutions

5 Every house bill shall be introduced by one or more
6 members or by any standing or specially authorized
7 committee of the house, the administrative rules
8 review committee or interim study committee. All
9 bills and joint resolutions introduced shall be
10 prepared by the legislative services agency with
11 title, enacting clause, text and explanation as
12 directed by the chief clerk of the house. One copy of
13 each bill shall be presented in a bill cover with the
14 number of copies of the bill and the title as directed
15 by the chief clerk.

16 Rule 28

17 Joint and Nullification Resolutions

18 Joint resolutions shall be framed and treated as
19 bills.

20 A "nullification resolution" is a joint resolution
21 which nullifies all of an administrative rule, or a
22 severable item of an administrative rule adopted
23 pursuant to chapter 17A of the Code. A nullification
24 resolution shall not amend an administrative rule by
25 adding language or by inserting new language in lieu
26 of existing language.

27 A nullification resolution may be introduced by an
28 individual, a standing committee or the administrative
29 rules review committee, and may be referred to a
30 standing committee. A nullification resolution is

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1 debatable, but cannot be amended on the floor of the
2 house.

3 Rule 29

4 Time of Introduction of Bills

5 No bill or joint resolution under individual
6 sponsorship, other than a nullification resolution,
7 shall be read for the first time after 4:30 p.m. on
8 Friday of the 6th week of the first regular session of
9 the general assembly unless a ~~written~~ formal request
10 for drafting the bill has been filed with the
11 legislative services agency before that time.

12 After adjournment of the first regular session,
13 bills may be prefiled at any time before the convening
14 of the second regular session. No bill or joint
15 resolution under individual sponsorship, other than a
16 nullification resolution, shall be read for the first
17 time after 4:30 p.m. on Friday of the second week of
18 the second regular session of the general assembly
19 unless a ~~written~~ formal request for drafting the bill
20 has been filed with the legislative services agency
21 before that time.

22 However, bills or joint resolutions sponsored by

23 standing committees or the administrative rules review
24 committee, co-sponsored by the majority and minority
25 floor leaders, or companion bills sponsored by the
26 house majority leader and the senate majority leader
27 may be drafted and introduced at any time permissible
28 under Joint Rule 20. House, concurrent, and
29 nullification resolutions may be introduced at any
30 time.

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1 Rule 30

2 Introduction and Reading of Bills

3 All bills and resolutions to be introduced in the
4 house shall be typed prepared in proper form and filed
5 with the chief clerk no later than 4:30 p.m. on the
6 legislative day preceding its introduction.

7 Every bill shall receive two readings but no bill
8 shall receive its first and last readings on the same
9 day.

10 A "reading of a bill" as required by these rules
11 shall consist of a reading of the title and enacting
12 clause unless otherwise demanded by a house member.

13 Rule 31

14 First Reading, Commitment, and Amendment

15 31.1. A bill is introduced into the house by an
16 initial or "first reading of the bill".

17 31.2. When the house is in session the first
18 reading shall consist of a "reading" as provided in
19 Rule 30.

20 31.3. Upon a first reading of the bill, the
21 speaker shall state that it is ready for commitment or
22 amendment; and the speaker shall commit it to the
23 standing or select committee, or to a committee of the
24 whole house. If to a committee of the whole house,
25 the house shall determine on what day.

26 31.4. On a day when the house is not in session,
27 the speaker shall cause a statement, which shall
28 consist of the title, enacting clause, bill number and
29 committee to which the bill is referred to be
30 published in the house journal. This publication

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1 shall constitute a first reading and commitment and
2 shall contain the notation "read and committed under
3 Rule 31.4".

4 31.5. All amendments offered to bills on file or
5 on the regular calendar shall be accompanied by such
6 copies as the chief clerk shall direct.

7 31.6. Such amendments shall give the number of the
8 bill sought to amend and the chief clerk shall

9 designate each such amendment thus: Amendment to
 10 House File _____, or Senate File _____, by
 11 _____.

12 31.7. A bill reported out by committee shall go to
 13 the speaker who shall direct that the bill be placed
 14 on the regular calendar unless it covers subject
 15 matter more properly within the jurisdiction of some
 16 other standing committee, in which case the speaker
 17 shall refer the bill to the proper standing committee.
 18 In order to expedite important business and set a
 19 definite time for the bill's consideration, the
 20 speaker may direct the bill to be placed on the
 21 special order calendar.

22 31.8. No amendment to the rules of the house, to
 23 any resolution or bill, except technical amendments
 24 and amendments to bills substituted for by senate
 25 files containing substantially identical title,
 26 language, subject matter, purpose and intrasectional
 27 arrangement, shall be considered by the membership of
 28 the house without a copy of the amendment having been
 29 filed with the chief clerk by 4:00 p.m. or within one-
 30 half hour of adjournment, whichever is later, on the

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1 day preceding floor debate on the amendment. If the
 2 house adjourns prior to 2:00 p.m. on Friday, the final
 3 deadline is two hours after adjournment. However,
 4 committee amendments filed pursuant to the submission
 5 of the committee report may be accepted after this
 6 deadline. This provision shall not apply to any
 7 proposal debated on the floor of the house after the
 8 fourteenth week of the first session and the twelfth
 9 week of the second session. No amendment or amendment
 10 to an amendment to a bill, rule of the house, or
 11 resolution shall be considered by the membership of
 12 the house without a copy of the amendment being on the
 13 desks of the entire membership of the house prior to
 14 consideration. However, after the fourteenth week of
 15 the first session and the twelfth week of the second
 16 session, the membership of the house may consider an
 17 amendment or an amendment to an amendment to a bill,
 18 rule of the house, or resolution without a copy of the
 19 amendment being on the desks of the entire membership
 20 of the house prior to consideration if a copy of the
 21 amendment is made available to the entire membership
 22 of the house electronically.

23 Rule 32

24 Commitment of Appropriation and Revenue Bills
 25 All bills to appropriate money shall be referred to
 26 the appropriations committee, and all bills pertaining
 27 to the levy, assessment, or collection of taxes shall

28 be referred to the committee on ways and means.

29 Rule 33

30 Regular Calendar

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1 Bills, nullification resolutions, and joint
2 resolutions reported out for passage, or amendment and
3 passage, or without recommendation, by a committee,
4 shall be arranged on a regular calendar by the chief
5 clerk each day at 4:30 p.m. in the order of the file
6 number of the bills and following the preceding
7 legislative day's regular calendar. Priority shall be
8 given to house over senate file numbers and to joint
9 resolutions over bills in the arrangement of the
10 regular calendar.

11 Rule 34

12 Debate and Special Order Calendars

13 The majority floor leadership shall cause to be
14 prepared and distributed to the members at the opening
15 of each session day when floor action is scheduled, a
16 daily debate calendar consisting of bills,
17 nullification resolutions, and joint resolutions from
18 the regular calendar setting forth the number and
19 title of bills, nullification resolutions, and joint
20 resolutions for the next session day that floor action
21 is scheduled.

22 The majority floor leadership shall cause to be
23 prepared and distributed to the members at the opening
24 of each session day when floor action is scheduled, a
25 special order calendar setting forth the number and
26 title of bills, nullification resolutions, and joint
27 resolutions and the date upon which debate is
28 scheduled to begin on each of them, which can be no
29 sooner than five session days from the first date of
30 publication on the regular calendar.

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1 This rule does not apply to bills which have passed
2 both houses in different forms, reconsiderations, or
3 veto reconsiderations.

4 Rule 35

5 Noncontroversial Calendar

6 The majority floor leadership may cause to be
7 prepared a noncontroversial calendar consisting of
8 bills and joint resolutions from the regular calendar.

9 The noncontroversial calendar shall appear under
10 separate heading on the regular calendar.

11 Notwithstanding Rule 34, a bill or joint resolution
12 on the noncontroversial calendar may be called up for
13 debate at any time by the majority leader beginning

14 the third legislative day after it appears on the
 15 noncontroversial calendar. A bill or joint resolution
 16 shall be stricken from the noncontroversial calendar
 17 if a written objection to the bill or joint resolution
 18 is filed with the chief clerk prior to the time the
 19 bill or joint resolution is called up by the majority
 20 leader.

21 Debate on a bill or joint resolution from the
 22 noncontroversial calendar shall be limited to ten
 23 minutes. If debate exceeds ten minutes, the bill or
 24 joint resolution shall be stricken from the
 25 noncontroversial calendar.

26 Rule 36

27 Consideration of Committee Amendments

28 After a bill has been referred and reported back,
 29 it shall be considered on its first reading after the
 30 amendments of the committee have been read.

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1 Rule 37

2 Amendments to Special Order Bills

3 All amendments to bills on the special order
 4 calendar shall be filed at least three session days
 5 prior to the date set for debate. Amendments to an
 6 amendment shall be filed at least two session days
 7 prior to the date set for debate. However, corrective
 8 amendments and amendments sponsored by either the
 9 majority floor leader or the minority floor leader may
 10 be filed at any time. Rule 31.8 shall not apply to
 11 these amendments.

12 A corrective amendment is an amendment which does
 13 not substantively change the amendment or the bill.

14 Rule 38

15 Irrelevant Amendments

16 No motion or proposition on a subject different
 17 from that under consideration shall be admitted under
 18 color of an amendment.

19 Rule 39

20 Consideration of Bills

21 Bills, including committee bills, and nullification
 22 resolutions, reported out for passage, for indefinite
 23 postponement, for amendment and passage, or without
 24 recommendation by the committee, ~~shall not~~ are first
 25 eligible to be acted upon until after beginning the
 26 second third legislative day following the day the
 27 report was printed in the journal they appear on the
 28 regular calendar.

29 The reports of the committees shall not be read
 30 while the house is in session except as herein

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1 provided. The reports shall be printed in the journal
2 immediately after they are filed with the chief clerk.
3 Reports recommending bills for passage, for amendment
4 and passage, or without recommendation shall stand
5 approved unless written objections are filed during
6 the first legislative day following their printing in
7 the journal. If objections are filed, they shall be
8 disposed of as soon as possible. Reports recommending
9 indefinite postponement shall be governed by Rule 44.
10 Upon an affirmative vote of at least a
11 constitutional majority of the members, a report may
12 be read before it is printed in the journal and while
13 the house is in session, and acted upon at once.

14 Rule 40

15 Consideration of Bills Upon Last Reading

16 No amendment, unless by way of correcting an error
17 or omission, shall be received to any bill on its last
18 reading, and no debate shall be allowed on it.

19 Rule 41

20 Printing of Bills and Joint Resolutions

21 Bills and joint resolutions shall be printed in
22 form as provided by law and by rule. Each house may
23 direct the printing of an additional number of its own
24 bills.

25 Legalizing bills of a local or private nature shall
26 be printed in bill form and placed in the files of the
27 members, the same as other bills, in the order of
28 their introduction. The cost of printing shall be
29 deposited with the treasurer of state in advance at a
30 rate to be fixed, and the newspaper publication of the

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1 bill shall be without cost to the state. No
2 legalizing act may be introduced until all provisions
3 of law have been complied with.

4 Rule 42

5 Certification and Engrossment of Bills

6 The chief clerk shall certify the passage of each
7 bill and note the date of its passage.

8 In engrossing a bill, the chief clerk shall correct
9 all obvious typographical, spelling, or other clerical
10 errors and change section subunit numbers and letters
11 and internal references as required to conform the
12 original bill to any amendments which have been
13 adopted. The chief clerk shall report all such
14 corrections or changes in the journal. The engrossed
15 bill shall be placed in the bill file with the
16 original bill and amendments.

17 Rule 43

18 Rereferral

19 A bill may be rereferred at any time before its
20 passage and after the report of its referral to
21 committee.

22 Rule 44

23 Effect of Indefinite Postponement

24 When a question is indefinitely postponed, it shall
25 not be acted upon again during that session. Any bill
26 which receives a committee recommendation of
27 indefinite postponement shall be disposed of within
28 three legislative days after the printed journal
29 containing the report has been placed upon the desks
30 of the members of the house, or the committee

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1 recommendation will be considered adopted.

2 Rule 45

3 Status of Bills Following

4 First Regular Session

5 Except for those bills which have been adopted by
6 both houses in different forms, all bills which have
7 not been withdrawn, defeated or indefinitely
8 postponed, shall be rereferred to committee upon
9 adjournment of the first regular session. Within
10 seven days after the first committee meeting following
11 convening of the second regular session, the committee
12 chair shall submit the bill to the full committee for
13 action or the chair shall reassign the bill to a
14 subcommittee.

15 DIVISION V – COMMITTEE PROCEDURES

16 Rule 46

17 Appointment of Committees

18 All committees shall be appointed by the speaker,
19 unless otherwise especially directed by the house.

20 Rule 47

21 Order on Question of Commitment

22 When A resolution is offered or a motion made to
23 refer any subject, and different committees are
24 proposed, the question shall be taken in the following
25 order: The committee of the whole house; a standing
26 committee; a select committee.

27 Rule 48

28 Study Bills

29 A study bill is any matter which a member of the
30 house wishes to have considered by a standing

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1 committee, other than appropriations, and which has
2 not been included in a previously introduced bill.

3 Upon taking possession of a study bill, the committee
4 chair shall notify the speaker and then submit fifteen
5 copies of the bill to the legal counsel's office for
6 numbering.

7 A study bill shall bear the name of the member who
8 wishes to have the bill considered. A study bill
9 submitted by a state agency or board for consideration
10 shall bear the name of the state agency or board. A
11 committee chair may submit a study bill in the name of
12 that committee.

13 Final committee action on a study bill shall not be
14 taken until one day following the notation of the
15 study bill assignment in the house journal.

16 A study bill not prepared by the legislative
17 services agency may be submitted to a standing
18 committee, but shall not be considered by the full
19 committee unless reviewed and ~~typed~~ prepared in proper
20 form by the legislative services agency.

21 Rule 49

22 Committee Meetings

23 No committee, except a conference committee or the
24 administrative rules review committee, shall meet
25 while the house is in session without special leave.

26 Two committees with overlapping memberships shall not
27 meet at the same time without special leave.

28 Rule 50

29 Smoking Prohibited

30 Smoking shall not be permitted in the house or in

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1 any area of the capitol building controlled by the
2 house or controlled jointly by the house and senate.

3 Rule 50A

4 Nondegradable Polystyrene Cups

5 The use of nondegradable polystyrene cups shall not
6 be permitted on the floor of the house, at the
7 speaker's station, or in the press boxes.

8 Rule 51

9 Assignments to Subcommittee

10 The chair of the committee shall report to the
11 house the bill number of each bill assigned to
12 subcommittee and the names of the subcommittee
13 members. The report shall be printed in the journal.

14 All bills, prior to consideration by the committee,
15 shall be referred by the chair to a subcommittee,
16 unless acted upon by a committee of the whole.

17 The chair may assign bills to subcommittees without
18 a meeting of the committee, but the membership of the
19 subcommittee so appointed shall be reported at the
20 next meeting of the committee.

21 Rule 52

22 Open Meetings
23 Standing committee meetings shall be open, and
24 voting by secret ballot is prohibited. The committee
25 on administration and rules may close its meetings to
26 evaluate the professional competency of an individual
27 whose appointment, hiring, performance, or discharge
28 is being considered when necessary to prevent needless
29 and irreparable injury to that individual's reputation
30 on the request of the affected individual.

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1 Rule 53
2 Quorum and Vote Requirements
3 The committee roll shall be taken at the convening
4 of each meeting to determine the presence of a quorum.
5 A majority of the committee membership shall
6 constitute a quorum.
7 An affirmative vote of a majority of the committee
8 membership is required to report a bill out of
9 committee or to suspend a committee rule.
10 A motion to reconsider may be made only by a
11 committee member who voted on the prevailing side of
12 the question sought to be reconsidered. A motion to
13 reconsider may only be made provided the bill is still
14 in possession of the committee.
15 If a member, who is in the committee room when a
16 question to report a bill out of committee is put, has
17 not asked to be excused prior to commencing to take
18 the vote on the question, the member shall vote aye or
19 nay unless the committee has excused the member for
20 special reasons. However, a member may pass on the
21 first taking of the roll call on the question but
22 shall vote aye or nay when the member's name is called
23 for a second time.

24 Rule 54
25 Committee Attendance Record and Report
26 of Committee Form
27 1. A committee attendance record shall be filed
28 with the chief clerk no later than 10:00 a.m. or two
29 hours after the house convenes, whichever is later, of
30 the legislative day immediately following the day of

Page 28

1 the committee meeting. The committee attendance
2 record is a public record and may be published in the
3 journal. The committee attendance record shall
4 include the following information:
5 a. The time the meeting convened.
6 b. The members present at the meeting.
7 c. The time the meeting adjourned.

- 8 d. A list of bills receiving final committee
 9 disposition.
- 10 2. A report of committee form shall be filed with
 11 the chief clerk no later than 10:00 a.m. or two hours
 12 after the house convenes, whichever is later, of the
 13 legislative day immediately following the day of the
 14 committee meeting for each study bill, numbered bill
 15 or resolution receiving final committee disposition.
 16 The report of committee form is a public record and a
 17 report of committee action shall be printed in the
 18 journal. The report of committee form shall include
 19 the following information:
- 20 a. The committee action taken.
 21 b. The committee amendment number, if any.
 22 c. The roll call vote of the committee on final
 23 disposition.
 24 d. The minority recommendation, if any.
- 25 3. Upon final adjournment of the first session and
 26 final adjournment of the second session of the general
 27 assembly, the chair of each committee shall have
 28 placed the committee's book of record containing
 29 minutes, roll calls, rules, etc., with the chief clerk
 30 for access of any interested person.

Page 29

1 Rule 55

2 Minority Recommendation

3 The minority of the members of a committee may
 4 present its recommendations on the final disposition
 5 of a bill to the house by attaching its recommendation
 6 to the committee report and the same shall be printed
 7 in the journal with the committee report.

8 Rule 56

9 Committee Amendment

10 Whenever a committee amendment is proposed which
 11 would amend another committee amendment, the amendment
 12 shall be drafted in the form of a substitute amendment
 13 and shall be considered as such.

14 Rule 57

15 Committee Notice and Agenda

16 Each committee shall prepare and publish a notice
 17 and agenda of each committee meeting at least one
 18 legislative day prior to the meeting. The notice and
 19 agenda may be placed on the desks of or transmitted
 20 electronically to committee members.

21 The notice shall contain the committee name, the
 22 date, time, and location of the meeting.

23 The agenda shall contain the matters to be
 24 discussed, including a list of bills, joint
 25 resolutions, nullification resolutions, and study
 26 bills by number. The agenda should contain the names

27 of individuals who are scheduled to appear before the
 28 committee and the organization which they represent.
 29 A bill, joint resolution, nullification resolution,
 30 or study bill shall not be reported out of committee

Page 30

1 if the bill was not included in the published notice
 2 and agenda unless this rule is suspended by a majority
 3 of the total membership of the committee.
 4 A committee chair may call a meeting without
 5 providing the required notice and agenda upon leave of
 6 the house if a notice is either electronically
 7 transmitted to committee members and placed on the
 8 bulletin board or placed on the desks of committee
 9 members.

10 Rule 58

11 Clearing of Committee Room

12 The chair of a committee may clear the committee
 13 room in case of any disturbance or disorderly conduct.

14 Rule 58A

15 Use of Telephonic or Electronic Devices
 16 in Committee Rooms Restricted

17 1. In order to prevent the disruption of committee
 18 deliberations, a person shall not do any of the
 19 following in any committee room while a standing
 20 committee is in session:

21 a. Allow any audible signal to be continued to be
 22 transmitted to or from a telephonic or electronic
 23 device under the person's control.

24 b. Use a telephonic or electronic device to
 25 audibly transmit or receive communications.

26 2. The chair or acting chair of a standing
 27 committee may clear the committee room of any person
 28 acting in violation of this rule.

29 Rule 59

30 Committee Amendments

Page 31

1 All amendments to a bill or resolution adopted in
 2 committee shall be incorporated in a single committee
 3 amendment or incorporated in a new committee bill.

4 Rule 60

5 Withdrawal of Bills
 6 or Nullification Resolutions
 7 From Committee

8 A bill or nullification resolution which has been
 9 in committee for eighteen legislative days following
 10 notation of such referral in the journal may be
 11 withdrawn from the committee and placed on the
 12 calendar by an affirmative vote of not less than

13 fifty-one members of the house.

14 Rule 61

15 Committee Public Hearings

16 The chair of a committee may call a public hearing
17 for the purpose of receiving public comment on any
18 matter within the purview of the committee.

19 The chair shall call a public hearing upon the
20 written request of committee members according to
21 committee rules, but no more than one-third of the
22 committee members shall be required.

23 A public hearing shall not be called or requested
24 after final action on the bill has been taken by the
25 committee. However, a public hearing called or
26 requested before final action has been taken by the
27 committee may be held after final action on the bill
28 has been taken by the committee.

29 The chair shall designate a time and place for a
30 public hearing and provide public notice at least five

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1 days prior to a public hearing.

2 A bill for which a public hearing has been called
3 can be voted to the calendar but cannot be debated
4 until after the public hearing has been held.

5 However, public hearings which have been requested
6 during or after the 9th week of the first session and
7 during or after the 7th week of the second session
8 must be held within four legislative days of the date
9 of the request.

10 Rule 62

11 Limitation on Filing of Claims

12 A claim or claim bill, the subject matter of which
13 has been considered or filed for consideration in the
14 house or any of its committees, in two or more prior
15 sessions of the general assembly, shall not be
16 considered by any committee or by the house unless it
17 has been specifically referred to this session by a
18 prior general assembly. The committee on
19 appropriations is authorized to set a definite date
20 after which it will not receive claims or claim bills
21 for consideration.

22 DIVISION VI – COMMITTEE OF THE WHOLE

23 Rule 63

24 Organization of Committee of the Whole

25 In forming the committee of the whole house, the
26 speaker shall appoint a member to preside in committee
27 and then leave the chair.

28 Rule 64

29 Rules in Committee of the Whole

30 The rules of the house shall be observed in

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1 committee of the whole house, so far as they are
2 applicable.

3 Rule 65

4 Bills in Committee of the Whole

5 Bills committed to the committee of the whole house
6 shall first be read in their entirety by the chief
7 clerk or chair and then read again or debated by
8 section, leaving the preamble to be considered last.
9 After report, the bill shall again be subject to
10 debate and amendment before a vote is had on its last
11 reading and passage.

12 Rule 66

13 Amendments by Committee of the Whole

14 All amendments made to a report committed to a
15 committee of the whole house shall be noted and
16 reported as in the case of bills.

17 DIVISION VII – MOTIONS

18 Rule 67

19 Order and Precedence of Motions

20 The following order and precedence of motions shall
21 govern when a question is under debate:

22 11. Adjourn.

23 10. Recess.

24 9. Questions of privilege.

25 8. Lay on the table.

26 7. Previous question.

27 6. Postpone definitely or to a certain time.

28 5. Refer or commit.

29 4. Defer.

30 3. Amend an amendment.

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1 2. Amend.

2 1. Postpone indefinitely.

3 These motions are listed in descending order of
4 precedence.

5 A motion to postpone definitely or to a certain time, to
6 refer or commit, or to postpone indefinitely a particular
7 question shall not be considered more than once on the same da.

8 Adoption of a motion to strike the enacting words is equivalent
9 to rejection of the question.

10 Rule 68

11 Order of Consideration of Amendments

12 Amendments shall be considered by earliest position
13 in the bill. Amendments to the same place in the bill
14 shall be considered by the lowest amendment number.

15 An amendment which inserts language after a line and
16 an amendment which inserts language before the
17 succeeding line shall be considered amendments to the

18 same place in the bill.

19 However, an amendment to strike the enacting clause
20 shall always be considered first. An amendment filed
21 by a committee shall have the next highest order of
22 priority, followed by an amendment to strike
23 everything after the enacting clause and insert new
24 language. An amendment to strike language or to
25 strike and insert new language, except an amendment to
26 strike everything after the enacting clause and insert
27 new language, shall not be considered before
28 amendments to perfect all or part of the same portion
29 of the bill.

30 Rule 69

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1 Motions Not Debatable

2 The motions to lay on the table, to adjourn, to
3 adjourn to a time certain, for the previous question,
4 to defer, to rerefer, and appeals of a ruling of the
5 presiding officer shall be decided without debate.

6 Rule 70

7 Motion to Adjourn

8 A motion to adjourn shall always be in order,
9 except when a member is speaking or the house is
10 voting.

11 Rule 71

12 Withdrawal of Motions

13 After a motion is stated by the speaker, or read by
14 the chief clerk, it shall be deemed to be in
15 possession of the house, but may be withdrawn by leave
16 of the house.

17 Rule 72

18 Referral and Rereferral

19 Motions and reports may be referred and rereferred
20 at the pleasure of the house.

21 Rule 73

22 Reconsideration

23 1. A motion to reconsider may be made only by a
24 member who voted on the prevailing side of the
25 question sought to be reconsidered.
26 2. A motion to reconsider may be made not later
27 than adjournment on the day following the day of the
28 action sought to be reconsidered. Where the floor
29 manager voted on the prevailing side, the floor
30 manager has the prior right to make the motion, until

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1 adjournment on the day of the action sought to be
2 reconsidered. A motion to reconsider a nullification
3 resolution shall be acted upon not later than

- 4 adjournment on the legislative day following the day
5 of the action sought to be reconsidered.
- 6 3. A motion to reconsider made following the
7 ninety-seventh calendar day of the first regular
8 session, or the eighty-seventh calendar day of the
9 second regular session, may be taken up when made. A
10 motion made at any other time may be taken up prior to
11 the third day succeeding the day of the action sought
12 to be reconsidered only if called up by the mover, and
13 after the second day succeeding the day of the action
14 sought to be reconsidered if called up by any member.
- 15 4. The making of a motion to reconsider takes
16 precedence over all other questions.
- 17 5. No motion to reconsider passage, adoption or
18 failure of any bill, nullification resolution or joint
19 resolution shall prevail unless it obtains a
20 constitutional majority. When passage, adoption or
21 failure is reconsidered, questions on amendments may
22 also be reconsidered and shall be disposed of
23 immediately.
- 24 6. A motion that the motion to reconsider be laid
25 on the table is in order. The effect of laying the
26 motion to reconsider on the table is to cause the bill
27 or joint resolution to proceed on its regular course
28 immediately.
- 29 7. In the event that a motion to reconsider is
30 pending at the end of the first session or any

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- 1 extraordinary session of any general assembly, or the
2 general assembly adjourns sine die, and the motion to
3 reconsider has not been voted upon by the house, the
4 motion shall be determined to have failed.

5 DIVISION VIII – VOTING

6 Rule 74

7 Manner of Voting

- 8 Members present may cast their votes, either by
9 operating the voting mechanism located at their
10 assigned desk or by signaling the speaker from the
11 floor of the house or from the south visitors' gallery
12 if they are unable to vote at their assigned desk.
- 13 The speaker shall enter the votes of members signaling
14 their votes. Upon direction of the speaker or upon
15 request of two members during the taking of the vote
16 of the house on any question, only those members at
17 their desks and voting shall be counted. Members who
18 are not present shall not cast their votes except:
- 19 1. Members who have not voted may record their
20 votes on any record roll call vote except quorum calls
21 within ten minutes after the vote has been announced,
22 providing the vote does not change the outcome of the

23 vote on that question. A member may request
24 announcement of the names of members so recorded after
25 the ten-minute period.
26 2. Members meeting in a conference committee or in
27 administrative rules review committee at the time a
28 vote is taken on a question may have their vote
29 recorded within thirty minutes or adjournment,
30 whichever is first of that same legislative day,

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1 providing the vote does not change the outcome of the
2 vote on that question.

3 Rule 75

4 Duty of Voting

5 Except as limited in Rule 74, every member who is
6 in the house when a question is put shall vote unless
7 the house has excused that member for special reasons;
8 however, such member must have asked to be excused
9 prior to commencing to take the vote on the main
10 question.

11 Rule 76

12 Limitation on Right to Vote

13 No member shall vote on any question in which that
14 person is financially interested.

15 Rule 77

16 Call of the House

17 Upon written request of five members, the presiding
18 officer shall compel attendance of absent and
19 unexcused members for the consideration of specified
20 bills or resolutions.

21 A call of the house shall specify the propositions
22 to which it is to apply, and must be put into effect
23 before roll call is taken on the proposition. The
24 request may be filed at any time before final action
25 upon the propositions with the chief clerk, who shall
26 notify the house immediately.

27 Rule 78

28 Method of Calling the House

29 Upon a call of the house, the names of the members
30 shall be called by the chief clerk and the absentees

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1 noted, after which the names of the absentees shall
2 again be called. The sergeant-at-arms shall be
3 directed by the speaker to compel the attendance of
4 absent members, unless they are previously excused.
5 Any member occupying the member's seat during a call
6 of the house shall be counted by the speaker and that
7 person's name entered in the journal as being present
8 for the purpose of making a quorum.

9 Rule 79

10 Method of Calling the Roll

11 The electrical voting machine shall be used for a
12 call of the house, a quorum call or a roll call vote
13 on any question. If the electrical voting machine is
14 not in operating order when it is necessary to take a
15 record roll call vote, the presiding officer shall
16 order the vote to be taken by calling the roll in
17 alphabetical order, except the name of the presiding
18 officer shall be called last.

19 During the casting of the vote with the voting
20 machine, the individual votes and the vote totals
21 shall be shown on the display boards. Before the
22 voting machine is closed, the presiding officer shall
23 inquire of the house, "Have you all voted?"

24 Rule 80

25 Quorum and Record Roll Call Votes

26 A majority of the members shall constitute a
27 quorum.

28 A record roll call vote shall be ordered upon
29 request of any two members. The names of the members
30 requesting the record roll call shall be entered in

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1 the journal.

2 Rule 81

3 Previous Question

4 When a member moves for a previous question, that
5 member shall state whether the motion will apply to
6 the main question, to all the amendments, or to
7 particular amendments. The motion requires an
8 affirmative vote of at least a constitutional majority
9 of the members. If the motion for a previous question
10 is not adopted, the house shall proceed in the same
11 manner as before the motion was made.

12 If the motion is adopted, all debate must end and
13 the house will vote upon the question except:

14 1. If the motion applies to the main question, the
15 member in charge of the measure will have ten minutes
16 to speak for the purpose of closing discussion before
17 the vote on the measure is taken.

18 2. If the motion applies to an amendment, the
19 member proposing the amendment will have five minutes
20 to speak for the purpose of closing discussion before
21 the vote on the amendment is taken.

22 3. If a member has filed a written request with
23 the chief clerk of the house indicating the member's
24 desire to speak on a particular question. The request
25 must be filed before the motion is made by the movant.
26 The request allows a member to speak on a particular
27 question before the closing discussion by the member

28 who is in charge of the measure or who is proposing
29 the amendment.

30 Rule 82

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1 Division of the Question

2 Any member may call for a division of the question,
3 which shall be divided if it comprehends questions so
4 distinct that one being taken away, the remainder may
5 stand separately for discussion by the house. A
6 motion to strike out being lost shall not preclude
7 either an amendment or a motion to strike out and
8 insert. A motion to strike out and insert shall be
9 deemed indivisible.

The motion prevailed and the resolution was adopted.

ADOPTION OF SENATE CONCURRENT RESOLUTION 3

Quirk of Chickasaw called up for consideration the following
Senate Concurrent Resolution 3, and moved its adoption.

1 Senate Concurrent Resolution 3

2 By Committee On Rules And Administration

3 A concurrent resolution relating to joint rules of
4 the Senate and House of Representatives for the
5 ~~Eighty-first~~ Eighty-second General Assembly.

6 *Be It Resolved By The House Of Representatives, The*
7 *Senate Concurring,* That the joint rules of the Senate
8 and House of Representatives for the ~~Eighty-first~~
9 Eighty-second General Assembly shall be:

10 JOINT RULES OF THE

11 SENATE AND HOUSE

12 Rule 1

13 Suspension of Joint Rules

14 The joint rules of the general assembly may be
15 suspended by concurrent resolution, duly adopted by a
16 constitutional majority of the senate and the house.

17 Rule 2

18 Designation of Sessions

19 Each regular session of a general assembly shall be
20 designated by the year in which such regular session
21 commences.

22 Rule 2A

23 Equal Number of Elected Party Members in Senate

24 As long as Senate Resolution 1, as adopted during
25 the 2005 regular legislative session, is in effect,
26 the following shall apply:

27 —1. All references in these rules to powers and

28 ~~duties of the senate president or majority or minority~~
29 ~~leaders shall be interpreted in accordance with Senate~~
30 ~~Resolution 1.~~

Page 2

1 ~~2. Notwithstanding joint rule 13, subsection 1,~~
2 ~~the senate co-floor leaders shall jointly appoint six~~
3 ~~members to conference committees created pursuant to~~
4 ~~joint rule 13 in accordance with Senate Resolution 1.~~

5 Rule 3

6 Sessions of a General Assembly

7 The election of officers, organization, hiring and
8 compensation of employees, and standing committees in
9 each house of the general assembly and action taken by
10 each house shall carry over from the first to the
11 second regular session and to any extraordinary
12 session of the same general assembly. The status of
13 each bill and resolution shall be the same at the
14 beginning of each second session as it was immediately
15 before adjournment of the previous regular or
16 extraordinary session; however the rules of either
17 house may provide for re-referral of some or all bills
18 and resolutions to standing committees upon
19 adjournment of each session or at the beginning of a
20 subsequent regular or extraordinary session, except
21 those which have been adopted by both houses in
22 different forms.

23 Upon final adoption of a concurrent resolution at
24 any extraordinary session affecting that session, or
25 at a regular session affecting any extraordinary
26 session which may be held before the next regular
27 session, the creation of any calendar by either house
28 shall be suspended and the business of the session
29 shall consist solely of those bills or subject matters
30 stated in the resolution adopted. Bills named in the

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1 resolution, or bills containing the subject matter
2 provided for in the resolution, may, at any time, be
3 called up for debate in either house by the majority
4 leader of that house.

5 Rule 3A

6 International Relations Protocol

7 The senate and the house of representatives shall
8 comply with the international relations protocol
9 policy adopted by the international relations
10 committee of the legislative council.

11 Rule 4

12 Presentation of Messages

13 All messages between the two houses shall be sent

14 by the secretary of the senate or the chief clerk of
15 the house of representatives, and shall be
16 communicated to the presiding officer.
17 Rule 5
18 Printing and Form of Bills
19 and Other Documents
20 Bills and joint resolutions shall be introduced,
21 numbered, prepared, and printed as provided by law, or
22 in the absence of such law, in a manner determined by
23 the secretary of the senate and the chief clerk of the
24 house of representatives. Proposed bills and
25 resolutions which are not introduced but are referred
26 to committee shall be tracked in the legislative
27 computer system as are introduced bills and
28 resolutions. The referral of proposed bills and
29 resolutions to committee shall be entered in the
30 journal.

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1 All bills and joint resolutions introduced shall be
2 in a form and number approved by the secretary of the
3 senate and chief clerk of the house.

4 The legal counsel's office of each house shall
5 approve all bills before introduction.

6 Rule 6
7 Companion Bills

8 Identical bills introduced in each ~~house~~ one or
9 both houses shall be called companion bills. Each
10 house shall designate the sponsor in the usual way
11 followed in parentheses by the sponsor of the any
12 companion bill or bills in the other house. The house
13 where the a companion bill is first introduced shall
14 print the complete text.

15 Rule 7
16 Reprinting of Bills

17 Whenever any bill has been substantially amended by
18 either house, the secretary of the senate or the chief
19 clerk of the house shall order the bill reprinted on
20 paper of a different color. All adopted amendments
21 shall be distinguishable.

22 The secretary of the senate or the chief clerk of
23 the house may order the printing of a reasonable
24 number of additional copies of any bill, resolution,
25 amendment, or journal.

26 Rule 8
27 Daily Clip Sheet

28 The secretary of the senate and the chief clerk of
29 the house shall prepare a daily clip sheet covering
30 all amendments filed.

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1 Rule 9

2 Reintroduction of Bills and Other Measures

3 A bill or resolution which has passed one house and
4 is rejected in the other shall not be introduced again
5 during that general assembly.

6 Rule 10

7 Certification of Bills and Other Enrollments

8 When any bill or resolution which has passed one
9 house is rejected or adopted in the other, notice of
10 such action and the date thereof shall be given to the
11 house of origin in writing signed by the secretary of
12 the senate or the chief clerk of the house.

13 Rule 11

14 Code Editor's Correction Bills

15 A bill recommended by the Code editor which is
16 passed out of committee to the floor for debate by a
17 committee of the house or senate and which contains
18 Code corrections of a nonsubstantive nature shall not
19 be amended on the floor of either house except
20 pursuant to corrective or nonsubstantive amendments
21 filed by the judiciary committee of the senate or the
22 house. Such committee amendments, whether filed at
23 the time of initial committee passage of the bill to
24 the floor for debate or after rereferral to the
25 committee, shall not be incorporated into the bill in
26 the originating house but shall be filed separately.
27 Amendments filed from the floor to strike sections of
28 the bill or the committee amendments shall be in
29 order. Following amendment and passage by the second
30 house, only amendments filed from the floor which

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1 strike sections of the amendment of the second house
2 shall be in order.

3 A bill recommended by the Code editor which is
4 passed out of committee to the floor for debate by a
5 committee of the house or senate and which contains
6 Code corrections beyond those of a nonsubstantive
7 nature shall not be amended on the floor of either
8 house except pursuant to amendments filed by the
9 judiciary committee of the senate or the house. Such
10 committee amendments, whether filed at the time of
11 initial committee passage of the bill to the floor for
12 debate or after rereferral to the committee, shall not
13 be incorporated into the bill in the originating house
14 but shall be filed separately. Such a bill shall be
15 limited to corrections which: Adjust language to
16 reflect current practices, insert earlier omissions,
17 delete redundancies and inaccuracies, delete temporary

18 language, resolve inconsistencies and conflicts,
 19 update ongoing provisions, and remove ambiguities.
 20 Amendments filed from the floor to strike sections of
 21 the bill or the committee amendments shall be in
 22 order. Following amendment and passage by the second
 23 house, only amendments filed from the floor which
 24 strike sections of the amendment of the second house
 25 shall be in order.
 26 It is the intent of the house and the senate that
 27 such bills be passed out of committee to the floor for
 28 debate within the first four weeks of convening of a
 29 legislative session.

30 Rule 12

Page 7

1 Amendments by Other House

2 1. When a bill which originated in one house is
 3 amended in the other house, the house originating the
 4 bill may amend the amendment, concur in full in the
 5 amendment, or refuse to concur in full in the
 6 amendment. Precedence of motions shall be in that
 7 order. The amendment of the other house shall not be
 8 ruled out of order based on a question of germaneness.

9 a. If the house originating the bill concurs in
 10 the amendment, the bill shall then be immediately
 11 placed upon its final passage.

12 b. If the house originating the bill refuses to
 13 concur in the amendment, the bill shall be returned to
 14 the amending house which shall either:

15 (1) Recede, after which the bill shall be read for
 16 the last time and immediately placed upon its final
 17 passage; or

18 (2) Insist, which will send the bill to a
 19 conference committee.

20 c. If the house originating the bill amends the
 21 amendment, that house shall concur in the amendment as
 22 amended and the bill shall be immediately placed on
 23 final passage, and shall be returned to the other
 24 house. The other house cannot further amend the bill.

25 (1) If the amending house which gave second
 26 consideration to the bill concurs in the amendment to
 27 the amendment, the bill shall then be immediately
 28 placed upon its final passage.

29 (2) If the amending house refuses to concur in the
 30 amendment to the amendment, the bill shall be returned

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1 to the house originating the bill which shall either:

2 (a) Recede, after which the bill shall be read for
 3 the last time as amended and immediately placed upon

4 its final passage; or

5 (b) Insist, which will send the bill to a
6 conference committee.

7 2. A motion to recede has precedence over a motion
8 to insist. Failure to recede means to insist; and
9 failure to insist means to recede.

10 3. A motion to lay on the table or to indefinitely
11 postpone shall be out of order with respect to motions
12 to recede from or insist upon and to amendments to
13 bills which have passed both houses.

14 4. A motion to concur, refuse to concur, recede,
15 insist, or adopt a conference committee report is in
16 order even though the subject matter has previously
17 been acted upon.

18 Rule 13

19 Conference Committee

20 1. Within one legislative day after either house
21 insists upon an amendment to a bill, the presiding
22 officer of the house, after consultation with the
23 majority leader, shall appoint three majority party
24 members and, after consultation with the minority
25 leader, shall appoint two minority party members to a
26 conference committee. The majority leader of the
27 senate, after consultation with the president, shall
28 appoint three majority party members and, after
29 consultation with and approval by the minority leader,
30 shall appoint two minority party members to a

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1 conference committee. The papers shall remain with
2 the house that originated the bill.

3 2. The conference committee shall meet before the
4 end of the next legislative day after their
5 appointment, shall select a chair and shall discuss
6 the controversy.

7 3. The authority of the first conference committee
8 shall cover only issues related to provisions of the
9 bill and amendments to the bill which were adopted by
10 either the senate or the house of representatives and
11 on which the senate and house of representatives
12 differed. If a conference committee report is not
13 acted upon because such action would violate this
14 subsection of this rule, the inaction on the report
15 shall constitute refusal to adopt the conference
16 committee report and shall have the same effect as if
17 the conference committee had disagreed.

18 4. An agreement on recommendations must be
19 approved by a majority of the committee members from
20 each house. The committee shall submit two originals
21 of the report signed by a majority of the committee
22 members of each house with one signed original and

23 three copies to be submitted to each house. The
 24 report shall first be acted upon in the house
 25 originating the bill. Such action, including all
 26 papers, shall be immediately referred by the secretary
 27 of the senate or the chief clerk of the house of
 28 representatives to the other house.
 29 5. The report of agreement is debatable, but
 30 cannot be amended. If the report contains recommended

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1 amendments to the bill, adoption of the report shall
 2 automatically adopt all amendments contained therein.
 3 After the report is adopted, there shall be no more
 4 debate, and the bill shall immediately be placed upon
 5 its final passage.
 6 6. Refusal of either house to adopt the conference
 7 committee report has the same effect as if the
 8 committee had disagreed.
 9 7. If the conference committee fails to reach
 10 agreement, a report of such failure signed by a
 11 majority of the committee members of each house shall
 12 be given promptly to each house. The bill shall be
 13 returned to the house that originated the bill, the
 14 members of the committee shall be immediately
 15 discharged, and a new conference committee appointed
 16 in the same manner as the first conference committee.
 17 8. The authority of a second or subsequent
 18 conference committee shall cover free conference
 19 during which the committee has authority to propose
 20 amendments to any portion of a bill provided the
 21 amendment is within the subject matter content of the
 22 bill as passed by the house of origin or as amended by
 23 the second house.

24 Rule 14

25 Enrollment and Authentication of Bills

26 A bill or resolution which has passed both houses
 27 shall be enrolled in the house of origin under the
 28 direction of either the secretary of the senate or the
 29 chief clerk of the house and its house of origin shall
 30 be certified by the endorsement of the secretary of

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1 the senate or the chief clerk of the house.
 2 After enrollment, each bill shall be signed by the
 3 president of the senate and by the speaker of the
 4 house.

5 Rule 15

6 Concerning Other Enrollments

7 All resolutions and other matters which are to be
 8 presented to the governor for approval shall be

9 enrolled, signed, and presented in the same manner as
10 bills.

11 All resolutions and other matters which are not to
12 be presented to the governor or the secretary of state
13 shall be enrolled, signed, and retained permanently by
14 the secretary of the senate or chief clerk of the
15 house.

16 Rule 16

17 Transmission of Bills to the Governor

18 After a bill has been signed in each house, it
19 shall be presented by the house of origin to the
20 governor by either the secretary of the senate or the
21 chief clerk of the house. The secretary or the chief
22 clerk shall report the date of the presentation, which
23 shall be entered upon the journal of the house of
24 origin.

25 Rule 17

26 Fiscal Notes

27 A fiscal note shall be attached to any bill or
28 joint resolution which reasonably could have an annual
29 effect of at least one hundred thousand dollars or a
30 combined total effect within five years after

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1 enactment of five hundred thousand dollars or more on
2 the aggregate revenues, expenditures, or fiscal
3 liability of the state or its subdivisions. This rule
4 does not apply to appropriation and ways and means
5 measures where the total effect is stated in dollar
6 amounts.

7 Each fiscal note shall state in dollars the
8 estimated effect of the bill on the revenues,
9 expenditures, and fiscal liability of the state or its
10 subdivisions during the first five years after
11 enactment. The information shall specifically note
12 the fiscal impact for the first two years following
13 enactment and the anticipated impact for the
14 succeeding three years. The fiscal note shall specify
15 the source of the information. Sources of funds for
16 expenditures under the bill shall be stated, including
17 federal funds. If an accurate estimate cannot be
18 made, the fiscal note shall state the best available
19 estimate or shall state that no dollar estimate can be
20 made and state concisely the reason.

21 The preliminary determination of whether the bill
22 appears to require a fiscal note shall be made by the
23 legal services staff of the legislative services
24 agency. Unless the requestor specifies the request is
25 to be confidential, upon completion of the bill draft,
26 the legal services staff shall immediately send a copy
27 to the fiscal services director for review.

28 When a committee reports a bill to the floor, the
29 committee shall state in the report whether a fiscal
30 note is or is not required.

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1 The fiscal services director or the director's
2 designee shall review all bills placed on the senate
3 or house calendars to determine whether the bills are
4 subject to this rule.

5 Additionally, a legislator may request the
6 preparation of a fiscal note by the fiscal services
7 staff for any bill or joint resolution introduced
8 which reasonably could be subject to this rule.

9 The fiscal services director or the director's
10 designee shall cause to be prepared and shall approve
11 a fiscal note within a reasonable time after receiving
12 a request or determining that a bill is subject to
13 this rule. All fiscal notes approved by the fiscal
14 services director shall be transmitted immediately to
15 the secretary of the senate or the chief clerk of the
16 house, after notifying the sponsor of the bill that a
17 fiscal note has been prepared, for publication in the
18 daily clip sheet. The secretary of the senate or
19 chief clerk of the house shall attach the fiscal note
20 to the bill as soon as it is available.

21 The fiscal services director may request the
22 cooperation of any state department or agency in
23 preparing a fiscal note.

24 A revised fiscal note may be requested by a
25 legislator if the fiscal effect of the bill has been
26 changed by adoption of an amendment. However, a
27 request for a revised fiscal note shall not delay
28 action on a bill, unless so ordered by the presiding
29 officer of the house in which the bill is under
30 consideration.

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1 If a date for adjournment has been set, then a
2 constitutional majority of the house in which the bill
3 is under consideration may waive the fiscal note
4 requirement during the three days prior to the date
5 set for adjournment.

6 Rule 18

7 Legislative Interns

8 Legislators may arrange student internships during
9 the legislative session with Iowa college, university,
10 or law school students, for which the students may
11 receive college credit at the discretion of their
12 schools. Each legislator is allowed only one intern
13 at a time per legislative session, and all interns

14 must be registered with the offices of the secretary
15 of the senate and the chief clerk of the house.
16 The purpose of the legislative intern program shall
17 be: to provide useful staff services to legislators
18 not otherwise provided by the general assembly; to
19 give interested college, graduate, and law school
20 students practical experience in the legislative
21 process as well as providing a meaningful educational
22 experience; and to enrich the curriculum of
23 participating colleges and universities.
24 The secretary of the senate and the chief clerk of
25 the house or their designees shall have the following
26 responsibilities as regards the legislative intern
27 program:
28 1. Identify a supervising faculty member at each
29 participating institution who shall be responsible for
30 authorizing students to participate in the intern

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1 program.
2 2. Provide legislators with a list of
3 participating institutions and the names of
4 supervising professors to contact if interested in
5 arranging for an intern.
6 3. Provide interns with name badges which will
7 allow them access to the floor of either house when
8 required to be present by the legislators for whom
9 they work.
10 4. Provide orientation materials to interns prior
11 to the convening of each session.

Rule 19

13 Administrative Rules Review Committee Bills
14 and Rule Referrals
15 A bill which relates to departmental rules and
16 which is approved by the administrative rules review
17 committee by a majority of the committee's members of
18 each house is eligible for introduction in either
19 house at any time and must be referred to a standing
20 committee, which must take action on the bill within
21 three weeks of referral, except bills referred to
22 appropriations and ways and means committees.
23 If, on or after July 1, 1999, the administrative
24 rules review committee delays the effective date of a
25 rule until the adjournment of the next regular session
26 of the general assembly and the speaker of the house
27 or the president of the senate refers the rule to a
28 standing committee, the standing committee shall
29 review the rule within twenty-one days of the referral
30 and shall take formal committee action by sponsoring a

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1 joint resolution to disapprove the rule, by proposing
2 legislation relating to the rule, or by refusing to
3 propose a joint resolution or legislation concerning
4 the rule. The standing committee shall inform the
5 administrative rules review committee of the committee
6 action taken concerning the rule.

7 Rule 20

8 Time of Committee Passage and Consideration of Bills

9 1. This rule does not apply to concurrent or
10 simple resolutions, joint resolutions nullifying
11 administrative rules, senate confirmations, or bills
12 passed by both houses in different forms. Subsection
13 2 of this rule does not apply to appropriations bills,
14 ways and means bills, government oversight bills,
15 legalizing acts, administrative rules review committee
16 bills, bills sponsored by standing committees in
17 response to a referral from the president of the
18 senate or the speaker of the house of representatives
19 relating to an administrative rule whose effective
20 date has been delayed until the adjournment of the
21 next regular session of the general assembly by the
22 administrative rules review committee, bills
23 cosponsored by majority and minority floor leaders of
24 one house, bills in conference committee, and
25 companion bills sponsored by the majority floor
26 leaders of both houses after consultation with the
27 respective minority floor leaders. For the purposes
28 of this rule, a joint resolution is considered as a
29 bill. To be considered an appropriations, ways and
30 means, or government oversight bill for the purposes

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1 of this rule, the appropriations committee, the ways
2 and means committee, or the government oversight
3 committee must either be the sponsor of the bill or
4 the committee of first referral in the originating
5 house.

6 2. To be placed on the calendar in the house of
7 origin, a bill must be first reported out of a
8 standing committee by Friday of the 9th week of the
9 first session and the 8th week of the second session.
10 To be placed on the calendar in the other house, a
11 bill must be first reported out of a standing
12 committee by Friday of the 13th week of the first
13 session and the 11th week of the second session.

14 3. During the 11th week of the first session and
15 the 9th week of the second session, each house shall
16 consider only bills originating in that house and
17 unfinished business. During the 14th week of the

18 first session and the 12th week of the second session,
19 each house shall consider only bills originating in
20 the other house and unfinished business. Beginning
21 with the 15th week of the first session and the 13th
22 week of the second session, each house shall consider
23 only bills passed by both houses, bills exempt from
24 subsection 2, and unfinished business.

25 4. A motion to reconsider filed and not disposed
26 of on an action taken on a bill or resolution which is
27 subject to a deadline under this rule may be called up
28 at any time before or after the day of the deadline by
29 the person filing the motion or after the deadline by
30 the majority floor leader, notwithstanding any other

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1 rule to the contrary.

2 Rule 21

3 Resolutions

4 1. A "concurrent resolution" is a resolution to be
5 adopted by both houses of the general assembly which
6 expresses the sentiment of the general assembly or
7 deals with temporary legislative matters. It may
8 authorize the expenditure, for any legislative
9 purpose, of funds appropriated to the general
10 assembly. A concurrent resolution is not limited to,
11 but may provide for a joint convention of the general
12 assembly, adjournment or recess of the general
13 assembly, or requests to a state agency or to the
14 general assembly or a committee. A concurrent
15 resolution requires the affirmative vote of a majority
16 of the senators or representatives present and voting
17 unless otherwise specified by statute. A concurrent
18 resolution does not require the governor's approval
19 unless otherwise specified by statute. A concurrent
20 resolution shall be filed with the secretary of the
21 senate or the chief clerk of the house. A concurrent
22 resolution shall be printed in the bound journal after
23 its adoption.

24 2. A "joint resolution" is a resolution which
25 requires for approval the affirmative vote of a
26 constitutional majority of each house of the general
27 assembly. A joint resolution which appropriates funds
28 or enacts temporary laws must contain the clause "Be
29 It Enacted by the General Assembly of the State of
30 Iowa.", is equivalent to a bill, and must be

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1 transmitted to the governor for his approval. A joint
2 resolution which proposes amendments to the
3 Constitution of the State of Iowa, ratifies amendments

4 to the Constitution of the United States, proposes a
5 request to Congress or an agency of the government of
6 the United States of America, proposes to Congress an
7 amendment to the Constitution of the United States of
8 America, nullifies an administrative rule, or creates
9 a special commission or committee must contain the
10 clause "Be It Resolved by the General Assembly of the
11 State of Iowa:" and shall not be transmitted to the
12 governor. A joint resolution shall not amend a
13 statute in the Code of Iowa.

14 Rule 22

15 Nullification Resolutions

16 A "nullification resolution" is a joint resolution
17 which nullifies all of an administrative rule, or a
18 severable item of an administrative rule adopted
19 pursuant to chapter 17A of the Code. A nullification
20 resolution shall not amend an administrative rule by
21 adding language or by inserting new language in lieu
22 of existing language.

23 A nullification resolution is debatable, but cannot
24 be amended on the floor of the house or senate. The
25 effective date of a nullification resolution shall be
26 stated in the resolution. Any motions filed to
27 reconsider adoption of a nullification resolution must
28 be disposed of within one legislative day of the
29 filing.

30 Rule 23

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1 Consideration of Vetoes

2 1. The senate and house calendar shall include a
3 list known as the "Veto Calendar." The veto calendar
4 shall consist of:

5 a. Bills returned to that house by the governor in
6 accordance with Article III, section 16 of the
7 Constitution of the State of Iowa.

8 b. Appropriations items returned to that house by
9 the governor in accordance with Article III, section
10 16 of the Constitution of the State of Iowa.

11 c. Bills and appropriations items received from
12 the other house after that house has voted to override
13 a veto of them by the governor.

14 2. Vetoed bills and appropriations items shall
15 automatically be placed on the veto calendar upon
16 receipt. Vetoed bills and appropriations items shall
17 not be referred to committee.

18 3. Upon first publication in the veto calendar,
19 the senate majority leader or the house majority
20 leader may call up a vetoed bill or appropriations
21 item at any time.

22 4. The affirmative vote of two-thirds of the

23 members of the body by record roll call is required on
24 a motion to override an executive veto or item veto.
25 5. A motion to override an executive veto or item
26 veto is debatable. A vetoed bill or appropriation
27 item cannot be amended in this case.
28 6. The vote by which a motion to override an
29 executive veto or item veto passes or fails to pass
30 either house is not subject to reconsideration under

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1 senate rule 24 or house rule 73.
2 7. The secretary of the senate or the chief clerk
3 of the house shall immediately notify the other house
4 of the adoption or rejection of a motion to override
5 an executive veto or item veto.
6 8. All bills and appropriations items on the veto
7 calendar shall be disposed of before adjournment sine
8 die, unless the house having a bill or appropriation
9 item before it declines to do so by unanimous consent.
10 9. Bills and appropriations items on the veto
11 calendar are exempt from deadlines imposed by joint
12 rule 20.

The motion prevailed and the resolution was adopted.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **Senate Concurrent Resolution 3** be immediately messaged to the Senate.

On motion by McCarthy of Polk, the House was recessed at 10:00 a.m., until 4:00 p.m.

AFTERNOON SESSION

The House reconvened at 4:17 p.m., Speaker Murphy in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on January 24, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 1, a bill for an act relating to the state minimum hourly wage requirements and providing an effective date.

Also: That the Senate has on January 24, 2007, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 5, a concurrent resolution for a joint convention to be held on Tuesday, January 30, 2007, at 10:00 a.m. for Governor Chester J. Culver to deliver his budget message.

MICHAEL E. MARSHALL, Secretary

The House stood at ease at 4:17 p.m., until the fall of the gavel.

The House resumed session at 4:48 p.m., Speaker Murphy in the chair.

HOUSE FILE 87 REREFERRED

The Speaker announced that House File 87, previously referred to committee on **public safety** was rereferred to committee on **transportation**.

HOUSE FILE 88 REREFERRED

The Speaker announced that House File 88, previously referred to committee on **public safety** was rereferred to committee on **transportation**.

HOUSE FILE 89 REREFERRED

The Speaker announced that House File 89, previously referred to committee on **public safety** was rereferred to committee on **transportation**.

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bill has been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 25th day of January, 2007: House File 1.

MARK W. BRANDSGARD
Chief Clerk of the House

Report adopted.

COMMUNICATIONS RECEIVED

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

DEPARTMENT OF MANAGEMENT

Report of the County Real Estate Electronic Government Advisory Committee, pursuant to Chapter 543B, Code of Iowa.

DEPARTMENT OF TRANSPORTATION

Report regarding flexible fuel vehicles, pursuant to Chapter 452, Code of Iowa.

Report on current revenue levels of the Road Use Tax Fund, pursuant to Chapter 312, Code of Iowa.

IOWA ARTS COUNCIL

Report on the Status of Out-of-School Arts Programming for Youth, pursuant to Chapter 303, Code of Iowa.

LEGISLATIVE SERVICES AGENCY

Committee report relating to costs of liability (malpractice) insurance for health care providers, pursuant to Chapter 515, Code of Iowa.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- | | |
|----------|---|
| 2007\201 | Helen Buchheit, Independence – For her construction and donation of lap robes to children and veterans. |
| 2007\202 | James and Merry Jo Brooks, Knoxville – For celebrating their 60 th wedding anniversary. |
| 2007\203 | Charles and Betty Smith, Larchwood – For celebrating their 50 th wedding anniversary. |
| 2007\204 | Robert and Eunice Lee, Hiawatha – For celebrating their 50 th wedding anniversary. |

SUBCOMMITTEE ASSIGNMENTS

House File 45

Education: Bukta, Chair; Palmer and Tymeson.

House File 47

Education: Heddens, Chair; Gayman and Kaufmann.

House File 51

Education: Cohoon, Chair; Foege and Forristall.

House File 73

Natural Resources: Shomshor, Chair; T. Taylor and Upmeyer.

House File 74

Natural Resources: Reichert, Chair; Mertz and Rasmussen.

House File 79

Judiciary: Oldson, Chair; Boal and Mertz.

House File 83

Judiciary: Palmer, Chair; Horbach and Oldson.

House File 84

Judiciary: Mertz, Chair; Huser and Jacobs.

House File 93

Judiciary: R. Olson, Chair; Heaton and Schueller.

House File 98

Environmental Protection: Frevert, Chair; Drake, Greiner, Kuhn, H. Miller, D. Olson and S. Olson.

House File 111

Environmental Protection: Kressig, Chair; Gaskill and Sands.

House File 113

Natural Resources: Whitaker, Chair; Bailey and Van Engelenhoven.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS**House Study Bill 38**

State Government: Pettengill, Chair; Jacobs, Jochum, Lensing and Roberts.

House Study Bill 41

State Government: Quirk, Chair; Greiner, Jacoby, Jochum, Raecker, Roberts and Shomshor.

House Study Bill 42

State Government: T. Taylor, Chair; Boal, Drake, Gipp, Jochum, Pettengill and Wendt.

House Study Bill 43

State Government: Lensing, Chair; Abdul-Samad, Jacobs, Jacoby, L. Miller, Roberts and Whitead.

House Study Bill 44

State Government: Gaskill, Chair; Abdul-Samad, Gipp, Jacobs and T. Taylor.

House Study Bill 46

State Government: Wessel-Kroeschell, Chair; Abdul-Samad, Gipp, Jacobs and T. Taylor.

House Study Bill 47

State Government: Jochum, Chair; Abdul-Samad and Gipp.

House Study Bill 52

Labor: Abdul-Samad, Chair; Hunter and Tymeson.

House Study Bill 53

Labor: Hunter, Chair; Palmer and Watts.

House Study Bill 62

Judiciary: Palmer, Chair; Struyk and Wessel-Kroeschell.

House Study Bill 63

Judiciary: Winckler, Chair; Horbach and Wessel-Kroeschell.

House Study Bill 64

Judiciary: Palmer, Chair; Heaton and Mertz.

House Study Bill 65

Judiciary: Wessel-Kroeschell, Chair; Heaton and Lensing.

House Study Bill 66

Labor: Hunter, Chair; Palmer and Van Engelenhoven.

House Study Bill 67

Labor: Mascher, Chair; Chambers and Winckler.

House Study Bill 68

Labor; T. Taylor, Chair; Abdul-Samad and Grassley.

House Study Bill 69

Education: Staed, Chair; May and Winckler.

House Study Bill 70

Labor: R. Olson, Chair; Abdul-Samad and Horbach.

House Study Bill 71

Judiciary: R. Olson, Chair; Struyk and Winckler.

House Study Bill 72

Judiciary: Huser, Chair; R. Olson and Tomenga.

House Study Bill 73

Judiciary: Palmer, Chair; Jacobs and Wessel-Kroeschell.

House Study Bill 74

Judiciary: Mertz, Chair; Baudler and Schueller.

House Study Bill 75

Judiciary: R. Olson, Chair; Baudler and Smith.

House Study Bill 76

Judiciary: Schueller, Chair; Boal and Lensing.

House Study Bill 78

Local Government: Kelley, Chair; Schueller and Van Engelenhoven.

House Study Bill 79

Public Safety: Berry, Chair; Gayman and S. Olson.

House Study Bill 80

Local Government: Schueller, Chair; Gaskill and Van Engelenhoven.

House Study Bill 81

Environment Protection: Kressig, Chair; Gaskill and Sands.

House Study Bill 82

Environmental Protection: Smith, Chair; H. Miller and Watts.

House Study Bill 83

Environment Protection: Frevert, Chair; Drake, Greiner, Kuhn, H. Miller, D. Olson and S. Olson.

House Study Bill 84

Environment Protection: Frevert, Chair; Drake, Greiner, Kuhn, H. Miller, D. Olson and S. Olson.

House Study Bill 85

Environmental Protection: Frevert, Chair; Drake, Greiner, Kuhn, H. Miller, D. Olson and S. Olson.

House Study Bill 86

Environmental Protection: Kressig, Chair; De Boef and R. Olson.

House Study Bill 87

Education: Mascher, Chair; Palmer and Tymeson.

House Study Bill 88

Education: Wendt, Chair; Abdul-Samad and Kaufmann.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 89 Local Government

Relating to local regulation of smoking.

H.S.B. 90 Veterans Affairs

Relating to the exemption from the state individual income tax of military pay received by members of the armed forces, armed forces military reserve, and national guard and including a retroactive applicability date provision.

H.S.B. 91 Commerce

Establishing the Iowa propane education and research council, providing for the development of programs and projects related to propane, providing for an assessment on the sale of odorized propane, and providing criminal penalties.

H.S.B. 92 Commerce

Establishing an energy utility assessment and resolution program for certain persons with low incomes who have or need a deferred payment agreement to address home energy utility costs and making an appropriation.

COMMITTEE RECOMMENDATION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON EDUCATION

Committee Bill (Formerly House Study Bill 12), relating to the establishment of state and school antiharassment or antibullying policies, providing data collection and reporting requirements, and providing for immunity and other related matters.

Fiscal Note is not required.

Recommended **Amend and Do Pass** January 24, 2007.

On motion by McCarthy of Polk the House adjourned at 4:48 p.m., until 9:00 a.m., Friday, January 26, 2007.

JOURNAL OF THE HOUSE

Nineteenth Calendar Day - Fourteenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, January 26, 2007

The House met pursuant to adjournment at 9:11 a.m., Speaker Murphy in the chair.

Prayer was offered by Byron Martin from Pleasant Hill. He was the guest of Speaker Murphy.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Murphy.

The Journal of Thursday, January 25, 2007 was approved.

INTRODUCTION OF BILLS

House File 128, by Heddens, Swaim, Berry and Kuhn, a bill for an act relating to pesticide application within schools, and on school grounds, athletic fields, and playgrounds, and providing an effective date.

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

House File 129, by Lukan, a bill for an act to require proof of financial liability coverage upon registration of a motor vehicle and providing penalties.

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

House File 130, by Van Fossen, a bill for an act relating to the increase in the amount of historic preservation and cultural and entertainment district tax credits authorized for approval for a fiscal year and including effective and applicability date provisions.

Read first time and referred to committee on **ways and means**.

House File 131, by Van Fossen, a bill for an act relating to property taxation and local budgets by imposing requirements on those cities, counties, townships, and other property tax certifying boards that seek to increase the amount of property taxes certified for levy, requiring funding of real property-related services, changing the number of signatures necessary to protest an adopted county budget, requiring a transition for the imposition of city taxes against annexed property, abolishing county compensation boards, tying together the assessment limitations of certain classes of property, and including effective and retroactive and other applicability date provisions.

Read first time and referred to committee on **ways and means**.

House File 132, by Struyk, Forristall, Upmeyer, Hoffman, Lukan, Van Fossen, Soderberg, Clute, Greiner and Roberts, a bill for an act providing for the establishment by certain cities of sales tax increment financing districts.

Read first time and referred to committee on **local government**.

House File 133, by May, Windschitl, Huseman, L. Miller, S. Olson, Forristall, Baudler, Tymeson, Rasmussen, Worthan, Upmeyer, Berry, Granzow, Watts, Chambers, De Boef, Heaton, Tjepkes, Jacobs, Wiencek and Anderson, a bill for an act exempting from the individual income tax federal retirement pay received for military service and including a retroactive applicability date provision.

Read first time and referred to committee on **veterans affairs**.

House File 134, by Pettengill, Whitaker, Dandekar, Berry, Swaim, Kuhn and Schueller, a bill for an act relating to the military service tax exemption and credit and including an applicability date provision.

Read first time and referred to committee on **veterans affairs**.

House File 135, by Reichert, a bill for an act excluding from the individual income tax the pay of members of the armed forces, armed forces military reserve, and national guard for service on active duty and including a retroactive applicability date provision.

Read first time and referred to committee on **veterans affairs**.

House File 136, by Struyk, Huser, R. Olson, Tomenga and Mertz, a bill for an act enhancing the penalty for a simple misdemeanor assault against a sports official.

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

House File 137, by Struyk, Huser and Mertz, a bill for an act relating to the review of administrative rules by standing committees of the general assembly.

Read first time and referred to committee on **state government**.

House File 138, by Van Fossen, a bill for an act modifying allocations and apportionments of road use tax funds.

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

House File 139, by Kaufmann, a bill for an act relating to the personal needs allowance for Medicaid recipients.

Read first time and referred to committee on **human resources**.

House File 140, by Baudler, a bill for an act relating to the awarding of bonuses to appointed state officers and state employees, employees of entities created for the joint exercise of governmental powers, and employees of entities receiving government funds pursuant to a service contract with the state, and providing an effective date.

Read first time and referred to committee on **state government**.

House File 141, by D. Olson, a bill for an act relating to certain lobbying activities by employees of the general assembly.

Read first time and referred to committee on **state government**.

House File 142, by Sands, Rayhons, Windschitl, Drake, Kaufmann, Alons, Tymeson, Boal, Soderberg, Paulsen, Deyoe and Huseman, a bill for an act relating to the state school foundation

program by increasing the regular program foundation base, and providing an effective date.

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

House File 143, by May, Kaufmann, Windschitl, L. Miller, Worthan, Alons, Raecker, Jacobs, Upmeyer, Granzow, Boal, Chambers, De Boef, Drake, Rayhons, Grassley, Soderberg, Clute, Hoffman, Roberts and Anderson, a bill for an act providing for a .08 blood alcohol limit for motorboat or sailboat operating while intoxicated offenses.

Read first time and referred to committee on **natural resources**.

House File 144, by Tymeson, a bill for an act relating to county attorney representation of township trustees.

Read first time and referred to committee on **local government**.

House File 145, by Tymeson, a bill for an act relating to the suspension of students who commit assault.

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

House File 146, by Smith, a bill for an act providing for establishment of a mental health professional shortage area program and providing an appropriation.

Read first time and referred to committee on **human resources**.

House File 147, by Swaim and Arnold, a bill for an act relating to councils of governments by making technical changes and by designating a new council of governments area.

Read first time and referred to committee on **state government**.

House File 148, by May, a bill for an act providing for a minimum separation distance between a motorboat meeting or passing a slow moving or nonmoving boat and providing a penalty.

Read first time and referred to committee on **natural resources**.

House File 149, by committee on education, a bill for an act relating to the establishment of state and school antiharassment and antibullying policies, providing data collection and reporting requirements, and providing for immunity and other related matters.

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

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on January 25, 2007, he approved and transmitted to the Secretary of State the following bill:

House File 1, an Act relating to the state minimum hourly wage requirements and providing an effective date.

CERTIFICATE OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that a certificate of recognition has been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

2007\205 Elsie Klaas, Marshalltown — For celebrating her 95th birthday.

SUBCOMMITTEE ASSIGNMENTS

House File 122

Human Resources: Wessel-Kroeschell, Chair; Heaton and Palmer.

House File 126

Human Resources: Smith, Chair; Ford and Granzow.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

House Study Bill 21

Human Resources: Mascher, Chair; Ford and Granzow.

On motion by Pettengill of Benton the House adjourned at 9:17 a.m., until 1:00 p.m., Monday, January 29, 2007.

JOURNAL OF THE HOUSE

Twenty-second Calendar Day - Fifteenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, January 29, 2007

The House met pursuant to adjournment at 2:03 p.m., Speaker pro tempore Bukta in the chair.

Prayer was offered by Reverend Leila Blackburn, pastor of the Griswold United Methodist Church, Griswold. She was the guest of Representative Jack Drake of Pottawattamie County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Cub Scout Pack 391, Den 1 from Toledo, accompanied by troop leaders Kathy Robbins and Matt Anderson. They were the guests of Representative Lance Horbach of Tama County.

The Journal of Friday, January 26, 2007 was approved.

INTRODUCTION OF BILLS

House File 150, by Kaufmann, a bill for an act relating to the regulation of electric scooters by cities and providing a penalty.

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

House File 151, by Jochum, a bill for an act relating to the establishment of stormwater treatment demonstration projects.

Read first time and referred to committee on **environmental protection**.

SPECIAL PRESENTATION

Jochum of Dubuque introduced to the House, Berkley Bedell the honorable former congressman from the 6th congressional district. The Honorable Ed Fallon, former representative from Polk County was also introduced.

The House rose and expressed its welcome.

RULE 57 SUSPENDED

McCarthy of Polk asked and received unanimous consent to suspend Rule 57, relating to committee notice and agenda, for a meeting with the committee on transportation today.

McCarthy of Polk asked and received unanimous consent for the immediate consideration of House Resolution 7.

ADOPTION OF HOUSE RESOLUTION 7

Gipp of Winneshiek called up for consideration **House Resolution 7**, a resolution to commemorate the twentieth anniversary of the World Food Prize, and moved its adoption.

The motion prevailed and the resolution was adopted.

SPECIAL PRESENTATION

Ambassador Kenneth Quinn, Ambassador and President of the World Food Prize presented an award thanking the Iowa House for its support of the World Food Prize.

The House rose and expressed its welcome.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- | | |
|----------|--|
| 2007\206 | Nick Glynn, Dubuque – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America. |
| 2007\207 | Nick Sisler, Dubuque – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America. |

- 2007\208 Nate Fogel, Dubuque – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\209 Josh Lau, Dubuque – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\210 Frank and Shella Kobza, Dubuque – For celebrating their 50th wedding anniversary.
- 2007\211 Steven Digman, Dubuque – For his selection in the National Honor Society of High School Scholars.
- 2007\212 Tim Williams, Dubuque Hempstead High School, Dubuque – For winning 1st place, Top Honors in the Worldwide High School Mathematical Modeling Contest.
- 2007\213 Chase Liaboe, Dubuque Hempstead High School, Dubuque – For winning 1st place, Top Honors in the Worldwide High School Mathematical Modeling Contest.
- 2007\214 Claire Funke, Dubuque Hempstead High School, Dubuque – For winning 1st place, Top Honors in the Worldwide High School Mathematical Modeling Contest.
- 2007\215 Sarah Longfield, Dubuque Hempstead High School, Dubuque – For winning 1st place, Top Honors in the Worldwide High School Mathematical Modeling Contest.
- 2007\216 Zack Kimber, Waukon – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\217 Irene Bolton, Sioux City – For celebrating her 80th birthday.
- 2007\218 Ethel Severs, Sioux City – For celebrating her 92nd birthday.
- 2007\219 Kenwood Cleveland, Sioux City – For celebrating his 90th birthday.
- 2007\220 Beatrice “Arlene” Voelkers, Wilton – For celebrating her 80th birthday.
- 2007\221 Gerald Valet, Muscatine – For celebrating his 90th birthday.
- 2007\222 Ron and Marilyn Ballenger, Moscow – For celebrating their 50th wedding anniversary.
- 2007\223 Donna Birkhofer, Wilton – For celebrating her 80th birthday.
- 2007\224 Pete and Gladys Schut, Sioux Center – For celebrating their 60th wedding anniversary.

SUBCOMMITTEE ASSIGNMENTS

House File 58

Transportation: Lykam, Chair; Huseman and Mertz.

House File 87

Transportation: Swaim, Chair; Gipp and Reasoner.

House File 88

Transportation: Swaim, Chair; Gipp and Reasoner.

House File 89

Transportation: Swaim, Chair; Gipp and Reasoner.

House File 139

Human Resources: Wessel-Kroeschell, Chair; Palmer and Soderberg.

House File 146

Human Resources: Smith, Chair; L. Miller and Wessel-Kroeschell.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 8

Transportation: Huser, Chair; Arnold, Cohoon, Dandekar and Worthan.

House Study Bill 23

Human Resources: Palmer, Chair; Heaton and Smith.

House Study Bill 25

Human Resources: Abdul-Samad, Chair; Hunter and Soderberg.

House Study Bill 27

Human Resources: Abdul-Samad, Chair; Hunter and Soderberg.

House Study Bill 58

Commerce: Shomshor, Chair; Bailey and Lukan.

House Study Bill 59

Commerce: Kressig, Chair; Berry and Clute.

House Study Bill 60

Commerce: Jacoby, Chair; Kelley, Kressig, Quirk, Sands and Van Fossen.

House Study Bill 61

Commerce: Shomshor, Chair; Bailey and Lukan.

House Study Bill 77

Commerce: Jacoby, Chair; Clute, Jacobs, Kelley, Kressig, Quirk and Struyk.

House Study Bill 89

Local Government: Thomas, Chair; Clute, Kelley, Tjepkes and Whitead.

House Study Bill 91

Commerce: Reichert, Chair; Petersen, Soderberg, Struyk and D. Taylor.

House Study Bill 92

Commerce: Reichert, Chair; Hoffman, Petersen, D. Taylor and Van Fossen.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS**H.S.B. 93 Human Resources**

Relating to the regulation of hospitals and health care facilities by the department of inspections and appeals, including investigations of complaints against health care facilities and rules relating to authentication of certain orders by practitioners, and providing an immediate effective date.

H.S.B. 94 Judiciary

Relating to communications made in professional confidence concerning health care and health care records and providing for fees.

H.S.B. 95 Judiciary

Relating to a parent's cause of action for the recovery of expenses and actual loss of services, companionship, and society resulting from the injury to or death of a child.

H.S.B. 96 Judiciary

Relating to the consideration of inherited or gifted property in dissolution-of-marriage property division proceedings.

H.S.B. 97 Labor

Relating to registration of construction contractors.

H.S.B. 98 Labor

Relating to proceedings to reopen an award or agreement for settlement of workers' compensation benefits.

H.S.B. 99 Labor

Concerning successive disabilities and successor employers for purposes of workers' compensation laws.

H.S.B. 100 Labor

Requiring additional workers' compensation payments for scheduled injuries that result in a reduction in the injured employee's earning capacity.

H.S.B. 101 State Government

Providing a credit for a buyback of service under the Iowa public employees' retirement system and including an implementation provision.

H.S.B. 102 Education

Relating to the use of moneys in the Iowa cultural trust grant account by the board of trustees of the Iowa cultural trust.

H.S.B. 103 State Government

Relating to the licensing and inspection of hotels, home food establishments, and food establishments and processing plants, providing and increasing fees, making penalties applicable, making an appropriation, and providing an effective date.

H.S.B. 104 Ways and Means

Relating to changes in the utilities replacement tax law by redefining a new electric power generating plant, extending the life of the utility replacement tax task force, and requiring notification by the taxpayer to the department of revenue and local taxing district upon transfer of utility property.

H.S.B. 105 State Government

Relating to campaign finance by requiring electronic filing of certain reports and by establishing an Iowa voter-owned clean elections Act, providing for funding of the Act, including an income tax checkoff and a sales tax imposed on political advertising, and providing an income tax exemption, penalties, and an effective date.

H.S.B. 106 Ways and Means

Relating to the policy and technical administration of the tax and related laws by the department of revenue, including administration of income, sales, use, cigarette, and tobacco taxes.

H.S.B. 107 Ways and Means

Updating the Code references to the Internal Revenue Code and including effective date and retroactive applicability provisions.

H.S.B. 108 State Government

Repealing the Iowa English language reaffirmation Act and rules of construction for English language laws.

H.S.B. 109 State Government

Relating to the regulation of pharmacy benefits managers and providing penalties.

On motion by McCarthy of Polk the House adjourned at 2:20 p.m., until 9:00 a.m., January 30, 2007.

JOURNAL OF THE HOUSE

Twenty-third Calendar Day - Sixteenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, January 30, 2007

The House met pursuant to adjournment at 9:07 a.m., Speaker Murphy in the chair.

Prayer was offered by Reverend Pat Nemmars, pastor of the Saylorville Baptist Church, Saylorville. He was the guest of Representative Mike May of Dickinson County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Alexandra Elgersma, House Page from Sioux Center.

The Journal of Monday, January 29, 2007 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

De Boef of Keokuk on request of Rants of Woodbury.

The House stood at ease at 9:12 a.m., until the fall of the gavel.

The House resumed session at 9:30 a.m., Speaker Murphy in the chair.

COMMITTEE TO NOTIFY THE SENATE

Reichert of Muscatine moved that a committee of three be appointed to notify the Senate that the House was ready to receive it in joint convention.

The motion prevailed and the Speaker appointed as such committee the following: Reichert of Muscatine, chair, Pettengill of Benton and Clute of Polk.

The House stood at ease at 9:31 a.m., until the fall of the gavel.

The House resumed session at 9:42 a.m., Speaker Murphy in the chair.

REPORT OF THE COMMITTEE TO NOTIFY THE SENATE

Reichert of Muscatine, chair of the committee to notify the Senate that the House was ready to receive it in joint convention, reported that it had performed its duty.

The report was accepted and the committee discharged.

JOINT CONVENTION

In accordance with law and House Concurrent Resolution 5, duly adopted, the joint convention was called to order, President Kibbie presiding.

Senator Gronstal of Pottawattamie moved that the roll call be dispensed with and that the President of the joint convention be authorized to declare a quorum present.

The motion prevailed.

President Kibbie announced a quorum present and the joint convention duly organized.

Gronstal of Pottawattamie moved that a committee of twelve, consisting of six members from the Senate and six members from the House of Representatives be appointed to escort Governor Culver into the House chamber.

The motion prevailed and the President appointed as such committee Senators Dearden of Polk, Olive of Story, Appel of Warren, Putney of Tama, Ward of Polk and Johnson of Osceola on the part of the Senate, and Shomshor of Pottawattamie, Frevort of Palo Alto, Abdul-Samad of Polk, Alons of Sioux, Jacobs of Polk and Raecker of Polk on the part of the House.

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

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

Lieutenant Governor Patty Judge and her husband former Senator John Judge was escorted into the House chamber.

The committee waited upon Governor Chester J. Culver and escorted him to the Speaker's station.

President Kibbie then presented Governor Chester J. Culver who delivered the following condition of the state address:

Good morning. President Kibbie, Speaker Murphy, leaders Gronstal, McCarthy, Lundy and Rants, and members of the 82nd General Assembly. [others, statewide elected officials and judges]

Welcome Lieutenant Governor Judge.

I want to thank you for the opportunity to address this joint legislative session. It's an honor and a privilege. I would like to start by congratulating you on the progress you have already made.

An increase in the minimum wage was an Iowa priority. You acted quickly and decisively, approving an increase from \$5.15 to \$7.25 per hour.

Better wages will mean significant changes in the lives of nearly 260,000 Iowans and their families. I am very proud of the fact that the first bill I signed as Governor was House File 1, to increase the minimum wage.

I am so proud that not a single leader, majority or minority, voted against this bill. This bipartisan effort is an example of what's possible when we work together.

However, the minimum wage is just the start. We have a lot of work to do. As I said in my inaugural address, this is our time. It's time for us to lead Iowa forward and fulfill our state's unlimited potential.

I also talked about a new 21st Century Iowa expedition, one on which we will be judged – whether or not we meet the challenges related to renewable energy, the environment, workforce development and job creation, educational excellence, health care, quality of life, and most importantly, balancing the budget.

Today we begin this difficult challenge. We need to find common ground, and agree upon a budget that benefits all Iowans. Through this process we must remember, we have an historic opportunity to create One Iowa.

Let us continue to lock arms and work for the common good, just like we did with the minimum wage.

As we set out on this expedition and look at Iowa's economic and fiscal picture, there is some pretty good news.

Fortunately, we have an expanding economy and enjoy a modest budget surplus. General fund receipts, personal income tax, sales tax receipts are all up.

Our median household income is higher than the national average, and our unemployment rate is lower than the national average.

In addition, statewide land values and commodity prices are at all-time highs, and our state's export of value-added agricultural and manufacturing goods has steadily increased.

This strong economic growth fortunately means state revenues are coming in at a rate higher than anticipated. We also enjoy a growing bioeconomy that holds promise, and makes us a real player in the new global marketplace.

While this solid financial outlook should reinforce the belief that our future is unlimited, we all must realize that state revenues are always limited. We can do virtually anything we put our minds to – we just can't do everything we might want to.

So, because of these inherent revenue limitations, I believe we must always be guided by five responsible budgeting practices.

First, Iowa common sense is our best guide to budgeting. Simply put, we can't spend more than we take in. We are expected to balance our checkbook and put money into savings the same way Iowans do.

Second, we must respect state law regarding our reserves. These include the cash reserve fund, and the economic emergency fund.

Third, we need to be guided by the actual numbers. They don't lie. Smoke and mirrors, games and gimmicks, just don't work.

Fourth, we must always realize we can't possibly fund all of the budget requests made of us. Difficult and painful decisions are required.

Fifth, we must never be satisfied with our state's fiscal condition. There is always room for improvement. Our state's bond rating does matter. While we have done well to receive a Double-A rating, we should always strive for excellence. Why can't we work toward a Triple-A bond rating? Why not become the best-managed state in the nation? I believe we should do all we can to leave this state in better financial condition than we found it.

Well, I have applied these five important budgeting practices in the document that is being presented here today. Now, I challenge each of you to do the same.

As a result, the state's fiscal health will be preserved, our reserves and surplus will be protected, and we will meet the needs of our people.

Here's what this budget will allow us to do:

Most importantly, it will maintain a year-end balance of nearly \$200 million. This will allow us to be prepared for any unforeseen and unanticipated needs.

After setting aside reserves, the most important priorities remaining are in: energy, education and health care. This budget meets those challenges too.

Remember, this is our time. It's time for us to take control of our energy future. It's time to win the race to become the energy capital of the world. It's time for Iowa to break free from our dependence on foreign oil.

It's time for Iowa to become the Silicon Valley of the Midwest. It's time to create the jobs of the future that will keep your children and my children here at home, where they belong.

To meet the energy challenge I am proposing the creation of a \$100 million Iowa Power Fund, with a down payment of \$25 million this year. This priority is of such critical importance, I am asking you to authorize a supplemental appropriation immediately. This will help us rapidly develop the next-generation energy economy in Iowa.

This new investment will incent the growth of Iowa-based businesses in this exciting new industry, create jobs, and attract millions of dollars in public research and development funds. It will also result in hundreds of millions of dollars in private investment in renewable energy in Iowa.

In addition, the Power Fund money will be used to help conduct the important research and development necessary for all forms of renewable energy and alternative fuel.

It doesn't matter whether its related to wind or solar power, geothermal or biomass cellulosic ethanol, biodeisel, or E-85. Iowa needs to lead the way. The Power Fund will allow us to do this. We need to create the essential public-private partnerships required to further develop these alternative energy opportunities and commercialize them.

However, we are not the only state working towards energy independence. In order to maintain the leadership we have worked so hard to develop, we must compete and do so aggressively.

Let's put Iowa in a position to win the race to become the energy capital of the world. Together, we can achieve this goal and I ask you to act immediately to create the Iowa Power Fund.

This budget proposal also allows us to restore excellence in education. As a state we must rededicate ourselves to this worthy goal.

I believe we need a comprehensive pre-K to post-secondary education plan. So, that's why today I am proposing we invest nearly 190 million dollars in new funding for education.

This will begin to allow us to meet the needs of our students at all levels.

A strong start for every Iowa child must be a shared goal. Ninety percent of brain development occurs from birth through age 6. We can't afford not to invest in our kids. We need them to arrive at kindergarten prepared, ready and able to learn.

To that end I am asking you to make an additional 20 million dollar commitment to early childhood education. This step is part of annual increases in funding necessary until every Iowa four-year-old has access.

To improve education at the K-12 level, we've set aside an additional 165 million dollars, which represents an increase from fiscal year 07 of 6.5 percent. This will help us reach our goal of getting teacher pay to 25th in the nation. A 70 million dollar investment in teacher pay is the largest ever.

This unprecedented investment in teacher pay will allow us to recruit and retain the best teachers, close the gap in teacher pay between urban and rural school districts, ensure quality teaching, and most importantly, show our classroom teachers the respect they deserve for the important work they do every day.

Finally, we must renew our commitment to higher education.

Today, there are real challenges for Iowa college students and their families, Iowa is at the bottom among states when it comes to needs-based access to higher education and at the top when it comes to student debt load. This is not a good combination, and we must do something about it.

This budget proposes five steps to accomplish this goal:

First, I am asking you fund the salary bill. This will assist in the constant battle to recruit and retain talented faculty and staff at our world-class public universities and excellent community colleges.

Second, I am asking you to provide an additional 25 million dollars to our regents institutions and 12.5 million dollars to our community college system.

This step is designed to increase course offerings and to provide some immediate tuition relief.

Third, I am proposing we initiate a brand new college scholarship, called the All-Iowa Opportunity Scholarship.

The scholarship will provide greater access to higher education for Iowa high school graduates based on financial need.

It will allow a student to cover up to \$2,500 in tuition at an Iowa community college or up to \$5,000 toward their first year at any regents institution of their choice. This budget sets aside 5 million dollars for this important college scholarship program.

Fourth, for Iowa high school graduates who attend one of Iowa's 31 private colleges, we will increase the amount of the highly successful Iowa Tuition Grant. This will expand access for thousands of students who need it and keep them in the state.

Fifth, we will create a statewide Senior Year Plus program. This will allow every high school senior the chance to earn up to a year of college credit before they graduate from high school.

This investment will save students and their families thousands in tuition dollars.

If we make these investments, the rewards of educational excellence will be with us for generations to come. That's why I ask you to support these important initiatives.

Perhaps the biggest and most expensive challenge we face, however, is in the area of health care. 250,000 Iowans including 50,000 kids have no health care coverage. None. There is not one legislator in this chamber today who didn't promise to do something about this.

So, in an attempt to deliver on our promises and significantly increase access to quality health care for all Iowans, I am proposing an additional \$140 million to meet our most immediate health care needs.

And, I've identified, I believe, the only responsible way to pay for it. That's why I am asking you to increase Iowa's cigarette tax by one dollar per pack. This step will generate approximately 140 million dollars in new revenue the first year.

By taking this important step we will be able to do the following:

1. Save more than 17,000 lives.
2. Create a powerful disincentive to start smoking and help others quit.
3. Improve the quality of life for tens of thousands of Iowans by preventing illness and reducing the incidence of cancer, stroke, heart disease, and emphysema.
4. Close the smoke-related budget deficit. Because we have the 9th lowest tobacco tax in the country, the state's costs of treating smoke related illnesses is greater than our cigarette tax revenue by more than \$50 million dollars annually. This simply isn't fair. Non-smoking Iowans shouldn't be expected to pay for health care costs of those who choose to smoke. Its time to close the gap.
5. Expand coverage to the most vulnerable among us, including up to 50,000 Iowa kids who have no coverage today.
6. Expand health care coverage to more than 6,000 Iowa parents living at or near the poverty level.
7. Double the size of the state's nursing home ombudsman's office which advocates for quality long-term care on behalf of thousands of Iowa seniors who need it.
8. Keep our commitment to fund the Senior Living Trust, which allows more Iowans to remain in an independent living setting for a longer period of time.
9. Fund other important programs like: child and family health services mental health community services efforts to fight infectious disease child health specialty clinics and adoption services.

And 10. Provide significant funding for worthy health care related ideas being brought forth by legislators like Senator Hatch, and Representatives Foege and Heaton, who are helping to drive this important discussion.

I know some legislators only want to increase the cigarette tax by 30 to 60 cents. But half-measures will only produce half the results. The fact is, we have hundreds of millions of dollars in health care related needs. I am not willing to ignore any of the important priorities I just outlined.

We must find a responsible way to pay for all of them. Raiding our limited reserves is not possible. And, severely underfunding health care and and/or cutting necessary funding in other areas like education and energy are simply not viable options.

I strongly believe the number needs to be one dollar, and I respectfully ask for it.

There is one more important step we need to take related to health care and saving lives. Today, I am asking you to lift the ban on stem-cell research.

The health care budget I have outlined will allow us to create the Center for Regenerative Medicine at the University of Iowa, with a commitment of 12.5 million dollars.

We are well positioned, as one of only 15 National Cancer Institute sites in the country, to forge ahead in the search for lifesaving cures for diseases like cardiovascular, diabetes, cancer, Parkinson's and Alzheimer's.

We have the chance to bring hope to thousands of Iowans suffering from these life-threatening illnesses. Let Iowa be known as a center for science research and technology, not only in energy but in the health sciences too.

As we work to lead Iowa forward, we must remember to honor the commitment of the veterans who have fought to defend our freedom, and those who are serving today.

Our actions should show veterans the honor and respect they have earned. I believe we have an obligation to honor their sacrifices and those of their families. As you know, Iowa suffered another tragic loss just ten days ago.

Command Sergeant Major Marilyn Gabbard of Polk City, whose funeral is being held this morning, died January 20th while serving in Iraq. She was a committed and courageous wife, mother, and soldier who answered the call of duty. She was asked to make the ultimate sacrifice.

Today, we mourn along with her family, friends and her community. With my first executive order as Governor, I have ordered flags throughout the state to be flown at half staff on this day to honor Sergeant Major Gabbard.

Will you please join me now in a moment of silence for Sergeant Major Gabbard and the 49 other Iowans who have died in this conflict.

Thank you.

In an effort to meet the needs of all of our returning veterans and their families, I am proposing 6.5 million dollars for the Enduring Freedom Support Program and for critically needed injury and housing assistance. They fought for us. Now it is time we fought for them.

All Iowa law enforcement officers and correctional officers also protect us every day by keeping our communities safe. They too deserve our gratitude. I am proposing to fund 130 unfilled positions at our corrections institutions in an effort to increase staffing levels.

Unfortunately, we have some prisons in Iowa that are almost 50 percent above capacity. In an effort to reduce the strain caused by inadequate staffing levels, we have set aside \$17.5 million dollars to significantly reduce the strain on the system and to operate the new facility at Oakdale.

This budget proposal also cuts taxes and saves taxpayers millions. We have found a way to close certain out of state corporate tax loopholes and use available new information technology methods to improve tax collections.

These important steps will not only allow us to save millions but they will also allow us to offer up to \$25 million in immediate commercial property tax relief.

Finally, there are some additional important priorities in this budget. They are:

- committing nearly \$20 million for our water quality initiatives. This will allow us to better protect the land, lakes, rivers and streams we all love.
- setting aside \$9 million to improve our Mainstreet, Community Attractions and Tourism, and Great Places programs.
- providing resources to fund the CASAs, or Court Appointed Special Advocates, who often represent abused and neglected children in our court system.
- protecting and expanding access to shelter services for at-risk women, mothers and children. I can tell you the First Lady will continue to be a real advocate on behalf of shelter service care providers and the vulnerable individuals who desperately need them. Thank you dear for your efforts, and we will direct these important resources into shelter care.

In closing, this is our time. These are our priorities. We must take advantage of our unique opportunities and meet our unique challenges.

Let this 82nd legislative session be remembered as an historic one for the people of this great state.

Let this session be remembered as the one in which Iowa turned the corner toward energy independence protected its precious environment led the way in job creation re-committed itself to excellence in education dramatically expanded health care access and improved the quality of life for all of its people.

I ask you to join me in this worthy effort.

I stand ready to work with you in good faith to get the job done.

This budget is an opportunity to reach consensus and create One Iowa. Together I know we will succeed and we will lead Iowa forward.

May God bless you all, and may God bless the great state of Iowa.

Governor Chester J. Culver was escorted from the House chamber by the committee previously appointed.

McCarthy of Polk moved that the joint convention be dissolved at 10:43 a.m.

The House resumed session at 11:05 a.m., Speaker Murphy in the chair.

RULE 57 SUSPENDED

McCarthy of Polk asked and received unanimous consent to suspend Rule 57, relating to committee notice and agenda, for a meeting on the committee of public safety at 2:00 p.m.

On motion by McCarthy of Polk, the House was recessed at 11:06 a.m., until 5:00 p.m.

AFTERNOON SESSION

The House reconvened at 5:01 p.m., Speaker Murphy in the chair.

INTRODUCTION OF BILLS

House File 152, by D. Olson, Schueller, Heddens, Kressig, Jacoby, Jacobs, Smith and Mertz, a bill for an act providing for a low head dam public hazard program, and making an appropriation.

Read first time and referred to committee on **natural resources**.

House File 153, by Ford, a bill for an act relating to the development and administration by the department of education of a program to identify and honor schools for increasing the number of students enrolled in advanced-level courses and reducing achievement gaps.

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

House File 154, by Winckler, a bill for an act requiring a study by the department of education relating to implementation of a statewide student information system.

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

House File 155, by Gaskill, a bill for an act relating to membership on election boards.

Read first time and referred to committee on **state government**.

House File 156, by Heddens, Gaskill and Schueller, a bill for an act relating to permissible uses of physical plant and equipment levy revenue, and including an applicability provision.

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

House File 157, by Schueller, Swaim, Kaufmann, Lukan, Hoffman, Dolecheck, Mertz, Frevert, Alons, Worthan, Tjepkes, Whitaker, Berry, Gaskill, Thomas, Wenthe, Bukta and Jacoby, a bill for an act requiring the school budget review committee to grant transportation assistance aid to school districts under certain circumstances and providing a statutory appropriation.

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

House File 158, by Ford, a bill for an act relating to a requirement that children receive a blood lead test by age six or prior to enrollment in an elementary school.

Read first time and referred to committee on **human resources**.

House File 159, by Ford, a bill for an act relating to the establishment of a statewide educational standards and accountability task force.

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

House File 160, by Ford, a bill for an act directing the state board of regents to conduct a statewide study of the kindergarten through

grade twelve school system to determine and recommend best strategies to improve student achievement.

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

House File 161, by Ford, a bill for an act relating to the recognition of school district performance excellence resulting from the implementation of outstanding comprehensive school improvement plans.

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

House File 162, by Wise, a bill for an act relating to a leave of absence from regular employment for a person elected to municipal or county office and providing an effective date.

Read first time and referred to committee on **state government**.

House File 163, by Jochum, a bill for an act authorizing cities and counties to levy a property tax for purposes of establishing, maintaining, and managing recreational programs for persons with disabilities.

Read first time and referred to committee on **local government**.

House File 164, by Heddens, Schueller, Swaim, Hunter, Berry, Mertz and Baudler, a bill for an act increasing the reimbursement amount paid by distributors to persons redeeming empty beverage containers.

Read first time and referred to committee on **environmental protection**.

House File 165, by Heddens, Gaskill and Schueller, a bill for an act relating to the purposes for which physical plant and equipment levy revenue may be utilized, and including an applicability provision.

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

House File 166, by May, a bill for an act relating to wind energy production by extending the time period during which a qualified facility may be placed in service to qualify for the wind energy production tax credit.

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

House File 167, by Raecker and Huser, a bill for an act prohibiting the publication of certain false statements of fact made with actual malice concerning a candidate for public office and providing remedies.

Read first time and referred to committee on **state government**.

House File 168, by Jochum, a bill for an act relating to statutory fees allowed for a personal representative or an attorney for the personal representative for services rendered for an estate in probate.

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

The House stood at ease at 5:06 p.m., until the fall of the gavel.

The House resumed session at 5:34 p.m., Speaker Murphy in the chair.

CONSIDERATION OF BILLS Ways and Means Calendar

House File 95, a bill for an act relating to the designation of pilot project cities for a targeted jobs withholding tax credit to be used for funding improvements in certain urban renewal areas and including effective and retroactive applicability date provisions, was taken up for consideration.

Wise of Lee moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 95)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	Deyoe
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor
Smith	Soderberg	Staed	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wendt	Wenthe
Whitaker	Whitead	Wiencek	Winckler
Windschitl	Wise	Worthan	Mr. Speaker Murphy

The nays were, none.

Absent or not voting, 4:

De Boef	Tomenga	Wessel-Kroeschell	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

COMMITTEE RECOMMENDATION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON ADMINISTRATION AND RULES

Senate Concurrent Resolution 2, a concurrent resolution relating to the compensation of chaplains, officers, and employees of the eighty-second general assembly.

Fiscal Note is not required.

Recommended Amend and Do Pass with amendment H-1017 January 29, 2007.

McCarthy of Polk asked and received unanimous consent for the immediate consideration of Senate Concurrent Resolution 2.

ADOPTION OF SENATE CONCURRENT RESOLUTION 2

Reasoner of Union called up for consideration Senate Concurrent Resolution 2, a concurrent resolution relating to the compensation of chaplains, officers, and employees of the eighty-second general assembly as follows, and moved its adoption.

1 SENATE CONCURRENT RESOLUTION 2
 2 BY COMMITTEE ON RULES AND ADMINISTRATION
 3 A concurrent resolution relating to the compensation
 4 of chaplains, officers, and employees of the
 5 ~~eighty-first~~ ~~eighty-second~~ general assembly.
 6 WHEREAS, section 2.11 of the Code provides that
 7 "The compensation of the chaplains, officers, and
 8 employees of the general assembly shall be fixed by
 9 joint action of the house and senate by resolution at
 10 the opening of each session, or as soon thereafter as
 11 conveniently can be done.", NOW THEREFORE,
 12 BE IT RESOLVED BY THE SENATE, THE HOUSE OF
 13 REPRESENTATIVES CONCURRING, That the compensation of
 14 the employees of the ~~eighty-first~~ ~~eighty-second~~
 15 general assembly is set, effective from ~~January 10,~~
 16 ~~2005~~ January 8, 2007, until ~~January 8, 2007~~ January
 17 12, 2009, in accordance with the following salary
 18 schedule:
 19 #9
 20 \$16,473.60
 21 —7.92
 22
 23 #10 — #11 — #12 — #13 — #14
 24 \$17,368.00 — \$18,283.20 — \$19,198.40 — \$20,134.40 — \$21,216.00
 25 — 8.35 — 8.79 — 9.23 — 9.68 — 10.20
 26
 27 #15 — #16 — #17 — #18 — #19
 28 \$22,339.20 — \$23,462.40 — \$24,481.60 — \$25,708.80 — \$26,852.80

29 ~~10.74~~ ~~11.28~~ ~~11.77~~ ~~12.36~~ ~~12.91~~
30

Page 2

1 ~~#20~~ ~~#21~~ ~~#22~~ ~~#23~~ ~~#24~~
2 ~~\$28,267.20~~ ~~\$29,515.20~~ ~~\$30,971.20~~ ~~\$32,510.40~~ ~~\$33,966.40~~
3 ~~13.59~~ ~~14.19~~ ~~14.89~~ ~~15.63~~ ~~16.33~~
4
5 ~~#25~~ ~~#26~~ ~~#27~~ ~~#28~~ ~~#29~~
6 ~~\$35,692.80~~ ~~\$37,336.00~~ ~~\$39,145.60~~ ~~\$41,080.00~~ ~~\$43,035.20~~
7 ~~17.16~~ ~~17.95~~ ~~18.82~~ ~~19.75~~ ~~20.69~~
8
9 ~~#30~~ ~~#31~~ ~~#32~~ ~~#33~~ ~~#34~~
10 ~~\$45,115.20~~ ~~\$47,320.00~~ ~~\$49,504.00~~ ~~\$51,937.60~~ ~~\$54,350.40~~
11 ~~21.69~~ ~~22.75~~ ~~23.80~~ ~~24.97~~ ~~26.13~~
12
13 ~~#35~~ ~~#36~~ ~~#37~~ ~~#38~~ ~~#39~~
14 ~~\$56,971.20~~ ~~\$59,696.00~~ ~~\$62,608.00~~ ~~\$65,582.40~~ ~~\$68,785.60~~
15 ~~27.39~~ ~~28.70~~ ~~30.10~~ ~~31.53~~ ~~33.07~~
16
17 ~~#40~~ ~~#41~~ ~~#42~~ ~~#43~~ ~~#44~~
18 ~~\$72,092.80~~ ~~\$75,545.60~~ ~~\$79,248.00~~ ~~\$82,908.80~~ ~~\$86,964.80~~
19 ~~34.66~~ ~~36.32~~ ~~38.10~~ ~~39.86~~ ~~41.81~~
20
21 ~~#45~~ ~~#46~~ ~~#47~~ ~~#48~~ ~~#49~~
22 ~~\$91,145.60~~ ~~\$95,492.80~~ ~~\$100,048.00~~ ~~\$104,852.80~~ ~~\$109,865.60~~
23 ~~43.82~~ ~~45.91~~ ~~48.10~~ ~~50.41~~ ~~52.82~~
24
25 #50
26 \$115,211.20
27 55.39
28 #9
29 \$16,806.40
30 8.08

Page 3

1
2 #10 #11 #12 #13 #14
3 \$17,721.60 \$18,657.60 \$19,572.80 \$20,529.60 \$21,632.0
4 8.52 8.97 9.41 9.87 10.4
5
6 #15 #16 #17 #18 #19
7 \$22,776.00 \$23,940.80 \$24,980.80 \$26,228.80 \$27,393.60
8 10.95 11.51 12.01 12.61 13.17
9
10 #20 #21 #22 #23 #24
11 \$28,828.80 \$30,097.60 \$31,595.20 \$33,155.20 \$34,652.80
12 13.86 14.47 15.19 15.94 16.66
13
14 #25 #26 #27 #28 #29

15	\$36,400.00	\$38,084.80	\$39,936.00	\$41,912.00	\$43,888.00
16	17.50	18.31	19.20	20.15	21.10
17					
18	#30	#31	#32	#33	#34
19	\$46,009.60	\$48,276.80	\$50,502.40	\$52,977.60	\$55,432.00
20	22.12	23.21	24.28	25.47	26.65
21					
22	#35	#36	#37	#38	#39
23	\$58,115.20	\$60,881.60	\$63,856.00	\$66,892.80	\$70,158.40
24	27.94	29.27	30.70	32.16	33.73
25					
26	#40	#41	#42	#43	#44
27	\$73,528.00	\$77,064.00	\$80,828.80	\$84,572.80	\$88,712.00
28	35.35	37.05	38.86	40.66	42.65
29					
30	#45	#46	#47	#48	#49

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1	\$92,976.00	\$97,406.40	\$102,044.80	\$106,953.60	\$112,070.4
2	44.70	46.83	49.06	51.42	53.8
3					
4	#50	#51			
5	\$117,520.00	\$120,452.80			
6	56.50	57.91			

7 In this schedule, each numbered block shall be the
8 yearly and hourly compensation for the pay grade of
9 the number heading the block. Within each grade there
10 shall be seven steps numbered "1" through "7". In the
11 above schedule the steps for all grades are determined
12 in the following manner. Each numbered block is
13 counted as the "1" step for that grade. The next
14 higher block is counted as the "2" step; the next
15 higher block is the "3" step; the next higher block is
16 the "4" step; the next higher block is the "5" step;
17 the next higher block is the "6" step; and the next
18 higher block is the "7" step.

19 Alternatively, the senate rules and administration
20 committee for senate employees, and the house
21 administration and rules committee for house employees
22 may allow their employees' compensation to be flexibly
23 set anywhere between steps "1" through "7" for an
24 employee's prescribed pay grade.

25 All employees shall be available to work daily
26 until completion of the senate's and house of
27 representatives' business. The employee's division
28 supervisor shall schedule all employees' working hours
29 to, as far as possible, maintain regular working
30 hours.

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1 All employees, other than those designated "part-
 2 time", shall be compensated for 40 hours of work in a
 3 one-week pay period. Secretaries to senators and
 4 representatives are presumed to have ~~36~~ 40 hours of
 5 work each week the legislature is in session and shall
 6 be paid only on that basis. Full-time employees who
 7 are required to work in excess of 80 hours in a
 8 two-week pay period shall be allowed compensatory time
 9 off at a rate of one hour for each hour of overtime up
 10 to a maximum of 120 hours of compensatory time. Joint
 11 security employees of the senate and house of
 12 representatives may be compensated for each hour of
 13 overtime at a rate of pay equal to one-and-one-half
 14 times the hourly pay provided.

15 *Be It Further Resolved*, That part-time employees
 16 shall be compensated at the scheduled hourly rate for
 17 their pay grade and step.

18 *Be It Further Resolved*, That in the event the
 19 salary schedule for employees of the State of Iowa as
 20 promulgated by the department of administrative
 21 services pursuant to section 8A.413, subsection 2, is
 22 revised upward at any time during the ~~eighty-first~~
 23 ~~eighty-second~~ general assembly, such revised schedule
 24 shall simultaneously be adopted for the compensation
 25 of the employees of the ~~eighty-first~~ ~~eighty-second~~
 26 general assembly assigned a grade by this resolution,
 27 unless otherwise provided by the senate and house of
 28 representatives.

29 *Be It Further Resolved*, That adjustments in the
 30 positions and compensation listed in this resolution

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1 may be made through an interim review of all
 2 legislative employees for internal equity and to
 3 assure compliance with appropriate legal standards for
 4 granting of overtime and compensatory time off. Such
 5 review shall be conducted by a legislative committee
 6 made up of members of the service committee of
 7 legislative council and the appropriate salary
 8 subcommittees of the senate and house. Only one such
 9 review may be done in any fiscal year and adjustments
 10 suggested must be approved by the appropriate hiring
 11 body.

12 *Be It Further Resolved*, That the employees of the
 13 ~~eighty-first~~ ~~eighty-second~~ general assembly be placed
 14 in the following pay grades:

- 15 EMPLOYEES OF THE HOUSE
- 16 Chief Clerk of the House..... Grade 44
- 17 Sr. Assistant Chief Clerk of the House.... Grade 41

18	Assistant Chief Clerk of the House III....	Grade 38
19	Assistant Chief Clerk of the House II.....	Grade 35
20	Assistant Chief Clerk of the House I.....	Grade 32
21	Legal Counsel II.....	Grade 35
22	Legal Counsel I.....	Grade 32
23	Legal Counsel.....	Grade 30
24	Sr. Caucus Staff Director.....	Grade 41
25	Caucus Staff Director.....	Grade 38
26	Administrative Assistant to Leader	
27	or Speaker.....	Grade 27
28	Administrative Assistant I to Leader	
29	or Speaker.....	Grade 29
30	Administrative Assistant II to Leader	

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1	or Speaker.....	Grade 32
2	Administrative Assistant III to Leader	
3	or Speaker.....	Grade 35
4	Sr. Administrative Assistant to	
5	Leader or Speaker.....	Grade 38
6	<u>Sr. Administrative Assistant to</u>	
7	<u> Leader or Speaker II.....</u>	<u>Grade 41</u>
8	Research Assistant.....	Grade 24
9	Legislative Research Analyst.....	Grade 27
10	Legislative Research Analyst I.....	Grade 29
11	Legislative Research Analyst II.....	Grade 32
12	Legislative Research Analyst III.....	Grade 35
13	Sr. Legislative Research Analyst.....	Grade 38
14	Assistant Secretary to Leader	
15	or Speaker.....	Grade 18
16	Secretary to Leader or Speaker.....	Grade 19
17	Caucus Secretary.....	Grade 21
18	Senior Caucus Secretary.....	Grade 24
19	Administrative Secretary to Leader,	
20	Speaker, or Chief Clerk.....	Grade 21
21	Executive Secretary to Leader,	
22	Speaker or Chief Clerk.....	Grade 24
23	Confidential Secretary to Leader,	
24	Speaker, or Chief Clerk.....	Grade 27
25	Confidential Secretary II to Leader,	
26	Speaker or Chief Clerk.....	Grade 32
27	Clerk to Chief Clerk.....	Grade 16
28	Supervisor of Secretaries.....	Grade 21
29	Supervisor of Secretaries I.....	Grade 24
30	Supervisor of Secretaries II.....	Grade 27

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1	Senior Editor.....	Grade 30
2	Editor II.....	Grade 25
3	Editor I.....	Grade 22

4.	Assistant Editor.....	Grade 19
5	Compositor/Desk Top Specialist.....	Grade 17
6	Sr. Text Processor.....	Grade 25
7	Text Processor II.....	Grade 22
8	Text Processor I.....	Grade 19
9	Senior Finance Officer III.....	Grade 38
10	Senior Finance Officer II.....	Grade 35
11	Senior Finance Officer I.....	Grade 31
12	Finance Officer II.....	Grade 27
13	Finance Officer I.....	Grade 24
14	Assistant Finance Officer.....	Grade 21
15	Recording Clerk II.....	Grade 24
16	Recording Clerk I.....	Grade 21
17	Assistant Legal Counsel.....	Grade 27
18	Engrossing & Enrolling Processor.....	Grade 27
19	Assistant to the Legal Counsel.....	Grade 19
20	Senior Indexer.....	Grade 28
21	Indexer II.....	Grade 25
22	Indexer I.....	Grade 22
23	Indexing Assistant.....	Grade 19
24	Supply Clerk.....	Grade 16
25	Switchboard Operator.....	Grade 14
26	Legislative Secretary.....	Grade 15
27	Legislative Committee Secretary.....	Grade 17
28	Bill Clerk.....	Grade 14
29	Assistant Bill Clerk.....	Grade 12
30	Postmaster.....	Grade 12

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1	Sergeant-at-Arms II.....	Grade 20
2	Sergeant-at-Arms I.....	Grade 17
3	Assistant Sergeant-at-Arms.....	Grade 14
4	Chief Doorkeeper.....	Grade 12
5	Doorkeepers.....	Grade 11
6	Pages.....	Grade 9
7	EMPLOYEES OF THE SENATE	
8	Secretary of the Senate.....	Grade 44
9	Sr. Assistant Secretary of the Senate.....	Grade 41
10	Assistant Secretary of the Senate III.....	Grade 38
11	Assistant Secretary of the Senate II.....	Grade 35
12	Assistant Secretary of the Senate I.....	Grade 32
13	Legal Counsel II.....	Grade 35
14	Legal Counsel I.....	Grade 32
15	Legal Counsel.....	Grade 30
16	Sr. Caucus Staff Director.....	Grade 41
17	Caucus Staff Director.....	Grade 38
18	Administrative Assistant to Leader	
19	or President.....	Grade 27
20	Administrative Assistant I to Leader	
21	or President.....	Grade 29
22	Administrative Assistant II to Leader	

- 23 or President..... Grade 32
- 24 Administrative Assistant III to Leader
- 25 or President..... Grade 35
- 26 Sr. Administrative Assistant to
- 27 Leader or President..... Grade 38
- 28 Sr. Administrative Assistant to
- 29 Leader or President II..... Grade 41
- 30 Research Assistant..... Grade 24

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- 1 Legislative Research Analyst..... Grade 27
- 2 Legislative Research Analyst I..... Grade 29
- 3 Legislative Research Analyst II..... Grade 32
- 4 Legislative Research Analyst III..... Grade 35
- 5 Sr. Legislative Research Analyst..... Grade 38
- 6 Caucus Secretary II..... Grade 21
- 7 Senior Caucus Secretary..... Grade 24
- 8 Secretary to Leader, President, or Caucus. Grade 18
- 9 Administrative Secretary to Leader, President,
- 10 or Secretary of the Senate..... Grade 21
- 11 Executive Secretary to Leader, President,
- 12 or Secretary of the Senate..... Grade 24
- 13 Confidential Secretary to Leader, President,
- 14 or Secretary of the Senate..... Grade 27
- 15 Confidential Secretary II to Leader, President,
- 16 or Secretary of the Senate..... Grade 32
- 17 Supervisor of Secretaries..... Grade 21
- 18 Supervisor of Secretaries I..... Grade 24
- 19 Supervisor of Secretaries II..... Grade 27
- 20 Senior Editor..... Grade 30
- 21 Editor II..... Grade 25
- 22 Editor I..... Grade 22
- 23 Assistant Editor..... Grade 19
- 24 Compositor/Desk Top Specialist..... Grade 17
- 25 Assistant Legal Counsel..... Grade 27
- 26 Assistant to the Legal Counsel..... Grade 19
- 27 Proofreader..... Grade 16
- 28 Senior Finance Officer III..... Grade 38
- 29 Senior Finance Officer II..... Grade 35
- 30 Senior Finance Officer I..... Grade 31

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- 1 Finance Officer II..... Grade 27
- 2 Finance Officer I..... Grade 24
- 3 Assistant Finance Officer..... Grade 21
- 4 Recording Clerk II..... Grade 24
- 5 Recording Clerk I..... Grade 21
- 6 Senior Indexer..... Grade 28
- 7 Indexer II..... Grade 25
- 8 Indexer I..... Grade 22

- 9 Indexing Assistant..... Grade 19
- 10 Records and Supply Clerk..... Grade 18
- 11 Switchboard Operator..... Grade 14
- 12 Legislative Secretary..... Grade 15
- 13 Legislative Committee Secretary..... Grade 17
- 14 Bill Clerk..... Grade 14
- 15 Assistant Bill Clerk..... Grade 12
- 16 Postmaster..... Grade 12
- 17 Sergeant-at-Arms II..... Grade 20
- 18 Sergeant-at-Arms I..... Grade 17
- 19 Assistant Sergeant-at-Arms..... Grade 14
- 20 Chief Doorkeeper..... Grade 12
- 21 Doorkeepers..... Grade 11
- 22 Pages..... Grade 9
- 23 JOINT SENATE/HOUSE EMPLOYEES
- 24 Facilities Manager I..... Grade 35
- 25 Facilities Manager II..... Grade 38
- 26 Sr. Facilities Manager..... Grade 41
- 27 Legislative Security Secretary..... Grade 19
- 28 Legislative Security Coordinator I..... Grade 23
- 29 Legislative Security Coordinator II..... Grade 26
- 30 Legislative Security Officer I..... Grade 20

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- 1 Legislative Security Officer II..... Grade 23
- 2 Conservation/Restoration Specialist II... Grade 31
- 3 Sr. Copy Center Operator..... Grade 21
- 4 *Be It Further Resolved*, That there shall be four
- 5 classes of appointments as employees of the general
- 6 assembly:
- 7 A "permanent full-time" or "permanent part-time"
- 8 employee is one who is employed the year around and
- 9 eligible to receive state benefits.
- 10 An "exempt full-time" employee is one who is
- 11 employed for only a portion of the year, usually the
- 12 period of the legislative sessions with extensions
- 13 post-session and pre-session as scheduled. This class
- 14 is eligible to receive state benefits with the cost of
- 15 benefits to the state to be paid, using accrued leave
- 16 if authorized, by the employee when not on the
- 17 payroll.
- 18 A "session-only" employee is one who is employed
- 19 for only a portion of the year, usually the
- 20 legislative session. This class is not eligible for
- 21 state benefits, except IPERS, and insurance as
- 22 provided in section 2.40.
- 23 A "part-time" employee is one who is employed to
- 24 work less than 40 hours per week. This class is not
- 25 eligible for state benefits, except IPERS if eligible.
- 26 *Be It Further Resolved*, That the exact
- 27 classification for individuals in a job series created

28 by this resolution shall be set or changed for senate
 29 employees by the senate rules and administration
 30 committee and for the house employees by the house

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1 administration and rules committee. The committees
 2 shall base the classification upon the following
 3 factors:

- 4 1. The extent of formal education required of the
 5 position; and,
- 6 2. The extent of the responsibilities to be
 7 assigned to the position; and,
- 8 3. The amount of supervision placed over the
 9 position; and,
- 10 4. The number of persons the position is assigned
 11 to supervise and skills and responsibilities of those
 12 positions supervised.

13 The committees shall report the exact
 14 classifications assigned to each individual on the
 15 next legislative day, or, if such action is during the
 16 interim, on the first day the senate or house shall
 17 convene. Any action by the senate or house to
 18 disapprove a report or a portion of a report shall be
 19 effective the day after the action.
 20 Recommendations for a pay grade for a new position
 21 shall be developed in accordance with the factor
 22 scores in the comparable worth report. ~~Beginning in~~
 23 ~~1999, every~~ Every four years the senate rules and
 24 administration committee, the house administration and
 25 rules committee, and the legislative council may
 26 review all positions in the legislative branch to
 27 assure conformity to comparable worth.

28 *Be It Further Resolved*, That a senator or
 29 representative may employ a secretary who in the
 30 judgment of the senator or representative employing

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1 such person, possesses the necessary skills to perform
 2 the duties such senator or representative shall
 3 designate, under the administrative direction, as
 4 appropriate, of the secretary of the senate or the
 5 chief clerk of the house.

6 Each standing committee chairperson, ethics
 7 committee chairperson, and each appropriations
 8 subcommittee chairperson shall designate a secretary
 9 who is competent to perform the following duties:
 10 prepare committee minutes, committee reports, type
 11 committee correspondence, maintain committee records,
 12 and otherwise assist the committee. Such duties shall
 13 be performed in accordance with standards which shall

14 be provided by the secretary of the senate and chief
 15 clerk of the house. In making the designation,
 16 chairpersons shall consider persons for possible
 17 designation as the secretary to the committee in the
 18 following order:

19 First: The secretary to the chairperson.

20 Second: The secretary to the committee's vice-
 21 chairperson.

22 Third: The secretary to any other member of the
 23 committee.

24 Fourth: The secretary to any other member in the
 25 same house as the committee.

26 *Be It Further Resolved*, That a Legal Counsel II
 27 shall be a person who has graduated from an accredited
 28 school of law and is admitted to practice in Iowa as
 29 an Attorney and Counselor at Law and possesses either
 30 a Masters of Law degree or has at least two years of

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1 legal experience after admission to practice.

2 A Legal Counsel I shall be a person who has
 3 graduated from an accredited school of law and is
 4 admitted to practice in Iowa as an Attorney and
 5 Counselor at Law.

6 *Be It Further Resolved*, That employees of the
 7 general assembly may be eligible for either:

8 a) increases in salary grade or step based on
 9 evaluation of their job performance and
 10 recommendations of their administrative officers,
 11 subject to approval of the senate committee on rules
 12 and administration or the house committee on
 13 administration and rules, as appropriate or

14 b) mobility within a pay grade at the discretion
 15 of the chief clerk of the house upon recommendation by
 16 the employee's division supervisor on the part of the
 17 house, and the discretion of the employee's division
 18 supervisor on the part of the senate, subject to the
 19 approval of the house committee on administration and
 20 rules or the senate committee on rules and
 21 administration, as appropriate – either in accord
 22 with a flexible pay plan approved by the senate rules
 23 and administration committee or the house
 24 administration and rules committee, or in accord with
 25 the following schedule:

26 (1) Progression from step "1" to "2" for a newly
 27 hired employee -- six months of actual employment.

28 (2) Progression from step "1" to "2" following
 29 promotion within a job series – twelve months of
 30 actual employment in that position.

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1 (3) Progression from step "2" to "3", and step "3"
2 to "4", and step "4" to "5", and step "5" to "6", and
3 step "6" to "7" -- twelve months of actual employment
4 at the lower step.

5 *Be It Further Resolved*, That in addition to the
6 steps provided in the preceding paragraph, that
7 secretaries to senators and representatives who were
8 employees of the senate or house of representatives
9 during any general assembly prior to January 9, 1989,
10 and who have received certification for passing a
11 typing and shorthand performance examination shall be
12 eligible for two additional steps.

13 *Be It Further Resolved*, That in addition to the
14 steps provided in the preceding paragraph, that
15 secretaries to senators and representatives shall be
16 eligible for a maximum of three additional grades
17 beyond grade 15, in any combination, as provided in
18 this paragraph:

19 1. One additional grade for a secretary to a
20 standing committee chair, ethics committee chair or
21 appropriations subcommittee chair who is not the
22 designated committee secretary.

23 2. One additional grade for a secretary to a vice-
24 chairperson or ranking member of a standing committee,
25 ethics committee or appropriations subcommittee.

26 3. One additional grade for a secretary to the
27 chairperson of the chaplain's committee.

28 4. Two additional grades for a secretary to an
29 assistant floor leader or speaker pro tempore or
30 president pro tempore.

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1 5. One additional grade for a designated committee
2 secretary who is also the designated committee
3 secretary for an additional standing committee, ethics
4 committee, or appropriations subcommittee.

5 *Be It Further Resolved*, That in the event the
6 secretary to the chairperson of the chaplain's
7 committee is the secretary to the president, president
8 pro tempore, speaker, speaker pro tempore, or the
9 majority or minority leader, such secretary shall
10 receive one additional step.

11 *Be It Further Resolved*, That the entrance salary
12 for employees of the general assembly shall be at step
13 1 in the grade of the position held. Such employee
14 may be hired above the entrance step if possessing
15 outstanding and unusual experience for the position.
16 Such employee who is hired above the entrance step
17 shall be mobile above that step in the same period of

18 time as other employees in that same step. An officer
 19 or employee who is moved to another position may be
 20 considered for partial or full credit for their
 21 experience in the former position in determining the
 22 step in the new grade.

23 The entry level for the position of research
 24 analyst shall be Legislative Research Analyst, unless
 25 extraordinary conditions justify increasing that entry
 26 level.

27 *Be It Further Resolved*, That a pay increase for
 28 employees of one step within the pay grade for the
 29 position may be made for exceptionally meritorious
 30 service in addition to step increases provided for in

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1 this resolution, at the discretion of the chief clerk
 2 upon recommendation by the employee's division
 3 supervisor on the part of the house, and upon
 4 recommendation by the employee's division supervisor
 5 on the part of the senate, and the approval of the
 6 senate committee on rules and administration or the
 7 house committee on administration and rules.

8 Exceptionally meritorious service pay increases shall
 9 be governed by the following:

10 a. The employee must have served in the position
 11 for at least twelve months;

12 b. Written justification, setting forth in detail
 13 the nature of the exceptionally meritorious service
 14 rendered, must be submitted to the senate rules and
 15 administration committee or house administration and
 16 rules committee and approved in advance of granting
 17 the pay increase;

18 c. No more than one exceptionally meritorious
 19 service pay increase may be granted in any twelve-
 20 month period.

21 d. Such meritorious service pay increase shall not
 22 be granted beyond the seven-step maximum for that
 23 position.

24 *Be It Further Resolved*, That the senate rules and
 25 administration committee and the house administration
 26 and rules committee shall both hire officers and
 27 employees for their respective bodies and fill any
 28 vacancies which may occur, to be effective at such
 29 time as they shall set. The committee shall report
 30 the names of those it has hired for the positions

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1 specified in this resolution or the filling of any
 2 vacancies on the next legislative day or, if such
 3 action is during the interim, on the first day the

4 senate or house shall convene. Any action by the
5 senate or house to amend or disapprove a report or a
6 portion of a report shall be effective the day after
7 the action.

8 The chief clerk of the house shall submit to the
9 house committee on administration and rules and the
10 secretary of the senate shall submit to the senate
11 committee on rules and administration the list of
12 names, or amendments thereto, of employee
13 classifications and recommended pay step for each
14 officer and employee. Such list shall include
15 recommendations for the pay step for all employees.
16 Each respective committee shall approve or amend the
17 list of recommended classifications and pay steps and
18 publish said list in the journal.

19 *Be It Further Resolved*, That permanent employees of
20 the general assembly shall receive vacation
21 allowances, sick leave, health and accident insurance,
22 life insurance, and disability income insurance as are
23 comparably provided for full-time permanent state
24 employees. The computations shall be maintained by
25 the finance officers in each house and coordinated
26 with the department of administrative services.

27 *Be It Further Resolved*, That should any employee
28 have a grievance, the grievance shall be resolved as
29 provided by procedures determined by the senate rules
30 and administration committee for senate employees or

Page 20

1 the house administration and rules committee for house
2 employees.

3 *Be It Further Resolved*, That the legislative
4 council take action to provide the same compensation
5 and benefits to all legislative central staff agency
6 employees for the ~~eighty-first~~ eighty-second general
7 assembly as is provided by this resolution. The
8 director of each legislative central staff agency
9 shall report to the chief clerk of the house and the
10 secretary of the senate the list of approved positions
11 for their agencies and the names, grades and steps of
12 each employee. Such lists shall be published in the
13 journals of the house and the senate within two weeks
14 after the adoption of this resolution by both houses.

15 *Be It Further Resolved*, That the compensation of
16 chaplains officiating at the opening of the daily
17 sessions of the house of representatives and the
18 senate of the ~~eighty-first~~ eighty-second general
19 assembly be fixed at ten dollars for each house of the
20 general assembly, and that mileage to and from the
21 State Capitol for chaplains be fixed at the rate
22 established for members of the general assembly.

RULE 31.8 SUSPENDED

Reasoner of Union asked and received unanimous consent to suspend Rule 31.8, relating to the timely filing of amendments, for the immediate consideration of amendment H-1017.

Reasoner of Union offered the following amendment H-1017 filed by the committee on administration and rules from the floor and moved its adoption:

H-1017

- 1 Amend Senate Concurrent Resolution 2, as passed by
- 2 the Senate, as follows:
- 3 1. Page 8, by inserting after line 16 the
- 4 following:
- 5 "Assistant Legal Counsel I Grade 30".
- 6 2. Page 10, by inserting after line 24 the
- 7 following:
- 8 "Assistant Legal Counsel I Grade 30".

The committee amendment H-1017 was adopted.

Roll call was requested by Rants of Woodbury and Struyk of Pottawattamie.

On the question "Shall Senate Concurrent Resolution 2 be adopted?" (S.C.R. 2)

The ayes were, 56:

Abdul-Samad	Bailey	Baudler	Berry
Bukta	Cohoon	Dandekar	Davitt
Deyoe	Dolecheck	Ford	Frevort
Gaskill	Gayman	Gipp	Heddens
Hunter	Jacoby	Jochum	Kelley
Kressig	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, S.	Olson, T.	Palmer
Paulsen	Petersen	Pettengill	Quirk
Rants	Rasmussen	Reasoner	Reichert
Roberts	Schickel	Shomshor	Staed
Taylor, D.	Taylor, T.	Tjepkes	Upmeyer
Watts	Wenthe	Whitaker	Whitead
Wienczek	Winckler	Wise	Mr. Speaker
			Murphy

The nays were, 21:

Boal	Chambers	Clute	Forristall
Granzow	Grassley	Greiner	Heaton
Horbach	Huseman	Jacobs	Lukan
Miller, L.	Rayhons	Sands	Soderberg
Struyk	Swaim	Tymeson	Van Engelenhoven
Worthan			

Absent or not voting, 4:

De Boef	Tomenga	Wessel-Kroeschell	Zirkelbach
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The motion prevailed and the resolution, as amended, was adopted.

RULE 76 INVOKED

Under the provision of Rule 76, conflict of interest, the following members refrained from voting:

Bell of Jasper, Smith of Marshall, Huser of Polk, Foege of Linn, Schueller of Jackson, R. Olson of Polk, May of Dickinson, Hoffman of Crawford, Raecker of Polk, Drake of Pottawattamie, Anderson of Page, Alons of Sioux, Arnold of Lucas, Thomas of Clayton, Wendt of Woodbury, Van Fossen of Scott, Kuhn of Floyd, Windschitl of Harrison and Kaufmann of Cedar.

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House File 95** and **Senate Concurrent Resolution 2**.

HOUSE FILE 107 REREFERRED

The Speaker announced that House File 107, previously referred to committee on **commerce** was rereferred to committee on **judiciary**.

HOUSE FILE 121 REREFERRED

The Speaker announced that House File 121, previously referred to committee on **natural resources** was rereferred to committee on **transportation**.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- 2007\225 Hazel Albert, Des Moines – For celebrating her 80th birthday.
- 2007\226 Gladys Loghry, Des Moines – For celebrating her 80th birthday.
- 2007\227 Eva McNulty, Des Moines – For celebrating her 80th birthday.
- 2007\228 William Carver, Des Moines – For celebrating his 80th birthday.
- 2007\229 Christel Laugk, Des Moines – For celebrating her 80th birthday.
- 2007\230 Janet Krumbholz, Des Moines – For celebrating her 80th birthday.
- 2007\231 Dorothea Pender, Des Moines – For celebrating her 80th birthday.
- 2007\232 Robert Deeds, Des Moines – For celebrating his 80th birthday.
- 2007\233 Thomas Holmes, Des Moines – For celebrating his 80th birthday.
- 2007\234 Charlotte Stickel, Des Moines – For celebrating her 85th birthday.
- 2007\235 Dorothy Hillabolt, Des Moines – For celebrating her 85th birthday.
- 2007\236 Theron Peterson, Des Moines – For celebrating his 90th birthday.
- 2007\237 J Osterson, Des Moines – For celebrating his 90th birthday.
- 2007\238 William Randa, Des Moines – For celebrating his 90th birthday.
- 2007\239 Pearl Belleson, Des Moines – For celebrating her 100th birthday.
- 2007\240 Beulah Kissel, Des Moines – For celebrating her 100th birthday.
- 2007\241 Dorothy Meyer, Iowa Falls – For celebrating her 90th birthday.
- 2007\242 Mabel Kuper, Hazelton – For celebrating her 90th birthday.
- 2007\243 Wilma and Lonie Van Ryswyk, Knoxville – For celebrating their 70th wedding anniversary.
- 2007\244 Andy and Pat Oswald, Klemme – For celebrating their 50th wedding anniversary.

- 2007\245 Ada Assink, Kanawha – For celebrating her 87th birthday.
- 2007\246 Marian Holt, Clear Lake – For celebrating her 90th birthday.
- 2007\247 Walter and Harmena Schell, Parkersburg – For celebrating their 60th wedding anniversary.
- 2007\248 Margaret E. Harris, Clarksville – For celebrating her 90th birthday.
- 2007\249 Helen Frerichs, Clarksville – For celebrating her 90th birthday.
- 2007\250 Dorothy Sherman, New Hartford – For celebrating her 80th birthday.
- 2007\251 Blanche Mohning, Le Mars – For celebrating her 80th birthday.
- 2007\252 Glen and Marilyn Udell, Hinton – For celebrating their 50th wedding anniversary.
- 2007\253 Clifford and Arlene Alitz, Mason City – For celebrating their 60th wedding anniversary.
- 2007\254 Donald and Margaret Huygens, Mason City – For celebrating their 50th wedding anniversary.
- 2007\255 Gerald Foutch, Mason City – For celebrating his 80th birthday.
- 2007\256 Shirley Jimenez, Des Moines – For celebrating her 75th birthday.
- 2007\257 Mary Thompson, Des Moines – For celebrating her 75th birthday.
- 2007\258 Morris Blunck, Des Moines – For celebrating his 75th birthday.
- 2007\259 Mary Amos, Des Moines – For celebrating her 75th birthday.
- 2007\260 Joe Muto, Des Moines – For celebrating his 75th birthday.
- 2007\261 Stanford Faller, Des Moines – For celebrating his 75th birthday.
- 2007\262 Maxine Beck, Des Moines – For celebrating her 75th birthday.
- 2007\263 Doris Guess, Des Moines – For celebrating her 75th birthday.
- 2007\264 Tzi Wang, Des Moines – For celebrating his 75th birthday.
- 2007\265 Louise Baker, Des Moines – For celebrating her 75th birthday.
- 2007\266 Elizabeth Defino, Des Moines – For celebrating her 75th birthday.
- 2007\267 Maxine and Bill Nelson, Stuart – For celebrating their 50th wedding anniversary.

- 2007\268 Robert and Dolly Hayes, Guthrie Center – For celebrating their 50th wedding anniversary.
- 2007\269 Roy and Jane Middleton, Guthrie Center – For celebrating their 50th wedding anniversary.
- 2007\270 Wayne Halterman, Bayard – For celebrating his 82nd birthday.
- 2007\271 Katheryn D. Shafer, Des Moines – For celebrating her 80th birthday.
- 2007\272 Yer Vu, Des Moines – For celebrating her 85th birthday.
- 2007\273 Helen A. Beard, Colfax – For celebrating her 80th birthday.
- 2007\274 Daniel F. Bartelma, Runnells – For celebrating his 90th birthday.
- 2007\275 Betsy Simonsen, Runnells – For celebrating her 75th birthday.
- 2007\276 Harold L. Thompson, Colfax – For celebrating his 80th birthday.
- 2007\277 Delores J. Purcell, Altoona – For celebrating her 75th birthday.
- 2007\278 Gail J. Teed, Colfax – For celebrating his 75th birthday.
- 2007\279 Marilyn J. Bruxvort, Mitchellville – For celebrating her 75th birthday.
- 2007\280 James W. Hay, Mitchellville – For celebrating his 80th birthday.
- 2007\281 Diana Y. Warner, Altoona – For celebrating her 80th birthday.
- 2007\282 Margaret F. Smith, Colfax – For celebrating her 80th birthday.
- 2007\283 Joy A. Larson, Altoona – For celebrating her 75th birthday.
- 2007\284 Carl Nielson, Altoona – For celebrating his 75th birthday.
- 2007\285 David N. Young, Altoona – For celebrating his 80th birthday.
- 2007\286 Robert F. Beck, Des Moines – For celebrating his 80th birthday.
- 2007\287 Edna D. Vanzee, Prairie City – For celebrating her 95th birthday.
- 2007\288 Marilyn Freel, Des Moines – For celebrating her 75th birthday.
- 2007\289 Genevieve T. Gannon, Colfax – For celebrating her 75th birthday.
- 2007\290 William A. Newby, Pleasant Hill – For celebrating his 75th birthday.
- 2007\291 Ray B. Nielsen, Altoona – For celebrating his 80th birthday.
- 2007\292 Geraldine L. Blunk, Altoona – For celebrating her 75th birthday.

- 2007\293 Virginia M. Shoenhair, Altoona – For celebrating her 75th birthday.
- 2007\294 Jack R. Bishop, Altoona – For celebrating his 75th birthday.
- 2007\295 Lester R. Allen, Colfax – For celebrating his 80th birthday.
- 2007\296 Donald R. Hamilton, Altoona – For celebrating his 80th birthday.
- 2007\297 Helen T. Henderson, Colfax – For celebrating her 85th birthday.
- 2007\298 John R. Williams, Colfax – For celebrating his 75th birthday.
- 2007\299 Frank H. Garrelts, Altoona – For celebrating his 75th birthday.
- 2007\300 Warren D. Stump, Altoona – For celebrating his 80th birthday.
- 2007\301 Virginia R. Thomas, Mitchellville – For celebrating her 75th birthday.
- 2007\302 Arlo R. Ensley, Des Moines – For celebrating his 80th birthday.
- 2007\303 Christopher V. de Regnier, Winterset – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\304 Bob Wilhelm, Dyersville – For being named the Dyersville Lions Club Citizen of the Year.
- 2007\305 Eugene Bassler, Dubuque – For celebrating his 90th birthday.
- 2007\306 Virginia Burkhart, Dubuque – For celebrating her 80th birthday.
- 2007\307 Genevieve Heathcote, Dubuque – For celebrating her 85th birthday.
- 2007\308 Mary Mulgrew, Dubuque – For celebrating her 80th birthday.
- 2007\309 Walter Gau, Dubuque – For celebrating his 80th birthday.
- 2007\310 James Walsh, Dubuque – For celebrating his 80th birthday.
- 2007\311 Helen Eisbach, Dubuque – For celebrating her 80th birthday.
- 2007\312 Richard Hafner, Dubuque – For celebrating his 90th birthday.
- 2007\313 Anna Askam, Dubuque – For celebrating her 85th birthday.
- 2007\314 Adele Feller, Dubuque – For celebrating her 85th birthday.
- 2007\315 Lorraine Lattner, Dubuque – For celebrating her 80th birthday.
- 2007\316 Mary Weber, Dubuque – For celebrating her 85th birthday.
- 2007\317 Lois Dale, Dubuque – For celebrating her 80th birthday.

- 2007\318 Sr Kerrigan, Dubuque – For celebrating her 95th birthday.
- 2007\319 Ruth Paulsen, Dubuque – For celebrating her 85th birthday.
- 2007\320 Cecelia Boehm, Dubuque – For celebrating her 80th birthday.
- 2007\321 Beverly Kubesheski, Dubuque – For celebrating her 80th birthday.
- 2007\322 Mary Criswell, Dubuque – For celebrating her 85th birthday.
- 2007\323 Pearl Drummond, Dubuque – For celebrating her 85th birthday.
- 2007\324 Mary Mc Mahon, Dubuque – For celebrating her 90th birthday.
- 2007\325 Eloise Fischer, Dubuque – For celebrating her 80th birthday.
- 2007\326 William Butt, Dubuque – For celebrating his 85th birthday.
- 2007\327 Marie Herrig, Dubuque – For celebrating her 80th birthday.
- 2007\328 Dorothy Wagner, Dubuque – For celebrating her 80th birthday.
- 2007\329 Warrington Wick, Dubuque – For celebrating his 85th birthday.
- 2007\330 Eileen Merfeld, Dubuque – For celebrating her 80th birthday.

SUBCOMMITTEE ASSIGNMENTS

House File 53

State Government: Abdul-Samad, Chair; Gaskill and Gipp.

House File 56

State Government: Jacoby, Chair; Drake and Whitead.

House File 67

State Government: Wessel-Kroeschell, Chair; Kaufmann and Lensing.

House File 68

State Government: Wessel-Kroeschell, Chair; Boal, Jochum, Kaufmann and Lensing.

House File 70

State Government: Lensing, Chair; Gipp and Wessel-Kroeschell.

House File 71

State Government: Gaskill, Chair; Abdul-Samad and Jacobs.

House File 72

State Government: Quirk, Chair; Greiner, Jacoby, Jochum, Raecker, Roberts and Shomshor.

House File 86

State Government: Quirk, Chair; Greiner, Jacoby, Jochum, Raecker, Roberts and Shomshor.

House File 99

State Government: Wessel-Kroeschell, Chair; Boal, Jochum, Kaufmann and Lensing.

House File 101

State Government: Wessel-Kroeschell, Chair; Jochum, Kaufmann, Lensing and Roberts.

House File 104

State Government: Lensing, Chair; L. Miller and Pettengill.

House File 106

State Government: Quirk, Chair; Greiner, Jacoby, Jochum, Raecker, Roberts and Shomshor.

House File 114

Education: Winckler, Chair; Bukta and Forristall.

House File 118

Human Resources: Hunter, Chair; Smith and Upmeyer.

House File 119

Education: Cohoon, Chair; Foege and Tymeson.

House File 123

Natural Resources: Reichert, Chair; Rayhons and Wenthe.

House File 125

Human Resources: Petersen, Chair; Abdul-Samad and Heaton.

House File 127

Education: Gayman, Chair; Mascher and L. Miller.

House File 136

Judiciary: Lensing, Chair; Heaton and Winckler.

House File 145

Education: Mascher, Chair; Dolecheck and Palmer.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS**House Study Bill 5 Reassigned**

Judiciary: Swaim, Chair; Anderson and Lensing.

House Study Bill 29

Natural Resources: D. Taylor, Chair; Baudler and Mertz.

House Study Bill 31

Ethics: Davitt, Chair; Bell, T. Olson, Raecker, Schickel and Tymeson.

House Study Bill 32

Natural Resources: Bell, Chair; Arnold, Bailey, Rayhons and Reichert.

House Study Bill 35

Natural Resources: Reichert, Chair; Rasmussen and Whitead.

House Study Bill 37

Natural Resources: Bell, Chair; Huseman and Whitaker.

House Study Bill 45

Natural Resources: Davitt, Chair; Lukan and Shomshor.

House Study Bill 48

Ethics: Davitt, Chair; Bell, T. Olson, Raecker, Schickel and Tymeson.

House Study Bill 63 Reassigned

Judiciary: R. Olson, Chair; Horbach and Palmer.

House Study Bill 64 Reassigned

Judiciary: Swaim, Chair; Anderson and Palmer.

House Study Bill 93

Human Resources: Smith, Chair; Ford and Upmeyer.

House Study Bill 94

Judiciary: R. Olson, Chair; Smith and Tomenga.

House Study Bill 95

Judiciary: Huser, Chair; Lensing and Struyk.

House Study Bill 96

Judiciary: Palmer, Chair; Horbach and Swaim.

House Study Bill 101

State Government: T. Taylor, Chair; Boal, Drake, Gipp, Jochum, Pettengill and Wendt.

House Study Bill 102

Education: Bukta, Chair; Kelley and May.

House Study Bill 103

State government: Jacoby, Chair; Jochum and Roberts.

House Study Bill 105

State Government: Jochum, Chair; Boal, Kaufmann, Lensing, and Wessel-Kroeschell.

House Study Bill 108

State Government: Jochum, Chair; Boal and Jacoby.

House Study Bill 109

State Government: Lensing, Chair; Jacobs and Wessel-Kroeschell.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 110 Human Resources

Relating to dependent adult abuse.

H.S.B. 111 Human Resources

Relating to requirements of the department of human services involving electronic benefits transfer.

AMENDMENTS FILED

H—1005	H.F.	149	Tymeson of Madison
H—1006	H.F.	149	Raecker of Polk
H—1007	H.F.	149	Tymeson of Madison
H—1008	H.F.	149	Tymeson of Madison
H—1009	H.F.	149	Tymeson of Madison
H—1010	H.F.	149	Tymeson of Madison
H—1011	H.F.	149	Tymeson of Madison
H—1012	H.F.	149	Raecker of Polk
H—1013	H.F.	149	Raecker of Polk
H—1014	H.F.	149	Tymeson of Madison
H—1015	H.F.	149	Tymeson of Madison
H—1016	H.F.	149	Raecker of Polk
H—1018	H.F.	149	Tymeson of Madison

On motion by McCarthy of Polk the House adjourned at 5:59 p.m., until 9:00 a.m., Tuesday, January 31, 2007.

JOURNAL OF THE HOUSE

Twenty-fourth Calendar Day - Seventeenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, January 31, 2007

The House met pursuant to adjournment at 9:06 a.m., Speaker Murphy in the chair.

Prayer was offered by Reverend Todd Stiles, pastor of the First Family Church of Ankeny. He was the guest of Representative Carmine Boal of Polk County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Dani Cisna of Ankeny High School. She also sang the "Star Spangled Banner".

The Journal of Tuesday, January 30, 2007 was approved.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on January 30, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 61, a bill for an act relating to the establishment of state and school antiharassment and antibullying policies, providing data collection and reporting requirements, and providing for immunity and other related matters.

Also: That the Senate has on January 30, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 62, a bill for an act relating to the duties and operations of the state board of education, the department of education, and local school boards.

MICHAEL E. MARSHALL, Secretary

INTRODUCTION OF BILLS

House File 169, by Pettengill, a bill for an act relating to animal pounds, by authorizing pounds to provide for foster care, to refer to themselves as animal shelters, and providing penalties.

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

House File 170, by Hunter, a bill for an act providing an Iowa individual income tax checkoff for qualified Iowa zoos, making an appropriation and providing for the Act's implementation.

Read first time and referred to committee on **ways and means**.

House File 171, by Petersen, a bill for an act relating to residential property and property taxation within a self-supported municipal improvement district, providing a property tax exemption, and providing that related notices may be sent by first class mail.

Read first time and referred to committee on **economic growth**.

SENATE MESSAGES CONSIDERED

Senate File 61, by committee on education, a bill for an act relating to the establishment of state and school antiharassment and antibullying policies, providing data collection and reporting requirements, and providing for immunity and other related matters.

Read first time and **passed on file**.

Senate File 62, by committee on education, a bill for an act relating to the duties and operations of the state board of education, the department of education, and local school boards.

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

HOUSE FILE 98 REREFERRED

The Speaker announced that House File 98, previously referred to committee on **environmental protection** was rereferred to committee on **agriculture**.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on Tuesday, January 30, 2007. Had I been present, I would have voted "aye" on House File 95 and "nay" on Senate Concurrent Resolution 2.

DE BOEF of Keokuk

SUBCOMMITTEE ASSIGNMENTS**House File 13**

Local Government: Schueller, Chair; Gaskill and Van Engelenhoven.

House File 20

Appropriations: Foege, Chair; Berry and Heaton.

House File 22

Appropriations: Foege, Chair; Berry and Heaton.

House File 25

Veterans Affairs: Bukta, Chair; Chambers and Staed.

House File 26

Appropriations: Jacoby, Chair; Alons and Oldson.

House File 48

Appropriations: Kuhn, Chair; Lukan and Wenthe.

House File 60

Veterans Affairs: Bukta, Chair; H. Miller and Windschitl.

House File 76

Public Safety: Whitaker, Chair; Baudler and Hunter.

House File 80

Veterans Affairs: D. Taylor, Chair; Bell, Granzow, Thomas and Watts.

House File 96

Human Resources: Smith, Chair; Roberts and Wessel-Kroeschell.

House File 102

Public Safety: Mascher, Chair; Heddens and Rayhons.

House File 108

Public Safety: Berry, Chair; Gayman and Rayhons.

House File 109

Human Resources: Jacoby, Chair; Mascher and Tomenga.

House File 117

Commerce: Jacoby, Chair; Jacobs and Oldson.

House File 120

Public Safety: Kressig, Chair; Baudler and R. Olson.

House File 158

Human Resources: Ford, Chair; Foege and Granzow.

House File 166

Commerce: Reichert, Chair; Petersen, Soderberg, D. Taylor and Van Fossen.

Senate File 62

Education: Winckler, Chair; Abdul-Samad and May.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS**House Study Bill 110**

Human Resources: Hunter, Chair; Smith and Upmeyer.

House Study Bill 111

Human Resources: Palmer, Chair; Ford and Grassley.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS**H.S.B. 112 Appropriations**

Making an appropriation for the support of multijurisdictional drug enforcement.

H.S.B. 113 Education

Relating to the state's educational standards regarding teacher librarians and qualified guidance counselors, and to teacher and administrator quality, including the student achievement and teacher quality program and an administrator quality program, and making appropriations.

H.S.B. 114 Education

Relating to incentives for school district reorganizations and shared operational functions, and making an appropriation.

H.S.B. 115 Education

Creating a preschool for four-year-old children program, and making appropriations and providing an effective date.

H.S.B. 116 Judiciary

Relating to the disposition of seized property in a criminal proceeding.

H.S.B. 117 Judiciary

Relating to judicial branch practices and procedures, including expanding the definition of a seal, eliminating duties of the clerk of the supreme court, making confidential personal information, and obtaining electronic signatures on citations.

H.S.B. 118 Public Safety

Modifying the definition of sexual abuse by including certain deceptive acts, and providing penalties.

H.S.B. 119 Public Safety

Creating a criminal offense for impeding the normal breathing or circulation of the blood of another, and providing penalties.

H.S.B. 120 Commerce

Relating to various matters under the purview of the insurance division of the department of commerce including workers' compensation insurance, premium taxes, the uniform securities Act, powers and duties of the insurance division, regulation of insurance sales to military personnel, domestic insurance companies, examination of insurance companies, life insurance companies, nonprofit health service corporations, external review of health care coverage decisions, investment limitations on insurers other than life insurers, property and casualty insurers' reserves, motor vehicle service contracts, county and state mutual associations, reciprocal or interinsurance contracts, licensing of insurance producers and public adjusters, and life and fire insurance company boards of directors, and providing penalties.

H.S.B. 121 Judiciary

Relating to a parent's cause of action for the recovery of expenses and actual loss of services, companionship, and society resulting from the injury to or death of a child and including an applicability date provision.

H.S.B. 122 Judiciary

Relating to the statute of limitations period in a medical malpractice action and including an applicability provision.

H.S.B. 123 Judiciary

Relating to a hospital lien and providing an effective date.

H.S.B. 124 Agriculture

Relating to the handling of manure originating from confinement feeding operations by providing for certification requirements.

H.S.B. 125 Agriculture

Relating to animal feeding operations, by providing for the enforcement of regulatory provisions.

H.S.B. 126 Environmental Protection

Relating to reimbursement amounts paid by distributors to dealers, redemption center operators, and dealer agents for empty beverage containers.

H.S.B. 127 Judiciary

Repealing the statute of repose periods in a product liability case and in a case arising out of the unsafe or defective condition of an improvement to real property and including an applicability date provision.

H.S.B. 128 Commerce

Increasing proof of financial responsibility and insurance coverage requirements for damages resulting from certain incidents and motor vehicle accidents.

H.S.B. 129 Commerce

Requiring that certain liability insurance policy information be given to claimants.

H.S.B. 130 Commerce

Relating to the disapproval of rate filings of certain casualty insurers.

H.S.B. 131 Commerce

Relating to prohibited business practices by a real estate broker or salesperson.

H.S.B. 132 Judiciary

Relating to the issuance of temporary orders modifying an order of child support or custody.

H.S.B. 133 Judiciary

Adding hallucinogenic substances to the list of schedule I controlled substances, and providing penalties.

H.S.B. 134 Judiciary

Funding courthouse security programs through the enhanced court collections fund and the county general fund.

H.S.B. 135 Judiciary

Relating to judicial branch procedures, including appointments of court of appeals judges, district judges, district associate judges, associate juvenile judges, associate probate judges, magistrates, clerks of the district court, and patients advocates, and compensation to judges and other court personnel serving as fiduciaries.

H.S.B. 136 Judiciary

Relating to a criminal defendant filing an application for postconviction relief.

H.S.B. 137 Judiciary

Relating to the assessment of civil and criminal court fees and penalties.

H.S.B. 138 Judiciary

Relating to appealing the determination a person is a sexually violent predator.

H.S.B. 139 Judiciary

Increasing the law enforcement initiative surcharge, expanding its applicability, and making an appropriation.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON ETHICS

Committee Bill (Formerly House Study Bill 31), relating to the rules governing lobbyist in the House of Representatives.

Fiscal Note is not required.

Recommended **Do Pass** January 30, 2007.

Committee Bill (Formerly House Study Bill 48), relating to the House code of ethics.

Fiscal Note is not required.

Recommended **Do Pass** January 30, 2007.

COMMITTEE ON JUDICIARY

Committee Bill (Formerly House Study Bill 1), relating to the hourly reimbursement rate of attorneys representing indigent persons.

Fiscal Note is not required.

Recommended **Do Pass** January 30, 2007.

Committee Bill (Formerly House Study Bill 3), relating to the payment of costs of reasonable attorney fees related to certain paternity and adoption proceedings.

Fiscal Note is not required.

Recommended **Amend and Do Pass** January 30, 2007.

RESOLUTIONS FILED

HR 8, by committee on ethics, a resolution relating to the House code of ethics.

Placed on **calendar**.

HR 9, by committee on ethics, a resolution relating to the rules governing lobbyists in the House of Representatives.

Placed on **calendar**.

AMENDMENTS FILED

H—1019	S.F.	61	Raecker of Polk
H—1020	S.F.	61	May of Dickinson
H—1021	S.F.	61	Tymeson of Madison
H—1022	S.F.	61	Horbach of Tama
H—1023	S.F.	61	Chambers of O'Brien
H—1024	S.F.	61	L. Miller of Scott
H—1025	S.F.	61	Kaufmann of Cedar
H—1026	S.F.	61	Tymeson of Madison
H—1027	S.F.	61	Raecker of Polk
H—1028	S.F.	61	Baudler of Adair
H—1029	S.F.	61	Tymeson of Madison
H—1030	S.F.	61	Alons of Sioux
H—1031	S.F.	61	Raecker of Polk
H—1032	S.F.	61	Tymeson of Madison
H—1033	S.F.	61	Tymeson of Madison
H—1034	S.F.	61	May of Dickinson
H—1035	S.F.	61	May of Dickinson

On motion by McCarthy of Polk the House adjourned at 9:14 a.m., until 9:00 a.m., Thursday, February 1, 2007.

JOURNAL OF THE HOUSE

Twenty-fifth Calendar Day - Eighteenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, February 1, 2007

The House met pursuant to adjournment at 9:10 a.m., Speaker Murphy in the chair.

Prayer was offered by Reverend Ted Miller, pastor of the First Presbyterian Church, Cedar Rapids. He was the guest of Representative Tyler Olson of Linn County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Katheryn Wollan, House Page from Webster City.

The Journal of Wednesday, January 31, 2007 was approved.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on January 31, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 95, a bill for an act relating to the designation of pilot project cities for a targeted jobs withholding tax credit to be used for funding improvements in certain urban renewal areas and including effective and retroactive applicability date provisions.

Also: That the Senate has on January 31, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 32, a bill for an act extending the future repeal of a provision requiring the issuance of certificates for furnishing local telecommunications services, and providing an effective date.

Also: That the Senate has on January 31, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 39, a bill for an act relating to campaign contributions, the filing of disclosure reports, the posting of statements and reports on the internet, the posting of

signs on private property, and the escheat of funds from an unknown or unidentifiable source.

Also: That the Senate has on January 31, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 40, a bill for an act relating to the regulation of ethical conduct by governmental entities.

Also: That the Senate has on January 31, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 49, a bill for an act providing for a .08 blood alcohol limit for motorboat or sailboat operating while intoxicated offenses.

Also: that the Senate has on January 31, 2007, concurred in the House amendment and adopted the following resolution in which the concurrence of the Senate was asked:

Senate Concurrent Resolution 2, a concurrent resolution relating to the compensation of chaplains, officers, and employees of the eighty-second general assembly.

MICHAEL E. MARSHALL, Secretary

INTRODUCTION OF BILLS

House File 172, by Berry, Smith, Kressig, Winckler, Pettengill, Wenthe, Wendt, T. Olson, Jacoby, Schueller, Foege, Lensing, Anderson, Swaim, Abdul-Samad and Ford, a bill for an act prescribing the frequency of a guardian ad litem's visits to the residence of a child.

Read first time and referred to committee on **human resources**.

House File 173, by Whitaker, Kuhn, Frevert, Swaim, Schueller, Smith and Gaskill, a bill for an act providing authority to a county board of supervisors to establish a separation distance requirement between an animal feeding operation maintaining swine and a structure which is part of a swine farrowing and gestating operation, and providing an effective date.

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

House File 174, by D. Olson, Swaim, Gaskill, Kressig, Jacoby, Smith, Mertz, Dandekar, Kaufmann and De Boef, a bill for an act exempting active duty pay of members of the armed forces, armed

forces military reserve, and national guard and including a retroactive applicability date provision.

Read first time and referred to committee on **veterans affairs**.

House File 175, by D. Olson, a bill for an act establishing an efficiency in higher education Act.

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

House File 176, by Tymeson, Drake, Boal, Dolecheck, Alons, Tomenga, Forristall, L. Miller, Grassley, S. Olson, Paulsen, Wiencek, Heaton, Lukan, Tjepkes, De Boef, Jacobs, Chambers, Huseman, Van Fossen, Raecker, Roberts, Soderberg, Worthan, Clute, Rasmussen, Baudler, Kaufmann, Rayhons, May, Windschitl, Gipp, Rants, Horbach, Watts, Deyoe, Upmeyer, Greiner, Sands, Hoffman, Van Engelenhoven, Arnold, Granzow, Schickel, Anderson and Struyk, a bill for an act revising appropriations for certain veterans' programs for the fiscal year beginning July 1, 2006, and providing an effective date.

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

House File 177, by Swaim, a bill for an act allowing a competent adult to execute a written instrument directing the final disposition of that person's remains.

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

House File 178, by D. Olson, a bill for an act relating to third-party payment of health care coverage costs for the diagnosis and treatment of infertility and providing an applicability date.

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

House File 179, by Rayhons, a bill for an act allowing stationary or European-style bird hunts on hunting preserves.

Read first time and referred to committee on **natural resources**.

House File 180, by Mascher, a bill for an act increasing the taxes imposed on cigarettes and providing for appropriation of the revenue generated to the medical assistance program and for tobacco control and prevention, and providing an effective date.

Read first time and referred to committee on **ways and means**.

House File 181, by Schueller, Sands, Worthan, De Boef, Dolecheck, Mertz, Frevert, Gaskill and Alons, a bill for an act concerning horse racing by providing minimum total purses for races of standardbred horses at county fairs and including an applicability and effective date provision.

Read first time and referred to committee on **state government**.

House File 182, by Lensing, a bill for an act concerning disclosures of information by health care workers and providing penalties.

Read first time and referred to committee on **human resources**.

House File 183, by Raecker, a bill for an act providing for an individual income tax deduction for contributions made to a qualified tuition program established by a state other than Iowa and including effective and retroactive applicability date provisions.

Read first time and referred to committee on **ways and means**.

House File 184, by Gayman, Smith, Heddens, Hunter, Foege, Wenthe, Kressig and Jochum, a bill for an act relating to the personal needs allowance for medical assistance recipients, providing an effective date, and providing for retroactive applicability.

Read first time and referred to committee on **human resources**.

House File 185, by Kressig, a bill for an act requiring health care benefit coverage for certain prosthetic devices and providing an applicability date.

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

House File 186, by Wessel-Kroeschell, a bill for an act specifying the functions of the Clarinda correctional facility.

Read first time and referred to committee on **public safety**.

House File 187, by Petersen, Abdul-Samad, Reichert, Jochum, Wise, Kuhn, Winckler, Lensing and Swaim, a bill for an act relating to state and local regulation of smoking.

Read first time and referred to committee on **local government**.

House File 188, by Huser, a bill for an act modifying water service requirements for rural water providers.

Read first time and referred to committee on **local government**.

House File 189, by committee on judiciary, a bill for an act relating to the hourly reimbursement rate of attorneys representing indigent persons.

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

SPECIAL PRESENTATION

Kressig of Black Hawk introduced to the House the Honorable Bill Witt, former state representative from Black Hawk County.

The House rose and expressed its welcome.

Abdul-Samad of Polk introduced to the House, Trenise Collier, a student from Urbandale High School involved in a job shadowing program.

The House rose and expressed its welcome.

Oldson of Polk introduced to the House, Harriet Fulbright, widow of former U.S. Senator William Fulbright, who is in Iowa promoting the message "The Man, the Mission, and the Message", regarding the message of her late husband.

The House rose and expressed its welcome.

On motion by McCarthy of Polk, the House was recessed at 9:21 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened at 1:10 p.m., Speaker Murphy in the chair.

INTRODUCTION OF BILLS

House Joint Resolution 2, by Granzow, Drake, Kaufmann, De Boef, Tomenga, Alons, Rayhons, Jacobs, R. Olson, Heddens, Tjepkes, Clute, Wessel-Kroeschell, Winckler, Lensing, Boal, S. Olson and May, a joint resolution proposing an amendment to the Constitution of the State of Iowa to change the length of term of office for members of the Iowa House of Representatives from two years to four years.

Read first time and referred to committee on **state government**.

House File 190, by Bailey, a bill for an act providing for and making an appropriation to the department of elder affairs for statewide expansion of the elder abuse initiative program.

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

House File 191, by Pettengill, a bill for an act prohibiting the use of artificial light on wildlife for hunting or recreational purposes.

Read first time and referred to committee on **natural resources**.

House File 192, by Huser, a bill for an act relating to notice and collection of delinquent charges by certain city utilities or city enterprises.

Read first time and referred to committee on **local government**.

House File 193, by Kaufmann, Granzow, Dolecheck, Alons, Soderberg, Drake, Rayhons, Schickel, Worthan, Huseman, Baudler, Van Fossen, Windschitl, Watts, Lukan, Grassley, Deyoe, Heaton, Upmeyer and Rasmussen, a bill for an act establishing a standing appropriation to support fairs.

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

SENATE MESSAGES CONSIDERED

Senate File 32, by committee on commerce, a bill for an act extending the future repeal of a provision requiring the issuance of certificates for furnishing local telecommunications services, and providing an effective date.

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

Senate File 39, by committee on state government, a bill for an act relating to campaign contributions, the filing of disclosure reports, the posting of statements and reports on the internet, the posting of signs on private property, and the escheat of funds from an unknown or unidentifiable source.

Read first time and referred to committee on **state government**.

Senate File 40, by committee on state government, a bill for an act relating to the regulation of ethical conduct by governmental entities.

Read first time and referred to committee on **state government**.

Senate File 49, by committee on natural resources and environment, a bill for an act providing for a .08 blood alcohol limit for motorboat or sailboat operating while intoxicated offenses.

Read first time and referred to committee on **natural resources**.

The House stood at ease at 1:14 p.m., until the fall of the gavel.

The House resumed session at 2:11 p.m., Speaker Murphy in the chair.

McCarthy of Polk asked and received unanimous consent for the immediate consideration of House Resolution 10.

ADOPTION OF HOUSE RESOLUTION 10

H. Miller of Webster, Berry of Black Hawk, Abdul-Samad of Polk and Ford of Polk, called up for consideration **House Resolution 10**,

a resolution honoring the National Bar Association for over eight decades of service to the cause of civil rights and equal justice for all, and moved its adoption.

The motion prevailed and the resolution was adopted.

On motion by McCarthy of Polk, the House was recessed at 2:17 p.m., until 5:30 p.m.

EVENING SESSION

The House reconvened at 5:43 p.m., Speaker Murphy in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Windschitl of Harrison on request of Rants of Woodbury; Arnold of Lucas on request of Gipp of Winneshiek.

The House stood at ease at 5:44 p.m., until the fall of the gavel.

The House resumed session at 7:10 p.m., Speaker Murphy in the chair.

CONSIDERATION OF BILLS

Regular Calendar

House File 5, a bill for an act relating to the maximum finance charge allowed for consumer loans secured by a certificate of title to a motor vehicle and making penalties applicable, with report of committee recommending passage, was taken up for consideration.

Under the provision of Rule 31.8, related to the timely filing of amendments, amendment H-1039 filed from the floor by Tomenga of Polk, R. Olson of Polk, D. Taylor of Linn, Anderson of Page, Palmer of Mahaska, Wise of Lee, Huser of Polk, Hunter of Polk, Tjepkes of Webster, Struyk of Pottawattamie, May of Dickinson, Clute of Polk and Granzow of Harden, was placed out of order.

Jacoby of Johnson moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 5)

The ayes were, 84:

Abdul-Samad	Alons	Anderson	Bailey
Baudler	Bell	Berry	Bukta
Chambers	Clute	Cohoon	Dandekar
Davitt	De Boef	Deyoe	Drake
Foege	Ford	Forristall	Frevert
Gaskill	Gayman	Gipp	Granzow
Grassley	Heaton	Heddens	Hoffman
Hunter	Huseman	Jacobs	Jacoby
Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Oldson	Olson, D.
Olson, S.	Olson, T.	Palmer	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rants	Rasmussen	Reasoner	Reichert
Roberts	Schickel	Schueller	Shomshor
Smith	Soderberg	Staed	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wendt	Wenthe	Whitaker
Whitead	Wiencek	Winckler	Mr. Speaker Murphy

The nays were, 12:

Boal	Dolecheck	Greiner	Horbach
Huser	Olson, R.	Rayhons	Sands
Struyk	Tomenga	Wise	Worthan

Absent or not voting, 4:

Arnold	Wessel-Kroeschell	Windschitl	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

The House stood at ease at 7:45 p.m., until the fall of the gavel.

The House resumed session at 7:56 p.m., Speaker Murphy in the chair.

MOTION TO RECONSIDER
(House File 5)

I move to reconsider the vote by which House File 5 passed the House on February 1, 2007. I have voted on the prevailing side.

RANTS of Woodbury

MOTION TO RECONSIDER LOST

Jacoby of Johnson called up for consideration the motion to reconsider House File 5, a bill for an act relating to the maximum finance charge allowed for consumer loans secured by a certificate of title to a motor vehicle and making penalties applicable.

A non-record roll call was requested.

The ayes were 43, nays 49.

The motion to reconsider lost.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **House File 5** be immediately messaged to the Senate.

HOUSE FILE 182 REREFERRED

The Speaker announced that House File 182, previously referred to committee on **human resources** was rereferred to committee on **labor**.

SPONSOR REMOVED
(Amendment H—1039)

Palmer of Mahaska requested to be removed as a sponsor of amendment H—1039 to House File 5.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- 2007\331 Adair Boysen, Columbus Junction – For showing the Grand Champion Junior Market Swine at the National Western Junior Market Swine Show.
- 2007\332 Bay Boysen, Columbus Junction – For showing the Swine Class Winner at the National Western Junior Market Swine Show.
- 2007\333 Clinton and Pat Cocklin, Wapello – For celebrating their 60th wedding anniversary.
- 2007\334 Cleo and Gladys Orris, Iowa City – For celebrating their 60th wedding anniversary.
- 2007\335 Marian Minnis, Morning Sun – For celebrating her 90th birthday.
- 2007\336 Alex Pehler, Eldridge – For receiving the DAR Good Citizen Award.
- 2007\337 John Jackson, DeWitt – For being named Nite Lion of the Year.
- 2007\338 Bim Pritchard, DeWitt – For receiving the Warren Coleman Award.
- 2007\339 Lorraine and Violet Schuldt, Tripoli – For celebrating their 60th wedding anniversary.
- 2007\340 Harrold and Barbra Ungerer, Hawkeye – For celebrating their 50th wedding anniversary.
- 2007\341 Mel and Bev Kubicek, Denver – For celebrating their 50th wedding anniversary.
- 2007\342 Sean Tiedt, Sumner – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\343 Marlene Miller, Davenport – For celebrating her 75th birthday.
- 2007\344 Wilbert Poppe, Davenport – For celebrating his 85th birthday.
- 2007\345 Earl Coker, Davenport – For celebrating his 75th birthday.
- 2007\346 Mary Munchrath, Davenport – For celebrating her 102nd birthday.
- 2007\347 Maxine Orth, Davenport – For celebrating her 85th birthday.
- 2007\348 Mary Gavin, Tucson – For celebrating her 75th birthday.
- 2007\349 Jack Matson, Davenport – For celebrating his 75th birthday.
- 2007\350 Elsie Rowe, Davenport – For celebrating her 80th birthday.
- 2007\351 Mary Schroeder, Davenport – For celebrating her 85th birthday.
- 2007\352 Gladys Herring, Davenport – For celebrating her 75th birthday.

- 2007\353 Shirley Marolf, Davenport – For celebrating her 75th birthday.
- 2007\354 Lawrence Kriner, Davenport – For celebrating his 75th birthday.
- 2007\355 Harry Hyman, Davenport – For celebrating his 90th birthday.
- 2007\356 Lloyd Border, Davenport – For celebrating his 80th birthday.
- 2007\357 Doris Losh, Davenport – For celebrating her 80th birthday.
- 2007\358 Alfrd Conner, Davenport – For celebrating his 75th birthday.
- 2007\359 Dale Banks, Davenport – For celebrating his 80th birthday.
- 2007\360 Clay Huebbe, Davenport – For celebrating his 75th birthday.
- 2007\361 Jeanne Jackson, Davenport – For celebrating her 75th birthday.
- 2007\362 Nancy Stribling, Davenport – For celebrating her 75th birthday.
- 2007\363 Lester Doering, Davenport – For celebrating his 80th birthday.
- 2007\364 Eugenia Kraklio, Davenport – For celebrating her 80th birthday.
- 2007\365 Dorothy Martens, Davenport – For celebrating her 80th birthday.
- 2007\366 Margaret Simms, Davenport – For celebrating her 80th birthday.
- 2007\367 Eldene Sternberg, Davenport – For celebrating her 80th birthday.
- 2007\368 Herbert Brundies, Davenport – For celebrating his 80th birthday.
- 2007\369 Donato Petruccelli, Davenport – For celebrating his 80th birthday.
- 2007\370 Harold Bergen, Davenport – For celebrating his 80th birthday.
- 2007\371 Jean Berchtold, Davenport – For celebrating her 75th birthday.
- 2007\372 Paul Brace, Davenport – For celebrating his 80th birthday.
- 2007\373 Anne Beckman, Davenport – For celebrating her 75th birthday.
- 2007\374 Lafayette Crump, Davenport – For celebrating his 75th birthday.
- 2007\375 Shirley Heller, Davenport – For celebrating her 85th birthday.
- 2007\376 Edward Behr, Davenport – For celebrating his 75th birthday.
- 2007\377 Norma Scherff, Davenport – For celebrating her 85th birthday.
- 2007\378 Ida Schlueter, Davenport – For celebrating her 85th birthday.
- 2007\379 Maura Burche, Davenport – For celebrating her 75th birthday.

- 2007\380 Verda Housley, Davenport – For celebrating her 85th birthday.
- 2007\381 Ernest Redmond, Davenport – For celebrating his 75th birthday.
- 2007\382 Donna Cook, Davenport – For celebrating her 75th birthday.
- 2007\383 Killion Roh, Davenport – For celebrating his 75th birthday.
- 2007\384 Flora Heber, Davenport – For celebrating her 101st birthday.
- 2007\385 Myra Wheeler, Davenport – For celebrating her 75th birthday.
- 2007\386 Mark Rohlf, Davenport – For celebrating his 95th birthday.
- 2007\387 Murlin and Betty Johannsen, Schleswig – For celebrating their 50th wedding anniversary.
- 2007\388 Roger and Joan Barkema, Jewell – For celebrating their 50th wedding anniversary.
- 2007\389 Patricia Kennedy, Davenport – For celebrating her 80th birthday.
- 2007\390 Lavila Ramsey, Davenport – For celebrating her 80th birthday.
- 2007\391 Donald Whitmore, Davenport – For celebrating his 80th birthday.
- 2007\392 Richard Danielsen, Davenport – For celebrating his 75th birthday.
- 2007\393 Marianna Laster, Davenport – For celebrating her 80th birthday.
- 2007\394 Ruth Horstmann, Davenport – For celebrating her 85th birthday.
- 2007\395 Betty McGuire, Davenport – For celebrating her 85th birthday.
- 2007\396 Howard Edinger, Davenport – For celebrating his 75th birthday.
- 2007\397 Joan Morris, Davenport – For celebrating her 75th birthday.
- 2007\398 Dorothy Boles, Davenport – For celebrating her 80th birthday.
- 2007\399 Marilyn Lee, Davenport – For celebrating her 75th birthday.
- 2007\400 Georgia Donelson, Davenport – For celebrating her 80th birthday.
- 2007\401 Wilma McCartney, Davenport – For celebrating her 85th birthday.
- 2007\402 Norma Fiedler, Davenport – For celebrating her 95th birthday.
- 2007\403 Erwin Schenk, Davenport – For celebrating his 101st birthday.
- 2007\404 Phyllis Heinen, Davenport – For celebrating her 75th birthday.

- 2007\405 Lois Rosen, Davenport – For celebrating her 80th birthday.
- 2007\406 Mary Lee, Davenport – For celebrating her 75th birthday.
- 2007\407 Rosemary Briegel, Davenport – For celebrating her 80th birthday.
- 2007\408 George Kester, Davenport – For celebrating his 80th birthday.
- 2007\409 Robert Otten, Davenport – For celebrating his 85th birthday.
- 2007\410 Patricia Vandyke, Davenport – For celebrating her 85th birthday.
- 2007\411 Waltraud Smith, Davenport – For celebrating her 75th birthday.
- 2007\412 Mildred Callahan, Davenport – For celebrating her 90th birthday.
- 2007\413 Harold Grimm, Davenport – For celebrating his 75th birthday.
- 2007\414 Helen Sutton, Davenport – For celebrating her 90th birthday.
- 2007\415 Helen Costello, Davenport – For celebrating her 85th birthday.
- 2007\416 Leon Skinner, Davenport – For celebrating his 85th birthday.
- 2007\417 Herbert Ries, Davenport – For celebrating his 75th birthday.
- 2007\418 Mary Hughes, Davenport – For celebrating her 85th birthday.
- 2007\419 Louise Marolf, Davenport – For celebrating her 75th birthday.
- 2007\420 Helen Edington, Davenport – For celebrating her 85th birthday.
- 2007\421 Jeanette Weber, Davenport – For celebrating her 85th birthday.
- 2007\422 Kenneth Marquis, Davenport – For celebrating his 75th birthday.
- 2007\423 Frank Coussens, Davenport – For celebrating his 90th birthday.
- 2007\424 Ruthell Bogan, Davenport – For celebrating her 75th birthday.
- 2007\425 Margaret Heuer, Davenport – For celebrating her 80th birthday.
- 2007\426 Raymond Sterner, Davenport – For celebrating his 80th birthday.
- 2007\427 Ruth Sterner, Davenport – For celebrating her 85th birthday.
- 2007\428 Lois Watson, Davenport – For celebrating her 85th birthday.
- 2007\429 Margaret Carlin, Davenport – For celebrating her 80th birthday.
- 2007\430 Dorothy Heinze, Davenport – For celebrating her 80th birthday.

- 2007\431 Mary Butler, Davenport – For celebrating her 85th birthday.
- 2007\432 Betty Chatfield, Davenport – For celebrating her 75th birthday.
- 2007\433 Virginia Dvorak, Davenport – For celebrating her 80th birthday.
- 2007\434 Merle Opperman, Strawberry Point – For celebrating her 107th birthday.
- 2007\435 Cleyta Lange, Monona – For celebrating her 100th birthday.
- 2007\436 Arvin G. and Norma L. Klein, Pella – For celebrating their 60th wedding anniversary.
- 2007\437 William and Carrie Everts, Grundy Center – For celebrating their 60th wedding anniversary.
- 2007\438 Bernerd and Carrie Kruger, Holland – For celebrating their 65th wedding anniversary.
- 2007\439 Vernon Klosterboer, Grundy Center – For celebrating his 80th birthday.
- 2007\440 Verlyn Henze, Grundy Center – For celebrating her 80th birthday.
- 2007\441 Vadis Isley, Indianola – For celebrating her 86th birthday.
- 2007\442 Charolette Johnston, Indianola – For celebrating her 85th birthday.
- 2007\443 Jared VanDyke, South English – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\444 J. Richard “Dick” Simmons, Fairfield – For celebrating his 80th birthday.
- 2007\445 Myrtle Carmichael, Fairfield – For celebrating her 104th birthday.
- 2007\446 Mr. and Mrs. Dale Rohdy, Farmington – For celebrating their 60th wedding anniversary.
- 2007\447 Raymond and Alice Kessel, Fairfield – For celebrating their 60th wedding anniversary.
- 2007\448 Alice Ashbaugh, Cedar Rapids – For celebrating her 80th birthday.
- 2007\449 Noel Bishop, Cedar Rapids – For celebrating her 75th birthday.
- 2007\450 Joyce Boyd, Cedar Rapids – For celebrating her 80th birthday.
- 2007\451 Grant Bramel, Cedar Rapids – For celebrating his 85th birthday.
- 2007\452 Irene Campagna, Cedar Rapids – For celebrating her 90th birthday.

- 2007\453 Robert Chapman, Cedar Rapids – For celebrating his 85th birthday.
- 2007\454 Luman Colton, Cedar Rapids – For celebrating his 85th birthday.
- 2007\455 Margaaret Cook, Cedar Rapids – For celebrating her 80th birthday.
- 2007\456 Mary Dale, Cedar Rapids – For celebrating her 75th birthday.
- 2007\457 Edna Dochterman, Cedar Rapids – For celebrating her 80th birthday.
- 2007\458 Gerald Dooley, Cedar Rapids – For celebrating his 75th birthday.
- 2007\459 Marta Drabelle, Cedar Rapids – For celebrating her 75th birthday.
- 2007\460 Bernice Driscoll, Cedar Rapids – For celebrating her 95th birthday.
- 2007\461 Joseph Erceg, Cedar Rapids – For celebrating his 75th birthday.
- 2007\462 Anna Hackett, Cedar Rapids – For celebrating her 85th birthday.
- 2007\463 Charlene Hansen, Cedar Rapids – For celebrating her 75th birthday.
- 2007\464 Patricia Hanson, Cedar Rapids – For celebrating her 75th birthday.
- 2007\465 Germaine Hausladen, Cedar Rapids – For celebrating her 80th birthday.
- 2007\466 Jeannine Heldt, Cedar Rapids – For celebrating her 75th birthday.
- 2007\467 Aline Houck, Cedar Rapids – For celebrating her 80th birthday.
- 2007\468 Winfield Hughes, Cedar Rapids – For celebrating his 75th birthday.
- 2007\469 Wayne Kahler, Cedar Rapids – For celebrating his 75th birthday.
- 2007\470 Frank Kramer, Cedar Rapids – For celebrating his 85th birthday.
- 2007\471 Evalyn Krause, Cedar Rapids – For celebrating her 85th birthday.
- 2007\472 Mary Martin, Cedar Rapids – For celebrating her 80th birthday.
- 2007\473 Darrell McCreedy, Cedar Rapids – For celebrating his 80th birthday.
- 2007\474 Audrey Morehead, Cedar Rapids – For celebrating her 80th birthday.
- 2007\475 John Myers, Cedar Rapids – For celebrating his 85th birthday.
- 2007\476 Dale Netz, Cedar Rapids – For celebrating his 80th birthday.

- 2007\477 Richard Orr, Cedar Rapids – For celebrating his 75th birthday.
- 2007\478 William Ortmyer, Cedar Rapids – For celebrating his 75th birthday.
- 2007\479 Anita Peet, Cedar Rapids – For celebrating her 75th birthday.
- 2007\480 Marian Sirowy, Cedar Rapids – For celebrating her 75th birthday.
- 2007\481 Dorothy Smith, Cedar Rapids – For celebrating her 85th birthday.
- 2007\482 Ruth Sorenson, Cedar Rapids – For celebrating her 80th birthday.
- 2007\483 Betty Starr, Cedar Rapids – For celebrating her 75th birthday.
- 2007\484 Lavern Stephenson, Cedar Rapids – For celebrating her 90th birthday.
- 2007\485 Melda Stramel, Cedar Rapids – For celebrating her 80th birthday.
- 2007\486 Mary Stull, Cedar Rapids – For celebrating her 80th birthday.
- 2007\487 Clarence Vaughn, Cedar Rapids – For celebrating his 85th birthday.
- 2007\488 Joyce Warren, Cedar Rapids – For celebrating her 75th birthday.
- 2007\489 Frank Whitters, Cedar Rapids – For celebrating his 85th birthday.
- 2007\490 Jamir Moore, Waterloo – For winning the 105 lb. weight class and being named Most Outstanding Wrestler and the 52nd annual Tulsa National, and for winning the Border Wars Nationals, being a three-time Iowa AAU state champion and an Iowa triple crown winner.
- 2007\491 Dolores Schabacker, Winthrop – For celebrating her 80th birthday.
- 2007\492 Helen Kitner, LaPorte City – For celebrating her 80th birthday.
- 2007\493 Lloyd and Shirley Dutler, LaPorte City – For celebrating their 60th wedding anniversary.
- 2007\494 Valeria Martin, Waterloo – For celebrating her 80th birthday.
- 2007\495 Dorothy Schneider, Waterloo – For celebrating her 90th birthday.
- 2007\496 Ardis Evans, Ottumwa – For celebrating her 80th birthday.
- 2007\497 Audrey Duncan, Ottumwa – For celebrating her 80th birthday.
- 2007\498 Barbara Clark, Ottumwa – For celebrating her 75th birthday.
- 2007\499 Bette McElroy, Ottumwa – For celebrating her 85th birthday.

- 2007\500 Carroyl Knox, Ottumwa – For celebrating her 75th birthday.
- 2007\501 Dolla Tharp, Ottumwa – For celebrating her 85th birthday.
- 2007\502 Dororthy Brown, Ottumwa – For celebrating her 80th birthday.
- 2007\503 Edith Cain, Ottumwa – For celebrating her 75th birthday.
- 2007\504 Edna Randall, Ottumwa – For celebrating her 101st birthday.
- 2007\505 Georgia Fuller, Ottumwa – For celebrating her 85th birthday.
- 2007\506 Gladys Meyer, Ottumwa – For celebrating her 90th birthday.
- 2007\507 Gladys Graham, Ottumwa – For celebrating her 80th birthday.
- 2007\508 Gladys Chilton, Ottumwa – For celebrating her 85th birthday.
- 2007\509 Guelda Carruthers, Ottumwa – For celebrating her 80th birthday.
- 2007\510 Hattice Brown, Ottumwa – For celebrating her 80th birthday.
- 2007\511 Helen Maring, Ottumwa – For celebrating her 80th birthday.
- 2007\512 Helen Shepard, Ottumwa – For celebrating her 85th birthday.
- 2007\513 Helen Kent, Ottumwa – For celebrating her 90th birthday.
- 2007\514 Jacqueline Tucker, Ottumwa – For celebrating her 75th birthday.
- 2007\515 Jeanette Curtis, Ottumwa – For celebrating her 85th birthday.
- 2007\516 Jeannette Rosenbalm, Ottumwa – For celebrating her 85th birthday.
- 2007\517 Joann White, Ottumwa – For celebrating her 75th birthday.
- 2007\518 Leveda Cain, Ottumwa – For celebrating her 75th birthday.
- 2007\519 Margaret Christensen, Ottumwa – For celebrating her 80th birthday.
- 2007\520 Marie Branson, Ottumwa – For celebrating her 75th birthday.
- 2007\521 Marilyn Elder, Ottumwa – For celebrating her 75th birthday.
- 2007\522 Marilyn Braham, Ottumwa – For celebrating her 75th birthday.
- 2007\523 Marilyn Irelan, Ottumwa – For celebrating her 75th birthday.
- 2007\524 Marjorie Bell, Ottumwa – For celebrating her 85th birthday.

- 2007\525 Martha Galletta, Ottumwa – For celebrating her 80th birthday.
- 2007\526 Martha Smith, Ottumwa – For celebrating her 85th birthday.
- 2007\527 Mary Adamson, Ottumwa – For celebrating her 85th birthday.
- 2007\528 Mary Shewry, Ottumwa – For celebrating her 80th birthday.
- 2007\529 Mary Swaim, Ottumwa – For celebrating her 90th birthday.
- 2007\530 Maude Manuel, Ottumwa – For celebrating her 85th birthday.
- 2007\531 Myrtle Brown, Ottumwa – For celebrating her 90th birthday.
- 2007\532 Naomi Bennett, Ottumwa – For celebrating her 90th birthday.
- 2007\533 Patricia Leach, Ottumwa – For celebrating her 75th birthday.
- 2007\534 Patricia Katzartones, Ottumwa – For celebrating her 80th birthday.
- 2007\535 Rosemary Lawson, Ottumwa – For celebrating her 85th birthday.
- 2007\536 Wanda Vaal, Ottumwa – For celebrating her 75th birthday.
- 2007\537 Winifred Garside, Ottumwa – For celebrating her 80th birthday.
- 2007\538 Charles Price, Chillicothe – For celebrating his 75th birthday.
- 2007\539 Charles Leonard, Ottumwa – For celebrating his 85th birthday.
- 2007\540 Clair Pettit, Ottumwa – For celebrating his 85th birthday.
- 2007\541 Dale Reed, Ottumwa – For celebrating his 75th birthday.
- 2007\542 Earl Shearer, Ottumwa – For celebrating his 75th birthday.
- 2007\543 Edward Ball, Ottumwa – For celebrating his 75th birthday.
- 2007\544 Ernest Reed, Ottumwa – For celebrating his 90th birthday.
- 2007\545 Eugene Peterson, Ottumwa – For celebrating his 85th birthday.
- 2007\546 Frank Amos, Ottumwa – For celebrating his 75th birthday.
- 2007\547 Fred Benge, Ottumwa – For celebrating his 75th birthday.
- 2007\548 Gene Chisman, Ottumwa – For celebrating his 80th birthday.
- 2007\549 Gilbert Shaver, Ottumwa – For celebrating his 80th birthday.
- 2007\550 Harry Carter, Ottumwa – For celebrating his 85th birthday.

- 2007\551 Howard Carr, Ottumwa – For celebrating his 75th birthday.
- 2007\552 John Hennen, Ottumwa – For celebrating his 80th birthday.
- 2007\553 John Woudenberg, Ottumwa – For celebrating his 85th birthday.
- 2007\554 Richard Miller, Ottumwa – For celebrating his 80th birthday.
- 2007\555 Richard Tharp, Ottumwa – For celebrating his 75th birthday.
- 2007\556 Richard Newport, Ottumwa – For celebrating his 80th birthday.
- 2007\557 Robert Millard, Ottumwa – For celebrating his 75th birthday.
- 2007\558 Ronald McClain, Ottumwa – For celebrating his 75th birthday.
- 2007\559 Walter Buchholz, Ottumwa – For celebrating his 80th birthday.

SUBCOMMITTEE ASSIGNMENTS

House Joint Resolution 1

Ways and Means: Reasoner, Chair; Shomshor and Van Fossen.

House File 35

Local government: Thomas, Chair; Clute, Kelley, Tjepkes and Whitead.

House File 40

Ways and Means: Reasoner, Chair; Kaufmann and Shomshor.

House File 41

Ways and Means: Reasoner, Chair; Shomshor and Van Fossen.

House File 42

Ways and Means: Davitt, Chair; Pettengill and Van Fossen.

House File 52

Local government: Huser, Chair; Deyoe and Kressig.

House File 57

Judiciary: R. Olson, Chair; Heaton and Oldson.

House File 79 Reassigned

Judiciary: Wessel-Kroeschell, Chair; Boal and Mertz.

House File 85

Local Government: Gaskill, Chair; Clute and Whitead.

House File 90

Ways and Means: Reasoner, Chair; Forristall and Shomshor.

House File 94

Local Government: Whitead, Chair; Deyoe and Kelley.

House File 97

Economic Growth: Bailey, Chair; Anderson and Schueller.

House File 100

Economic Growth: Bailey, Chair; Anderson and Schueller.

House File 103

Ways and Means: Kelley, Chair; Pettengill and Windschitl.

House File 110

Ways and Means: Reasoner, Chair; Sands and Shomshor.

House File 112

Ways and Means: Reasoner, Chair; Shomshor and Struyk.

House File 115

Economic Growth: Thomas, Chair; May and H. Miller.

House File 121

Transportation: Whitaker, Chair; Bell and May.

House File 124

Veterans Affairs: H. Miller, Chair; Staed and Worthan.

House File 128

Agriculture: Struyk, Chair; Mertz and Reasoner.

House File 129

Transportation: Lykam, Chair; Arnold and Bukta.

House File 133

Veterans Affairs: Bukta, Chair; H. Miller and Watts.

House File 134

Veterans Affairs: H. Miller, Chair; Alons and Staed.

House File 135

Veterans Affairs: H. Miller, Chair; Alons and Staed.

House File 138

Transportation: Dandekar, Chair; Cohoon, Gipp, Huser and Tjepkes.

House File 141

State Government: Jacoby, Chair; Jochum and Roberts.

House File 144

Local Government: Gaskill, Chair; Rasmussen and D. Taylor.

House File 150

Transportation: Gaskill, Chair; Arnold and D. Olson.

House File 151

Environmental Protection: Frevert, Chair; Drake, Greiner, Kuhn, H. Miller, D. Olson and S. Olson.

House File 153

Education: Kelley, Chair; Cohoon and Dolecheck.

House File 154

Education: Winckler, Chair; Gayman and L. Miller.

House File 156

Education: Heddens, Chair; Forristall and Palmer.

House File 157

Education: Heddens, Chair; Dolecheck and Palmer.

House File 159

Education: Cohoon, Chair; Boal and Foegel.

House File 160

Education: Cohoon, Chair; Foege and Wiencek.

House File 161

Education: Mascher, Chair; Kaufmann and Staed.

House File 165

Education: Heddens, Chair; Forristall and Palmer.

House File 171

Economic Growth: Petersen, Chair; Clute and Staed.

House File 177

Judiciary: Swaim, Chair; Anderson and Lensing.

House File 187

Local Government: Thomas, Chair; Clute, Kelly, Tjepkes and Whitead.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 11

Education: Foege, Chair; Chambers and Kelley.

House Study Bill 94 Reassigned

Judiciary: Huser, Chair; R. Olson and Tomenga.

House Study Bill 104

Ways and Means: T. Olson, Chair; Jacobs and Kelley.

House Study Bill 106

Ways and Means: Schueller, Chair; T. Olson and Van Fossen.

House Study Bill 107

Ways and Means: Kelley, Chair; T. Olson and Wiencek.

House Study Bill 112

Appropriations: Hunter, Chair; Lukan and Reichert.

House Study Bill 113

Education: Winckler, Chair; Cohoon and May.

House Study Bill 114

Education: Winckler, Chair; Cohoon, Dolecheck, Kaufmann and Wendt.

House Study Bill 115

Education: Mascher, Chair; Chambers, Gayman, Tymeson and Wendt.

House Study Bill 116

Judiciary: Palmer, Chair; Mertz and Tomenga.

House Study Bill 117

Judiciary: Swaim, Chair; Boal and Winckler.

House Study Bill 118

Public Safety: Berry, Chair; Lukan and Swaim.

House Study Bill 119

Public safety: R. Olson, Chair; Baudler and Berry.

House Study Bill 120

Commerce: Hoffman, Chair; Oldson and Pettengill.

House Study Bill 121

Judiciary: R. Olson, Chair; Struyk and Swaim.

House Study Bill 122

Judiciary: R. Olson, Chair; Horbach and Winckler.

House Study Bill 123

Judiciary: R. Olson, Chair; Jacobs and Palmer.

House Study Bill 126

Environmental Protection: Wessel-Kroeschell, Chair; Alons, Deyoe, Lensing and D. Olson.

House Study Bill 127

Judiciary: R. Olson, Chair; Baudler and Winckler.

House Study Bill 128

Commerce: Oldson, Chair; Hoffman and Petersen.

House Study Bill 129

Commerce: Oldson, Chair; Jacobs and Petersen.

House Study Bill 130

Commerce: Oldson, Chair; Hoffman and Petersen.

House Study Bill 131

Commerce: Shomshor, Chair; Bailey and Lukan.

House Study Bill 132

Judiciary: Huser, Chair; Horbach and Palmer.

House Study Bill 133

Judiciary: Huser, Chair; Baudler and Mertz.

House Study Bill 134

Judiciary: Mertz, Chair; Boal and Schueller.

House Study Bill 135

Judiciary: Swaim, Chair; Anderson and Palmer.

House Study Bill 136

Judiciary: R. Olson, Chair; Baudler and Palmer.

House Study Bill 137

Judiciary: Wendt, Chair; Jacobs and Smith.

House Study Bill 138

Judiciary: R. Olson, Chair; Smith and Tomenga.

House Study Bill 139

Judiciary: Winckler, Chair; Struyk and Wendt.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 140 Judiciary

Relating to revising the uniform commercial code, by providing for warehouse receipts, bills of lading, and other documents of title.

H.S.B. 141 State Government

Creating the Iowa public records privacy commission and providing for a repeal.

H.S.B. 149 Economic Growth

Relating to the designation of Iowa great places and financial and technical assistance to projects in Iowa great places.

H.S.B. 150 Economic Growth

Relating to historic preservation and cultural and entertainment district tax credits, making appropriations, and providing applicability date provisions.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON LOCAL GOVERNMENT

Committee Bill, (Formerly House Study Bill 9), relating to local governments by creating a local government innovation commission and fund, creating a center for governing excellence, and including an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** January 30, 2007.

COMMITTEE ON JUDICIARY

Committee Bill, (Formerly House Study Bill 1), relating to the hourly reimbursement rate of attorneys representing indigent persons.

Fiscal Note not required.

Recommended **Do Pass** January 30, 2007.

RESOLUTION FILED

HR 11, by Rants, Greiner, Van Fossen, Upmeyer and Alons, a resolution to recognize and honor Representative Dolores Mertz on her appointment as National Chairman of the Board of Directors of the American Legislative Exchange Council.

Laid over under **Rule 25**.

AMENDMENTS FILED

H—1036	S.F.	61	Tymeson of Madison
H—1037	S.F.	61	Raecker of Polk
H—1038	S.F.	61	L. Miller of Scott
H—1040	S.F.	61	Tymeson of Madison

On motion by McCarthy of Polk the House adjourned at 8:02 p.m., until 9:00 a.m., Friday, February 2, 2007.

JOURNAL OF THE HOUSE

Twenty-sixth Calendar Day - Nineteenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, February 2, 2007

The House met pursuant to adjournment at 9:07 a.m., Pettengill of Benton in the chair.

Prayer was offered by the Honorable Dolores Mertz, state representative from Kossuth County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Representative Dolores Mertz from Kossuth County.

The Journal of Thursday, February 1, 2007 was approved.

INTRODUCTION OF BILLS

House File 194, by Roberts, a bill for an act relating to the request for a regulatory analysis of a proposed administrative rule.

Read first time and referred to committee on **state government**.

House File 195, by Winckler, Abdul-Samad, Wendt, Bukta, Kelley, Staed, Gayman, Cohoon, Mascher, Wise, Foege, Heddens and Palmer, a bill for an act requiring parent and guardian involvement policies to be adopted by school districts.

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

House File 196, by Schueller, Pettengill and Kelley, a bill for an act relating to abuse of a human corpse and providing penalties.

Read first time and referred to committee on **public safety**.

House File 197, by Tymeson, Alons, Chambers, Granzow, Watts, Windschitl, Worthan, Grassley and Sands, a bill for an act relating to the treatment under the individual income tax of active duty pay of

members of the armed forces, armed forces military reserve, and national guard and including a retroactive applicability date provision.

Read first time and referred to committee on **veterans affairs**.

House File 198, by Tymeson, a bill for an act requiring the state board of education to define student proficiency in mathematics and reading.

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

House File 199, by committee on judiciary, a bill for an act relating to the payment of costs of reasonable attorney fees related to certain paternity proceedings.

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

House File 200, by Thomas, a bill for an act appropriating revenues from the state franchise tax to cities and counties.

Read first time and referred to committee on **local government**.

House File 201, by Huser, a bill for an act relating to advisory boards created pursuant to emergency services agreements and providing an effective date.

Read first time and referred to committee on **local government**.

House File 202, by Ford, a bill for an act relating to fundraising activities conducted for a group or organization of public officials or public employees and making penalties applicable.

Read first time and referred to committee on **state government**.

House File 203, by Roberts, a bill for an act providing for negotiated rulemaking.

Read first time and referred to committee on **state government**.

House File 204, by Ford, a bill for an act relating to fair market drug pricing including the establishment of a prescription card program.

Read first time and referred to committee on **human resources**.

House File 205, by Ford, a bill for an act making an appropriation to increase HIV/AIDS assistance for racial and ethnic minority populations in the state.

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

House File 206, by H. Miller, a bill for an act relating to titling requirements for trailers with an empty weight of two thousand pounds or less.

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

House File 207, by Reasoner, a bill for an act authorizing the natural resource commission to adopt rules to allow stationary or European-style bird hunts on hunting preserves.

Read first time and referred to committee on **natural resources**.

House File 208, by Horbach, a bill for an act relating to the use of certain motorboats on lake Macbride and providing an effective date.

Read first time and referred to committee on **natural resources**.

House File 209, by Ford, a bill for an act establishing requirements for persons contracting with the state to provide services.

Read first time and referred to committee on **state government**.

House File 210, by Ford, a bill for an act making an appropriation to the college student aid commission for the registered nurse recruitment program.

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

House File 211, by Ford, a bill for an act providing for the establishment of a health care information technology and infrastructure advisory committee, and making an appropriation.

Read first time and referred to committee on **human resources**.

House File 212, by Wise, a bill for an act concerning disclosures of information by state employees, health care workers, employees of entities created for joint exercise of governmental powers, and employees of entities receiving public money from a service contract, and providing penalties.

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

House File 213, by Ford, Heddens, Thomas, Staed, H. Miller, Berry, Dandekar, Jochum and Abdul-Samad, a bill for an act relating to assistance for small businesses, making appropriations, and providing an effective date provision.

Read first time and referred to committee on **economic growth**.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- | | |
|----------|--|
| 2007\560 | Edwin and Rose Wacha, Toledo – For celebrating their 60 th wedding anniversary. |
| 2007\561 | Jason Neverman, Manchester – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America. |
| 2007\562 | Robert Taylor, Hampton's Cove – For celebrating his 78 th birthday. |
| 2007\563 | Earl Vierow, Waverly – For celebrating his 75 th birthday. |
| 2007\564 | Irma Widdel, Waverly – For celebrating her 90 th birthday. |
| 2007\565 | Raymond and Doris Harms, Aplington – For celebrating their 60 th wedding anniversary. |

- 2007\566 Evan Steere, Greene – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\567 Eugene and Deloris Maifeld, Allison – For celebrating their 80th and 75th birthdays, respectively.

SUBCOMMITTEE ASSIGNMENT

House File 184

Human Resources: Wessel-Kroeschell, Chair; Palmer and Soderberg.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 140

Judiciary: Palmer, Chair; Anderson and Swaim.

House Study Bill 149

Economic Growth: Schueller, Chair; Granzow and H. Miller.

House Study Bill 150

Economic Growth: D. Olson, Chair; Schickel and Wenthe.

RESOLUTION FILED

HR 12, by Horbach, a resolution designating May 1 as Iowa Right to Work Day.

Laid over under **Rule 25**.

On motion by McCarthy of Polk the House adjourned at 9:14 a.m., until 1:00 p.m., Monday, February 5, 2007.

JOURNAL OF THE HOUSE

Twenty-ninth Calendar Day - Twentieth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, February 5, 2007

The House met pursuant to adjournment at 1:13 p.m., Speaker Murphy in the chair.

Prayer was offered by Reverend Al Henderson, pastor of St. Paul Lutheran Church, Fort Dodge. He was the guest of Representative Helen Miller from Webster County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the preschool students from Johnston Horizon Elementary School. They were accompanied by Shannon Howieler and Kathy Wilson. They were the guests of Representative Janet Petersen of Polk County, whose son, Charlie, was included in the group.

The Journal of Friday, February 2, 2007 was approved.

INTRODUCTION OF BILLS

House File 214, by Ford, a bill for an act relating to provision of insurance for children of state employees under the state children's health insurance program.

Read first time and referred to committee on **human resources**.

House File 215, by Ford, a bill for an act relating to the establishment of a commission to review the implementation of the Iowa supreme court's equality in the courts task force and providing an effective date.

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

House File 216, by Ford, a bill for an act prohibiting the use of credit information for underwriting or rating risks for personal insurance and providing penalties and an applicability date.

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

House File 217, by Swaim, a bill for an act requiring the placement of automated external defibrillators in high schools.

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

House File 218, by Frevert, Bukta, Kressig, Bell, Shomshor, Heddens, Davitt and Gayman, a bill for an act allowing an individual income tax deduction for dentists who receive state medical assistance reimbursement which is less than their normal fee and including a retroactive applicability date provision.

Read first time and referred to committee on **ways and means**.

House File 219, by Struyk and Huser, a bill for an act providing a property tax exemption for certain recreational property and including effective date and retroactive applicability date provisions.

Read first time and referred to committee on **ways and means**.

House File 220, by Reichert, a bill for an act concerning the line of duty death benefit under the statewide fire and police retirement system and providing an appropriation and an effective date.

Read first time and referred to committee on **state government**.

House File 221, by Ford, a bill for an act relating to an unfair or discriminatory practice under the civil rights law based upon the wearing apparel of a person.

Read first time and referred to committee on **human resources**.

House File 222, by Tymeson, a bill for an act crediting fees from the sale of certain special motor vehicle registration plates to the veterans license fee fund.

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

House File 223, by committee on local government, a bill for an act relating to local governments by creating a local government innovation commission and fund, creating a center for governing excellence, and including an effective date.

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

House File 224, by Ford, a bill for an act establishing a sensitivity training program for heads of state agencies.

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

House File 225, by Ford, a bill for an act relating to compensation levels of direct care workers in nursing facilities.

Read first time and referred to committee on **human resources**.

House File 226, by Ford, a bill for an act relating to videorecording of eluding or attempting to elude a pursuing law enforcement vehicle.

Read first time and referred to committee on **public safety**.

House File 227, by Reichert, a bill for an act allowing certain persons who are on active duty with the armed forces of the United States to hunt and fish without a license.

Read first time and referred to committee on **natural resources**.

House File 228, by Ford, a bill for an act limiting a tax credit and tax exemption for pollution-control and recycling property connected to property used for the care and feeding of livestock, and providing for the Act's applicability.

Read first time and referred to committee on **ways and means**.

House File 229, by Whitead, a bill for an act relating to the number of signatures required on nomination papers for the office of mayor in certain cities.

Read first time and referred to committee on **local government**.

House File 230, by Pettengill, Ford, Murphy, Berry, Wessel-Kroeschell, H. Miller, Bailey and Schueller, a bill for an act concerning investment of certain public funds in companies doing business in Sudan by the treasurer of state, public retirement systems in Iowa, and the state board of regents.

Read first time and referred to committee on **state government**.

House File 231, by De Boef, a bill for an act relating to issuing subpoenas for an investigation or prosecution of a simple misdemeanor.

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

HOUSE RESOLUTION 12 REFERRED

The Speaker announced that House Resolution 12, previously **laid over** was referred to committee on **labor**.

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bill has been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 5th day of February, 2007: House File 95.

MARK W. BRANDSGARD
Chief Clerk of the House

Report adopted.

COMMUNICATIONS RECEIVED

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

DEPARTMENT OF ADMINISTRATIVE SERVICES

Annual report of IowAccess Revolving Fund, pursuant to Chapter 8A.224, Code of Iowa.

DEPARTMENT OF ECONOMIC DEVELOPMENT

Annual report on activities of Endow Iowa, pursuant to Chapter 15E.306, Code of Iowa.

DEPARTMENT OF EDUCATION

Annual report of at-risk allowable growth, pursuant to Chapter 257.40, Code of Iowa.

DEPARTMENT OF REVENUE

Annual report of the Iowa Investment Board, pursuant to Chapter 15E.46, Code of Iowa.

DEPARTMENT OF TRANSPORTATION

Annual report of savings through the Iowa Communications Network (ICN), pursuant to Chapter 8D.10, Code of Iowa.

Annual report of activities by the Iowa Highway Research Board, pursuant to Chapter 310.36, Code of Iowa.

IOWA COUNTY ENGINEERS ASSOCIATION SERVICE BUREAU

Annual report of activities, pursuant to Chapter 312.3B, Code of Iowa.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- 2007\568 Marie Fisher, Stanwood – For celebrating her 90th birthday.
- 2007\569 Albert Van Oort, Rock Valley – For celebrating his 90th birthday.
- 2007\570 Spencer Chamber of Commerce – In honor of their Diamond Jubilee.
- 2007\571 Opal Mason, North English – For celebrating her 104th birthday.

SUBCOMMITTEE ASSIGNMENTS

House File 143

Natural Resources: D. Taylor, Chair; Mertz and Upmeyer.

House File 148

Natural Resources: Davitt, Chair; Rasmussen and Whitead.

House File 152

Natural Resources: Reichert, Chair; Bailey and Lukan.

House File 179

Natural Resources: Mertz, Chair; Arnold and Wenthe.

House File 191

Natural Resources: Whitaker, Chair; Baudler and D. Taylor.

House File 213

Economic Growth: Ford, Chair; Granzow, H. Miller, T. Olson and Van Fossen.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS**H.S.B. 142 Human Resources**

Relating to the expenditures allowable from medical assistance income trusts.

H.S.B. 143 Human Resources

Replacing the interstate compact on the placement of children with the interstate compact for the placement of children, making a penalty applicable, and providing a contingent effective date.

H.S.B. 144 Human Resources

Relating to acquired immune deficiency syndrome and the human immunodeficiency virus.

H.S.B. 145 Human Resources

Relating to the conference of eligibility on and conditions of eligibility for individuals for certain programs under the purview of the department of human services.

H.S.B. 146 Economic Growth

Relating to historic preservation and cultural and entertainment district tax credits, making appropriations, and providing applicability date provisions.

H.S.B. 147 State Government

Relating to an agreement among the states to elect the president by national popular vote and providing an effective date.

H.S.B. 148 State Government

Making changes to the time frames and the duties of the legislative services agency concerning the process of congressional and legislative redistricting.

H.S.B. 151 Human Resources

Relating to providing an appeal process for medical assistance providers.

H.S.B. 152 State Government

Allowing a county commissioner of elections to appoint certain high school students to serve as precinct election board members.

H.S.B. 153 State Government

Relating to voter registration and voting systems performance standards.

H.S.B. 154 State Government

Regulating electioneering communications for campaign finance and disclosure purposes and making civil remedies applicable.

H.S.B. 155 Transportation

Establishing prelicensing and continuing education requirements for used motor vehicle dealers.

H.S.B. 156 Human Resources

Relating to nursing facility financial assistance related to certain renovation and construction and regulatory compliance, and providing an effective date.

H.S.B. 157 Education

Providing for incorporation of the education excellence program funding into the state school foundation program.

H.S.B. 158 Human Resources

Revising family investment program requirements.

H.S.B. 159 Local Government

Relating to wastewater treatment and disposal for subdivisions and authorizing fees.

H.S.B. 160 Education

Providing for the establishment of the state percent of growth for purposes of the state school foundation program, and providing an applicability date.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON HUMAN RESOURCES

Committee Bill (Formerly House Study Bill 19), relating to the classification and regulation of controlled substances and making penalties applicable.

Fiscal Note is not required.

Recommended **Do Pass** February 5, 2007.

COMMITTEE ON JUDICIARY

Committee Bill (Formerly House Study Bill 4), relating to the duties of directors of nonprofit corporations.

Fiscal Note is not required.

Recommended **Do Pass** February 1, 2007.

RESOLUTION FILED

HR 13, by McCarthy and Rants, a resolution designating February 6, 2007, as Iowa Insurance Day.

Laid over under **Rule 25**.

On motion by McCarthy of Polk the House adjourned at 1:32 p.m., until 9:00 a.m., Tuesday, February 6, 2007.

JOURNAL OF THE HOUSE

Thirtieth Calendar Day - Twenty-first Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, February 6, 2007

The House met pursuant to adjournment at 9:20 a.m., Speaker Murphy in the chair.

Prayer was offered by Reverend Dennis St. Lawrence, pastor of Grace Baptist Church, Chariton. He was the guest of Representative Rich Arnold of Lucas County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chynna Frana, House Page from Calmar.

The Journal of Monday, February 5, 2007 was approved.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on February 5, 2007, amended and passed the following bill in which the concurrence of the House is asked:

Senate File 95, a bill for an act making supplemental appropriations for the home ownership assistance and injured veterans grant programs for Iowa residents who are eligible members or military veterans of the armed forces of the United States and providing an effective date.

MICHAEL E. MARSHALL, Secretary

INTRODUCTION OF BILLS

House File 232, by Hunter, a bill for an act relating to restraint requirements for motor vehicle occupants and making a penalty applicable.

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

House File 233, by Quirk and Drake, a bill for an act relating to the construction bidding procedures Act by modifying procedures and requirements for letting public improvement contracts, and making corrections.

Read first time and referred to committee on **state government**.

House File 234, by May, a bill for an act relating to postsecondary tuition status and delayed payment of tuition and fees at community colleges and state universities for veterans and members of the state and federal military forces.

Read first time and referred to committee on **veterans affairs**.

House File 235, by Dandekar, Thomas, Hoffman, May, Lukan and Kressig, a bill for an act relating to moneys appropriated to the department of economic development for regional tourism marketing purposes.

Read first time and referred to committee on **economic growth**.

House File 236, by Quirk, a bill for an act establishing statewide licensure of electricians and installers, providing for inspections, establishing fees, and providing penalties.

Read first time and referred to committee on **state government**.

House File 237, by Ford, a bill for an act making an appropriation for drug courts.

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

House File 238, by Roberts, a bill for an act providing for the determination of partisan balance on boards and commissions and including an applicability provision.

Read first time and referred to committee on **state government**.

House File 239, by Ford, a bill for an act making an appropriation for legal services for persons in poverty grants.

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

House File 240, by Ford, a bill for an act requiring the state department of transportation to conduct a review of aviation security measures necessary to prevent terrorism.

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

House File 241, by Tymeson, a bill for an act relating to procedures for voluntary annexation.

Read first time and referred to committee on **local government**.

House File 242, by Foege and Paulsen, a bill for an act relating to voluntary annexation and municipal services requirements.

Read first time and referred to committee on **local government**.

House File 243, by Wessel-Kroeschell, a bill for an act creating a program to provide financial assistance for postsecondary education for young adults who were involved with the state's foster care program.

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

House File 244, by Wessel-Kroeschell, a bill for an act relating to criminal sentencing by repealing certain penalties for controlled substances offenses and requiring judicial officer training.

Read first time and referred to committee on **public safety**.

House File 245, by committee on human resources, a bill for an act requiring invasive pneumococcal disease immunization for children enrolling in licensed child care centers.

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

SENATE MESSAGE CONSIDERED

Senate File 95, by committee on appropriations, a bill for an act making supplemental appropriations for the home ownership assistance and injured veterans grant programs for Iowa residents

who are eligible members or military veterans of the armed forces of the United States and providing an effective date.

Read first time and referred to committee on **veterans affairs**.

McCarthy of Polk asked and received unanimous consent for the immediate consideration of House Resolution 13.

ADOPTION OF HOUSE RESOLUTION 13

Hoffman of Crawford called up for consideration **House Resolution 13**, a resolution designating February 6, 2007, as Iowa Insurance Day, and moved its adoption.

The motion prevailed and the resolution was adopted.

RULE 57 SUSPENDED

McCarthy of Polk asked and received unanimous consent to suspend Rule 57, related to committee notice and agenda, to consider Senate File 95 in the committee on veterans affairs in the afternoon.

On motion by McCarthy of Polk, the House was recessed at 9:33 a.m., until 4:00 p.m.

AFTERNOON SESSION

The House reconvened at 4:30 p.m., Speaker Murphy in the chair.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on Thursday, February 1, 2007. Had I been present, I would have voted "aye" on House File 5.

ARNOLD of Lucas

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on February 6, 2007, he approved and transmitted to the Secretary of State the following bill:

House File 95, an Act relating to the designation of pilot project cities for a targeted jobs withholding tax credit to be used for funding improvements in certain urban renewal areas and including effective and retroactive applicability date provisions.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

A group of students from Emerson Elementary School, Indianola, Iowa. By Davitt of Warren.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

2007\572	Nelda Paustian, Davenport – For celebrating her 90 th birthday.
2007\573	Henry Pohlmann, Davenport – For celebrating his 75 th birthday.
2007\574	Burton Steiner, Davenport – For celebrating his 80 th birthday.
2007\575	Genevieve Young, Davenport – For celebrating her 80 th birthday.
2007\576	Marjorie Andrews, Davenport – For celebrating her 85 th birthday.
2007\577	Robert Boussetot, Davenport – For celebrating his 85 th birthday.
2007\578	Wilma Schick, Davenport – For celebrating her 85 th birthday.
2007\579	Eva McCarthy, Davenport – For celebrating her 80 th birthday.
2007\580	Arloene Beamer, Davenport – For celebrating her 80 th birthday.
2007\581	Richard Treharne, Davenport – For celebrating his 101 st birthday.

- 2007\582 Herman Hays, Davenport – For celebrating his 80th birthday.
- 2007\583 Fern Barker, Davenport – For celebrating her 85th birthday.
- 2007\584 Marilyn Edinger, Davenport – For celebrating her 75th birthday.
- 2007\585 Ethel Stotz, Davenport – For celebrating her 80th birthday.
- 2007\586 Patrick Hagner, Davenport – For celebrating his 75th birthday.
- 2007\587 Dorothy Harbiger, Davenport – For celebrating her 75th birthday.
- 2007\588 Robert Smith, Davenport – For celebrating his 75th birthday.
- 2007\589 Dorothy Moughler, Davenport – For celebrating her 80th birthday.
- 2007\590 Madelyn Tornquist, Davenport – For celebrating her 80th birthday.
- 2007\591 Maxine Edwards, Davenport – For celebrating her 85th birthday.
- 2007\592 Raymond Cousins, Davenport – For celebrating his 80th birthday.
- 2007\593 Elizabeth Voss, Davenport – For celebrating her 90th birthday.
- 2007\594 Rosemary Leibold, Davenport – For celebrating her 75th birthday.
- 2007\595 Mary Smith, Davenport – For celebrating her 90th birthday.
- 2007\596 Pauline Haise, Davenport – For celebrating her 75th birthday.
- 2007\597 Donald Stormer, Davenport – For celebrating his 75th birthday.
- 2007\598 Patricia Concannon, Davenport – For celebrating her 75th birthday.
- 2007\599 June Henneman, Davenport – For celebrating her 80th birthday.
- 2007\600 Arlo Petersen, Davenport – For celebrating his 90th birthday.
- 2007\601 Helma Rader, Davenport – For celebrating her 103rd birthday.
- 2007\602 Everette Dodd, Davenport – For celebrating his 75th birthday.
- 2007\603 Ida Schroeder, Davenport – For celebrating her 80th birthday.
- 2007\604 Ruth Kilburn, Davenport – For celebrating her 85th birthday.
- 2007\605 George Mack, Davenport – For celebrating his 85th birthday.
- 2007\606 Elizabeth Anglund, Davenport – For celebrating her 95th birthday.
- 2007\607 Robert Schmidt, Davenport – For celebrating his 75th birthday.

- 2007\608 Florine Brigge, Nevada – For celebrating her 90th birthday.
- 2007\609 Donald and Opal Hadaway, Story City – For celebrating their 50th wedding anniversary.
- 2007\610 Margaret Toms, Ames – For celebrating her 90th birthday.
- 2007\611 Wes and Betty Alexander, Nevada – For celebrating their 65th wedding anniversary.
- 2007\612 Adeline Vogtlin, Ames – For celebrating her 90th birthday.
- 2007\613 Fern Blanchard Cullor, Unionville – For celebrating her 94th birthday.
- 2007\614 Sylvia Merrill, Greenfield – For celebrating her 100th birthday.
- 2007\615 Harley N. Riesgaard, Exira – For celebrating his 81st birthday.
- 2007\616 Verna Anderson, Mason City – For celebrating her 80th birthday.
- 2007\617 Vivian Orman, Mason City – For celebrating her 90th birthday.
- 2007\618 Kenneth and Jeane Kalahar, Mason City – For celebrating their 65th wedding anniversary.
- 2007\619 George and Patty Creger, Winterset – For celebrating her their 50th wedding anniversary.
- 2007\620 Samuel and Sally Lyle, Laurel – For celebrating their 65th wedding anniversary.
- 2007\621 Warren and Mildred Preston, Hubbard – For celebrating their 60th wedding anniversary.
- 2007\622 Logan and Wilma Ver Ploeg, Pella, For celebrating their 60th wedding anniversary.
- 2007\623 Rev. Clarence H. and Lillian Landis, Atlantic – For celebrating their 65th wedding anniversary.
- 2007\624 Edna Hutchison, Columbus Junction – For celebrating her 90th birthday.
- 2007\625 Jacob Darbyshire, Yarmouth – For being the Champion of National Western Stock Show Class and the Division Champion.
- 2007\626 Leta Loetz, Bettendorf – For celebrating her 85th birthday.
- 2007\627 Mr. and Mrs. Virgil Wingert, Bettendorf – For celebrating their 50th wedding anniversary.

- 2007\628 C. Hazel Walton, Toledo – For celebrating her 99th birthday.
- 2007\629 Robert and Lucille Thede, Traer – For celebrating their 60th wedding anniversary.
- 2007\630 Donald and Vickie Ott, Le Mars – For celebrating their 60th wedding anniversary.
- 2007\631 Matthew Jurgens, Le Mars – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\632 Michael Brandenburg, Le Mars – For attaining the rank if Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\633 Nathaniel Young, Le Mars – For attaining the rank if Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\634 Leona Starkenburg, Sanborn – For celebrating her 85th birthday.
- 2007\635 Ester Reese, Peterson – for celebrating her 80th birthday.
- 2007\636 Charles and Ruth Rayburn, Clear Lake – For celebrating their 60th wedding anniversary.
- 2007\637 Minnie Busch, Ventura – For celebrating her 90th birthday.
- 2007\638 Bernita Pals, Ventura – For celebrating her 90th birthday.
- 2007\639 Gary and Florence Beek, Greene – For celebrating their 50th wedding anniversary.
- 2007\640 Justine Abrahamson, Russell – For celebrating her 80th birthday.
- 2007\641 George and Rose Pothast, Grundy Center – for celebrating their 50th wedding anniversary.
- 2007\642 Lois Oakley, Audubon – For celebrating her 80th birthday.
- 2007\643 George Hemmen, Guthrie Center – For his' 33 years of dedicated service with the Iowa Department of Natural Resources.
- 2007\644 Steve Bunce, Clive – For being named Clive Citizen of the Year.
- 2007\645 LeRoy Federspiel, Jesup – For celebrating his 80th birthday.
- 2007\646 Laurence and Joyce Amfahr, Jesup – For celebrating their 50th wedding anniversary.
- 2007\647 Matthew Lampe, Bellevue – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.

- 2007\648 Junior and Carol Davis, Fairfield – For celebrating their 50th wedding anniversary.
- 2007\649 Dick Grimm, Charlotte – For his 50 years of service as a volunteer firefighter for the city of Charlotte and its surrounding community.
- 2007\650 Nick Campbell, West Liberty – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\651 Bess Ingles, Tama – For celebrating her 98th birthday.

SUBCOMMITTEE ASSIGNMENTS

House File 116

Local Government: D. Olson, Chair; Clute and Huser.

House File 132

Local Government: D. Olson, Chair; Hoffman and D. Taylor.

House File 137

State Government: T. Taylor, Chair; Abdul-Samad, L. Miller, Roberts and Whitead.

House File 140

State Government: Lensing, Chair; Roberts and Wendt.

House File 147

State Government: Quirk, Chair; Gaskill and L. Miller.

House File 155

State Government: Gaskill, Chair; Jacobs and T. Taylor.

House File 162

State Government: T. Taylor, Chair; Abdul-Samad and Gipp.

House File 163

Local Government: Huser, Chair; Bukta and Tjepkes.

House File 164

Environmental Protection: Wessel-Kroeschell, Chair; Alons, Deyoe, Lensing and D. Olson.

House File 167

State Government: Shomshor, Chair; Quirk and Raecker.

House File 172

Human Resources: Smith, Chair; L. Miller and T. Olson.

House File 174

Veterans Affairs: H. Miller, Chair; Alons and Staed.

House File 188

Local Government: Bukta, Chair; Arnold and Schueller.

House File 197

Veterans Affairs: H. Miller, Chair; Alons and Staed.

House File 204

Human Resources: Ford, Chair; Roberts and Smith.

House File 207

Natural Resources: Mertz, Chair; Baudler and Whitaker.

House File 208

Natural Resources: D. Taylor, Chair; T. Taylor and Van Engelenhoven.

House File 211

Human Resources: Ford, Chair; Smith and Upmeyer.

House File 214

Human Resources: Ford, Chair; Heaton and Smith.

House File 221

Human Resources: Ford, Chair; Grassley and Smith.

House File 225

Human Resources: Ford, Chair; Heaton and Smith.

House File 234

Veterans Affairs: Bukta, Chair; Granzow and H. Miller.

Senate File 32

Commerce: Kressig, Chair; Berry and Clute.

Senate File 49

Natural Resources: T. Taylor, Chair; Davitt and Upmeyer.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS**House Study Bill 142**

Human Resources: T. Olson, Chair; L. Miller and Smith.

House Study Bill 143

Human Resources: Palmer, Chair; T. Olson and Tomenga.

House Study Bill 144

Human Resources: Abdul-Samad, Chair; Mascher and L. Miller.

House Study Bill 145

Human Resources: Palmer, Chair; Ford and Forristall.

House Study Bill 146

Economic Growth: Wenthe, Chair; T. Olson and Schickel.

House Study Bill 147

State Government: Jochum, Chair; Abdul-Samad and Gipp.

House Study Bill 148

State Government: Jochum, Chair; Gipp, Jacobs, T. Taylor and Whitead.

House Study Bill 151

Human Resources: Heddens, Chair; Forristall and Jacoby.

House Study Bill 152

State Government: T. Taylor, Chair; Abdul-Samad, Gaskill, Gipp and Jacobs.

House Study Bill 153

State Government: T. Taylor, Chair; Abdul-Samad, Gaskill, Gipp and Jacobs.

House Study Bill 154

State Government: Wessel-Kroeschell, Chair; Kaufmann and Lensing.

House Study Bill 156

Human Resources: Smith, Chair; Heddens and Upmeyer.

House Study Bill 157

Education: Wendt, Chair; Cohoon and Wiencek.

House Study Bill 158

Human Resources: Palmer, Chair; Heaton and Smith.

House Study Bill 159

Local Government: Huser, Chair; D. Olson and Rasmussen.

House Study Bill 160

Education: Wendt, Chair; May and Palmer.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 161 Commerce

Requiring insurers offering certain individuals or group health insurance contracts, policies, or plans to provide coverage for certain enteral formulas, audiological services and hearing aids for children, and vaccinations for human papilloma virus.

H.S.B. 162 Commerce

Authorizing the formation of a professional corporation or a professional limited liability company by licensed real estate brokers.

H.S.B. 163 Commerce

Relating to qualifications for licensure as a real estate broker or salesperson upon conviction of specified offenses.

H.S.B. 164 State Government

Relating to the disposition of unclaimed property concerning minerals.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON PUBLIC SAFETY

Committee Bill (Formerly House File 33), relating to public safety communications by establishing an Iowa statewide interoperable radio system board.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 6, 2007.

COMMITTEE ON STATE GOVERNMENT

Committee Bill (Formerly House Study Bill 47), proposing an amendment to the Constitution of the State of Iowa relating to the qualification of electors.

Fiscal Note is not required.

Recommended **Do Pass** February 6, 2007.

COMMITTEE ON VETERANS AFFAIRS

Senate File 95, an Act making supplemental appropriations for the home ownership assistance and injured veterans grant programs for Iowa residents who are eligible members or military veterans of the armed forces of the United States and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** February 6, 2007.

Pursuant to Rule 31.7, **Senate File 95** was referred to the committee on appropriations.

RESOLUTIONS FILED

HR 14, by May, Bailey, Quirk, Chambers, Tymeson, Alons and Kaufmann, a resolution supporting the Fisher House Foundation in its efforts to assist families of injured military members and veterans.

Laid over under **Rule 25**.

HR 15, by Smith, a resolution honoring the contributions made by Stephen J. Frese in researching and writing about the history of Iowa and its people.

Laid over under **Rule 25**.

AMENDMENTS FILED

H—1041	S.F.	61	Horbach of Tama
H—1042	H.F.	245	L. Miller of Scott
H—1043	S.F.	61	Mascher of Johnson
H—1044	S.F.	61	Mascher of Johnson
H—1045	S.F.	61	Mascher of Johnson
H—1046	S.F.	61	Raecker of Polk

On motion by McCarthy of Polk the House adjourned at 4:30 p.m., until 9:00 a.m., Wednesday, February 7, 2007.

JOURNAL OF THE HOUSE

Thirty-first Calendar Day - Twenty-second Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, February 7, 2007

The House met pursuant to adjournment at 9:06 a.m., Speaker Murphy in the chair.

Prayer was offered by Reverend James Kean, deacon of St. Patrick's Catholic Church, Epworth. He was the guest of Representative Ray Zirkelbach whom is currently serving with the Iowa National Guard in Iraq.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Madison Short, House Page from Des Moines.

The Journal of Tuesday, February 6, 2007 was approved.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on February 6, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 109, a bill for an act providing for the establishment of the state percent of growth for purposes of the state school foundation program, and providing an applicability date.

MICHAEL E. MARSHALL, Secretary

INTRODUCTION OF BILLS

House File 246, by Wise, a bill for an act establishing a tax credit certificate transfer program.

Read first time and referred to committee on **economic growth**.

House File 247, by Whitaker, Gayman, Cohoon, D. Taylor and Schueller, a bill for an act providing voting member representation on joint E911 service boards for cities or townships providing fire protection services through a volunteer fire department.

Read first time and referred to committee on **local government**.

House File 248, by Granzow, a bill for an act relating to the voter registration deadline for primary elections and providing an immediate effective date.

Read first time and referred to committee on **state government**.

House File 249, by Boal, a bill for an act creating a mathematics and science teacher practical experience incentive program and providing for a tax credit from withholding.

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

House File 250, by Baudler, a bill for an act requiring the state board of regents to adopt rules directing its institutions of higher learning to waive certain tuition charges for the children of police officers, fire fighters, sheriffs, deputies, volunteer emergency services providers, and individuals in protection occupations killed in the line of duty.

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

House File 251, by Swaim, a bill for an act requiring school districts to offer cardiopulmonary resuscitation certification to high school students.

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

House File 252, by Boal, a bill for an act relating to the dates of special elections on public measures of certain political subdivisions and providing an applicability date.

Read first time and referred to committee on **state government**.

House File 253, by Ford, a bill for an act relating to application procedures and requirements for issuance of a driver's license or nonoperator's identification card to a noncitizen.

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

House File 254, by Heddens, Swaim, Bukta, Berry and Whitaker, a bill for an act relating to advance notification of the need to renew a driver's license.

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

House File 255, by Sands, a bill for an act relating to rules adopted by the state board of education to waive school fees for indigent families.

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

House File 256, by Mascher, a bill for an act restricting participation by legislative leaders in electioneering communications and making penalties applicable.

Read first time and referred to committee on **state government**.

House File 257, by Schueller, a bill for an act relating to the issuance of a protective order on behalf of a person who is the alleged victim of a sexual offense and providing a penalty.

Read first time and referred to committee on **public safety**.

House File 258, by committee on judiciary, a bill for an act relating to the duties of directors of nonprofit corporations.

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

House File 259, by Ford, a bill for an act creating a help inner city vitality and economic growth fund and making appropriations.

Read first time and referred to committee on **economic growth**.

SENATE MESSAGE CONSIDERED

Senate File 109, by committee on education, a bill for an act providing for the establishment of the state percent of growth for purposes of the state school foundation program, and providing an applicability date.

Read first time and **passed on file**.

On motion by McCarthy of Polk, the House was recessed at 9:17 a.m., until 5:00 p.m.

EVENING SESSION

The House reconvened at 5:21 p.m., Speaker Murphy in the chair.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed ninety-seven members present, three absent.

CONSIDERATION OF BILLS

Regular Calendar

House File 149, a bill for an act relating to the establishment of state and school antiharassment and antibullying policies, providing data collection and reporting requirements, and providing for immunity and other related matters, was taken up for consideration.

SENATE FILE 61 SUBSTITUTED FOR HOUSE FILE 149

Wendt of Woodbury asked and received unanimous consent to substitute Senate File 61 for House File 149, placing out of order the following amendments:

Amendment H-1005 filed by Tymeson of Madison on January 30, 2007.

Amendment H-1006 filed by Raecker of Polk on January 30, 2007.

Amendment H-1007 filed by Tymeson of Madison on January 30, 2007.

Amendment H-1008 filed by Tymeson of Madison on January 30, 2007.

Amendment H-1009 filed by Tymeson of Madison on January 30, 2007.

Amendment H-1010 filed by Tymeson of Madison on January 30, 2007.

Amendment H-1011 filed by Tymeson of Madison on January 30, 2007.

Amendment H-1012 filed by Raecker of Polk on January 30, 2007.

Amendment H-1013 filed by Raecker of Polk on January 30, 2007.

Amendment H-1014 filed by Tymeson of Madison on January 30, 2007.

Amendment H-1015 filed by Tymeson of Madison on January 30, 2007.

Amendment H-1016 filed by Raecker of Polk on January 30, 2007.

Amendment H-1018 filed by Tymeson of Madison on January 30, 2007.

Senate File 61, a bill for an act relating to the establishment of state and school antiharassment and antibullying policies, providing data collection and reporting requirements, and providing for immunity and other related matters, was taken up for consideration.

May of Dickinson offered the amendment H-1020 filed by him as follows:

H-1020

1 Amend Senate File 61, as passed by the Senate, as
2 follows:

3 1. By striking everything after the enacting
4 clause and inserting the following:

5 "Section 1. NEW SECTION. 279.65 BULLYING
6 PROHIBITION POLICY.

7 The board of directors of a school district shall
8 adopt a policy prohibiting bullying of any student at
9 any time under any circumstances in schools, on school
10 property, and at any school function or
11 school-sponsored activity regardless of its location.

12 The policy shall include disciplinary actions that may
13 be taken against any student, school employee, or
14 volunteer engaged in bullying and any school employee
15 who knows of, observes, and fails to stop or report a
16 bullying incident. The policy shall be published in
17 the student handbook and all students, parents and

- 18 guardians, and school employees shall be provided with
 19 a copy of the policy at the start of each school
 20 year."
 21 2. Title page, by striking lines 1 through 4 and
 22 inserting the following: "An Act requiring the board
 23 of directors of a school district to adopt a policy
 24 prohibiting bullying."

Rants of Woodbury rose on a point of order that amendment H-1020 was not germane.

The Speaker ruled the point not well taken and amendment H-1020 germane.

May of Dickinson moved the adoption of amendment H-1020.

Roll call was requested by May of Dickinson and Rants of Woodbury.

On the question "Shall amendment H-1020 be adopted?" (S.F. 61)

The ayes were, 46:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Granzow	Grassley	Greiner
Heaton	Hoffman	Horbach	Huseman
Jacobs	Kaufmann	Lukan	May
Miller, L.	Olson, S.	Paulsen	Raecker
Rants	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wienczek
Windschitl	Worthan		

The nays were, 53:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Pettengill	Quirk	Reasoner

Reichert	Schueller	Shomshor	Smith
Staed	Swaim	Taylor, D.	Taylor, T.
Thomas	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise
Mr. Speaker			
Murphy			

Absent or not voting, 1:

Zirkelbach

Amendment H-1020 lost.

Raecker of Polk offered the amendment H-1027 filed by him as follows:

H-1027

1 Amend Senate File 61, as passed by the Senate, as
2 follows:

3 1. Page 1, by inserting before line 1 the
4 following:

5 "DIVISION IV

6 Sec. ____, NEW SECTION. 68B.40 ANTIHARASSMENT AND
7 ANTIBULLYING RULES - IMMUNITY.

8 1. DEFINITIONS. For purposes of this section,
9 unless the context otherwise requires:

10 a. "Harassment" and "bullying" shall be construed
11 to mean the same and mean any conduct toward a member
12 of the general assembly or the governor or candidate
13 for the general assembly or the office of governor
14 which is based on any actual or perceived trait or
15 characteristic of the member of the general assembly
16 or the governor or candidate for the general assembly
17 or the office of governor and which creates an
18 objectively hostile environment that meets one or more
19 of the following conditions:

20 (1) Places the member, governor, or candidate in
21 reasonable fear of harm to the member's, governor's,
22 or candidate's person or property.

23 (2) Has a substantially detrimental effect on the
24 member's, governor's, or candidate's physical or
25 mental health.

26 (3) Has the effect of substantially interfering
27 with the member's, governor's, or candidate's public
28 service or campaign performance.

29 (4) Has the effect of substantially interfering
30 with the member's, governor's, or candidate's ability
31 to participate in or benefit from the services,
32 activities, or privileges provided by the local
33 community or state.

34 b. "Trait or characteristic of the member,
35 governor, or candidate" includes but is not limited to
36 age, color, creed, national origin, race, religion,
37 marital status, sex, sexual orientation, gender
38 identity, physical attributes, physical or mental
39 ability or disability, ancestry, political party
40 preference, political belief, socioeconomic status, or
41 familial status.

42 c. "Volunteer" means an individual who has
43 regular, significant contact with students.

44 2. RULES. On or before September 1, 2007, the
45 Iowa ethics and campaign disclosure board shall adopt
46 rules declaring harassment and bullying in the public
47 arena, regardless of its location, in a manner
48 consistent with this section, as against state policy
49 pursuant to this section and against the board's
50 administrative rules. The board shall make a copy of

Page 2

1 the rules available to all general assembly members,
2 the governor, and candidates for the general assembly
3 or the office of governor, campaign committees,
4 political committees, and volunteers, and shall take
5 all appropriate steps to bring the state policy
6 against harassment and bullying and the
7 responsibilities set forth in the rules to the
8 attention of all Iowans. The rules shall, at a
9 minimum, include all of the following components:

10 a. A statement declaring harassment and bullying
11 to be against state policy and the board's
12 administrative rules. The rules shall include but not
13 be limited to the following components:

14 (1) Members of the general assembly, the governor,
15 and candidates for the general assembly and the office
16 of governor shall not engage in harassing and bullying
17 behavior.

18 (2) Members of the general assembly, the governor,
19 and candidates for the general assembly and the office
20 of governor shall not engage in reprisal, retaliation,
21 or false accusation against a victim, witness, or an
22 individual who has reliable information about such an
23 act of harassment or bullying.

24 b. A definition of harassment and bullying as set
25 forth in this section.

26 c. A description of the type of behavior expected
27 from members of the general assembly, the governor,
28 and candidates for the general assembly and the office
29 of governor relative to prevention measures,
30 reporting, and investigation of harassment or
31 bullying.

32 d. The consequences and appropriate remedial

33 action for a person who violates the antiharassment
34 and antibullying administrative rules.

35 e. A procedure for reporting an act of harassment
36 or bullying, including the identification by job title
37 of the state official responsible for ensuring that
38 the rules are implemented, and the identification of
39 the person or persons responsible for receiving
40 reports of harassment or bullying.

41 f. A procedure for the prompt investigation of
42 complaints, identifying the ethics and campaign
43 disclosure board as the state agency responsible for
44 conducting the investigation, including a statement
45 that investigators will consider the totality of
46 circumstances presented in determining whether conduct
47 objectively constitutes harassment or bullying under
48 this section.

49 g. A statement of the manner in which the rules
50 will be publicized.

Page 3

1 3. PROGRAMS ENCOURAGED. Members of the general
2 assembly, the governor, and candidates for the general
3 assembly and the office of the governor are encouraged
4 to establish programs designed to eliminate harassment
5 and bullying in the public arena. To the extent that
6 funds are available for these purposes, statewide
7 political committees shall do the following:

8 a. Provide training on antiharassment and
9 antibullying policies to members of the general
10 assembly, the governor, and candidates for the general
11 assembly and the office of governor.

12 b. Develop a process to provide members of the
13 general assembly, the governor, and candidates for the
14 general assembly and the office of governor with the
15 skills and knowledge to help reduce incidents of
16 harassment and bullying.

17 4. IMMUNITY. An Iowa resident who promptly,
18 reasonably, and in good faith reports an incident of
19 harassment or bullying, in compliance with the
20 procedures in the rules adopted pursuant to this
21 section, to the ethics and campaign disclosure board,
22 shall be immune from civil or criminal liability
23 relating to such report and to participation in any
24 administrative or judicial proceeding resulting from
25 or relating to such report.

26 5. COLLECTION REQUIREMENT. The ethics and
27 campaign disclosure board shall develop and maintain a
28 system to collect harassment and bullying incidence
29 data.

30 6. INTEGRATION OF POLICY AND REPORTING. The
31 ethics and campaign disclosure board and the office of

32 secretary of state shall integrate the antiharassment
33 and antibullying rules adopted by the board into the
34 official registration documents for members of the
35 general assembly, the governor, and candidates for the
36 general assembly and the office of governor and shall
37 report data collected under subsection 5, as specified
38 by the board, to the general public.

39 7. EXISTING REMEDIES NOT AFFECTED. This section
40 shall not be construed to preclude a victim from
41 seeking administrative or legal remedies under any
42 applicable provision of law.

43 8. PENALTY. The board shall issue an order
44 requiring a person who violates the provisions of this
45 section to pay a civil penalty of not more than two
46 thousand dollars for each violation of this section.

47 9. FUND. An antiharassment and antibullying fund
48 is created within the office of the treasurer of state
49 to be administered by the board. Moneys collected by
50 the board pursuant to this section shall be deposited

Page 4

1 in the fund and shall be distributed by the board to
2 the general assembly and to the office of governor to
3 fund the implementation of a proactive and pervasive
4 process of character development and to state
5 political committees to provide professional
6 development for members of the general assembly, the
7 governor, and candidates for the general assembly and
8 the office of governor."

9 2. Page 1, line 18, by inserting after the word
10 "behavior." the following: "The general assembly also
11 finds that in order to create a safe and civil
12 environment for Iowa youth, it is the responsibility
13 of members of the general assembly, the governor, and
14 candidates for the general assembly and the office of
15 governor in Iowa to model the dignity and respect that
16 is legally required of Iowa school age youth.
17 Therefore, it is also the policy of this state that
18 members of the general assembly, the governor, and
19 candidates for the general assembly and the office of
20 governor shall not engage in harassing or bullying
21 behavior in accordance with section 68B.40."

22 3. Title page, line 2, by inserting after the
23 word "policies" the following: "and rules".

Raecker of Polk offered the following amendment H-1037, to
amendment H-1027, filed by him and moved its adoption:

H-1037

- 1 Amend the amendment, H-1027, to Senate File 61, as
- 2 passed by the Senate, as follows:
- 3 1. Page 1, line 43, by striking the word
- 4 "students" and inserting the following: "a member of
- 5 the general assembly, the governor, or a candidate for
- 6 the general assembly or the office of governor".

Amendment H-1037 was adopted.

Wendt of Woodbury rose on a point of order that amendment H-1027, as amended, was not germane.

The Speaker ruled the point well taken and amendment H-1027, as amended, not germane.

Raecker of Polk asked for unanimous consent to suspend the rules to consider amendment H-1027, as amended.

Objection was raised.

Raecker of Polk moved to suspend the rules to consider amendment H-1027, as amended.

Roll call was requested by Raecker of Polk and Rants of Woodbury.

On the question "Shall the rules be suspended to consider amendment H-1027, as amended?" (S.F. 61)

The ayes were, 44:

Alons	Arnold	Baudler	Boal
Chambers	Clute	De Boef	Deyoe
Dolecheck	Drake	Forristall	Gipp
Granzow	Grassley	Greiner	Heaton
Hoffman	Horbach	Huseman	Jacobs
Kaufmann	Lukan	May	Miller, L.
Olson, S.	Paulsen	Raecker	Rants
Rasmussen	Rayhons	Roberts	Sands
Schickel	Soderberg	Struyk	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wienczek	Windschitl	Worthan

The nays were, 55:

Abdul-Samad	Anderson	Bailey	Bell
Berry	Bukta	Cohoon	Dandekar
Davitt	Foege	Ford	Frevert
Gaskill	Gayman	Heddens	Hunter
Huser	Jacoby	Jochum	Kelley
Kressig	Kuhn	Lensing	Lykam
Mascher	McCarthy	Mertz	Miller, H.
Oldson	Olson, D.	Olson, R.	Olson, T.
Palmer	Petersen	Pettengill	Quirk
Reasoner	Reichert	Schueller	Shomshor
Smith	Staed	Swaim	Taylor, D.
Taylor, T.	Thomas	Tomenga	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Winckler	Wise	Mr. Speaker	
		Murphy	

Absent or not voting, 1:

Zirkelbach

The motion to suspend the rules lost.

Tymeson of Madison offered the following amendment H-1021 filed by her and moved its adoption:

H-1021

- 1 Amend Senate File 61, as passed by the Senate, as
- 2 follows:
- 3 1. Page 1, line 3, by striking the words
- 4 "Harassment or bullying" and inserting the following:
- 5 "Bullying".
- 6 2. Page 1, line 5, by striking the words
- 7 "HARASSMENT AND".
- 8 3. Page 1, line 13, by striking the words
- 9 "Harassing and bullying" and inserting the following:
- 10 "Bullying".
- 11 4. Page 1, line 18, by striking the words
- 12 "harassing or".
- 13 5. Page 1, by striking lines 21 and 22 and
- 14 inserting the following:
- 15 "a. "Bullying" means any conduct toward a student
- 16 which is based".
- 17 6. Page 2, line 12, by striking the words
- 18 "harassment and".
- 19 7. Page 2, line 19, by striking the words
- 20 "harassment and".
- 21 8. Page 2, line 24, by striking the words
- 22 "harassment and".

- 23 9. Page 2, line 29, by striking the words
 24 "harassing and".
 25 10. Page 2, line 34, by striking the words
 26 "harassment or".
 27 11. Page 2, line 35, by striking the words
 28 "harassment and".
 29 12. Page 3, line 5, by striking the words
 30 "harassment or".
 31 13. Page 3, line 7, by striking the words
 32 "antiharassment and".
 33 14. Page 3, line 9, by striking the words
 34 "harassment or".
 35 15. Page 3, line 13, by striking the words
 36 "harassment or".
 37 16. Page 3, line 20, by striking the words
 38 "harassment or".
 39 17. Page 3, line 26, by striking the words
 40 "harassment and".
 41 18. Page 3, line 30, by striking the words
 42 "antiharassment and".
 43 19. Page 3, line 35, by striking the words
 44 "harassment and".
 45 20. Page 4, line 3, by striking the words
 46 "harassment or".
 47 21. Page 4, line 14, by striking the words
 48 "harassment and".
 49 22. Page 4, lines 17 and 18 by striking the words
 50 "antiharassment and".

Page 2

- 1 23. Title page, line 2, by striking the words
 2 "antiharassment and".
 3 24. By renumbering as necessary.

Amendment H-1021 lost.

L. Miller of Scott asked and received unanimous consent that amendment H-1024 be deferred.

Mascher of Johnson asked and received unanimous consent that amendment H-1045 be deferred.

Chambers of O'Brien offered the following amendment H-1023 filed by him and moved its adoption:

H-1023

- 1 Amend Senate File 61, as passed by the Senate, as
 2 follows:

- 3 1. Page 1, by striking lines 22 through 24 and
 4 inserting the following: "the same and mean any
 5 conduct toward any student which creates an
 6 objectively hostile school".
 7 2. Page 2, by striking lines 1 through 6.
 8 3. By relettering as necessary.

Roll call was requested by Chambers of O'Brien and Alons of Sioux.

On the question "Shall amendment H-1023 be adopted?" (S.F. 61)

The ayes were, 46:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Granzow	Grassley	Greiner
Heaton	Hoffman	Horbach	Huseman
Jacobs	Kaufmann	Lukan	May
Miller, L.	Olson, S.	Paulsen	Raecker
Rants	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wienczek
Windschitl	Worthan		

The nays were, 53:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Pettengill	Quirk	Reasoner
Reichert	Schueller	Shomshor	Smith
Staed	Swaim	Taylor, D.	Taylor, T.
Thomas	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise
Mr. Speaker Murphy			

Absent or not voting, 1:

Zirkelbach

Amendment H-1023 lost.

Horbach of Tama offered the following amendment H-1022 filed by him and moved its adoption:

H-1022

1 Amend Senate File 61, as passed by the Senate, as
2 follows:

3 1. Page 1, line 22, by inserting after the word
4 "student" the following: ", teacher, or other school
5 employee".

6 2. Page 1, line 24, by inserting after the word
7 "student" the following: ", teacher, or other school
8 employee".

9 3. Page 1, line 27, by inserting after the word
10 "student" the following: ", teacher, or other school
11 employee".

12 4. Page 1, line 28, by inserting after the word
13 "student's" the following: ", teacher's, or other
14 school employee's".

15 5. Page 1, line 30, by inserting after the word
16 "student's" the following: ", teacher's, or other
17 school employee's".

18 6. Page 1, line 32, by inserting after the word
19 "performance" the following: "or a teacher's or other
20 school employee's work performance".

21 7. Page 1, line 35, by inserting after the word
22 "school" the following: "or with a teacher's or other
23 school employee's employment, evaluation, salary
24 advancement, work assignments, or other terms,
25 conditions, or privileges of employment at a school".

26 8. Page 2, line 1, by striking the words "of the
27 student".

28 9. Page 2, line 8, by inserting after the word
29 "students" the following: ", teachers, or other
30 school employees".

31 10. Page 3, line 32, by inserting after the word
32 "students" the following: ", teachers, or other
33 school employees".

Roll call was requested by Horbach of Tama and Rants of Woodbury.

On the question "Shall amendment H-1022 be adopted?" (S.F. 61)

The ayes were, 46:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Granzow	Grassley	Greiner

Heaton	Hoffman	Horbach	Huseman
Jacobs	Kaufmann	Lukan	May
Miller, L.	Olson, S.	Paulsen	Raecker
Rants	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wiencek
Windschitl	Worthan		

The nays were, 53:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Pettengill	Quirk	Reasoner
Reichert	Schueller	Shomshor	Smith
Staed	Swaim	Taylor, D.	Taylor, T.
Thomas	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise
Mr. Speaker Murphy			

Absent or not voting, 1:

Zirkelbach

Amendment H-1022 lost.

Horbach of Tama asked and received unanimous consent to withdraw amendment H-1041 filed by him on February 6, 2007.

May of Dickinson offered the following amendment H-1034 filed by him and moved its adoption:

H-1034

- 1 Amend Senate Filed 61, as passed by the Senate, as
- 2 follows:
- 3 1. Page 1, line 29, by striking the word
- 4 "substantially".
- 5 2. Page 1, line 31, by striking the word
- 6 "substantially".
- 7 3. Page 1, line 33, by striking the word
- 8 "substantially".

Amendment H-1034 lost.

May of Dickinson offered the following amendment H-1035 filed by him and moved its adoption:

H-1035

- 1 Amend Senate File 61, as passed by the Senate, as
- 2 follows:
- 3 1. Page 2, line 6, by inserting after the word
- 4 "belief," the following: "junior reserve officer
- 5 training corps, medical condition, attire, name, peer
- 6 circle of friends, competent private instruction,
- 7 participation in school-related activities,
- 8 personality,".

Roll call was requested by May of Dickinson and Struyk of Pottawattamie.

On the question "Shall amendment H-1035 be adopted?" (S.F. 61)

The ayes were, 46:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Granzow	Grassley	Greiner
Heaton	Hoffman	Horbach	Huseman
Jacobs	Kaufmann	Lukan	May
Miller, L.	Olson, S.	Paulsen	Raecker
Rants	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wiencck
Windschitl	Worthan		

The nays were, 53:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Pettengill	Quirk	Reasoner
Reichert	Schueller	Shomshor	Smith
Staed	Swaim	Taylor, D.	Taylor, T.

The Speaker ruled the point well taken and amendment H-1025 not germane.

Tymeson of Madison offered amendment H-1026 filed by her as follows:

H-1026

- 1 Amend Senate File 61, as passed by the Senate, as
- 2 follows:
- 3 1. Page 3, line 5, by inserting after the word
- 4 "bullying." the following: "The statement shall also
- 5 describe a policy for involving parents and guardians
- 6 that provides for the following:
- 7 (1) Ensures that communication between home and
- 8 school is regular, two-way, and meaningful.
- 9 (2) Promotes and supports parenting skills.
- 10 (3) Recognizes and supports the integral role
- 11 parents and guardians play in assisting student
- 12 learning.
- 13 (4) Welcomes parents and guardians into the school
- 14 and seeks their support and assistance.
- 15 (5) Makes parents and guardians full partners in
- 16 the decisions that affect children and families.
- 17 (6) Utilizes community collaborations productively
- 18 and community resources prolifically to strengthen
- 19 schools, families, and student learning."
- 20 2. By renumbering as necessary.

Tymeson of Madison offered the following amendment H-1036, to amendment H-1026, filed by her and moved its adoption:

H-1036

- 1 Amend the amendment, H-1026, to Senate File 61, as
- 2 passed by the Senate, as follows:
- 3 1. Page 1, lines 4 and 5, by striking the words
- 4 "statement shall also describe" and inserting the
- 5 following: "description of expectations shall also
- 6 include".

Amendment H-1036 was adopted.

Mascher of Johnson offered the following amendment H-1044, to amendment H-1026, filed by her and moved its adoption:

H-1044

- 1 Amend the amendment, H-1026, to Senate File 61, as
- 2 passed by the Senate, as follows:
- 3 1. Page 1, line 15, by striking the word
- 4 "partners" and inserting the following:
- 5 "participants".

Amendment H-1044 was adopted.

On motion by Tymeson of Madison, amendment H-1026, as amended, was adopted.

Tymeson of Madison offered amendment H-1033 filed by her as follows:

H-1033

- 1 Amend Senate File 61, as passed by the Senate, as
- 2 follows:
- 3 1. Page 3, line 6, by inserting after the word
- 4 "appropriate" the following: "disciplinary and
- 5 nonjudicial".

Mascher of Johnson offered the following amendment H-1043, to amendment H-1033, filed by her and moved its adoption:

H-1043

- 1 Amend the amendment, H-1033, to Senate File 61, as
- 2 passed by the Senate, as follows:
- 3 1. Page 1, line 4, by striking the word "and" and
- 4 inserting the following: "or".

Amendment H-1043 was adopted.

On motion by Tymeson of Madison, amendment H-1033, as amended, was adopted.

Tymeson of Madison offered the following amendment H-1032 filed by her and moved its adoption:

H-1032

- 1 Amend Senate File 61, as passed by the Senate, as
- 2 follows:

3 1. Page 3, line 8, by inserting after the word
 4 "policy." the following: "The policy shall include
 5 consequences for a school employee who observes an act
 6 of harassment or bullying and fails to act, or who
 7 observes and fails to report an act of harassment or
 8 bullying. The superintendent shall notify the board
 9 of educational examiners when a school employee who
 10 holds a license, certificate, or authorization issued
 11 by the board of educational examiners under chapter
 12 272 is found to be in violation of the policy."

Amendment H-1032 lost.

Raecker of Polk offered amendment H-1031 filed by him and requested division as follows:

H-1031

1 Amend Senate File 61, as passed by the Senate, as
 2 follows:

H-1031A

3 1. Page 3, by striking lines 23 through 29 and
 4 inserting the following:
 5 "4. PROGRAMS. The authorities in charge of each
 6 accredited nonpublic school are encouraged to
 7 establish programs designed to eliminate harassment
 8 and bullying in schools. The board of directors of
 9 each school district shall establish a program
 10 designed to eliminate harassment and bullying, using
 11 moneys appropriated to the department of education and
 12 allocated to school districts for purposes of
 13 professional development, to fund professional
 14 development for Iowa practitioners relating to a
 15 proactive and pervasive process of character
 16 development. School districts shall, and accredited
 17 nonpublic schools are encouraged to, do the
 18 following:"

H-1031B

19 2. Page 4, by inserting after line 24 the
 20 following:
 21 "Sec. ____ . STATE MANDATE FUNDING SPECIFIED. In
 22 accordance with section 25B.2, subsection 3, the state
 23 cost of requiring compliance with any state mandate
 24 included in this Act shall be paid by a school
 25 district from state school foundation aid received by
 26 the school district under section 257.16. This

27 specification of the payment of the state cost shall
28 be deemed to meet all the state funding-related
29 requirements of section 25B.2, subsection 3, and no
30 additional state funding shall be necessary for the
31 full implementation of this Act by and enforcement of
32 this Act against all affected school districts."

33 3. By renumbering as necessary.

Raecker of Polk moved the adoption of amendment H-1031A.

A non-record roll call was requested.

The ayes were 44, nays 51.

Amendment H-1031A lost.

Raecker of Polk asked and received unanimous consent to withdraw amendment H-1031B filed by him on January 31, 2007.

Alons of Sioux offered the following amendment H-1030 filed by him and moved its adoption:

H-1030

1 Amend Senate File 61, as passed by the Senate, as
2 follows:
3 1. Page 3, by inserting after line 35 the
4 following:
5 "Sec. __. CONSTRUCTION. As this section relates
6 to the authorities in charge of a nonpublic school,
7 the section shall not be construed to inhibit the
8 teaching or consideration of doctrinal matters."
9 2. By renumbering as necessary.

Amendment H-1030 was adopted.

Baudler of Adair offered the following amendment H-1028 filed by him and moved its adoption:

H-1028

1 Amend Senate File 61, as passed by the Senate, as
2 follows:
3 1. Page 4, by striking lines 1 through 10.
4 2. Title page, line 4, by striking the words
5 "immunity and".
6 3. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 46, nays 51.

Amendment H-1028 lost.

Raecker of Polk offered the following amendment H-1046 filed by him and moved its adoption:

H-1046

- 1 Amend Senate File 61, as passed by the Senate, as
- 2 follows:
- 3 1. Page 4, by striking line 14 and inserting the
- 4 following: "collect only data on harassment and
- 5 bullying incidences which result in suspension or
- 6 expulsion."
- 7 2. Page 4, lines 20 and 21, by striking the words
- 8 ", as specified by the department,".

Amendment H-1046 was adopted.

Tymeson of Madison offered amendment H-1029 filed by her as follows:

H-1029

- 1 Amend Senate File 61, as passed by the Senate, as
- 2 follows:
- 3 1. Page 4, by inserting after line 24 the
- 4 following:
- 5 "Sec. ____ DEPARTMENT OF EDUCATION. There is
- 6 appropriated from the general fund of the state to the
- 7 department of education for the fiscal year beginning
- 8 July 1, 2007, and ending June 30, 2008, the following
- 9 amount, or so much thereof as is necessary, to be used
- 10 for the purposes designated:
- 11 For purposes of implementing the antiharassment and
- 12 antibullying policy including the equivalent of one
- 13 contract day of professional development and training:
- 14\$ 10,000,000".
- 15 2. By renumbering as necessary.

Tymeson of Madison offered the following amendment H-1040, to amendment H-1029, filed by her and moved its adoption:

H-1040

1 Amend the amendment, H-1029, to Senate File 61, as
2 passed by the Senate, as follows:

3 1. Page 1, by inserting before line 3 the
4 following:

5 "___ Page 3, lines 23 and 24, by striking the
6 words "board of directors of a school district and
7 the".

8 ___ Page 3, by striking line 28 and inserting
9 the following: "purposes, the board of directors of a
10 school district".

11 2. Page 1, by striking lines 11 and 12 and
12 inserting the following:
13 "To assist school districts required to establish
14 programs designed to eliminate harassment and bullying
15 in schools pursuant to section 280.28, subsection 4,
16 if enacted, by providing funds to provide for the
17 equivalent of one".

18 3. Page 1, by inserting after line 14 the
19 following:

20 "___ Title page, line 3, by striking the words
21 "and providing" and inserting the following:
22 "providing".

23 ___ Title page, line 4, by inserting after the
24 word "matters" the following: ", and making an
25 appropriation".

26 4. By renumbering as necessary.

Wendt of Woodbury rose on a point of order that amendment H-1040 was not germane, to amendment H-1029.

The Speaker ruled the point well taken and amendment H-1040 not germane, to amendment H-1029.

Tymeson of Madison asked for unanimous consent to suspend the rules to consider amendment H-1040 to amendment H-1029.

Objection was raised.

Tymeson of Madison moved to suspend the rules to consider amendment H-1040 to amendment H-1029.

A non-record roll call was requested.

The ayes were 44, nays 51.

The motion to suspend the rules lost.

Wendt of Woodbury rose on a point of order that amendment H-1029 was not germane.

The Speaker ruled the point well taken and amendment H-1029 not germane.

Tymeson of Madison asked for unanimous consent to suspend the rules to consider amendment H-1029.

Objection was raised.

Tymeson of Madison moved to suspend the rules to consider amendment H-1029.

Roll call was requested by Paulsen of Linn and Alons of Sioux.

On the question "Shall the rules be suspended to consider amendment H-1029?" (S.F. 61)

The ayes were, 44:

Alons	Arnold	Baudler	Boal
Chambers	Clute	De Boef	Deyoe
Dolecheck	Drake	Forristall	Gipp
Granzow	Grassley	Greiner	Heaton
Hoffman	Horbach	Huseman	Jacobs
Kaufmann	Lukan	May	Miller, L.
Olson, S.	Paulsen	Raecker	Rants
Rasmussen	Rayhons	Roberts	Sands
Schickel	Soderberg	Struyk	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wienczek	Windschilt	Worthan

The nays were, 55:

Abdul-Samad	Anderson	Bailey	Bell
Berry	Bukta	Cohoon	Dandekar
Davitt	Foegen	Ford	Frevort
Gaskill	Gayman	Heddens	Hunter
Huser	Jacoby	Jochum	Kelley
Kressig	Kuhn	Lensing	Lykam
Mascher	McCarthy	Mertz	Miller, H.
Oldson	Olson, D.	Olson, R.	Olson, T.
Palmer	Petersen	Pettengill	Quirk
Reasoner	Reichert	Schueller	Shomshor

Smith	Staed	Swaim	Taylor, D.
Taylor, T.	Thomas	Tomenga	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Winckler	Wise	Mr. Speaker	
		Murphy	

Absent or not voting, 1:

Zirkelbach

The motion to suspend the rules lost.

L. Miller of Scott offered amendment H-1024, previously deferred, filed by her as follows:

H-1024

- 1 Amend Senate File 61, as passed by the Senate, as
- 2 follows:
- 3 1. Page 1, by inserting after line 20 the
- 4 following:
- 5 "____. "Electronic" means any communication
- 6 involving the transmission of information by wire,
- 7 radio, optical cable, electromagnetic, or other
- 8 similar means. "Electronic" includes but is not
- 9 limited to communication via electronic mail,
- 10 internet-based communications, pager service, cell
- 11 phones, and electronic text messaging."
- 12 2. Page 1, line 22, by inserting after the word
- 13 "any" the following: "intentional electronic,
- 14 written, verbal, or physical act or".
- 15 3. By renumbering, redesignating, and correcting
- 16 internal references as necessary.

L. Miller of Scott offered the following amendment H-1038, to amendment H-1024, filed by her and moved its adoption:

H-1038

- 1 Amend the amendment, H-1024, to Senate File 61, as
- 2 passed by the Senate, as follows:
- 3 1. Page 1, line 13, by striking the word
- 4 "intentional".

Amendment H-1038 was adopted.

On motion by L. Miller of Scott, amendment H-1024, as amended, was adopted.

Mascher of Johnson offered the following amendment H-1045, previously deferred, filed by her and moved its adoption:

H-1045

- 1 Amend Senate File 61, as passed by the Senate, as
- 2 follows:
- 3 1. Page 1, line 22, by striking the words "the
- 4 same and mean".

Amendment H-1045 was adopted.

Wendt of Woodbury moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 61)

The ayes were, 62:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Clute	Cohoon	Dandekar
Davitt	Foege	Ford	Frevort
Gaskill	Gayman	Heddens	Hoffman
Hunter	Huser	Jacobs	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Mertz	Miller, H.	Miller, L.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Pettengill	Quirk	Raecker
Reasoner	Reichert	Schickel	Schueller
Shomshor	Smith	Staed	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Wiencsek	Winckler
Wise	Mr. Speaker		
	Murphy		

The nays were, 37:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	De Boef	Deyoe
Dolecheck	Drake	Forristall	Gipp
Granzow	Grassley	Greiner	Heaton
Horbach	Huseman	Kaufmann	Lukan

May	Olson, S.	Paulsen	Rants
Rasmussen	Rayhons	Roberts	Sands
Soderberg	Struyk	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Windschitl
Worthan			

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **Senate File 61** be immediately messaged to the Senate.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on February 1, 2007. Had I been present, I would have voted "nay" on House File 5.

WINDSCHITL of Harrison

COMMUNICATIONS RECEIVED

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

DEPARTMENT OF HUMAN RIGHTS

Annual report on the Status of Women, pursuant to Chapter 216A.1, Code of Iowa.

DEPARTMENT OF HUMAN SERVICES

Annual report on the Iowa Medical Drug Utilization Review Assistance Commission, pursuant to Chapter 249A.24, Code of Iowa.

DEPARTMENT OF NATURAL RESOURCES

Summary of the State Preserves Advisory Board, pursuant to Chapter 461A.3, Code of Iowa.

IOWA ALCOHOLIC BEVERAGES DIVISION

Annual report for fiscal year 2006, pursuant to Chapter 123, Code of Iowa.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- 2007\652 Sally Meimann, Nevada – For celebrating her 92nd birthday.
- 2007\653 Alta Schweer, Donnellson – For celebrating her 100th birthday.
- 2007\654 Bernard C. Krogmeier, Montrose – For celebrating his 85th birthday.
- 2007\655 Edward and Garnett Rider, Donnellson – For celebrating their 65th wedding anniversary.
- 2007\656 Melanie Pace, Minburn – For being named Student of the month at ADM High School.
- 2007\657 Carol Magnani, Madrid – For celebrating her 80th birthday.
- 2007\658 Erwin Sidmore, Madrid – For celebrating his 80th birthday.
- 2007\659 Helen Burich, Madrid – For celebrating her 80th birthday.
- 2007\660 Dorothy Miller, Boone – For celebrating her 85th birthday.
- 2007\661 Iola Gaunt, Ames – For celebrating her 80th birthday.
- 2007\662 Nina Gant, Ames – For celebrating her 90th birthday.
- 2007\663 Marian Wallace, Ames – For celebrating her 85th birthday.
- 2007\664 Margaret Schlunz, Ames – For celebrating her 80th birthday.
- 2007\665 Marguerite Banks, Ames – For celebrating her 90th birthday.
- 2007\666 Virginia Stafford, Ames – For celebrating her 80th birthday.
- 2007\667 Orine Sevde, Ames – For celebrating his 85th birthday.
- 2007\668 Wanda Martin, Ames – For celebrating her 80th birthday.
- 2007\669 Claire Steelman, Ames – For celebrating his 85th birthday.
- 2007\670 James Buck, Ames – For celebrating his 80th birthday.
- 2007\671 Arthur Dsilva, Ames – For celebrating his 80th birthday.

- 2007\672 Anna Arnold, Ames – For celebrating her 85th birthday.
- 2007\673 Harlan Carlson, Ames – For celebrating his 90th birthday.
- 2007\674 Frances Spencer, Cambridge – For celebrating her 80th birthday.
- 2007\675 Jean Zmolek, Ames – For celebrating her 85th birthday.
- 2007\676 Margaret McWilliams, Ames – For celebrating her 90th birthday.
- 2007\677 Constance Eagan, Waterloo – For celebrating her 90th birthday.
- 2007\678 Marlys Morse, Waterloo – For celebrating her 80th birthday.
- 2007\679 Elizabeth Porter, Waterloo – For celebrating her 80th birthday.

SUBCOMMITTEE ASSIGNMENTS

House File 39

Ways and Means: Thomas, Chair; Schueller and Van Fossen.

House File 98

Agriculture: H. Miller, Chair; Greiner and Reichert.

House File 105

Ways and Means: Thomas, Chair; Pettengill and Windschitl.

House File 130

Ways and Means: Thomas, Chair; T. Olson and Van Fossen.

House File 131

Ways and Means: Shomshor, Chair; Reasoner and Van Fossen.

House File 169

Agriculture: Pettengill, Chair; S. Olson and Wenthe.

House File 170

Ways and Means: Davitt, Chair; Huser and Jacobs.

House File 173

Agriculture: Reasoner, Chair; Frevert and Rayhons.

House File 176

Appropriations: Cohoon, Chair; Alons and Kuhn.

House File 178

Commerce: Pettengill, Chair; Bailey, Berry, Paulsen and Upmeyer.

House File 183

Ways and Means: Frevert, Chair; Pettengill and Wiencek.

House File 185

Commerce: Pettengill, Chair; Bailey, Berry, Jacobs and Lukan.

House File 186

Public Safety: Hunter, Chair; Heddens and Tomenga.

House File 189

Appropriations: T. Taylor, Chair; Ford and Lukan.

House File 190

Appropriations: Foege, Chair; Heaton and Kuhn.

House File 193

Appropriations: Cohoon, Chair; Huseman and Reichert.

House File 196

Public Safety: Gayman, Chair; Alons and Swaim.

House File 200

Local Government: Thomas, Chair; Kaufmann and Kelley.

House File 201

Local Government: Huser, Chair; Deyoe and Lykam.

House File 205

Appropriations: Foege, Chair; Gayman and Heaton.

House File 210

Appropriations: Winckler, Chair; Chambers and Wenthe.

House File 216

Commerce: Hoffman, Chair; Jacoby and Kelley.

House File 218

Ways and Means: Frevert, Chair; Davitt and Kaufmann.

House File 219

Ways and Means: Huser, Chair; Struyk and Wise.

House File 224

Appropriations: Ford, Chair; Berry, Dolecheck, Roberts and Winckler.

House File 227

Natural Resources: Reichert, Chair; Baudler and Whitead.

House File 228

Ways and Means: Reasoner, Chair; Sands and Shomshor.

House File 229

Local Government: Whitead, Chair; Clute and Gaskill.

House File 235

Economic Growth: May, Chair; Dandekar and H. Miller.

House File 237

Appropriations: T. Taylor, Chair; Berry and Lukan.

House File 239

Appropriations: T. Taylor, Chair; Berry and Lukan.

House File 246

Economic Growth: Dandekar, Chair; Clute and D. Olson.

House File 259

Economic Growth: Staed, Chair; May and Schueller.

Senate File 39

State Government: Gaskill, Chair; Abdul-Samad, Gipp, Jacobs and T. Taylor.

Senate File 40

State Government: Gaskill, Chair; Abdul-Samad, Gipp, Jacobs and T. Taylor.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS**House Study Bill 26 Reassigned**

Human Resources: Heddens, Chair; T. Olson and Upmeyer.

House Study Bill 97

Labor: Winckler, Chair; Chambers and Jochum.

House Study Bill 98

Labor: R. Olson, Chair; Horbach and Palmer.

House Study Bill 99

Labor: R. Olson, Chair; Horbach and Palmer.

House Study Bill 100

Labor: R. Olson, Chair; Horbach and Palmer.

House Study Bill 161

Commerce: Pettengill, Chair; Berry, Hoffman, Petersen and Upmeyer.

House Study Bill 162

Commerce: Quirk, Chair; Berry and Lukan.

House Study Bill 163

Commerce: Berry, Chair; Lukan and Quirk.

House Study Bill 164

State Government: Whitead, Chair; L. Miller and Wendt.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS**H.S.B. 165 Judiciary**

Prohibiting a donation or contribution to an agency, organization, or political subdivision of the state in a criminal proceeding.

H.S.B. 166 Labor

Relating to asbestos removal and encapsulation regulations as enforced by the labor commissioner.

H.S.B. 167 Judiciary

Relating to judicial branch practices and procedures including but not limited to adoption petitions, clerk of the district court duties and recordkeeping affecting real estate, the confidentiality of arrest warrants, and notices by the department of corrections to the clerk of the district court.

H.S.B. 168 Economic Growth

Creating an insurance industry new jobs tax credit.

H.S.B. 169 Natural Resources

Regulating dangerous wild animals, including their ownership and possession, requiring registration, providing for fees and appropriations, and providing penalties.

H.S.B. 170 Commerce

Relating to the regulatory duties of the division of banking of the department of commerce regarding banking, debt management, mortgage banking, industrial loan companies, and professional licensing.

H.S.B. 171 Human Resources

Relating to the membership of the board of physician assistant examiners.

H.S.B. 172 Human Resources

Relating to the substitution of antiepileptic drugs and establishing an effective date.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Senate File 95, making supplemental appropriations for the home ownership assistance and injured veterans grant programs for Iowa residents who are eligible members or military veterans of the armed forces of the United States and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** February 7, 2007.

COMMITTEE ON EDUCATION

Committee Bill (Formerly House Study Bill 15), relating to an on-site fiscal review to be conducted under phase II of the accreditation process upon recommendation by the school budget review committee.

Fiscal Note is not required.

Recommended **Do Pass** February 7, 2007.

Committee Bill (Formerly House Study Bill 160), providing for the establishment of the state percent of growth for purposes of the state school foundation program, and providing an applicability date.

Fiscal Note is not required.

Recommended **Do Pass** February 7, 2007.

COMMITTEE ON JUDICIARY

Committee Bill (Formerly House File 93), relating to the enforcement of a restitution judgment against a person convicted of a criminal offense.

Fiscal Note is not required.

Recommended **Do Pass** February 6, 2007.

Committee Bill (Formerly House Study Bill 2), relating to the conveyance or encumbrance of a homestead.

Fiscal Note is not required.

Recommended **Do Pass** February 6, 2007.

COMMITTEE ON NATURAL RESOURCES

Committee Bill (Formerly House File 54), appropriating moneys to the department of natural resources for purposes of conducting an autumn olive cooperative management project.

Fiscal Note is not required.

Recommended **Do Pass** February 7, 2007.

COMMITTEE ON TRANSPORTATION

Committee Bill (Formerly House File 87), relating to the revocation of a person's driver's license or nonresident operating privilege for a defendant who has had a previous conviction or revocation.

Fiscal Note is not required.

Recommended **Do Pass** February 6, 2007.

Committee Bill (Formerly House File 89), relating to a peace officer's statements to a person operating a noncommercial motor vehicle and holding a commercial driver's license who has been requested to submit to a chemical test in an operating-while-intoxicated case.

Fiscal Note is not required.

Recommended **Do Pass** February 6, 2007.

Committee Bill (Formerly House Study Bill 8), relating to administration of highways and regulation of motor vehicles by the state department of transportation, including provisions relating to qualifications of property appraisers, destruction of suspended or revoked driver's licenses, requirements for a temporary restricted driver's license, registration and titling of vehicles, legion of merit special registration plates and fees, antique motor vehicle registration plates and fees, licensing of motor vehicle dealers, motor carrier registration and fuel tax liability, and requirements for operation of motor vehicles in merging traffic including a penalty, and providing effective dates.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 6, 2007.

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly House Study Bill 107), updating the Code references to the Internal Revenue Code and including effective date and retroactive applicability provisions.

Fiscal Note is not required.

Recommended **Do Pass** February 7, 2007.

RESOLUTION FILED

HR 16, by Reasoner, a resolution honoring the men's soccer team from Graceland University for winning the Forty-eighth Annual Men's Soccer Championship.

Laid over under **Rule 25**.

AMENDMENTS FILED

H—1047	S.F.	109	May of Dickinson
Alons of Sioux			Anderson of Page
Arnold of Lucas			Baudler of Adair
Boal of Polk			Chambers of O'Brien
Clute of Polk			De Boef of Keokuk
Deyoe of Story			Dolecheck of Ringgold
Drake of Pottawattamie			Forristall of Pottawattamie
Gipp of Winneshiek			Granzow of Hardin
Grassley of Butler			Greiner of Washington
Heaton of Henry			Hoffman of Crawford
Horbach of Tama			Huseman of Cherokee
Jacobs of Polk			Kaufmann of Cedar
Lukan of Dubuque			L. Miller of Scott
S. Olson of Clinton			Paulsen of Linn
Raecker of Polk			Rants of Woodbury
Rasmussen of Buchanan			Rayhons of Hancock
Roberts of Carroll			Sands of Louisa
Schickel of Cerro Gordo			Soderberg of Plymouth
Struyk of Pottawattamie			Tjepkes of Webster
Tomenga of Polk			Tymeson of Madison
Upmeyer of Hancock			Van Engelenhoven of Marion

Van Fossen of Scott	Watts of Dallas
Wiencek of Black Hawk	Windschitl of Harrison
Worthan of Buena Vista	
H—1048 S.F. 109	Gipp of Winneshiek
H—1049 S.F. 109	Gipp of Winneshiek

On motion by McCarthy of Polk the House adjourned at 10:25 p.m., until 9:00 a.m., Thursday, February 8, 2007.

JOURNAL OF THE HOUSE

Thirty-second Calendar Day - Twenty-third Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, February 8, 2007

The House met pursuant to adjournment at 9:06 a.m., Speaker Murphy in the chair.

Prayer was offered by Dr. Robert W. Wallace, pastor of Nazareth Evangelical Lutheran Church, Cedar Falls. He was the guest of Representative Bob Kressig of Black Hawk County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Krista Wiley, House Page from Bondurant.

The Journal of Wednesday, February 7, 2007 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Petersen of Polk, until her arrival, on request of McCarthy of Polk.

INTRODUCTION OF BILLS

House Joint Resolution 3, by committee on state government, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the qualification of electors.

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

House File 260, by committee on human resources, a bill for an act relating to the classification and regulation of controlled substances and making penalties applicable.

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

House File 261, by Ford, a bill for an act relating to distribution and reporting requirements for endow Iowa grants and county endowment moneys.

Read first time and referred to committee on **economic growth**.

House File 262, by Ford, a bill for an act relating to application procedures for a driver's license or nonoperator's identification card prior to an inmate's release from confinement.

Read first time and referred to committee on **public safety**.

House File 263, by Ford, a bill for an act making an appropriation for distribution to community colleges for the development of adult English language learner instruction programs to be offered in employee workplaces.

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

House File 264, by Ford, a bill for an act relating to technical assistance for certain recipients of moneys from the grow Iowa values fund.

Read first time and referred to committee on **economic growth**.

House File 265, by Ford, a bill for an act concerning the appointment of minorities to appointive boards, commissions, committees, and councils.

Read first time and referred to committee on **state government**.

House File 266, by Upmeyer, a bill for an act concerning the marking or lighting of antenna structures and making a penalty applicable.

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

House File 267, by Wise and Tymeson, a bill for an act authorizing community colleges and state universities to seek approval to establish charter magnet schools and increasing the

number of charter schools that may be approved and providing an effective date.

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

House File 268, by Upmeyer, a bill for an act extending the time period excluding a juror or potential juror from serving again on a jury or attending court for prospective jury service.

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

House File 269, by Upmeyer, a bill for an act relating to the burden of proof in judicial review of certain rulemaking proceedings.

Read first time and referred to committee on **state government**.

House File 270, by Foegen, a bill for an act relating to the employment of school nurses by school districts and providing an effective date.

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

House File 271, by Anderson, Swaim and Forristall, a bill for an act relating to indecent exposure and providing penalties.

Read first time and referred to committee on **public safety**.

House File 272, by Reichert, a bill for an act relating to the department of human services' requirements for child care facilities involving availability of a telephone.

Read first time and referred to committee on **human resources**.

House File 273, by Upmeyer, a bill for an act eliminating provisions relating to the contents of the uniform citation and complaint.

Read first time and referred to committee on **public safety**.

House File 274, by Ford, a bill for an act concerning employment restrictions on certain former state employees.

Read first time and referred to committee on **state government**.

House File 275, by Quirk, a bill for an act relating to provision of an individual income tax deduction for health care providers who participate in the voluntary physician provider program, and including a retroactive applicability date provision.

Read first time and referred to committee on **human resources**.

House File 276, by Quirk, a bill for an act concerning the requirement to conduct county gambling elections.

Read first time and referred to committee on **state government**.

House File 277, by Sands, a bill for an act relating to libraries, including library funding, representation on library boards, information collected by the division of libraries and information services established within the department of education, and a library funding and representation study to be conducted by the commission of libraries.

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

House File 278, by Jacoby, Jacobs, Rayhons, Bukta, T. Taylor, Gaskill, Lensing, Schueller, Swaim, T. Olson, Bell, D. Taylor, Heddens, D. Olson and Wendt, a bill for an act relating to the midwest interstate passenger rail compact and providing an effective date.

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

House File 279, by Gipp, a bill for an act allowing voters to reject all candidates on general election ballots for certain offices and providing for a special election and for filing deadlines.

Read first time and referred to committee on **state government**.

House File 280, by Bailey, Pettengill, D. Olson, H. Miller, Mertz, Tjepkes, Granzow, Upmeyer, Deyoe, De Boef and Jacoby, a bill for an act relating to distress criteria for enterprise zones.

Read first time and referred to committee on **economic growth**.

House File 281, by Ford, a bill for an act requiring the training and certification of designated security personnel working at commercial establishments with a liquor control license or wine or beer permit.

Read first time and referred to committee on **state government**.

House File 282, by Ford, a bill for an act relating to funding for the shelter assistance fund.

Read first time and referred to committee on **economic growth**.

House File 283, by committee on judiciary, a bill for an act relating to the enforcement of a restitution judgment against a person convicted of a criminal offense.

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

House File 284, by Quirk, a bill for an act relating to claims for material or labor on certain public and private property.

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

House File 285, by Quirk, a bill for an act providing a tax deduction for dental services providers who participate in the Medicaid program, and including a retroactive applicability date provision.

Read first time and referred to committee on **ways and means**.

RULES SUSPENDED

McCarthy of Polk asked and received unanimous consent to suspend the rules for the immediate consideration of House Resolution 15.

ADOPTION OF HOUSE RESOLUTION 15

Smith of Marshall called up for consideration **House Resolution 15**, a resolution honoring the contributions made by Stephen J. Frese in researching and writing about the history of Iowa and its people, and moved its adoption.

The motion prevailed and the resolution was adopted.

SPECIAL PRESENTATION

Smith of Marshall introduced to the House, Stephen J. Frese, National History Day David Van Tassel Founders Award winner.

The House rose and expressed its welcome.

ADOPTION OF HOUSE RESOLUTION 8

Davitt of Warren called up for consideration the following **House Resolution 8**, a resolution relating to the House code of ethics, and moved its adoption.

- 1 HOUSE RESOLUTION 8
 2 By Committee On Ethics
 3 (Successor to HSB 48)
 4 A resolution relating to the House code of ethics.
 5 *Be it resolved by the House Of Representatives,*
 6 That the House Code of Ethics shall be as follows:
 7 HOUSE CODE OF ETHICS
 8 PREAMBLE. Every legislator and legislative
 9 employee has a duty to uphold the integrity and honor.
 10 of the general assembly, to encourage respect for the
 11 law and for the general assembly, and to observe the
 12 house code of ethics. The members and employees of
 13 the house have a responsibility to conduct themselves
 14 so as to reflect credit on the general assembly, and
 15 to inspire the confidence, respect, and trust of the
 16 public. The following rules are adopted pursuant to
 17 chapter 68B of the Code, to assist the members and
 18 employees in the conduct of their activities:
 19 1. DEFINITIONS. The definitions of terms provided
 20 in chapter 68B of the Code apply to the use of those
 21 terms in these rules.
 22 2. ECONOMIC INTEREST OF MEMBER OR EMPLOYEE OF
 23 HOUSE.
 24 a. Economic or investment opportunity. A member
 25 or employee of the house shall not solicit or accept
 26 economic or investment opportunity under circumstances
 27 where the member or employee knows, or should know,
 28 that the opportunity is being afforded with the intent
 29 to influence the member's or employee's conduct in the
 30 performance of official duties. If a member or

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1 employee of the house learns that an economic or
2 investment opportunity previously accepted was offered
3 with the intent of influencing the member's or
4 employee's conduct in the performance of the official
5 duties, the member or employee shall take steps to
6 divest that member or employee of that investment or
7 economic opportunity, and shall report the matter in
8 writing to the chairperson of the house ethics
9 committee.

10 b. Excessive charges for services, goods, or
11 property interests. A member or employee of the house
12 shall not charge to or accept from a person known to
13 have a legislative interest, a price, fee,
14 compensation, or other consideration for the sale or
15 lease of any property or the furnishing of services
16 which is in excess of that which the member or
17 employee would ordinarily charge another person.

18 c. Use of confidential information. A member or
19 employee of the house, in order to further the
20 member's or employee's own economic interests, or
21 those of any other person, shall not disclose or use
22 confidential information acquired in the course of the
23 member's or employee's official duties. For the
24 purpose of this rule, information disclosed in open
25 session at a public meeting under chapter 21 of the
26 Code and information that is a public record under
27 chapter 22 of the Code is not confidential
28 information.

29 d. Employment. A member or employee of the house
30 shall not accept employment, either directly or

Page 3

1 indirectly, from a political action committee. A
2 member of the house shall not act as a paid lobbyist
3 for any organization. However, this paragraph shall
4 not prohibit a member or employee of the house from
5 working for a candidate's committee, a political
6 party's action committee, or a political action
7 committee which does not expressly advocate the
8 nomination, election, or defeat of a candidate for
9 public office in this state or expressly advocate the
10 passage or defeat of a ballot issue in this state and
11 which is not interested in issues before the general
12 assembly.

13 For the purpose of this rule, a political action
14 committee means a committee, but not a candidate's
15 committee, which accepts contributions, makes
16 expenditures, or incurs indebtedness in the aggregate
17 of more than seven hundred fifty dollars in any one

18 calendar year to expressly advocate the nomination,
19 election, or defeat of a candidate for public office
20 or to expressly advocate the passage or defeat of a
21 ballot issue or for the purpose of influencing
22 legislative action.

23 e. A member or employee of the house shall not
24 solicit employment on behalf of the member or
25 employee, or on behalf of another legislator or
26 employee, as a lobbyist while the general assembly is
27 in session.

28 f. Certain goods or services. A member or
29 employee of the house shall not solicit or obtain
30 goods or services from another person under

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1 circumstances where the member or employee knows or
2 should know that the goods or services are being
3 offered or sold with the intent to influence the
4 member's or employee's conduct in the performance of
5 official duties. If a member or employee of the house
6 is afforded goods or services by another person at a
7 price that is not available to other members or
8 classes of members of the general public or is
9 afforded goods or services that are not available to
10 other members or classes of members of the general
11 public by another person where the member or employee
12 knows or should know that the other person intends to
13 influence the member's or employee's official conduct,
14 the member or employee shall not take or purchase the
15 goods or services.

16 3. APPEARANCE BEFORE STATE AGENCY. A member or
17 employee of the house may appear before a state agency
18 in any representation case but shall not act as a
19 lobbyist with respect to the passage, defeat,
20 approval, veto, or modification of any legislation,
21 rule, or executive order. Whenever a member or
22 employee of the house appears before a state agency,
23 the member or employee shall carefully avoid all
24 conduct which might in any way lead members of the
25 general public to conclude that the member or employee
26 is using the member's or employee's official position
27 to further the member's or employee's professional
28 success or personal financial interest.

29 4. CONFLICTS OF INTEREST. In order for the
30 general assembly to function effectively, members of

Page 5

1 the house may be required to vote on bills and
2 participate in committee work which will affect their
3 employment and other areas in which they may have a

4 monetary interest. Action on bills and committee work
5 which furthers a member's specific employment,
6 specific investment, or other specific interest, as
7 opposed to the interests of the public in general or
8 the interests of a profession, trade, business, or
9 other class of persons, shall be avoided. In making a
10 decision relative to a member's activity on particular
11 bills or in committee work, the following factors
12 should be considered:

13 a. Whether a substantial threat to the member's
14 independence of judgment has been created by the
15 conflict situation.

16 b. The effect of the member's participation on
17 public confidence in the integrity of the general
18 assembly.

19 c. Whether the member's participation is likely to
20 have any significant effect on the disposition of the
21 matter.

22 d. The need for the member's particular
23 contribution, such as special knowledge of the subject
24 matter, to the effective functioning of the general
25 assembly.

26 If a member decides not to participate in committee
27 work or to abstain from voting because of a possible
28 conflict of interest, the member should disclose this
29 fact to the legislative body. The member shall not
30 vote on any question in which the member has an

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1 economic interest that is distinguishable from the
2 interests of the general public or a substantial class
3 of persons.

4 5. STATUTORY REQUIREMENTS. Members and employees
5 of the house shall comply with the requirements
6 contained in chapters 68B (Conflicts of Interest of
7 Public Officers and Employees), 721 (Official
8 Misconduct), and 722 (Bribery and Corruption), and
9 sections 2.18 (Contempt) and 711.4 (Extortion) of the
10 Code.

11 6. CHARGE ACCOUNTS. Members and employees of the
12 house shall not charge any amount or item to a charge
13 account to be paid for by a lobbyist or any client of
14 a lobbyist.

15 7. TRAVEL EXPENSES. A member or employee of the
16 house shall not charge to the state of Iowa amounts
17 for travel and expenses unless the member or employee
18 actually has incurred those mileage and expense costs.
19 Members or employees shall not file the vouchers for
20 weekly mileage reimbursement required by section 2.10,
21 subsection 1 of the Code, unless the travel expense
22 was actually incurred.

23 A member or employee of the house shall not file a
24 claim for per diem compensation for a meeting of an
25 interim study committee or a visitation committee
26 unless the member or employee attended the meeting.
27 However, the speaker may waive this provision and
28 allow a claim to be filed if the member or employee
29 attempted to attend the meeting but was unable to do
30 so because of circumstances beyond the member's or

Page 7

1 employee's control.
2 8. GIFTS ACCEPTED OR RECEIVED. Members and
3 employees of the house shall comply with the
4 restrictions relating to the receipt or acceptance of
5 gifts contained in section 68B.22 of the Code.
6 9. HONORARIA RESTRICTIONS. Members and employees
7 of the house shall comply with the restrictions
8 relating to the receipt of honoraria contained in
9 section 68B.23 of the Code.
10 10. DISCLOSURE REQUIRED. Each member of the house
11 and the chief clerk of the house shall file the
12 personal financial disclosure statements required
13 under section 68B.35 of the Code by February 15 of
14 each year for the prior calendar year.
15 11. SEXUAL HARASSMENT. Members and employees of
16 the house shall not engage in conduct which
17 constitutes sexual harassment as defined in section
18 19B.12 of the Code or pursuant to the sexual
19 harassment policy adopted by the house committee on
20 administration and rules.
21 12. COMPLAINTS.
22 a. Filing of complaint. Complaints may be filed
23 by any person believing that a member or employee of
24 the house, a lobbyist, or a client of a lobbyist is
25 guilty of a violation of the house code of ethics, the
26 house rules governing lobbyists, or chapter 68B of the
27 Code.
28 b. Complaints by committee. The ethics committee
29 may initiate a complaint on its own motion. Committee
30 complaints may be initiated by the committee as a

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1 result of a committee investigation or as a result of
2 receipt of any complaint or other information that
3 does not meet the requirements of these rules
4 regarding the form of a complaint but that contains
5 allegations that would form the basis for a valid
6 complaint.
7 c. Form and contents of complaint. A complaint
8 shall be in writing.

9 Complaint forms shall be available from the chief
10 clerk of the house, but a complaint shall not be
11 rejected for failure to use the approved form if it
12 complies with the requirements of these rules. The
13 complaint shall contain a certification made by the
14 complainant, under penalty of perjury, that the facts
15 stated in the complaint are true to the best of the
16 complainant's knowledge.

17 To be valid, a complaint shall allege all of the
18 following:

19 (1) Facts, that if true, establish a violation of
20 a provision of chapter 68B of the Code, the house code
21 of ethics, or house rules governing lobbyists for
22 which penalties or other remedies are provided.

23 (2) That the conduct providing the basis for the
24 complaint occurred within three years of the filing of
25 the complaint.

26 (3) That the party charged with a violation is a
27 party subject to the jurisdiction of the ethics
28 committee.

29 d. Confidentiality of complaint. The filing of
30 the complaint and the contents of the complaint shall

Page 9

1 be confidential until the time that the committee
2 meets to determine whether the complaint is valid,
3 unless either the complainant or the party charged in
4 the complaint makes the existence of, or the
5 information contained in, the complaint public.
6 However, if either the complainant or party alleged to
7 have committed the violation requests that the meeting
8 to determine whether the complaint is valid be a
9 closed meeting and the filing of the complaint or the
10 contents of the complaint have not been disclosed, the
11 meeting shall be closed.

12 e. Notice of complaint. Upon receipt of the
13 complaint, the chief clerk of the house shall promptly
14 notify the chairperson and ranking member of the
15 ethics committee that a complaint has been filed and
16 provide both the chairperson and the ranking member
17 with copies of the complaint and any supporting
18 information. Within two working days, the chief clerk
19 shall send notice, either by personal delivery or by
20 certified mail, return receipt requested, to the
21 person or persons alleged to have committed the
22 violation, along with a copy of the complaint and any
23 supporting information. The notice to the accused
24 person shall contain a request that the person submit
25 a written response to the complaint within ten working
26 days of the date that the notice was sent by the chief
27 clerk. At the request of the accused person, the

28 committee may extend the time for the response, not to
29 exceed ten additional calendar days.
30 f. Hearing regarding validity of complaint. The

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1 committee chairperson and the ranking member shall
2 review the complaint and supporting information to
3 determine whether the complaint meets the requirements
4 as to form. If the complaint is deficient as to form,
5 the complaint shall be returned to the complainant
6 with instructions indicating the deficiency unless the
7 committee decides to proceed on its own motion. If
8 the complaint is in writing and contains the
9 appropriate certification, as soon as practicable, the
10 chairperson shall call a meeting of the committee to
11 review the complaint to determine whether the
12 complaint meets the requirements for validity and
13 whether the committee should request that the chief
14 justice of the supreme court appoint an independent
15 special counsel to conduct an investigation to
16 determine whether probable cause exists to believe
17 that a violation of the house code of ethics, house
18 rules governing lobbyists, or chapter 68B of the Code,
19 has occurred.
20 If the committee finds that a complaint does not
21 meet the content requirements for a valid complaint,
22 the committee shall dismiss the complaint and notify
23 both the complainant and the party alleged to have
24 committed the violation of the dismissal and the
25 reasons for dismissal. A dismissal for failure to
26 meet the formal requirements for the filing of a
27 complaint shall be without prejudice and the
28 complainant may refile the complaint at any time
29 within three years of the date that the alleged
30 violation took place. If the dismissal is based upon

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1 a failure to allege facts and circumstances necessary
2 for a valid complaint, the dismissal shall be with
3 prejudice and the party shall not be permitted to file
4 a complaint based upon the same facts and
5 circumstances.
6 g. Request for appointment of independent special
7 counsel. If, after review of the complaint and any
8 response made by the party alleged to have committed
9 the violation, the committee determines that the
10 complaint meets the requirements for form and content,
11 the committee shall request that the chief justice of
12 the supreme court appoint independent special counsel
13 to investigate the matter and determine whether

14 probable cause exists to believe that a violation of
15 chapter 68B of the Code, the house code of ethics, or
16 the house rules governing lobbyists has occurred.
17 h. Receipt of report of independent special
18 counsel. The report from the independent special
19 counsel regarding probable cause to proceed on a
20 complaint shall be filed with the chief clerk of the
21 house. Upon receipt of the report of the independent
22 special counsel, the chief clerk shall notify the
23 chairperson of the filing of the report and shall send
24 copies of the report to the members of the ethics
25 committee. As soon as practicable after the filing of
26 the report, the chairperson shall schedule a public
27 meeting for review of the report. The purpose of the
28 public meeting shall be to determine whether the
29 complaint should be dismissed, whether a formal
30 hearing should be held on the complaint, or whether

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1 other committee action is appropriate. The
2 complainant and the person alleged to have committed
3 the violation shall be given notice of the public
4 meeting, shall have the right to be present at the
5 public meeting, and may, at the discretion of the
6 committee, present testimony in support of or against
7 the recommendations contained in the report.

8 If the committee determines that the matter should
9 be dismissed, the committee shall cause an order to be
10 entered dismissing the matter and notice of the
11 dismissal shall be given to the complainant and the
12 party alleged to have committed the violation. If the
13 committee determines that the complaint should be
14 scheduled for formal hearing, the committee shall
15 issue a charging statement which contains the charges
16 and supporting facts that are to be set for formal
17 hearing and notice shall be sent to the complainant
18 and the accused person.

19 The notice shall include a statement of the nature
20 of the charge or charges, a statement of the time and
21 place of hearing, a short and plain statement of the
22 facts asserted, and a statement of the rights of the
23 accused person at the hearing.

24 i. Formal hearing. Formal hearings shall be
25 public and conducted in the manner provided in section
26 68B.31, subsection 8 of the Code. At a formal hearing
27 the accused shall have the right to be present and to
28 be heard in person and by counsel, to cross-examine
29 witnesses, and to present evidence. Members of the
30 committee shall also have the right to question

Page 13

1 witnesses.

2 Evidence at the formal hearing shall be received in
3 accordance with rules and procedures applicable to
4 contested cases under chapter 17A of the Code.

5 The committee chairperson, or the vice chairperson
6 or ranking member in the absence of the chairperson,
7 shall preside at the formal hearing and shall rule on
8 the admissibility of any evidence received. The
9 ruling of the chairperson may be overturned by a
10 majority vote of the committee. Independent special
11 counsel shall present the evidence in support of the
12 charge or charges. The burden shall be on the
13 independent special counsel to prove the charge or
14 charges by a preponderance of clear and convincing
15 evidence. Upon completion of the formal hearing, the
16 committee shall adopt written findings of fact and
17 conclusions concerning the merits of the charges and
18 make its report and recommendation to the house.

19 j. Recommendations by the committee. The
20 committee shall recommend to the house that the
21 complaint be dismissed, or that one or more of the
22 following be imposed:

23 (1) That the member or employee of the house or
24 lobbyist or client of a lobbyist be censured or
25 reprimanded, and the recommended appropriate form of
26 censure or reprimand be used.

27 (2) That the member of the house be suspended or
28 expelled from membership in the house and required to
29 forfeit the member's salary for that period, the
30 employee of the house be suspended or dismissed from

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1 employment, or that the lobbyist's or lobbyist's
2 client's lobbying privileges be suspended.

3 13. COMMUNICATIONS WITH ETHICS COMMITTEE. After a
4 complaint has been filed or an investigation has been
5 initiated, a party to the complaint or investigation
6 shall not communicate, or cause another to
7 communicate, as to the merits of the complaint or
8 investigation with a member of the committee, except
9 under the following circumstances:

10 a. During the course of any meetings or other
11 official proceedings of the committee regarding the
12 complaint or investigation.

13 b. In writing, if a copy of the writing is
14 delivered to the adverse party or the designated
15 representative for the adverse party.

16 c. Orally, if adequate prior notice of the
17 communication is given to the adverse party or the

18 designated representative for the adverse party.
19 d. As otherwise authorized by statute, the house
20 code of ethics, house rules governing lobbyists, or
21 vote of the committee.
22 14. PERMANENT RECORD. The chief clerk of the
23 house shall maintain a permanent record of all
24 complaints filed and any corresponding committee
25 action. The permanent record shall be prepared by the
26 ethics committee and shall contain the date the
27 complaint was filed, name and address of the
28 complainant, name and address of the accused person, a
29 brief statement of the charges made, any evidence
30 received by the committee, any transcripts or

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1 recordings of committee action, and ultimate
2 disposition of the complaint. The chief clerk shall
3 keep each complaint confidential until public
4 disclosure is made by the ethics committee.
5 15. MEETING AUTHORIZATION. The house ethics
6 committee is authorized to meet at the discretion of
7 the committee chairperson in order to conduct hearings
8 and other business that properly may come before it.
9 If the committee submits a report seeking house action
10 against a member or employee of the house or lobbyist
11 after the second regular session of a general assembly
12 has adjourned sine die, the report shall be submitted
13 to and considered by the subsequent general assembly.
14 16. ADVISORY OPINIONS.
15 a. Requests for formal opinions. A request for a
16 formal advisory opinion may be filed by any person who
17 is subject to the authority of the ethics committee.
18 The ethics committee may also issue a formal advisory
19 opinion on its own motion, without having previously
20 received a formal request for an opinion, on any issue
21 that is within the jurisdiction of the committee.
22 Requests shall be filed with either the chief clerk of
23 the house or the chairperson of the ethics committee.
24 b. Form and contents of requests. A request for a
25 formal advisory opinion shall be in writing and may
26 pertain to any subject matter that is related to
27 application of the house code of ethics, the house
28 rules governing lobbyists, or chapter 68B of the Code
29 to any person who is subject to the authority of the
30 ethics committee. Requests shall contain one or more

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1 specific questions and shall relate either to future
2 conduct or be stated in the hypothetical. A request
3 for an advisory opinion shall not specifically name

4 any individual or contain any other specific
 5 identifying information, unless the request relates to
 6 the requester's own conduct. However, any request may
 7 contain information which identifies the kind of
 8 individual who may be affected by the subject matter
 9 of the request. Examples of this latter kind of
 10 identifying information may include references to
 11 conduct of a category of individuals, such as but not
 12 limited to conduct of legislators, legislative staff,
 13 or lobbyists.

14 c. Confidentiality of formal requests and
 15 opinions. Requests for formal opinions are not
 16 confidential and any deliberations of the committee
 17 regarding a request for a formal opinion shall be
 18 public. Opinions issued in response to requests for
 19 formal opinions are not confidential, shall be in
 20 writing, and shall be placed on file in the office of
 21 the chief clerk of the house. Persons requesting
 22 formal opinions shall personally receive a copy of the
 23 written formal opinion that is issued in response to
 24 the request.

25 17. PERSONAL FINANCIAL DISCLOSURE FORM. The
 26 following form shall be used for disclosure of
 27 economic interests under these rules and section
 28 68B.35 of the Code:

29 STATEMENT OF ECONOMIC INTERESTS

30 Name: _____

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1 (Last) (First) (Middle Initial)
 2 Address: _____
 3 (Street Address, Apt.#/P.O. Box)
 4 _____
 5 (City) (State) (Zip)
 6 Phone:(Home)_____/_____(Business)_____/_____
 7 *****

8 This form is due each year on or before February
 9 15. The reporting period is the most recently
 10 completed calendar year.
 11 In completing Division III of this form, if your
 12 percentage of ownership of an asset is less than 100
 13 percent, multiply your percentage of ownership by the
 14 total revenue produced to determine if you have
 15 reached the \$1,000 threshold.
 16 Do not report income received by your spouse or
 17 other family members.
 18 In completing this form, if insufficient space is
 19 provided for your answer, you may attach additional
 20 information/answers on full-size sheets of paper.
 21 Division I. Business, Occupation, Profession.
 22 List each business, occupation, or profession in

- 23 which you are engaged, the nature of the business if
 24 not evident, and your position or job title. No
 25 income threshold or time requirement applies.
 26 Examples:
 27 If you are employed by an individual, state the
 28 name of the individual employer, the nature of the
 29 business, and your position.
 30 If you are self-employed and are not incorporated

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- 1 or are not doing business under a particular business
 2 name, state that you are self-employed, the nature of
 3 the business, and your position.

- 4 If you own your own corporation, are employed by a
 5 corporation, or are doing business under a particular
 6 business name, state the name and nature of the
 7 business or corporation and your position.

- 8 1 _____
 9 2 _____
 10 3 _____
 11 4 _____
 12 5 _____
 13 6 _____

- 14 Division II. Commissions from Sales of Goods or
 15 Services to Political Subdivisions.

- 16 This part is to be completed only by Legislators.
 17 If you received income in the form of a commission
 18 from the sale of goods or services to a political
 19 subdivision, state the name of the purchasing
 20 political subdivision. The amount of commission
 21 earned is not required to be listed.

- 22 1 _____
 23 2 _____
 24 3 _____
 25 4 _____
 26 5 _____
 27 6 _____

- 28 Division III. Sources of Gross Income.

- 29 In each one of the following categories list each
 30 source which produces more than \$1,000 in annual gross

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- 1 income, if the revenue produced by the source was
 2 subject to federal or state income taxes last year.
 3 List the nature or type of each company, business,
 4 financial institution, corporation, partnership, or
 5 other entity which produces more than \$1,000 of annual
 6 gross income. Neither the amount of income produced
 7 nor value of the holding is required to be listed in
 8 any of the items.

9 A. Securities: State the nature of the business of
 10 any company in which you hold stock, bonds, or other
 11 pecuniary interests that generate more than \$1,000 in
 12 annual gross income. Income generated by multiple
 13 holdings in a single company are deemed received from
 14 a single source.

15 _____
 16 _____
 17 _____
 18 _____
 19 _____
 20 _____

21 B. Instruments of Financial Institutions: State the
 22 types of institutions in which you hold financial
 23 instruments, such as certificates of deposit, savings
 24 accounts, etc., that produce annual gross income in
 25 excess of \$1,000, e.g., banks, savings and loans, or
 26 credit unions.

27 _____
 28 _____
 29 _____
 30 _____

Page 20

1 _____
 2 _____
 3 C. Trusts: State the nature or type of any trust
 4 from which you receive more than \$1,000 of gross
 5 income annually.
 6 _____
 7 _____
 8 _____
 9 _____
 10 _____
 11 _____

12 D. Real Estate: State the general nature of real
 13 estate interests that generate more than \$1,000 of
 14 gross income annually, e.g., residential leasehold
 15 interest or farm leasehold interest. The size or
 16 location of the property interest is not required to
 17 be listed.

18 _____
 19 _____
 20 _____
 21 _____
 22 _____
 23 _____

24 E. Retirement Systems: State the name of each
 25 pension plan or other corporation or company that pays
 26 you more than \$1,000 annually in retirement benefits.

27 _____

28 _____
 29 _____
 30 _____

Page 21

1 _____
 2 _____
 3 F. Other Income Categories Specified in State and
 4 Federal Income Tax Regulations.
 5 _____
 6 _____
 7 _____
 8 _____
 9 _____
 10 _____
 11 _____
 12 (Signature of Filer) (Date)

The motion prevailed and the resolution was adopted.

ADOPTION OF HOUSE RESOLUTION 9

Davitt of Warren called up for consideration **House Resolution 9**, a resolution relating to the rules governing lobbyists in the House of Representative, and moved its adoption:

1 HOUSE RESOLUTION 9
 2 By Committee On Ethics
 3 (Successor to HSB 31)
 4 A resolution relating to the rules governing lobbyists
 5 in the House of Representatives.
 6 *Be it resolved by the House Of Representatives,*
 7 That the House Rules Governing Lobbyists shall be as
 8 follows:
 9 HOUSE RULES GOVERNING LOBBYISTS
 10 1. DEFINITIONS OF TERMS. As used in these rules,
 11 "client", "gift", "immediate family member",
 12 "lobbyist", and "person" have the meanings provided in
 13 section 68B.2 of the Code, except that the terms
 14 "lobbyist" and "client" shall only refer to persons
 15 who are lobbyists or clients of lobbyists of the house
 16 of representatives. Except as otherwise provided,
 17 "employee of the house" means a full-time permanent
 18 paid employee of the house of representatives.
 19 2. REGISTRATION REQUIRED.
 20 a. All lobbyists shall, on or before the day their
 21 lobbying activity begins, register in the manner
 22 provided under section 68B.36 of the Code. Lobbyist
 23 registration forms shall be available in the office of

24 the chief clerk of the house.

25 b. In addition each registered lobbyist shall file
26 with the chief clerk of the house a statement of the
27 general subjects of legislation in which the lobbyist
28 is or may be interested, the file number of the bills
29 and resolutions and the bill number of study bills, if
30 known, which will be lobbied, whether the lobbyist

Page 2

1 intends to lobby for or against each bill, resolution,
2 or study bill, if known, and on whose behalf the
3 lobbyist is lobbying the bill, resolution, or study
4 bill.

5 Any change in or addition to the information
6 required by this rule shall be registered with the
7 chief clerk of the house within ten days from the time
8 the change or addition is known to the lobbyist.

9 3. CANCELLATION OF REGISTRATION. If a lobbyist's
10 service on behalf of a particular employer, client, or
11 cause is concluded after the lobbyist registers but
12 before the first day of the next legislative session,
13 the lobbyist shall cancel the registration in the
14 manner required under section 68B.36 of the Code.
15 Upon cancellation of registration, a person is
16 prohibited from engaging in any lobbying activity on
17 behalf of that particular employer, client, or cause
18 until reregistering and complying with the
19 requirements of section 68B.36 of the Code.

20 3A. AMENDMENT OF REGISTRATION. If a registered
21 lobbyist represents more than one employer, client, or
22 cause and the lobbyist's services are concluded on
23 behalf of a particular employer, client, or cause
24 after the lobbyist registers but before the first day
25 of the next legislative session, the lobbyist shall
26 file an amendment to the lobbyist's registration
27 indicating which employer, client, or cause is no
28 longer represented by the lobbyist and the date upon
29 which the representation concluded.

30 If a lobbyist is retained by one or more additional

Page 3

1 employers, clients, or causes after the lobbyist
2 registers but before the first day of the next
3 legislative session, the lobbyist shall file an
4 amendment to the lobbyist's registration indicating
5 the employer, client, or cause to be added and the
6 date upon which the representation begins.

7 Amendments to a lobbyist's registration regarding
8 changes which occur during the time that the general
9 assembly is in session shall be filed within one

10 working day after the date upon which the change in
11 the lobbyist's representation becomes effective.
12 Amendments regarding changes which occur when the
13 general assembly is not in session shall be filed
14 within ten days after the date upon which the change
15 in the lobbyist's representation becomes effective.

16 4. PUBLIC ACCESS. All information filed by a
17 lobbyist or a client of a lobbyist under chapter 68B
18 of the Code is a public record and open to public
19 inspection at any reasonable time.

20 5. CHARGE ACCOUNTS. Lobbyists and the clients
21 they represent shall not allow members of the house to
22 charge any amounts or items to a charge account to be
23 paid for by those lobbyists or by the clients they
24 represent.

25 6. ACCESS TO HOUSE FLOOR. Lobbyists shall only be
26 permitted on the floor of the house pursuant to rule
27 20 of the rules of the house.

28 7. FEE OR BONUS PROHIBITED. A fee or bonus shall
29 not be paid to any lobbyist with reference to any
30 legislative action that is conditioned wholly or in

Page 4

1 part upon the results attained by the lobbyist.

2 8. OFFERS OF ECONOMIC OR INVESTMENT OPPORTUNITY.

3 A lobbyist, employer, or client of a lobbyist shall
4 not offer economic or investment opportunity or
5 promise of employment to any member of the house with
6 intent to influence conduct in the performance of
7 official duties.

8 9. PERSONAL OR FINANCIAL OBLIGATION. A lobbyist
9 shall not do anything with the purpose of placing a
10 member of the house under personal or financial
11 obligation to a lobbyist or a lobbyist's principal or
12 agent.

13 10. ATTEMPTS TO CREATE ADDITIONAL EMPLOYMENT. A
14 lobbyist shall not cause or influence the introduction
15 of any bill or amendment for the purpose of being
16 employed to secure its passage or defeat.

17 11. CAMPAIGN SUPPORT. A lobbyist shall not
18 influence or attempt to influence a member's actions
19 by the promise of financial support for the member's
20 candidacy or threat of financial support for an
21 opposition candidate. A lobbyist shall not make a
22 campaign contribution to a member or to a member's
23 candidate's committee during the time that the general
24 assembly is in session.

25 12. COMMUNICATION WITH MEMBER'S EMPLOYER
26 PROHIBITED. A lobbyist shall not communicate with a
27 member's employer for the purpose of influencing a
28 vote of the member.

29 13. EXCESS PAYMENTS. A lobbyist shall not pay or
30 agree to pay to a member a price, fee, compensation,

Page 5

1 or other consideration for the sale or lease of any
2 property or the furnishing of services which is
3 substantially in excess of that which other persons in
4 the same business or profession would charge in the
5 ordinary course of business.

6 14. PROHIBITION AGAINST GIFTS. A lobbyist or
7 client of a lobbyist shall not, directly or
8 indirectly, offer or make a gift or series of gifts to
9 any member or full-time permanent employee of the
10 house or the immediate family members of a member or
11 full-time permanent employee of the house except as
12 otherwise provided in section 68B.22 of the Code. A
13 lobbyist or client of a lobbyist who intends or plans
14 to give a nonmonetary item, other than food or drink
15 consumed in the presence of the donor, which does not
16 have a readily ascertainable value, to a member or
17 full-time permanent employee of the house, prior to
18 giving or sending the item to the member or employee,
19 shall seek approval of the item from the chief clerk
20 of the house. A lobbyist or client of a lobbyist who
21 seeks approval of an item from the chief clerk shall
22 submit the item and evidence of the value of the item
23 at the time that approval is requested.

24 A lobbyist shall inform each of the lobbyist's
25 clients of the requirements of section 68B.22 of the
26 Code and of the responsibility to seek approval prior
27 to giving or sending a nonmonetary item which does not
28 have a readily ascertainable value to a member or a
29 full-time permanent employee of the house.

30 15. FINANCIAL TRANSACTIONS. A lobbyist shall not,

Page 6

1 directly or indirectly, make a loan to a member of the
2 house or to an employee of the house.

3 A loan prohibited under this section does not
4 include a loan made in the ordinary course of business
5 of a lobbyist if the primary business of the lobbyist
6 is something other than lobbying, if consideration of
7 equal or greater value is received by the lobbyist,
8 and if fair market value is given or received for the
9 benefit conferred.

10 16. HONORARIA - RESTRICTIONS. A lobbyist or
11 client of a lobbyist shall not pay an honorarium to a
12 member or employee of the house for a speaking
13 engagement or other formal public appearance in the
14 official capacity of the member or employee except as

15 otherwise provided in section 68B.23 of the Code.
 16 17. COMPLAINTS. The procedures for complaints and
 17 enforcement of these rules shall be the same as those
 18 provided in the house code of ethics.
 19 18. PROCEDURES AND FORMS. The chief clerk of the
 20 house, subject to the approval of the house ethics
 21 committee, shall prescribe procedures for compliance
 22 with these rules, and shall prepare forms for the
 23 filing of complaints and make them available to any
 24 person.

The motion prevailed and the resolution was adopted.

McCarthy of Polk asked and received unanimous consent for the immediate consideration of Senate File 95.

CONSIDERATION OF BILLS Regular Calendar

Senate File 95, a bill for an act making supplemental appropriations for the home ownership assistance and injured veterans grant programs for Iowa residents who are eligible members or military veterans of the armed forces of the United States and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Bailey of Hamilton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 95)

The ayes were, 99:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Gipp	Granzow	Grassley
Greiner	Heaton	Heddens	Hoffman
Horbach	Hunter	Huseman	Huser
Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	Mascher	May

McCarthy	Mertz	Miller, H.	Miller, L.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Palmer	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Smith	Soderberg	Staed
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wienczek	Winckler	Windschitl
Wise	Worthan	Mr. Speaker	
		Murphy	

The nays were, none.

Absent or not voting and 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **Senate File 95** be immediately messaged to the Senate.

HOUSE FILE 149 WITHDRAWN

Wendt of Woodbury asked and received unanimous consent to withdraw House File 149 from further consideration by the House.

On motion by McCarthy of Polk, the House was recessed at 9:43 a.m., until 4:00 p.m.

AFTERNOON SESSION

The House reconvened at 4:08 p.m., Speaker Murphy in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on February 8, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 34, a bill for an act requiring the use of child restraint systems or seat belts by motor vehicle passengers under eighteen years of age and making a penalty applicable.

Also: that the Senate has on February 8, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 74, a bill for an act renaming health-related examining boards as licensing boards.

Also: that the Senate has on February 8, 2007 passed the following bill in which the concurrence of the House is asked:

Senate File 75, a bill for an act relating to the registration of pharmacy technicians.

MICHAEL E. MARSHALL, Secretary

INTRODUCTION OF BILLS

House File 286, by committee on education, a bill for an act providing for the establishment of the state percent of growth for purposes of the state school foundation program, and providing an applicability date.

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

House File 287, by Mascher, a bill for an act creating the Iowa stem cell research and cures initiative, and providing penalties.

Read first time and referred to committee on **human resources**.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- | | |
|----------|--|
| 2007\680 | Nhovan Vayvanh, Pleasant Hill – For celebrating his 80 th birthday. |
| 2007\681 | Twila Noring, Des Moines – For celebrating her 75 th birthday. |

- 2007\682 Johanna Laycock, Carlisle – For celebrating his 85th birthday.
- 2007\683 Mildred Hartley, Des Moines – For celebrating her 85th birthday.
- 2007\684 Marjorie Buntz, Des Moines – For celebrating her 85th birthday.
- 2007\685 Elmer Lynn, Pleasant Hill – For celebrating his 85th birthday.
- 2007\686 Norma Slaughter, Des Moines – For celebrating her 75th birthday.
- 2007\687 Ione Patrick, Des Moines – For celebrating her 80th birthday.
- 2007\688 S. Devore, Des Moines – For celebrating her 80th birthday.
- 2007\689 John Hutton Jr., Des Moines – For celebrating his 80th birthday.
- 2007\690 Doris Holloway, Des Moines – For celebrating her 80th birthday.
- 2007\691 Robert Boxwell, Des Moines – For celebrating his 85th birthday.
- 2007\692 Marlene Naylor, Des Moines – For celebrating her 95th birthday.
- 2007\693 Wayne Bowen, Des Moines – For celebrating his 85th birthday.
- 2007\694 Dorothy Minella, Des Moines – For celebrating her 75th birthday.
- 2007\695 Mary Cake, Des Moines – For celebrating her 75th birthday.
- 2007\696 Joyce Brown, Des Moines – For celebrating her 80th birthday.
- 2007\697 Winnie Lewis, Des Moines – For celebrating her 75th birthday.
- 2007\698 George Pike, Des Moines – For celebrating his 75th birthday.
- 2007\699 Flo Horrell, Pleasant Hill – For celebrating her 85th birthday.
- 2007\700 Dan Kauzlarich, Pleasant Hill – For celebrating his 90th birthday.
- 2007\701 Dallas Roemer Jr., Pleasant Hill – For celebrating his 75th birthday.
- 2007\702 Lyle Watts, Des Moines – For celebrating his 75th birthday.
- 2007\703 Eva Edwards, Pleasant Hill – For celebrating her 90th birthday.
- 2007\704 Eldred Toigo, Pleasant Hill – For celebrating her 85th birthday.
- 2007\705 Joseph Hodson, Des Moines – For celebrating his 85th birthday.
- 2007\706 Gwen Gibson, Pleasant Hill – For celebrating her 90th birthday.
- 2007\707 Theresa Houston, Des Moines – For celebrating her 75th birthday.

- 2007\708 Jean Bothun, Des Moines – For celebrating her 80th birthday.
- 2007\709 Patricia Gray, Des Moines – For celebrating her 80th birthday.
- 2007\710 Sam McReynold, Des Moines – For celebrating his 90th birthday.
- 2007\711 Devona Nelson, Des Moines – For celebrating her 75th birthday.
- 2007\712 John Rouse, Des Moines – For celebrating his 85th birthday.
- 2007\713 Eunice Smith, Pleasant Hill – For celebrating her 90th birthday.
- 2007\714 Nan Keith, Pleasant Hill – For celebrating her 75th birthday.
- 2007\715 Will Roland, Gilman – For being named National Driver of the Year by the U.S. Trotting Association.
- 2007\716 Robert Moubry, Cedar Rapids – For celebrating his 75th birthday.
- 2007\717 Joseph Seda, Cedar Rapids – For celebrating his 75th birthday.
- 2007\718 Marceline Page, Cedar Rapids – For celebrating her 75th birthday.
- 2007\719 William Hackett, Cedar Rapids – For celebrating his 75th birthday.
- 2007\720 Alo Gueder, Cedar Rapids – For celebrating her 75th birthday.
- 2007\721 Charles Weepie, Cedar Rapids – For celebrating his 75th birthday.
- 2007\722 Carl Jungjohann, Cedar Rapids – For celebrating his 75th birthday.
- 2007\723 Wayne Lovetinsky, Cedar Rapids – For celebrating his 75th birthday.
- 2007\724 Marjory Sailor, Cedar Rapids – For celebrating her 75th birthday.
- 2007\725 William Frese, Cedar Rapids – For celebrating his 75th birthday.
- 2007\726 Manly Leclere, Cedar Rapids – For celebrating his 75th birthday.
- 2007\727 Art Moore, Cedar Rapids – For celebrating his 75th birthday.
- 2007\728 Patricia Seifert, Cedar Rapids – For celebrating her 75th birthday.
- 2007\729 Delores Rehnstrom, Cedar Rapids – For celebrating his 75th birthday.
- 2007\730 Helen Schultz, Cedar Rapids – For celebrating her 75th birthday.
- 2007\731 Richard Koftan, Cedar Rapids – For celebrating his 75th birthday.
- 2007\732 Duane Ingamells, Cedar Rapids – For celebrating his 75th birthday.

- 2007\733 James Woods, Cedar Rapids – For celebrating his 75th birthday.
- 2007\734 Bennie Wheat, Cedar Rapids – For celebrating his 75th birthday.
- 2007\735 Colleen Callan, Cedar Rapids – For celebrating her 75th birthday.
- 2007\736 Marion Turkington, Cedar Rapids – For celebrating her 75th birthday.
- 2007\737 Oliver Walkner, Cedar Rapids – For celebrating his 75th birthday.
- 2007\738 Pauline Guillaume, Cedar Rapids – For celebrating her 75th birthday.
- 2007\739 Thomas Hoffman, Cedar Rapids – For celebrating his 75th birthday.
- 2007\740 Iona Truxaw, Cedar Rapids – For celebrating her 75th birthday.
- 2007\741 Gwendolyn Johnson, Cedar Rapids – For celebrating her 75th birthday.
- 2007\742 Richard Wylder, Cedar Rapids – For celebrating his 75th birthday.
- 2007\743 Beverly Kentfield, Cedar Rapids – For celebrating her 75th birthday.
- 2007\744 William Quinby, Cedar Rapids – For celebrating his 75th birthday.
- 2007\745 Donald Levan, Cedar Rapids – For celebrating his 80th birthday.
- 2007\746 Willard Cram, Cedar Rapids – For celebrating his 80th birthday.
- 2007\747 Bonnye Fowler, Cedar Rapids – For celebrating her 80th birthday.
- 2007\748 Edward Brunsting, Cedar Rapids – For celebrating his 80th birthday.
- 2007\749 Albert Hubbard, Cedar Rapids – For celebrating his 80th birthday.
- 2007\750 Norma Hendrickson, Cedar Rapids – For celebrating her 80th birthday.
- 2007\751 Leo Shields, Jr., Cedar Rapids – For celebrating his 80th birthday.
- 2007\752 Lois Harvey, Cedar Rapids – For celebrating her 80th birthday.
- 2007\753 Joyce Twachtmann, Cedar Rapids – For celebrating her 80th birthday.
- 2007\754 Bernita Brady, Cedar Rapids – For celebrating her 80th birthday.
- 2007\755 Jessie Lefebure, Cedar Rapids – For celebrating her 80th birthday.

- 2007\756 Lois Way, Cedar Rapids – For celebrating her 80th birthday.
- 2007\757 Betty Truesdell, Cedar Rapids – For celebrating her 80th birthday.
- 2007\758 Shirley Phillips, Cedar Rapids – For celebrating her 80th birthday.
- 2007\759 Irene McAleer, Cedar Rapids – For celebrating her 80th birthday.
- 2007\760 Eugene Cooley, Cedar Rapids – For celebrating his 80th birthday.
- 2007\761 Ralph Arens, Cedar Rapids – For celebrating his 80th birthday.
- 2007\762 Robert Neagle, Cedar Rapids – For celebrating his 80th birthday.
- 2007\763 Mildred Gardner, Cedar Rapids – For celebrating her 85th birthday.
- 2007\764 Frances Rinas, Cedar Rapids – For celebrating her 85th birthday.
- 2007\765 Sam Travagiakis, Cedar Rapids – For celebrating his 85th birthday.
- 2007\766 Evelyn Boland, Cedar Rapids – For celebrating her 85th birthday.
- 2007\767 Leroy Kruskop, Cedar Rapids – For celebrating his 85th birthday.
- 2007\768 Mary Colby, Cedar Rapids – For celebrating her 85th birthday.
- 2007\769 Harriet Hogue, Cedar Rapids – For celebrating her 85th birthday.
- 2007\770 Marvin Balhorn, Cedar Rapids – For celebrating his 85th birthday.
- 2007\771 Irene Smith, Cedar Rapids – For celebrating her 85th birthday.
- 2007\772 Pauline Lutz, Cedar Rapids – For celebrating her 85th birthday.
- 2007\773 Doris Spieker, Cedar Rapids – For celebrating her 85th birthday.
- 2007\774 Charles Teply, Cedar Rapids – For celebrating his 85th birthday.
- 2007\775 Mary Nickerson, Cedar Rapids – For celebrating her 85th birthday.
- 2007\776 Verne Haaland, Cedar Rapids – For celebrating his 85th birthday.
- 2007\777 Ada Diehm, Cedar Rapids – For celebrating her 85th birthday.
- 2007\778 Dorothy Lenway, Cedar Rapids – For celebrating her 85th birthday.
- 2007\779 Wilma Shultz, Cedar Rapids – For celebrating her 85th birthday.
- 2007\780 Leonard Dahms, Cedar Rapids – For celebrating his 85th birthday.
- 2007\781 Jane Currell, Cedar Rapids – For celebrating her 90th birthday.

- 2007\782 Mary Steele, Cedar Rapids – For celebrating her 90th birthday.
- 2007\783 E. Beets, Cedar Rapids – For celebrating her 90th birthday.
- 2007\784 Helen Dunek, Cedar Rapids – For celebrating her 90th birthday.
- 2007\785 Earl Hasley, Cedar Rapids – For celebrating his 90th birthday.
- 2007\786 Evelyn Keller, Cedar Rapids – For celebrating her 90th birthday.
- 2007\787 Leona Simon, Cedar Rapids – For celebrating her 100th birthday.
- 2007\788 Iner and Barbara Gilson, Raymond – For celebrating their 50th wedding anniversary.
- 2007\789 Stephen J. Frese, Marshalltown – For receiving the National History Day David Van Tassel Founders Award.
- 2007\790 Alice Reinders, Curlew – For celebrating her 75th birthday.
- 2007\791 Annabell Walker, Emmetsburg – For celebrating her 85th birthday.
- 2007\792 Beulah Graettinger, Graettinger – For celebrating her 85th birthday.
- 2007\793 Beverly Paulson, Estherville – For celebrating her 80th birthday.
- 2007\794 Beverly Rustan, Ruthven – For celebrating her 90th birthday.
- 2007\795 Bobleen Guinn, Armstrong – For celebrating her 75th birthday.
- 2007\796 C. Jeanne Jones, Emmersburg – For celebrating her 80th birthday.
- 2007\797 Charlotte Meyer, Ruthven – For celebrating her 75th birthday.
- 2007\798 Clara Mayland, Titonka – For celebrating her 90th birthday.
- 2007\799 Claribel Fank, Emmetsburg – For celebrating her 90th birthday.
- 2007\800 Colleen Boucher, Estherville – For celebrating her 75th birthday.
- 2007\801 Darlene Devine, Algona – For celebrating her 75th birthday.
- 2007\802 Darlene Jansen, Bancroft – For celebrating her 75th birthday.
- 2007\803 Delores Stenzel, Burt – For celebrating her 75th birthday.
- 2007\804 Delores Walstead, Swea City – For celebrating her 75th birthday.
- 2007\805 Dorothy Schenck, Estherville – For celebrating her 90th birthday.
- 2007\806 Edna Paulsen, Lakota – For celebrating her 85th birthday.

- 2007\807 Elizabeth Blinkmann, Wallingford – For celebrating her 75th birthday.
- 2007\808 Esther Day, Estherville – For celebrating her 75th birthday.
- 2007\809 Esther Fitzgerald, Estherville – For celebrating her 85th birthday.
- 2007\810 Eunice Howard, Estherville – For celebrating her 80th birthday.
- 2007\811 Evelyn Danielson, Swea City – For celebrating her 90th birthday.
- 2007\812 Evelyn Kliegel, Emmetsburg – For celebrating her 75th birthday.
- 2007\813 Evelyn Petersen, Esthersville – For celebrating her 80th birthday.
- 2007\814 Florence Naig, Emmetsburg – For celebrating her 90th birthday.
- 2007\815 Geraldine Wessels, Buffalo Center – For celebrating her 75th birthday.
- 2007\816 Gertrude Ross, Estherville – For celebrating her 95th birthday.
- 2007\817 Gretchen Heetland, Lakota – For celebrating her 80th birthday.
- 2007\818 Helena Laubenthal, West Bend – For celebrating her 90th birthday.
- 2007\819 Ingrid Peton, Estherville – For celebrating her 75th birthday.
- 2007\820 Iona Richardson, Swea City – For celebrating her 85th birthday.
- 2007\821 Joan Gifford, Burt – For celebrating her 75th birthday.
- 2007\822 Joyce Heller, Emmetsburg – For celebrating her 80th birthday.
- 2007\823 Kathleen Kinsella, Estherville – For celebrating her 85th birthday.
- 2007\824 Lavida Hildreth, Estherville – For celebrating her 80th birthday.
- 2007\825 Lavonne Haack, Cylinder – For celebrating her 75th birthday.
- 2007\826 Leona Christ, Lakota – For celebrating her 90th birthday.
- 2007\827 Lorraine Schmaus, Etherville – For celebrating her 80th birthday.
- 2007\828 Lucille Hovey, Armstrong – For celebrating her 85th birthday.
- 2007\829 Mae Stevens, Emmetsburg – For celebrating her 75th birthday.
- 2007\830 Margaret Bunkofske, Buffalo Center – For celebrating her 75th birthday.
- 2007\831 Margaret Loftis, Estherville – For celebrating her 85th birthday.

- 2007\832 Marguerite Olson, Estherville – For celebrating her 90th birthday.
- 2007\833 Marietta Diekman, Armstrong – For celebrating her 100th birthday.
- 2007\834 Marilyn King, Estherville – For celebrating her 75th birthday.
- 2007\835 Marjorie Preston, Armstrong – For celebrating her 75th birthday.
- 2007\836 Mary Baade, Titonka – For celebrating her 80th birthday.
- 2007\837 Mary Eischen, Wesley – For celebrating her 75th birthday.
- 2007\838 Mary Montag, West Bend – For celebrating her 85th birthday.
- 2007\839 Mary Petersen, Estherville – For celebrating her 85th birthday.
- 2007\840 Mary Young, Emmetsburg – For celebrating her 75th birthday.
- 2007\841 Maurine Peterson, Armstrong – For celebrating her 90th birthday.
- 2007\842 Mildred Porter, Armstrong – For celebrating her 90th birthday.
- 2007\843 Mildred Schmidt, Titonka – For celebrating her 90th birthday.
- 2007\844 Nada Halverson, Estherville – For celebrating her 85th birthday.
- 2007\845 Norma Smith, Lakota – For celebrating her 85th birthday.
- 2007\846 Opal Korleski, Emmetsburg – For celebrating her 95th birthday.
- 2007\847 Pauline Juhl, Emmetsburg – For celebrating her 80th birthday.
- 2007\848 Rosalinda Grethen, Mallard – For celebrating her 90th birthday.
- 2007\849 Ruby MacUmbert, Algona – For celebrating her 85th birthday.
- 2007\850 Sallie Nelson, Dolliver – For celebrating her 85th birthday.
- 2007\851 Virginia Norland, Emmetsburg – For celebrating her 80th birthday.
- 2007\852 Wilma Nelsen, Estherville – For celebrating her 85th birthday.
- 2007\853 Wilma Johnson, Swea City – For celebrating her 90th birthday.
- 2007\854 Yvonne Bonnie Bothwell, Estherville – For celebrating her 80th birthday.
- 2007\855 Alfred Baade, Titonka – For celebrating his 75th birthday.
- 2007\856 Andrew Swalve, Estherville – For celebrating his 75th birthday.
- 2007\857 Arthur Luscombe, Dolliver – For celebrating his 85th birthday.

- 2007\858 Arthur Priebe, Lone Rock – For celebrating his 95th birthday.
- 2007\859 Avery Bonstead, Graettinger – For celebrating his 75th birthday.
- 2007\860 Bruce Irish, Estherville – For celebrating his 80th birthday.
- 2007\861 Cletus Elbert, Emmetsburg – For celebrating his 75th birthday.
- 2007\862 Clifford Grimm, West Bend – For celebrating his 85th birthday.
- 2007\863 Clifford Vanberkum, Swea City – For celebrating his 75th birthday.
- 2007\864 Dean Wilson, Fenton – For celebrating his 80th birthday.
- 2007\865 Dennis Doocy, Ledyard – For celebrating his 75th birthday.
- 2007\866 Donald Arndorfer, Bancroft – For celebrating his 85th birthday.
- 2007\867 Donald Klink, Armstrong – For celebrating his 75th birthday.
- 2007\868 Donald Richard, Estherville – For celebrating his 80th birthday.
- 2007\869 Ernie Fogle, Emmetsburg – For celebrating his 85th birthday.
- 2007\870 Erwin Post, Titonka – For celebrating his 75th birthday.
- 2007\871 Everett Thompson, Ledyard – For celebrating his 80th birthday.
- 2007\872 Floyd Farlow, Emmetsburg – For celebrating his 85th birthday.
- 2007\873 Francis Nemmers, Bancroft – For celebrating his 75th birthday.
- 2007\874 Francis Pfeffer, Titonka – For celebrating his 90th birthday.
- 2007\875 George Finnegan, Ruthven – For celebrating his 80th birthday.
- 2007\876 Gerald Mammen, Emmetsburg – For celebrating his 80th birthday.
- 2007\877 Glenn Bonnicksen, Ringsted – For celebrating his 85th birthday.
- 2007\878 Harlen Wehrspann, Emmetsburg – For celebrating his 75th birthday.
- 2007\879 Herbert Beenken, Titonka – For celebrating his 85th birthday.
- 2007\880 Homer Greene, Estherville – For celebrating his 75th birthday.
- 2007\881 Howard Johnson, Ruthven – For celebrating his 80th birthday.
- 2007\882 Ivan Kirby, Emmetsburg – For celebrating his 90th birthday.
- 2007\883 James Fox, Estherville – For celebrating his 80th birthday.

- 2007\884 John Platter, Estherville – For celebrating his 75th birthday.
- 2007\885 Johnny Harms, Titonka – For celebrating his 80th birthday.
- 2007\886 Kenneth Brones, Swea City – For celebrating his 85th birthday.
- 2007\887 Kent Seely, Algona – For celebrating his 75th birthday.
- 2007\888 Lamont Johnson, Swea City – For celebrating his 85th birthday.
- 2007\889 Laurence Hansen, Swea City – For celebrating his 85th birthday.
- 2007\890 Lawrence Coleman, Ruthven – For celebrating his 80th birthday.
- 2007\891 Louis Haukness, Estherville – For celebrating his 90th birthday.
- 2007\892 Melvin Rosenburg, Armstrong – For celebrating his 75th birthday.
- 2007\893 Merle Brown, West Bend – For celebrating his 85th birthday.
- 2007\894 Oscar Berkland, Cylinder – For celebrating his 90th birthday.
- 2007\895 Raymond Ford, Ruthven – For celebrating his 75th birthday.
- 2007\896 Raymond Laabs, Lone Rock – For celebrating his 85th birthday.
- 2007\897 Ricky Nolan, Estherville – For celebrating his 75th birthday.
- 2007\898 Roman Knecht, West Bend – For celebrating his 80th birthday.
- 2007\899 Russell Parsons, Burt – For celebrating his 75th birthday.
- 2007\900 Silas Metzger, West Bend – For celebrating his 90th birthday.
- 2007\901 Stanley Fagre, Estherville – For celebrating his 90th birthday.
- 2007\902 Theodore Hoover, Wesley – For celebrating his 80th birthday.
- 2007\903 Walter Baade, Titonka – For celebrating his 85th birthday.
- 2007\904 Walton Ovens, Swea City – For celebrating his 95th birthday.
- 2007\905 Warner Smidt, Titonka – For celebrating his 90th birthday.
- 2007\906 Wayne West, Estherville – For celebrating his 80th birthday.
- 2007\907 William Ellis, Graettinger – For celebrating his 80th birthday.
- 2007\908 William Schany, Curlew – For celebrating his 85th birthday.
- 2007\909 Agnes Weber, Sioux City – For celebrating her 80th birthday.

- 2007\910 Anna Giasafakis, Sioux City – For celebrating her 95th birthday.
- 2007\911 Aspasia Portalios, Sioux City – For celebrating her 75th birthday.
- 2007\912 Barbara Kindig, Sioux City – For celebrating her 75th birthday.
- 2007\913 Bevelyn O Brien, Sioux City – For celebrating her 85th birthday.
- 2007\914 Carolyn Sloan, Sioux City – For celebrating her 80th birthday.
- 2007\915. Charles Peterson, Sioux City – For celebrating his 80th birthday.
- 2007\916 Darlene Eaton, Sioux City – For celebrating her 75th birthday.
- 2007\917 Donald Mc Peek, Sioux City – For celebrating his 75th birthday.
- 2007\918 Eugene Ashmore, Sioux City – For celebrating his 80th birthday.
- 2007\919 Frances Smith, Sioux City – For celebrating her 75th birthday.
- 2007\920 Gordon Swanson, Sioux City – For celebrating his 85th birthday.
- 2007\921 Gretchen Van Every, Sioux City – For celebrating her 90th birthday.
- 2007\922 Joyce Nickolisen, Sioux City – For celebrating her 80th birthday.
- 2007\923 Juliana Brown, Sioux City – For celebrating her 80th birthday.
- 2007\924 Julie Black, Sioux City – For celebrating her 75th birthday.
- 2007\925 Kenneth Hanson, Sioux City – For celebrating his 80th birthday.
- 2007\926 Margaret Pritchard, Sioux City – For celebrating her 95th birthday.
- 2007\927 Mary Fitch, Sioux City – For celebrating her 85th birthday.
- 2007\928 Mary Nugent, Sioux City – For celebrating her 75th birthday.
- 2007\929 Norma Underwood, Sioux City – For celebrating her 75th birthday.
- 2007\930 Opal Sturgeon, Sioux City – For celebrating her 75th birthday.
- 2007\931 Parker Knudsen, Sioux City – For celebrating his 75th birthday.
- 2007\932 Patricia Puetz, Sioux City – For celebrating her 75th birthday.
- 2007\933 Russell Hearing, Sioux City – For celebrating his 75th birthday.
- 2007\934 Thelma Allen, Sioux City – For celebrating her 80th birthday.
- 2007\935 Valerie Minnoch, Sioux City – For celebrating her 80th birthday.

- 2007\936 Violet Hamilton, Sioux City – For celebrating her 90th birthday.
- 2007\937 William Taylor, Sioux City – For celebrating his 75th birthday.
- 2007\938 C.J. Quinn, Independence – For celebrating his 90th birthday.
- 2007\939 “Gus” Gross, Fontanelle – For celebrating his 80th birthday.
- 2007\940 Bob Haak, Spencer – For earning his 300th career win in boys basketball coaching.

SUBCOMMITTEE ASSIGNMENTS

House File 175

Education: Cohoon, Chair; Wendt and Wienczek.

House File 181

State Government: Quirk, Chair; Greiner, Jacoby, Jochum, Raecker, Roberts and Shomshor.

House File 195

Education: Winckler, Chair; Kelley and Tymeson.

House File 198

Education: Cohoon, Chair; Dolecheck and Foege.

House File 202

State Government: Quirk, Chair; Lensing and Roberts.

House File 209

State Government: Abdul-Samad, Chair; Raecker and T. Taylor.

House File 217

Education: Staed, Chair; Abdul-Samad and Forristall.

House File 220

State Government: T. Taylor, Chair; Boal, Drake, Gipp, Jochum, Pettengill and Wendt.

House File 222

Transportation: Windschitl, Chair; Bell and Dandekar.

House File 226

Public Safety: Berry, Chair; Baudler and R. Olson.

House File 230

State Government: Pettengill, Chair; Boal, Drake, Gipp, Jochum, T. Taylor and Wendt.

House File 236

State Government: Quirk, Chair; Drake and Shomshor.

House File 240

Transportation: Bell, Chair; Gaskill and Rasmussen.

House File 243

Education: Gayman, Chair; Foege and L. Miller.

House File 244

Public Safety: Hunter, Chair; Bell and Tomenga.

House File 248

State Government: Gaskill, Chair; Abdul-Samad, Gipp, Jacobs and T. Taylor.

House File 254

Transportation: Rasmussen, Chair; Bukta and Whitaker.

House File 256

State Government: Wessel-Kroeschell, Chair; Kaufmann and Lensing.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS**House Study Bill 166**

Labor: Palmer, Chair; Grassley and Staed.

House Study Bill 168

Economic Growth: Hoffman, Chair; T. Olson and Petersen.

House Study Bill 170

Commerce: Jacoby, Chair; Jacobs, Kelley, Kressig, Quirk, Sands and Van Fossen.

House Study Bill 171

Human Resources: Smith, Chair; Hunter and Upmeyer.

House Study Bill 172

Human Resources: Abdul-Samad, Chair; Mascher and L. Miller.

HOUSE STUDY BILL COMMITTEE ASSIGNMENT**H.S.B. 173 State Government**

Concerning electrical and mechanical amusement devises and providing penalties.

COMMITTEE RECOMMENDATION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON COMMERCE

Committee Bill (Formerly House Study Bill 92), establishing an energy utility assessment and resolution program for certain persons with low incomes who have or need a deferred payment agreement to address home energy utility costs and making an appropriation.

Fiscal Note is not required.

Recommended **Do Pass** February 8, 2007.**RESOLUTION FILED**

HR 17, by Reasoner, a resolution honoring the Students in Free Enterprise team from Graceland University for placing as first runner-up in the world cup competition.

Laid over under **Rule 25**.**AMENDMENTS FILED**

H—1050	H.F.	286	Gipp of Winneshiek
H—1051	H.F.	286	Gipp of Winneshiek

On motion by McCarthy of Polk the House adjourned at 4:09 p.m., until 9:00 a.m., Friday, February 9, 2007.

JOURNAL OF THE HOUSE

Thirty-third Calendar Day - Twenty-fourth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, February 9, 2007

The House met pursuant to adjournment at 9:10 a.m., Speaker Murphy in the chair.

Prayer was offered by the Honorable Pat Murphy, Speaker of the House.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Murphy.

The Journal of Thursday, February 8, 2007 was approved.

INTRODUCTION OF BILLS

House File 288, by Frevert, a bill for an act providing for issuance of a special minor's license to drive to and from a school in a school district that is not contiguous to the student's district of residence and providing an effective date.

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

House File 289, by Chambers, Lukan, Granzow, Watts, Forristall, De Boef, Rayhons, Struyk, Windschitl, Kaufmann, Alons, May, Tjepkes, Boal and Deyoe, a bill for an act authorizing the transfer of a free landowner deer or wild turkey hunting license to another person.

Read first time and referred to committee on **natural resources**.

House File 290, by Heaton, a bill for an act relating to utilization of Medicaid home and community-based services waiver services, and providing an appropriation.

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

House File 291, by Tomenga, Baudler, Jacoby, Huser, May, Petersen, Lukan, Anderson and R. Olson, a bill for an act providing for candidate physical ability tests for fire fighter applicants under the statewide fire and police retirement system.

Read first time and referred to committee on **state government**.

House File 292, by Ford, a bill for an act creating a junior entrepreneur training assistance program and providing a tax deduction and making an appropriation.

Read first time and referred to committee on **economic growth**.

House File 293, by Swaim, Foegen and Wessel-Kroeschell, a bill for an act relating to the state earned income tax credit by making the tax credit refundable and including effective and retroactive applicability date provisions.

Read first time and referred to committee on **ways and means**.

House File 294, by Heaton, a bill for an act relating to restrictions on employment of certain persons under the Medicaid consumer choices option.

Read first time and referred to committee on **human resources**.

House File 295, by T. Taylor, Tomenga, Palmer and R. Olson, a bill for an act prohibiting the department of corrections from entering into an agreement with a private sector for-profit entity for the purpose of housing inmates.

Read first time and referred to committee on **public safety**.

House File 296, by Kressig, a bill for an act relating to the board of medical examiners and complaints filed against a person licensed to practice medicine and surgery, osteopathic medicine and surgery, or osteopathy.

Read first time and referred to committee on **human resources**.

House File 297, by Heaton, a bill for an act providing that any increase in the tax on cigarettes and tobacco products be deposited into the healthy Lowans tobacco trust.

Read first time and referred to committee on **ways and means**.

House File 298, by committee on judiciary, a bill for an act relating to the conveyance or encumbrance of a homestead.

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

House File 299, by Reichert, Frevert, Bailey, Palmer, Pettengill, H. Miller, D. Olson, Gaskill, Wendt, Whitead, T. Taylor, Schueller, Davitt, Cohoon, Winckler, Jochum, Ford, Bukta, Heddens and Mertz, a bill for an act requiring certain minor children to wear personal flotation devices while on board certain vessels operated on state waters and providing for a penalty and an effective date.

Read first time and referred to committee on **natural resources**.

House File 300, by Quirk, a bill for an act concerning the licensure, operation, and taxation of card game tournaments by organizations representing veterans and allowable prizes at annual game nights.

Read first time and referred to committee on **veterans affairs**.

House File 301, by Heaton, a bill for an act relating to the purchase of a pseudoephedrine product.

Read first time and referred to committee on **public safety**.

House File 302, by Swaim, a bill for an act regulating dangerous animals, including their possession, requiring registration, and providing penalties.

Read first time and referred to committee on **natural resources**.

House File 303, by Alons, Mertz and S. Olson, a bill for an act relating to agricultural liens, by providing for secured property and the financing statements covering secured property.

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

House File 304, by H. Miller, Mertz, Drake, Tjepkes, S. Olson, Bailey, Grassley, Huseman, Dandekar and D. Olson, a bill for an act appropriating moneys to support the purchase of equipment to conduct testing of motor fuel and biofuel.

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

House File 305, by Heaton, a bill for an act relating to notice of claim and certificate of merit requirements in a civil action for personal injury or death against a health care provider.

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

House File 306, by Alons, Grassley, Baudler, S. Olson, Dolecheck, Windschitl, Struyk, Van Fossen, Soderberg, Heaton, Roberts, De Boef, Gipp, Rasmussen, Rayhons, Hoffman, Chambers, Watts, Huseman, Worthan, Sands, Drake, Kaufmann, May, Upmeyer and Boal, a bill for an act providing a tax credit under the individual income tax, corporate income tax, franchise tax, or insurance premiums tax for continuation of salary, wages, or health benefit coverage for employees that are members of the national guard or military reserve and are ordered to active duty, and for payment of certain replacement worker costs, and including effective and retroactive applicability date provisions.

Read first time and referred to committee on **ways and means**.

House File 307, by Heaton, a bill for an act relating to the continuing education requirements for optometrists.

Read first time and referred to committee on **state government**.

House File 308, by Heaton, a bill for an act relating to providing a dental home for children under the medical assistance program.

Read first time and referred to committee on **human resources**.

House File 309, by Heaton, a bill for an act requiring development of a uniform cost report for certain services reimbursed through the department of human services and counties.

Read first time and referred to committee on **human resources**.

House File 310, by Heaton, a bill for an act relating to the staffing of health care facilities.

Read first time and referred to committee on **human resources**.

House File 311, by Upmeyer, a bill for an act relating to transfer procedures for and compensation of health care providers outside of the IowaCare provider network.

Read first time and referred to committee on **human resources**.

House File 312, by Upmeyer, a bill for an act relating to repayment of support to an obligor following disestablishment of paternity.

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

House File 313, by Wessel-Kroeschell and Heddens, a bill for an act relating to the establishment of a study of the economic, fiscal, and social impact of the living wage in Iowa.

Read first time and referred to committee on **labor**:

House File 314, by committee on transportation, a bill for an act relating to a peace officer's statements to a person operating a noncommercial motor vehicle and holding a commercial driver's license who has been requested to submit to a chemical test in an operating-while-intoxicated case.

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

House File 315, by Foege, a bill for an act relating to leaving an unattended child or not properly supervised child in a motor vehicle, and providing a penalty.

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

House File 316, by Heaton, a bill for an act relating to the personal needs allowance retained by medical assistance recipients in certain nursing facilities, providing an effective date, and providing for retroactive applicability.

Read first time and referred to committee on **human resources**.

House File 317, by committee on education, a bill for an act relating to an on-site fiscal review to be conducted under phase II of the accreditation process upon recommendation by the school budget review committee.

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

House File 318, by Schueller, Frevert, Wenthe, Swaim, Lukan, Jacoby, Quirk, Kelley, Staed, Palmer, Foege, Pettengill, D. Taylor, H. Miller, Whitaker, Mertz, Mascher, Kaufmann, Gaskill, Tomenga, Granzow, De Boef, Hoffman and Thomas, a bill for an act providing volunteer fire fighters and emergency medical services personnel with an individual income tax credit and providing effective and retroactive applicability dates.

Read first time and referred to committee on **ways and means**.

House File 319, by committee on ways and means, a bill for an act updating the Code references to the Internal Revenue Code and including effective date and retroactive applicability provisions.

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

House File 320, by committee on transportation, a bill for an act relating to the revocation of a person's driver's license or nonresident operating privilege for a defendant who has had a previous conviction or revocation.

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

House File 321, by Heddens, Wessel-Kroeschell, Gayman, Shomshor, Frevert, Bukta, Abdul-Samad, H. Miller, Jochum, Bell, Petersen, T. Taylor, R. Olson, Schueller, Bailey, Wenthe, Lensing, Ford, Foege, Smith, Kressig, Reasoner and D. Taylor, a bill for an act requiring health insurance coverage for certain dependent children who are full-time students and require a medically necessary leave of absence from school.

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

House File 322, by Frevert, a bill for an act relating to a tax credit for pollution-control and recycling property connected to property used for the care and feeding of livestock, and providing for the Act's applicability.

Read first time and referred to committee on **ways and means**.

House File 323, by Heaton, a bill for an act relating to the provision of medical assistance to certain persons.

Read first time and referred to committee on **human resources**.

House File 324, by T. Taylor, a bill for an act providing for fair share agreements relating to collective bargaining and providing an effective date.

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

CERTIFICATE OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

2007\941 Sanford "Woody" Chittick, Ladora - For celebrating his 90th birthday.

SUBCOMMITTEE ASSIGNMENTS

House File 194

State Government: Lensing, Chair; L. Miller and Whitead.

House File 203

State Government: Lensing, Chair; L. Miller and Whitead.

House File 233

State Government: Abdul-Samad, Chair; Drake and Jacoby.

House File 238

State Government: Lensing, Chair; L. Miller and Whitead.

House File 252

State Government: Gaskill, Chair; Abdul-Samad, Gipp, Jacobs and T. Taylor.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON ECONOMIC GROWTH

Committee Bill (Formerly House File 213), relating to assistance for small businesses, making appropriations, and proving an effective date provision.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 8, 2007.

Committee Bill (Formerly House Study Bill 146), relating to historic preservation and cultural and entertainment district tax credits, making appropriations, and providing applicability date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 8, 2007.

COMMITTEE ON LABOR

Committee Bill (Formerly House Study Bill 50), relating to the boiler and pressure vessel safety program enforced by the division of labor services of the department of workforce development.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 8, 2007.

Committee Bill (Formerly House Study Bill 67), relating to wage payment collection of direct deposit wages as administered by the division of labor services of the department of workforce development.

Fiscal Note is not required.

Recommended **Do Pass** February 8, 2007.

Committee Bill (Formerly House Study Bill 68), relating to elevator conveyance safety standards enforced by the division of labor services of the department of workforce development.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 8, 2007.

RESOLUTION FILED

HR 18, by Tymeson and Smith, a resolution honoring the memory of John Wayne on the 100th anniversary of his birth.

Laid over under **Rule 25**.

AMENDMENT FILED

H—1052

H.F. 286

Paulsen of Linn

On motion by McCarthy of Polk the House adjourned at 9:19 a.m., until 1:00 p.m., Monday, February 12, 2007.

JOURNAL OF THE HOUSE

Thirty-sixth Calendar Day - Twenty-fifth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, February 12, 2007

The House met pursuant to adjournment at 1:12 p.m., Speaker Murphy in the chair.

Prayer was offered by Reverend Kevin Gingerich, pastor of Bloomfield United Methodist Church, Bloomfield. He was the guest of Representative Kurt Swaim of Davis County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by students from Linn-Marr School, Marion. They were the guests of Representative Swati Dandekar of Linn County.

The Journal of Friday, February 9, 2007 was approved.

INTRODUCTION OF BILLS

House Joint Resolution 4, by Frevert, a joint resolution proposing an amendment to the Constitution of the State of Iowa to provide home rule for school districts.

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

House File 325, by Paulsen, Horbach, Hoffman, Dolecheck, S. Olson, Roberts, Drake, Gipp, Soderberg, Jacobs, Lukan, Deyoe, L. Miller and Upmeyer, a bill for an act providing for expert witness, notice of claim, and certificate of merit requirements in medical malpractice actions.

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

House File 326, by Wise, a bill for an act requiring combined corporate tax returns for unitary businesses and including a retroactive applicability date provision.

Read first time and referred to committee on **ways and means**.

House File 327, by Tymieson, a bill for an act relating to school board director district boundaries and optional methods of election when any school district is enlarged, reorganized, or changes its boundaries.

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

House File 328, by D. Olson, a bill for an act relating to the distribution of moneys for county conservation allocated from the Iowa resources enhancement and protection fund.

Read first time and referred to committee on **natural resources**.

House File 329, by T. Taylor, a bill for an act concerning successive disabilities for purposes of workers' compensation laws.

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

House File 330, by Wessel-Kroeschell, Swaim, Gayman and Lensing, a bill for an act establishing an interim study committee to study the impact of unemployment on the recidivism rate of persons who have been committed to the custody of the department of corrections or assigned to the judicial district departments of correctional services.

Read first time and referred to committee on **public safety**.

House File 331, by Frevert, a bill for an act providing for creditable service under the public safety peace officers' retirement system for service under certain prior city fire retirement and police retirement systems and providing an appropriation.

Read first time and referred to committee on **state government**.

House File 332, by Ford, a bill for an act making an appropriation to the department of education for purposes of the academic incentives for minorities program.

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

House File 333, by Baudler, a bill for an act relating to exotic wild animals, by providing for restrictions upon ownership, possession, and movement, providing for licensure and disciplinary action, providing for fees and appropriations, and providing penalties.

Read first time and referred to committee on **natural resources**.

House File 334, by T. Taylor, a bill for an act relating to eligibility requirements for qualification for unemployment compensation benefits.

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

House File 335, by committee on transportation, a bill for an act relating to administration of regional transportation by regional transit districts and of highways and regulation of motor vehicles by the state department of transportation, including provisions relating to qualifications of property appraisers, state standards for land surveying, destruction of suspended or revoked driver's licenses, requirements for a temporary restricted driver's license, registration and titling of vehicles, legion of merit special registration plates and fees, antique motor vehicle registration plates and fees, licensing of motor vehicle dealers, motor carrier registration and fuel tax liability, the maximum length limitation for single trucks, requirements for operation of certain self-propelled implements of husbandry on secondary roads, and disposition of regional transit district tax revenues collected by a county treasurer, and providing effective dates.

Read first time and referred to committee on **ways and means**.

House File 336, by Ford, a bill for an act relating to the establishment of law enforcement review boards in certain cities.

Read first time and referred to committee on **public safety**.

House File 337, by Petersen, a bill for an act relating to the creation of a task force on postnatal tissue and fluid banking, providing an appropriation, and providing an effective date.

Read first time and referred to committee on **human resources**.

House File 338, by Wenthe, a bill for an act to allow an ambulance manufacturer to act as an ambulance dealer.

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

House File 339, by Ford, a bill for an act concerning the process for selecting a location for a driver's license issuance site operated by the department of transportation.

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

House File 340, by Heddens, Wessel-Kroeschell, Bukta, Abdul-Samad, Frevert, Petersen, Schueller, Gayman, Berry, Whitead, Gaskill, D. Olson, Whitaker and Mertz, a bill for an act providing for the characteristics of a victim of a hate crime and making penalties applicable.

Read first time and referred to committee on **public safety**.

SENATE MESSAGES CONSIDERED

Senate File 34, by Johnson and Hancock, a bill for an act requiring the use of child restraint systems or seat belts by motor vehicle passengers under eighteen years of age and making a penalty applicable.

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

Senate File 75, by committee on human resources, a bill for an act relating to the registration of pharmacy technicians.

Read first time and referred to committee on **human resources**.

SPECIAL PRESENTATIONS

Speaker Murphy introduced to the House, Debbi Colbertson, from Payson, Arizona, sister of the House Journal Editor, accompanied by Mark Goble, husband of the House Journal Editor, Gayle Goble.

The House rose and expressed its welcome.

Jacobs of Polk introduced to the House the Honorable Jeff Elgin, former state representative from Linn County.

The House rose and expressed its welcome.

Abdul-Samad of Polk introduced to the House Mary Ann Spicer, President of Sister on Target, Des Moines. She was the guest of Representative Abdul-Samad of Polk County.

The House rose and expressed its welcome.

REPORT OF ADMINISTRATION AND RULES COMMITTEE

MR. SPEAKER: Pursuant to Senate Concurrent Resolution 3, your committee on administration and rules submits the following to be employed in the indicated positions, and at the indicated classification, grades and steps, and the changes in the classification of the indicated officers and employees to be effective on the date indicated:

<u>Position</u>	<u>Name</u>	<u>Grade And Step</u>	<u>Class of Appoint- ment</u>	<u>Eff. Date</u>
Leg. Committee Secretary	Judith Jay	17-3+2	S-O	01-08-07
Leg. Committee Secretary	James Van Bruggen	17-1	S-O	01-09-07
Admin Asst I to Leader	Josie L. Klingaman	29-2	P-FT	01-17-07

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

Admin Asst I to Leader	Timothy J. Albrecht			01-19-07
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Pursuant to Senate Concurrent Resolution 3, duly adopted, the following is a list of changes for officers and employees of the Joint Senate/House:

Conservation/ Restoration Specialist III	Mark S. Lundberg	31-5 to	P-FT 31-6	01-26-07
Sr Copy Center Operator	Shirley M. Roach	21-6 to 21-7	E-FT	02-09-07

REPORT OF ADMINISTRATION AND RULES COMMITTEE

MR. SPEAKER: Pursuant to Senate Concurrent Resolution 2, the following is a list of officers and employees of the House for the Eighty-Second General Assembly, 2007 Session, and their respective classification, grades and steps:

<u>Position</u>	<u>Name</u>	<u>Grade And Step</u>	<u>Class of Appoint- ment</u>
Chief Clerk	Mark W. Brandsgard	44-4	P-FT
Asst. Chief Clerk II	David F. Schrader	35-3	P-FT
Sr. Caucus Staff Dir.	Paulee Lipsman	41-7	P-FT
Sr. Caucus Staff Dir.	Jeffrey G. Mitchell	41-7	P-FT
Admin. Asst. to Leader	Mark N. Langgin	27-3	P-FT
Admin. Asst I to Leader	Josie L. Klingaman	29-2	P-FT
Admin. Asst. II to Speaker	Dwayne Dean Fiihr, Jr.	32-4	P-FT
Admin. Assistant II to Leader	Scott D. Ourth	32-3	P-FT
Admin. Asst. III to Leader	Allison G. Dorr Kleis	35-4	P-FT
Sr. Admin. Asst. to Speaker	Edward J. Conlow	38-7	P-FT
Sr. Admin. Asst. to Speaker	Carolyn McNeill Gaukel	38-7	P-FT
Leg. Res. Analyst	Devin L. Boerm	27-2	P-FT
Leg. Res. Analyst	Ezekiel L. Furlong	27-2	P-FT
Leg. Res. Analyst I	David L. Epley	29-3	P-FT
Leg. Res. Analyst I	Kristin A. Gray	29-4	P-FT
Leg. Res. Analyst I	Kelly M. Ryan	29-4	P-FT
Leg. Res. Analyst II	Mary K. Earnhardt	32-3	P-FT
Leg. Res. Analyst III	Anna M. Hyatt-Crozier	35-4	P-FT
Sr. Leg. Res. Analyst	Lon W. Anderson	38-7	P-FT
Sr. Leg. Res. Analyst	Mary C. Braun	38-7	P-FT
Sr. Leg. Res. Analyst	Ann M. McCarthy	38-7	P-FT
Sr. Leg. Res. Analyst	Lewis E. Olson	38-5	P-FT
Sr. Leg. Res. Analyst	Jenifer L. Parsons	38-7	P-FT
Sr. Leg. Res. Analyst	Thomas R. Patterson	38-7	P-FT
Sr. Leg. Res. Analyst	Joseph P. Romano	38-7	P-FT
Sr. Leg. Res. Analyst	Bradley A. Trow	38-3	P-FT
Caucus Secretary	Jake D. Friedrichsen	21-1	P-FT
Sr. Caucus Secretary	Bruce G. Brandt	24-7	P-FT
Exec. Sec. to Chief Clerk	Janet R. Ramsay	24-1	E-FT
Clerk to Chief Clerk	Diane K. Burget	16-4	S-O
Supervisor of Sec. I	Mary M. Sanders	24-1	P-FT
Senior Editor	Gayle A. Goble	30-6	P-FT
Editor I	Vicki L. Jones	22-3	P-FT
Assistant Editor	Robin L. Bennett	19-2	E-FT
Text Processor I	Joseph M. Gilde	19-3	P-FT
Sr. Finance Officer III	Debra K. Rex	38-6	P-FT

Finance Officer II	Kelly M. Bronsink	27-7	P-FT
Recording Clerk I	Rachelle D. Thomas	21-2	S-O
Assistant Legal Counsel	Doreen R. Terrell	27-7	P-FT
Engrossing & Enrolling Processor	Pauline E. Kephart	27-7	S-O
Assistant to the Legal Counsel	Kathy J. Stachon	19-1	S-O
Indexer II	Kristin L. Wentz	25-7	P-FT
Indexing Assistant	Katherine G. Kenline	19-2	P-FT
Switchboard Operator	Rita R. Carlson	14-2	S-O
Switchboard Operator	Madeline E. James	14-7	S-O
Legislative Secretary	Clarice E. Alons	16-3	S-O
Legislative Secretary	Pamela D. Anderson	16-1	S-O
Legislative Secretary	Jacob E. Appel	16-1	S-O
Legislative Secretary	Cheryl K. Arnold	15-3	S-O
Legislative Secretary	Diyonda L. Avant	16-1	S-O
Legislative Secretary	Susan M. Betsinger	15-4	S-O
Legislative Secretary	Ellen R. Bettini	15-1	S-O
Legislative Secretary	Jodi K. Bierman	17-1	S-O
Legislative Secretary	Jacob I. Bossman	15-1	S-O
Legislative Secretary	Adrienne H. Branstad	16-1	S-O
Legislative Secretary	Samuel P. Braun	16-1	S-O
Legislative Secretary	Beverly A. Burns	17-2	S-O
Legislative Secretary	Chad R. Burton	15-1	S-O
Legislative Secretary	Melissa K. Cameron	16-1	S-O
Legislative Secretary	Jordan C. Carey	16-1	S-O
Legislative Secretary	Dawn R. Dillman	18-3	S-O
Legislative Secretary	Darcy D. Dolezal	16-1	S-O
Legislative Secretary	Shirley J. Drake	16-5	S-O
Legislative Secretary	Kathy Eaton	15-3	S-O
Legislative Secretary	Lindsey B. Ellerbach	16-1	S-O
Legislative Secretary	Kelley A. Fifer	15-3	S-O
Legislative Secretary	Mark S. Fleagle	17-1	S-O
Legislative Secretary	Jennifer N. Frank	16-1	S-O
Legislative Secretary	Lindsey L. Frank	16-1	S-O
Legislative Secretary	Martha L. Fullerton	16-2	S-O
Legislative Secretary	Cassandra C. Furlong	16-1	S-O
Legislative Secretary	Donna W. Greenwood	16-7	S-O
Legislative Secretary	Megan L. Hess	16-1	S-O
Legislative Secretary	Lynn M. Hoffman	16-3	S-O
Legislative Secretary	Tiffanee L. Hokel	15-1	S-O
Legislative Secretary	Jane M. Hughes	15-1	S-O
Legislative Secretary	Susan K. Jennings	15-7+2	S-O
Legislative Secretary	Jase H. Jensen	16-1	S-O
Legislative Secretary	Robert F. Kaufmann	18-2	S-O
Legislative Secretary	Karen K. Kurth	15-1	S-O
Legislative Secretary	Brittany Lagemann	16-1	S-O
Legislative Secretary	Carol J. Lamb	16-1	S-O
Legislative Secretary	Benjamin D. Leifker	15-1	S-O
Legislative Secretary	Jennifer Lee Lunsford	18-2	S-O
Legislative Secretary	Susan M. Mahedy- Ridgway	16-2	S-O

Legislative Secretary	Marlene J. Martens	15-5	S-0
Legislative Secretary	William S. Mason	16-1	S-0
Legislative Secretary	Margie A. May	16-1	S-0
Legislative Secretary	Nancy M. McDowell	16-1	S-0
Legislative Secretary	Anthony R. Menendez	16-1	S-0
Legislative Secretary	Michele M. Meyer	15-1	S-0
Legislative Secretary	Twyla L. Miller	15-7+2	S-0
Legislative Secretary	Laura L. Mommsen	15-2	S-0
Legislative Secretary	Melba K. Murken	16-3	S-0
Legislative Secretary	Natasha M. Newcomb	16-1	S-0
Legislative Secretary	Carrie C. Olson	16-1	S-0
Legislative Secretary	Jean P. Olson	16-3	S-0
Legislative Secretary	Brian C. Phillips	17-1	S-0
Legislative Secretary	Martha S. Raecker	16-2	S-0
Legislative Secretary	Virginia A. Rowen	17-7	S-0
Legislative Secretary	Josie M. Rundlett	17-1	S-0
Legislative Secretary	Robert P. Santi	16-2	S-0
Legislative Secretary	Melodie K. Schueller	16-2	S-0
Legislative Secretary	Constance M. Smith	18-1	S-0
Legislative Secretary	Virginia A. Sourbeer	16-3	S-0
Legislative Secretary	Kristen J. Stewart- Rowen	16-1	S-0
Legislative Secretary	Jean Tannatt	16-5	S-0
Legislative Secretary	M. Bernadine Travers	16-1	S-0
Legislative Secretary	Darlene A. VanOort	16-3	S-0
Legislative Secretary	Ruth A. Vander Linden	16-1	S-0
Legislative Secretary	Dustin J. Wagner	16-1	S-0
Legislative Secretary	Megan M. Warner	17-1	S-0
Legislative Secretary	Barbara B. Wennerstrum	15-7+2	S-0
Legislative Secretary	David H. White	15-2	S-0
Legislative Secretary	Jeff D. Yanecek	16-1	S-0
Leg. Comm. Secretary	Bradley P. Bell	17-2	S-0
Leg. Comm. Secretary	Curtis I. Bigsby	17-2	S-0
Leg. Comm. Secretary	Lindsay K. Bland	17-1	S-0
Leg. Comm. Secretary	Melissa L. Burmester	18-1	S-0
Leg. Comm. Secretary	Jennifer M. Danilson	17-1	S-0
Leg. Comm. Secretary	Mary K. Davis	17-3	S-0
Leg. Comm. Secretary	Neal T. Doyle	17-1	S-0
Leg. Comm. Secretary	Mary K. Ellett	18-1	S-0
Leg. Comm. Secretary	Bethany G. Hempel	17-1	S-0
Leg. Comm. Secretary	Kelli A. Huser	17-1	S-0
Leg. Comm. Secretary	Nathan G. Huss	18-1	S-0
Leg. Comm. Secretary	Amanda S. Hynek	18-1	S-0
Leg. Comm. Secretary	Judy C. Jay	17-3+2	S-0
Leg. Comm. Secretary	Catherine S. Jury	17-7	S-0
Leg. Comm. Secretary	Ann M. Kirkegaard	17-1	S-0
Leg. Comm. Secretary	Amy L. Lynch	18-2	S-0
Leg. Comm. Secretary	Steven L. Mandernach	17-1	S-0
Leg. Comm. Secretary	Carole I. Martin	17-1	S-0
Leg. Comm. Secretary	Susan G. Meimann	17-2	S-0
Leg. Comm. Secretary	Brenda R. Olson	17-1	S-0

Leg. Comm. Secretary	Susan Salter	17-1	S-O
Leg. Comm. Secretary	Betsy A. Shelton	17-1	S-O
Leg. Comm. Secretary	Fran D. Smith	18-1	S-O
Leg. Comm. Secretary	Rosemary G. Thomas	17-2	S-O
Leg. Comm. Secretary	Christian J. Ucles	17-1	S-O
Leg. Comm. Secretary	James B. Van Bruggen	17-1	S-O
Leg. Comm. Secretary	Anita R. Wendt	17-2	S-O
Bill Clerk	JoAnn B. Quade	14-4	S-O
Assistant Bill Clerk	Joyce A. Hendrix	12-1	S-O
Postmaster	William C. Walling	12-5	S-O
Sergeant-at-Arms I	Maynard L. Boatwright	17-3	S-O
Asst. Sergeant-at-Arms	Marvin Hollingshead	14-4	S-O
Chief Doorkeeper	Gerald V. Orman	12-3	S-O
Doorkeeper	Michael J. Downs	11-1	S-O
Doorkeeper	James S. Glenn	11-2	S-O
Doorkeeper	Jack R. Hall	11-1	S-O
Doorkeeper	Harold L. Harker	11-1	S-O
Doorkeeper	Robert B. Yeager	11-3	S-O

PAGES-GROUP I

Speaker's Page	Abby L. Finkenauer	9-1	S-O
Chief Clerk's Page	Amanda M. Grieder	9-1	S-O
Chief Clerk's Page	Lindsay D. Norton	9-1	S-O
Page	Trevor P. Boeckmann	9-1	S-O
Page	Katherine R. Clark	9-1	S-O
Page	Alexandra C. Elgersma	9-1	S-O
Page	Adam J. Fisher	9-1	S-O
Page	Chynna P. Frana	9-1	S-O
Page	Mason D. Frank	9-1	S-O
Page	Brian E. Gress	9-1	S-O
Page	Allyson C. Hansen	9-1	S-O
Page	Heidi D. Hortsman	9-1	S-O
Page	Tiffany M. Kelderhouse-Tucker	9-1	S-O
Page	Alejandro Patino	9-1	S-O
Page	Madison B. Short	9-1	S-O
Page	Elizabeth A. Smith	9-1	S-O
Page	Brianna J. Steitzer	9-1	S-O
Page	Hannah L. Van Fossen	9-1	S-O
Page	Heather A. Van Fossen	9-1	S-O
Page	Krista J. Wiley	9-1	S-O
Page	Kathryn J. Wollan	9-1	S-O

PAGES-GROUP II

Page	Jordan P. Anderson	9-1	S-O
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Pursuant to Senate Concurrent Resolution 2, the following is a list of officers and Joint Senate/House employees for the Eighty-Second General Assembly, 2007 Session, and their respective classification, grades and steps:

<u>Position</u>	<u>Name</u>	<u>Grade Step</u>	<u>Class of Appoint- ment</u>
Sr. Facilities Manager	Mark L. Willemsen	41-6	P-FT
Leg. Security Coordinator I	Shawna S. Ferguson	23-5	P-FT
Leg. Security Officer I	Robert W. Cornwell	20-1	P-FT
Leg. Security Officer I	Marshall T. Irwin	20-5	P-FT
Leg. Security Officer I	Carl E. Lami	20-5	P-FT
Leg. Security Officer I	Mahlon Y. Lamp	20-4	P-FT
Leg. Security Officer I	Steven D. Marsh	20-5	P-FT
Leg. Security Officer I	Roy E. Paradise	20-4	E-FT
Leg. Security Officer I	Robert J. Porter	20-5	P-FT
Leg. Security Officer I	Judith A. Salier	20-5	P-FT
Leg. Security Officer I	Curtis L. Scott	20-3	P-FT
Leg. Security Officer I	Gordon M. Skeffington	20-1	P-FT
Leg. Security Officer I	Leo R. Skeffington	20-3	P-FT
Leg. Security Officer I	Kent M. Stevens	20-4	P-FT
Conservation/Restoration Specialist II	Mark S. Lundberg	31-6	P-FT
Sr. Copy Center Operator	Shirley M. Roach	21-6	E-FT

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- 2007\942 Marvin Willemsen, George – For celebrating his 88th birthday.
- 2007\943 Darlene Smith, Sioux City – For celebrating her 86th birthday.
- 2007\944 Art and Mary Samuelson, Tipton – For celebrating their 50th wedding anniversary.
- 2007\945 Jarren Wiersma, George – For being selected to play for the North Squad in the 2007 Iowa Shrine All-Star Football game.
- 2007\946 Jason Roskam, Sioux Center – For being selected to play for the North Squad in the 2007 Iowa Shrine All-Star Football game.

- 2007\947 Seth Moser, Alvord – For being selected to play for the North Squad in the 2007 Iowa Shrine All-Star Football game.
- 2007\948 Eric Van Ginkel, Hull – For being selected to play for the North Squad in the 2007 Iowa Shrine All-Star Football game.
- 2007\949 Severt and Grace Haverhals, Sioux Center – For celebrating their 60th wedding anniversary.
- 2007\950 Rudy and Erma Fick, Hull – For celebrating their 60th wedding anniversary.
- 2007\951 Mr. and Mrs. Pete Reck, Rock Rapids – For celebrating their 60th wedding anniversary.
- 2007\952 Mr. and Mrs. Bill Jacobs, Davenport – For celebrating their 60th wedding anniversary.
- 2007\953 Gwynifred Benesh, Mount Vernon – For celebrating her 95th birthday.
- 2007\954 Robert Flannery, Oxford – For celebrating his 85th birthday.
- 2007\955 Walter Seiler, Mount Vernon – For celebrating his 85th birthday.
- 2007\956 Evelyn Bennet, Lisbon – For celebrating her 100th birthday.
- 2007\957 Caesar Lesniak, Swisher – For celebrating his 80th birthday.
- 2007\958 Rosemary Coblentz, Oxford – For celebrating her 80th birthday.
- 2007\959 Margaret Suri, Mount Vernon – For celebrating her 80th birthday.
- 2007\960 Dorothy Olson, Red Oak – For celebrating her 100th birthday.
- 2007\961 Goerge Willis, Solon – For celebrating his 80th birthday.
- 2007\962 Stanley Schoff, Lisbon – For celebrating his 80th birthday.
- 2007\963 Ardis Schut, Solon – For celebrating her 90th birthday.
- 207\964 Claire Cramer, Cedar Rapids – For celebrating her 75th birthday.
- 2007\965 Nova Dannels, Swisher – For celebrating her 90th birthday.
- 2007\966 Betty Sedlacek, Iowa City – For celebrating her 80th birthday.
- 2007\967 Russell Colony, Tiffin – For celebrating his 90th birthday.
- 2007\968 Rose Dunek, Cedar Rapids – For celebrating her 75th birthday.

- 2007\969 Dolores Suchomel, Mount Vernon – For celebrating her 80th birthday.
- 2007\970 Frederick Shelton, Swisher – For celebrating his 75th birthday.
- 2007\971 Patricia Bowman, Solon – For celebrating her 80th birthday.
- 2007\972 Robert Kopp, Solon – For celebrating his 80th birthday.
- 2007\973 Richard Aicher, Iowa City – For celebrating his 75th birthday.
- 2007\974 Catherine Rohde, Cedar Rapids – For celebrating her 80th birthday.
- 2007\975 Robert Stinocher, Solon – For celebrating his 80th birthday.
- 2007\976 Gladys Hanna, Springville – For celebrating her 85th birthday.
- 2007\977 Mary Soukup, Oxford – For celebrating her 75th birthday.
- 2007\978 James Kauffman, Cedar Rapids – For celebrating his 85th birthday.
- 2007\979 Dorothy Luedtke, Ely – For celebrating her 80th birthday.
- 2007\980 Elizabeth Stroud, Iowa City – For celebrating her 75th birthday.
- 2007\981 Bernard Erenberger, Solon – For celebrating his 75th birthday.
- 2007\982 Emil Velky, Solon – For celebrating his 75th birthday.
- 2007\983 Robert Bostwick, Swisher – For celebrating his 80th birthday.
- 2007\984 Donald Bomkamp, Cedar Rapids – For celebrating his 75th birthday.
- 2007\985 James Peterschmidt, Oxford – For celebrating his 75th birthday.
- 2007\986 Thomas Burns, Oxford – For celebrating his 90th birthday.
- 2007\987 Helen Deaton, Oxford – For celebrating her 95th birthday.
- 2007\988 Ruth Croker, Iowa City – For celebrating her 75th birthday.
- 2007\989 Robert Evans, Oxford – For celebrating his 80th birthday.
- 2007\990 Lois Davis, Cedar Rapids – For celebrating her 75th birthday.
- 2007\991 Henry Wright, Lisbon – For celebrating his 75th birthday.
- 2007\992 Geraldine Rushek, Solon – For celebrating her 80th birthday.
- 2007\993 Elizabeth Leedom, Cedar Rapids – For celebrating her 90th birthday.

- 2007\994 Adeline Jindrich, Swisher – For celebrating her 80th birthday.
- 2207\995 Donald Kaplan, Cedar Rapids – For celebrating his 75th birthday.
- 2007\996 Leona Schneekloth, Ely – For celebrating her 85th birthday.
- 2007\997 Richard Fisher, Solon – For celebrating his 75th birthday.
- 2007\998 Ernest Moore, Lisbon – For celebrating his 80th birthday.
- 2007\999 William Rieniets, North Liberty – For celebrating his 75th birthday.
- 2007\1000 Donna Worrell, Solon – For celebrating her 75th birthday.
- 2007\1001 Ellen Schmadeke, Solon – For celebrating her 75th birthday.
- 2007\1002 Nelda Kiracofe, North Liberty – For celebrating her 75th birthday.
- 2007\1003 Melvin Walters, Iowa City – For celebrating his 75th birthday.
- 2007\1004 Loretta Bortz, Solon – For celebrating her 80th birthday.
- 2007\1005 John Martin, Lisbon – For celebrating his 75th birthday.
- 2007\1006 Wilna Churchill, Springville – For celebrating her 100th birthday.
- 2007\1007 Cora Zila, Cedar Rapids – For celebrating her 80th birthday.
- 2007\1008 Henry and Mary Addink, Orange City – For celebrating their 60th wedding anniversary.
- 2007\1009 Widner Drug Store, Manchester – For being named one of America's 50 Best Pharmacies.
- 2007\1010 John and Clarene Schipper, Ackley – For celebrating their 50th wedding anniversary.
- 2007\1011 Deacon Wayne and Lu Cashett, Eldora – For celebrating their 60th wedding anniversary.
- 2007\1012 Warren and Mildred Preston, Hubbard – For celebrating their 60th wedding anniversary.
- 2007\1013 Clarence Perrin, Eldora – For celebrating his 80th birthday.
- 2007\1014 Orma Warschkow, Iowa Falls – For celebrating her 90th birthday.

SUBCOMMITTEE ASSIGNMENT

House File 287

Human Resources: Heddens, Chair; Mascher and Roberts.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

House Study Bill 169

Natural Resources: T. Taylor, Chair; Shomshor and Soderberg.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 174 Public Safety

Relating to the department of public safety practices and procedures, and providing an effective date.

H.S.B. 175 State Government

Relating to certain elections regarding city utilities or combined utility systems.

H.S.B. 176 State Government

Authorizing payroll deduction for dues to a certified bargaining representative for individuals receiving payment for work performed from the state.

H.S.B. 177 State Government

Relating to fire sprinkler installation and maintenance, by providing for the establishment of fire sprinkler installer and fire sprinkler maintenance worker licenses, creating an advisory board, establishing fees, and providing penalties.

H.S.B. 178 State Government

Relating to voting machines, including by requiring that direct recording electronic voting machines used in the state produce paper records to be verified by voters.

H.S.B. 179 Agriculture

Relating to cooperative associations, by providing for documentation, including certificates and statements.

H.S.B. 180 Appropriations

Appropriating federal funds made available from federal block grants and other federal grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated.

H.S.B. 181 Transportation

Concerning the county driver's license issuance program, the amount of fees retained by county treasurers under the program, and providing fees to be charged for certain commercial driver's license services.

H.S.B. 182 Human Resources

Relating to cigarette fire safety standards, and providing penalties.

H.S.B. 183 Human Resources

Relating to entities and activities regulated by the Iowa department of public health, including the practices of optometry and mortuary science, establishment of a state public health dental director and an oral health bureau, membership on the child death review team, and immunity for emergency response, and providing for the revision of fees.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON COMMERCE

Senate File 32, a bill for an act extending the future repeal of a provision requiring the issuance of certificates for furnishing local telecommunications services, and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** February 8, 2007.

COMMITTEE ON PUBLIC SAFETY

Committee Bill (Formerly House Study Bill 7), relating to the standardized training and state certification of reserve peace officers.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 8, 2007.

Committee Bill (Formerly House Study Bill 55), creating a disaster aid individual assistance grant fund.

Fiscal Note is not required.

Recommended **Do Pass** February 8, 2007.

Committee Bill (Formerly House Study Bill 79), relating to crime victim compensation.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 8, 2007.

RESOLUTION FILED

HCR 6, by McCarthy and Rants, a joint convention of the two houses of the 2007 session of the Eighty-second General Assembly be held on Tuesday, February 20, 2007, at 9:00 a.m.

Laid over under **Rule 25**.

On motion by McCarthy of Polk the House adjourned at 1:40 p.m., until 9:00 a.m., Tuesday, February 12, 2007.

JOURNAL OF THE HOUSE

Thirty-seventh Calendar Day - Twenty-sixth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, February 13, 2007

The House met pursuant to adjournment at 9:10 a.m., Speaker pro tempore Bukta in the chair.

Prayer was offered by Lindsay Norton, Chief Clerk's Page from Muscatine.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Amanda Greider, Chief Clerk's Page from Marion.

The Journal of Monday, February 12, 2007 was approved.

INTRODUCTION OF BILLS

House File 341, by Heaton and Kaufmann, a bill for an act requiring newborn birth information to be furnished to the Iowa department of public health by hospitals.

Read first time and referred to committee on **human resources**.

House File 342, by Heaton, Grassley, Foegen, Deyoe, Smith, Upmeyer and Heddens, a bill for an act relating to providing services and support opportunities to individuals with disabilities.

Read first time and referred to committee on **human resources**.

House File 343, by Gaskill, a bill for an act relating to requirements for persons seeking election to township office.

Read first time and referred to committee on **local government**.

House File 344, by Gaskill, a bill for an act relating to publishing notice of examination and testing of voting machines and voting system tabulating devices.

Read first time and referred to committee on **state government**.

House File 345, by Cohoon, a bill for an act relating to the bases for exemptions to estate recovery under the medical assistance program.

Read first time and referred to committee on **human resources**.

House File 346, by Foege, a bill for an act increasing the taxes imposed on cigarettes and tobacco products and providing for deposit of the increased revenue generated in the healthy Iowans tobacco trust, and providing an effective date.

Read first time and referred to committee on **ways and means**.

House File 347, by committee on commerce, a bill for an act establishing an energy utility assessment and resolution program for certain persons with low incomes who have or need a deferred payment agreement to address home energy utility costs and making an appropriation.

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

House File 348, by Gaskill, a bill for an act providing for a business property tax credit for property taxes due, making appropriations, and including effective and applicability date provisions.

Read first time and referred to committee on **ways and means**.

House File 349, by Foege, a bill for an act mandating that certain health insurance policies provide coverage for colorectal and prostate cancer screening under some circumstances and providing an applicability date.

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

House File 350, by Gaskill, a bill for an act relating to the conduct of elections and voter registration and including effective and applicability date provisions.

Read first time and referred to committee on **state government**.

House File 351, by Lukan, Schueller, Jochum and Thomas, a bill for an act making an appropriation to the department of public safety for completion of a regional fire training facility.

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

House File 352, by Thomas, a bill for an act providing separation distance requirements for confinement feeding operations that are under common ownership or management, and making penalties applicable.

Read first time and referred to committee on **environmental protection**.

House File 353, by committee on public safety, a bill for an act relating to public safety communications by establishing an Iowa statewide interoperable communications system board.

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

House File 354, by Kressig, a bill for an act relating to the deposit of public funds with corporate credit unions.

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

House File 355, by Cohoon, a bill for an act concerning fireworks by providing for the licensure of operators authorized to use and explode fireworks, permitting fees for fire protection services related to fireworks displays, and making penalties applicable and providing an effective date.

Read first time and referred to committee on **state government**.

SENATE MESSAGE CONSIDERED

Senate File 74, by committee on human resources, a bill for an act renaming health-related examining boards as licensing boards.

Read first time and **passed on file**.

ADOPTION OF HOUSE RESOLUTION 14

May of Dickinson, Chambers of O'Brien and Bailey of Hamilton called up for consideration **House Resolution 14**, a resolution supporting the Fisher House Foundation in its efforts to assist families of injured military members and veterans, and moved its adoption.

The motion prevailed and the resolution was adopted.

On motion by Reasoner of Union, the House was recessed at 9:21 a.m., until 5:00 p.m.

AFTERNOON SESSION

The House reconvened at 5:22 p.m., Speaker Murphy in the chair.

INTRODUCTION OF BILLS

House File 356, by Huser and Struyk, a bill for an act relating to economic development by creating a bioscience funding board and bioscience fund, providing tax incentives under the high quality job creation Act, and including effective and retroactive applicability date provisions.

Read first time and referred to committee on **economic growth**.

House File 357, by committee on public safety, a bill for an act creating a disaster aid individual assistance grant fund.

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

House File 358, by Huser, Reichert and Jacobs, a bill for an act relating to the disposition of certain real estate transfer tax receipts by the treasurer of state.

Read first time and referred to committee on **ways and means**.

House File 359, by Quirk, a bill for an act relating to and establishing criteria for the award of certain public contracts.

Read first time and referred to committee on **state government**.

House File 360, by committee on economic growth, a bill for an act relating to historic preservation and cultural and entertainment district tax credits, making appropriations, and providing applicability date provisions.

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

House File 361, by committee on economic growth, a bill for an act relating to assistance for small businesses, making appropriations, and providing an effective date provision.

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

House File 362, by Heaton, a bill for an act requiring a report by the department of inspection and appeals concerning Indian gaming.

Read first time and referred to committee on **state government**.

House File 363, by Ford, a bill for an act making an appropriation to the department of education for high-risk teacher compensation grants to school districts.

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

House File 364, by Ford, a bill for an act relating to the forwarding of the names of applicants for the school lunch and breakfast programs to assist in the enrollment of children in the medical assistance and healthy and well kids in Iowa program.

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

House File 365, by committee on public safety, a bill for an act relating to the standardized training and state certification of reserve peace officers.

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

House File 366, by committee on natural resources, a bill for an act appropriating moneys to the department of natural resources for purposes of conducting an autumn olive cooperative management project.

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

House File 367, by committee on labor, a bill for an act relating to wage payment collection of direct deposit wages as administered by the division of labor services of the department of workforce development.

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

House File 368, by committee on labor, a bill for an act relating to the boiler and pressure vessel safety program enforced by the division of labor services of the department of workforce development.

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

House File 369, by committee on labor, a bill for an act relating to elevator conveyance safety standards enforced by the division of labor services of the department of workforce development.

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

House File 370, by committee on public safety, a bill for an act relating to crime victim compensation.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on February 13, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 41, a bill for an act relating to the disposition of unclaimed property concerning minerals.

Also: that the Senate has on February 13, 2007, amended the House amendment, concurred in the House amendment as amended, and passed the following bill in which the concurrence of the House is asked:

Senate File 61, a bill for an act relating to the establishment of state and school antiharassment and antibullying policies, providing data collection and reporting requirements, and providing for immunity and other related matters.

MICHAEL E. MARSHALL, Secretary

CONSIDERATION OF BILLS
Regular Calendar

House File 286, a bill for an act providing for the establishment of the state percent of growth for purposes of the state school foundation program, and providing an applicability date, was taken up for consideration.

SENATE FILE 109 SUBSTITUTED FOR HOUSE FILE 286

Wendt of Woodbury asked and received unanimous consent to substitute Senate File 109 for House File 286 placing out of order amendments H-1050 and H-1051 filed by Gipp of Winneshiek on February 8, 2007 and amendment H-1052 filed by Paulsen of Linn on February 9, 2007.

Senate File 109, a bill for an act providing for the establishment of the state percent of growth for purposes of the state school foundation program, and providing an applicability date, was taken up for consideration.

Gipp of Winneshiek offered the amendment H-1048 filed by him as follows:

H-1048

1 Amend Senate File 109, as passed by the Senate, as
2 follows:

- 3 1. Page 1, line 7, by striking the words "four
4 percent" and inserting the following: "six percent
5 with any property tax increase caused as a result of
6 this state percent of growth paid for by the state".

Wendt of Woodbury rose on a point of order that amendment H-1048 was not germane.

The Speaker ruled the point well taken and amendment H-1048 not germane.

Gipp of Winneshiek asked for unanimous consent to suspend the rules to consider amendment H-1048.

Objection was raised.

Gipp of Winneshiek moved to suspend the rules to consider amendment H-1048.

Roll call was requested by Kaufmann of Cedar and Van Fossen of Scott.

On the question "Shall the rules be suspended to consider amendment H-1048?" (S.F. 109)

The ayes were, 45:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Granzow	Grassley	Greiner
Heaton	Hoffman	Horbach	Huseman
Jacobs	Kaufmann	Lukan	May
Miller, L.	Olson, S.	Paulsen	Raecker
Rants	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wiencek	Windschitl
Worthan			

The nays were, 54:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foega	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Pettengill	Quirk	Reasoner
Reichert	Schueller	Shomshor	Smith
Staed	Swaim	Taylor, D.	Taylor, T.
Thomas	Tomenga	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Winckler
Wise	Mr. Speaker		
	Murphy		

Absent or not voting, 1:

Zirkelbach

The motion to suspend the rules lost.

Gipp of Winneshiek asked and received unanimous consent that amendment H-1049 be deferred.

May of Dickinson offered amendment H-1047 filed by him as follows:

H-1047

- 1 Amend Senate File 109, as passed by the Senate, as
- 2 follows:
- 3 1. Page 1, line 7, by inserting after the word
- 4 "percent" the following: "with any property tax
- 5 increase caused as a result of this state percent of
- 6 growth paid for by the state".

Wise of Lee rose on a point of order that amendment H-1047 was not germane.

The Speaker ruled the point well taken and amendment H-1047 not germane.

May of Dickinson asked for unanimous consent to suspend the rules to consider amendment H-1047.

Objection was raised.

May of Dickinson moved to suspend the rules to consider amendment H-1047.

Roll call was requested by May of Dickinson and Rants of Woodbury.

On the question "Shall the rules be suspended to consider amendment H-1047?" (S.F. 109)

The ayes were, 45:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Granzow	Grassley	Greiner
Heaton	Hoffman	Horbach	Huseman
Jacobs	Kaufmann	Lukan	May
Miller, L.	Olson, S.	Paulsen	Raecker
Rants	Rasmussen	Rayhons	Roberts

Sands	Schickel	Soderberg	Struyk
Tjepkes	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wiencck	Windschitl
Worthan			

The nays were, 54:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Pettengill	Quirk	Reasoner
Reichert	Schueller	Shomshor	Smith
Staad	Swaim	Taylor, D.	Taylor, T.
Thomas	Tomenga	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Winckler
Wise	Mr. Speaker		
	Murphy		

Absent or not voting, 1:

Zirkelbach

The motion to suspend the rules lost.

Gipp of Winneshiek asked and received unanimous consent to withdraw amendment H-1049, previously deferred, filed by him on February 7, 2007.

Wendt of Woodbury moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 109)

The ayes were, 99:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Gipp	Granzow	Grassley
Greiner	Heaton	Heddens	Hoffman

Horbach	Hunter	Huseman	Huser
Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	Mascher	May
McCarthy	Mertz	Miller, H.	Miller, L.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Palmer	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Smith	Soderberg	Staed
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wiencek	Winckler	Windschitl
Wise	Worthan	Mr. Speaker	
		Murphy	

The nays were, none.

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 286 WITHDRAWN

Wendt of Woodbury asked and received unanimous consent to withdraw House File 286 from further consideration by the House.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **Senate File 109** be immediately messaged to the Senate.

COMMUNICATION RECEIVED

The following communication was received and filed in the office of the Chief Clerk:

REPORT OF THE DIRECTOR OF THE
OFFICE OF THE CITIZENS' AIDE/OMBUDSMAN

SECRETARY OF THE SENATE: Pursuant to Senate Concurrent Resolution 2, William P. Angrick II, Citizens' Aide/Ombudsman, submits the following list of position classifications in the Office of the Citizens' Aide/Ombudsman and the following list of the names, positions, and grades and steps of employees in the Office of the Citizens' Aide/Ombudsman.

POSITION CLASSIFICATIONS

<u>Position Classification</u>	<u>Pay Grade</u>
Senior Deputy	41
Deputy	38
Senior Legal Counsel	38
Senior Assistant	38
Legal Counsel 2	35
Assistant 3	35
Legal Counsel 1	32
Assistant 2	32
Senior Finance Officer	31
Legal Counsel	30
Assistant 1	29
Assistant	27
Finance Officer 2	27
Finance Officer 1	24
Executive Secretary	24
Administrative Secretary	21
Citizens' Aide/Ombudsman Secretary/Receptionist	19
Legislative Intern	1

NAMES, POSITIONS, AND GRADES AND STEPS OF EMPLOYEES

<u>Name and Step</u>	<u>Position</u>	<u>Grade</u>
William P. Angrick II	Citizens' Aide/Ombudsman	45-4
Ruth Cooperrider	Senior Deputy	41-7
Judith M. Milosevich	Senior Assistant	38-7
Kristie Hirschman	Senior Assistant	38-7
Jeffrey E. Burnham	Senior Assistant	38-6
Kyle R. White	Assistant 2	32-5
Rory R. Calloway	Assistant 2	32-5
Bert Dalmer	Assistant 2	32-1
Elizabeth J. Hart	Assistant 1	29-4
Angela M. Dalton	Assistant 1	29-4
Barbara Van Allen	Assistant 1	29-3
Charles A. Teas	Assistant	27-2
Linda S. Brundies	Assistant	27-2
Jeri Burdick Crane	Senior Finance Officer	31-4
Adrian N. Stinson	Secretary/Receptionist	19-1

REPORT OF THE DIRECTOR OF THE
LEGISLATIVE SERVICES AGENCY

SECRETARY OF THE SENATE: Pursuant to Senate Concurrent Resolution 2, Dennis C. Prouty, Legislative Services Agency, submits the following list of position classifications in the Office of the Legislative Services Agency and the following list of names, positions, and grades and steps of the employees in the Legislative Services Agency.

POSITION/CLASSIFICATIONS

<u>Position Classification</u>	<u>Pay Grade</u>
Capitol Tour Guide Supervisor 2	25
Capitol Tour Guide Supervisor 1	22
Capitol Tour Guide	18
Director	00
Division Director	43
Senior Finance Officer 2	35
Senior Finance Officer	31
Finance Officer 2	27
Finance Officer 1	24
Legislative Document Specialist 3	30
Legislative Document Specialist 2	27
Legislative Document Specialist 1	24
Legislative Document Specialist	21
Legis. Doc. Tech. Supervisor	28
Legislative Document Tech. 3	25
Legislative Document Tech. 2	22
Legislative Document Tech. 1	19
Legislative Document Tech.	16
Senior Librarian	27
Librarian	24
Assistant Librarian	22
LIO Director 3	38
LIO Director 2	35
LIO Director 1	32
LIO Officer 3	30
LIO Officer 2	27
LIO Officer 1	24
LSA Page	9
SystemAnalyst	32
Senior Computer Systems Analyst	35
Computer Systems Analyst 3	32
Computer Systems Analyst 2	29
Computer Systems Analyst 1	27
Computer Systems Analyst	24
Senior Computer Systems Engineer	35
Computer Systems Engineer 2	32
Computer Systems Engineer 1	29
Division Administrator 2	41
Division Administrator 1	38

Session Technology Floor Asst.	17
Senior Legislative Analyst	38
Legislative Analyst 3	35
Legislative Analyst 2	32
Legislative Analyst 1	29
Legislative Analyst	27
Assistant Editor 3	30
Assistant Editor 2	27
Assistant Editor 1	24
Code Editor	41
Deputy Code Editor	35
Index Supervisor	28
Indexer 2	25
Indexer 1	22
Assistant Indexer	19
Senior Legal Counsel	38
Legal Counsel 2	35
Legal Counsel 1	32
Legal Counsel	30
Publications Assistant	21
Senior Research Analyst	38
Research Analyst 3	35
Research Analyst 2	32
Research Analyst 1	29
Research Analyst	27

NAMES, POSITIONS, AND GRADES AND STEPS OF EMPLOYEES

<u>Name</u>	<u>Position</u>	<u>Grade and Step</u>
M. Anfinson	Capitol Tour Guide	18-1
J. Arnett	Capitol Tour Guide Supervisor 2	25-7
M. Belieu	Capitol Tour Guide	18-1
M. Bray	Capitol Tour Guide	18-1
A. Bridges	Capitol Tour Guide	18-1
C. Coppock	Capitol Tour Guide	18-1
D. Craft	Legislative Document Technician 2	22-3
C. Cronbaugh	LIO Director 1	32-4
D. Degen	Legislative Document Technician 2	22-7
J. Douglas	Senior Librarian	27-7
J. Ellenwood	Legislative Document Technician 1	19-3
T. Faller	Division Director	43-7
C. Fisher	Systems Analyst	32-5
M. Fisher	Capitol Tour Guide	18-1
R. Fowler	Legislative Document Technician 3	25-4
G. Garrett	Legislative Doc. Tech. Supervisor	28-2
M. Hagen	Legislative Document Technician 1	19-2
S. Hallam	Legislative Document Technician 2	22-5
N. Herselius	Capitol Tour Guide	18-1
J. Jess	Capitol Tour Guide	18-1
M. Kappelman	LIO Officer 3	30-4
D. Kirk	Legislative Document Technician 1	19-1

M. Kruse	Senior Finance Officer	31-5
B. Lamberti	LIO Officer 1	24-3
S. Laust	Legislative Document Technician 3	25-6
J. McWeeney	Capitol Tour Guide	18-1
T. Milligan	Capitol Tour Guide	18-1
L. Morford	Legislative Document Technician 3	25-4
C. Mosher	Legislative Document Technician 3	25-7
S. Nabholz	Legislative Document Technician 2	22-6
N. Navara	Legislative Document Technician 3	25-7
K. Nelson	Legislative Document Technician 1	19-2
K. Nichols	Legislative Document Technician 1	19-7
W. Paxson	Capitol Tour Guide	18-1
D. Prouty	Director	\$127,150.40
E. Robinson	Capitol Tour Guide	18-1
L. Rosky	Legislative Document Technician 3	25-5
T. Souer	Legislative Doc. Tech. Supervisor	28-7
E. Spiller	Legislative Document Technician 1	19-1
M. Thompson	Legislative Document Technician 3	25-2
D. Vasey	Capitol Tour Guide	18-1
J. Warner	Legislative Document Technician 3	25-7
M. Weber	Capitol Tour Guide	18-1
K. Wesely	Senior Finance Officer	31-3
J. Wood	Capitol Tour Guide	18-1
J. Bellizze	Computer Systems Analyst 2	29-3
B. Boyd	Division Administrator 1	38-7
G. Dickinson	Division Director	43-7
M. Eaton	Division Administrator 1	38-7
D. Kair	Division Administrator 1	38-7
S. Kappaganthu	Senior Computer Systems Analyst	35-1
R. Knapp	Senior Computer Systems Analyst	35-7
J. Koth	Senior Computer Systems Engineer	35-3
J. Kroes	Senior Computer Systems Engineer	35-7
E. Meyer	Computer Systems Analyst	24-2
S. Miller	Senior Computer Systems Analyst	35-7
J. Rafdal	Senior Computer Systems Engineer	35-7
G. Rudicil	Senior Computer Systems Analyst	35-7
M. Rykhoek	Session Technology Floor Asst.	17-1
J. Van Engelenhoven	Senior Computer Systems Analyst	35-7
V. Van Vlair Hansen	Senior Computer Systems Analyst	35-3
J. Acton	Legislative Analyst 3	35-2
J. Benson	Legislative Analyst	27-2
L. Burk	Legislative Analyst 2	32-3
D. Ferguson	Senior Legislative Analyst	38-7
K. Johannsen	Legislative Analyst	27-2
D. Kozel	Senior Legislative Analyst	38-3
B. Lenstra	Senior Legislative Analyst	38-7
S. Lerdal	Senior Legislative Analyst	38-7
S. Leto	Senior Legislative Analyst	38-7
H. Lyons	Division Director	43-7
R. Madison	Legislative Analyst 3	35-2
M. Mellick	Legislative Analyst 1	29-6
D. Reynolds	Senior Legislative Analyst	38-7

J. Robinson	Senior Legislative Analyst	38-7
R. Robinson	Senior Legislative Analyst	38-2
M. Shipman	Senior Legislative Analyst	38-7
S. Snyder	Senior Legislative Analyst	38-5
D. Wulf	Division Administrator 2	41-7
D. Ackerman	Research Analyst 3	35-4
D. Adkisson	Senior Legal Counsel	38-7
B. Carr	Assistant Editor 2	27-6
E. Cook	Senior Legal Counsel	38-7
J. Croatt	Publications Assistant	21-1
S. Crowley	Senior Legal Counsel	38-7
N. Dugan	Publications Assistant	21-2
P. Funaro	Senior Legal Counsel	38-7
E. Gardyas	Legal Counsel	30-3
M. Doedert	Senior Legal Counsel	38-7
C. Green	Publications Assistant	21-1
M. Hanify	Assistant Editor 1	24-2
K. Hanlon	Senior Research Analyst	38-7
L. Hickey	Iowa Code Editor	41-7
R. Hjelmaas	Legal Counsel 2	35-3
S. Hoff	Deputy Administrative Code Editor	35-2
N. Hoffman	Senior Legal Counsel	38-6
R. Johnson	Division Director	43-7
R. Karns	Assistant Editor 3	30-2
A. Knief	Legal Counsel	30-2
T. McDermott	Senior Legal Counsel	38-5
J. McEniry	Senior Legal Counsel	38-4
R. Nelson	Senior Legal Counsel	38-5
J. Page	Deputy Iowa Code Editor	35-7
J. Pollak	Division Administrator 2	41-7
J. Royce	Senior Legal Counsel	38-7
R. Schulze	Index Supervisor	28-7
C. Thurmond	Publications Assistant	21-2
T. Vander Linden	Assistant Editor 3	30-4
A. Ver Heul	Legal Counsel 1	32-4
M. Wardell	Publications Assistant	21-1
M. Weiford	Assistant Editor 1	24-2
K. West	Administrative Code Editor	41-7
N. Westbrook	Assistant Editor 1	24-4
P. Worden	Index Supervisor	28-7

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- 2007\1016 Mr. and Mrs. Henry Claussen, Bettendorf – For celebrating their 65th wedding anniversary.
- 2007\1017 Jay and Estelle Bryan, Bettendorf – For celebrating their 92nd birthdays.
- 2007\1018 Mary Kitt, Davenport – For celebrating her 80th birthday.
- 2007\1019 Glenn Zaruba, Davenport – For celebrating his 75th birthday.
- 2007\1020 Dolores Springer, Davenport – For celebrating her 80th birthday.
- 2007\1021 Ethel Ohlsen, Davenport – For celebrating her 90th birthday.
- 2007\1022 Mary McSweeney, Davenport – For celebrating her 90th birthday.
- 2007\1023 Evelyn White, Davenport – For celebrating her 90th birthday.
- 2007\1024 Dorothy Andresen, Davenport – For celebrating her 80th birthday.
- 2007\1025 Otto Bieber, Davenport – For celebrating his 85th birthday.
- 2007\1026 Duretta Abbott, Davenport – For celebrating her 75th birthday.
- 2007\1027 Gertrude Ehlers, Davenport – For celebrating her 85th birthday.
- 2007\1028 Darwin Martensen, Davenport – For celebrating his 80th birthday.
- 2007\1029 Hugo Ehlers, Davenport – For celebrating his 85th birthday.
- 2007\1030 Jeannette Keist, Davenport – For celebrating her 85th birthday.
- 2007\1031 Gertrude Cawiezell, Davenport – For celebrating her 95th birthday.
- 2007\1032 Melvin Miller, Davenport – For celebrating his 85th birthday.
- 2007\1033 Everett Holland, Davenport – For celebrating his 80th birthday.
- 2007\1034 Dorothy Peterson, Davenport – For celebrating her 80th birthday.
- 2007\1035 Ullainee Wareham, Davenport – For celebrating her 95th birthday.
- 2007\1036 Edith Burroughs, Davenport – For celebrating her 101st birthday.
- 2007\1037 Jean Mack, Davenport – For celebrating her 75th birthday.
- 2007\1038 Alma Hockman, Davenport – For celebrating her 80th birthday.
- 2007\1039 Charles Mooney, Davenport – For celebrating his 85th birthday.
- 2007\1040 Morris Calsyn, Davenport – For celebrating his 75th birthday.

- 2007\1041 Robert Peters, Davenport – For celebrating his 75th birthday.
- 2007\1042 Janice Kastner, Davenport – For celebrating her 75th birthday.
- 2007\1043 Dorothy Felske, Davenport – For celebrating her 80th birthday.
- 2007\1044 Ann Johnson, Davenport – For celebrating her 80th birthday.
- 2007\1045 Agnes Miller, Davenport – For celebrating her 90th birthday.
- 2007\1046 David and Norma Nietert, Central City – For celebrating their 50th wedding anniversary.
- 2007\1047 Dora Bennett, Davenport – For celebrating her 85th birthday.
- 2007\1048 Doris Pecoraro, Davenport – For celebrating her 80th birthday.
- 2007\1049 Eva Hammond, Davenport – For celebrating her 85th birthday.
- 2007\1050 Ernest Paulus, Davenport – For celebrating his 80th birthday.
- 2007\1051 Elsie Hein, Davenport – For celebrating her 100th birthday.
- 2007\1052 Anna Brooks, Davenport – For celebrating her 75th birthday.
- 2007\1053 John Dickinson Jr., Davenport – For celebrating his 85th birthday.
- 2007\1054 Ernest Schroder, Davenport – For celebrating his 90th birthday.
- 2007\1055 Fisher House Foundation – For their efforts in providing needed assistance to families of injured military members and veterans.
- 2007\1056 Kathleen Stone, Wapello – For celebrating her 90th birthday.
- 2007\1057 Terry Williams, Wapello – For his 15 years of guidance to area Boy Scouts, and assisting 17 Boy Scouts with attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\1058 Mike Mott, Wapello – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\1059 John and Lois Wanfalt, Wapello – For celebrating their 50th wedding anniversary.
- 2007\1060 Stephen Heinicke – For marching in the 2007 Fiesta Bowl Parade as a member of the Southwest Iowa Honor Marching Band.
- 2007\1061 Matt Dawson – For marching in the 2007 Fiesta Bowl Parade as a member of the Southwest Iowa Honor Marching Band.
- 2007\1062 Emily Dawson – For marching in the 2007 Fiesta Bowl Parade as a member of the Southwest Iowa Honor Marching Band.

- 2007\1063 Corey Belt – For marching in the 2007 Fiesta Bowl Parade as a member of the Southwest Iowa Honor Marching Band.
- 2007\1064 Lauren Frodyma – For marching in the 2007 Fiesta Bowl Parade as a member of the Southwest Iowa Honor Marching Band.
- 2007\1065 Annie Johnson – For marching in the 2007 Fiesta Bowl Parade as a member of the Southwest Iowa Honor Marching Band.
- 2007\1066 Jordan Peders – For marching in the 2007 Fiesta Bowl Parade as a member of the Southwest Iowa Honor Marching Band.
- 2007\1067 Alena Sorlien – For marching in the 2007 Fiesta Bowl Parade as a member of the Southwest Iowa Honor Marching Band.
- 2007\1068 Katelyn Larsen – For marching in the 2007 Fiesta Bowl Parade as a member of the Southwest Iowa Honor Marching Band.
- 2007\1069 Laura Simons – For marching in the 2007 Fiesta Bowl Parade as a member of the Southwest Iowa Honor Marching Band.
- 2007\1070 Jacob Poggensee – For marching in the 2007 Fiesta Bowl Parade as a member of the Southwest Iowa Honor Marching Band.
- 2007\1071 Adam Darrington – For marching in the 2007 Fiesta Bowl Parade as a member of the Southwest Iowa Honor Marching Band.
- 2007\1072 Glenn and Bertie Reed, Winterset – For celebrating their 50th wedding anniversary.
- 2007\1073 Hallie Cobb, Primghar – For celebrating her 90th birthday.
- 2007\1074 Lorene Rute, Milford – For celebrating her 100th birthday.
- 2007\1075 Georgia West, Independence – For celebrating her 80th birthday.
- 2007\1076 Wilma Yeager, Fairbank – For celebrating her 91st birthday.
- 2007\1077 Tom and Lorraine Corcoran, Fairbank – For celebrating their 50th wedding anniversary.
- 2007\1078 Aldine (Gibson) Mobley, Guthrie Center – For celebrating her 90th birthday.
- 2007\1079 Wilma Bowman, Audubon – For celebrating her 90th birthday.
- 2007\1080 Leo and Nellie Miller, Greenfield – For celebrating their 60th wedding anniversary.
- 2007\1081 Justin “Skip” and Beverly Baker, Clermont – For celebrating their 50th wedding anniversary.

- 2007\1082 Wilbert and Darlene Meyer, Sumner – For celebrating their 60th wedding anniversary.
- 2007\1083 Maurice Arndt, Altoona – For celebrating his 75th birthday.
- 2007\1084 Ralph Pilger, Altoona – For celebrating his 90th birthday.
- 2007\1085 Ellis Monk, Altoona – For celebrating his 80th birthday.
- 2007\1086 Ellen Kusel, Altoona – For celebrating her 75th birthday.
- 2007\1087 Buelah Copeland, Altoona – For celebrating her 85th birthday.
- 2007\1088 Ina Williams, Altoona – For celebrating her 80th birthday.
- 2007\1089 Wanda Cocherell, Altoona – For celebrating her 80th birthday.
- 2007\1090 Robert Smith, Bondurant – For celebrating his 80th birthday.
- 2007\1091 Kathryn Ross, Bondurant – For celebrating her 75th birthday.
- 2007\1092 Catherine Hardie, Colfax – For celebrating her 85th birthday.
- 2007\1093 Joseph Dawson, Des Moines – For celebrating his 90th birthday.
- 2007\1094 Fern Downard, Des Moines – For celebrating her 85th birthday.
- 2007\1095 Joseph Grasso, Des Moines – For celebrating his 85th birthday.
- 2007\1096 Betty Romans, Des Moines – For celebrating her 80th birthday.
- 2007\1097 Reba Thompson, Mitchellville – For celebrating her 80th birthday.
- 2007\1098 John Batty, Mitchellville – For celebrating his 80th birthday.
- 2007\1099 Doris Dales, Mitchellville – For celebrating her 75th birthday.
- 2007\1100 Phillip Lane, Newton – For celebrating his 90th birthday.
- 2007\1101 Francisse Buckingham, Prairie City – For celebrating her 80th birthday.
- 2007\1102 Dulcena McCleary, Prairie City – For celebrating her 100th birthday.
- 2007\1103 Melda Ingle, Prairie City – For celebrating her 75th birthday.
- 2007\1104 James Murphy, Runnells – For celebrating his 75th birthday.
- 2007\1105 Helen White, Runnells – For celebrating her 85th birthday.
- 2007\1106 Doris Richtsmeier, Hampton – For celebrating her 85th birthday.

- 2007\1107 Don Parks, Hampton – For celebrating his 80th birthday.
- 2007\1108 Helen Fielding, Hampton – For celebrating her 80th birthday.
- 2007\1109 George and Donna Abbas, Hampton – For celebrating their 50th wedding anniversary.
- 2007\1110 Paul and Joyce Hauser, Hampton – For celebrating their 50th wedding anniversary.
- 2007\1111 Mr. and Mrs. Russell Koskovich, Correctionville – For celebrating their 60th wedding anniversary.
- 2007\1112 Leonard and Peggy Pithan, Charter Oak – For celebrating their 50th wedding anniversary.
- 2007\1113 Don and Alma Fritz, Deloit – For celebrating their 55th wedding anniversary.
- 2007\1114 Vernon and Darlene Reis, Denison – For celebrating their 50th wedding anniversary.
- 2007\1115 Barbara Buffum, Schleswig – For celebrating her 80th birthday.
- 2007\1116 Luella Braase, Schleswig – For celebrating her 80th birthday.
- 2007\1117 Elaine Reitz, Charter Oak – For celebrating her 80th birthday.
- 2007\1118 Dorothy Anderson, Correctionville – For celebrating her 90th birthday.
- 2007\1119 Kathryn Fink, Denison – For celebrating her 86th birthday.
- 2007\1120 Loretta Peterson, Denison – For celebrating her 80th birthday.
- 2007\1121 Lillian Luvaas, Denison – For celebrating her 80th birthday.
- 2007\1122 Marjorie Rowen, Denison – For celebrating her 80th birthday.
- 2007\1123 Mabel Greene, Denison – For celebrating her 90th birthday.
- 2007\1124 Anna Mae Hepp, Mason City – For celebrating her 90th birthday.
- 2007\1125 Roger and Kathryn Morse, Mason City – For celebrating their 50th wedding anniversary.
- 2007\1126 Walter Berry, Mason City – For celebrating his 90th birthday.
- 2007\1127 Sheila Coyle, Sioux City – For being named Sioux City Teacher of the Year.

SUBCOMMITTEE ASSIGNMENTS

House File 107

Judiciary: Swaim, Chair; Anderson and Mertz.

House File 168

Judiciary: Mertz, Chair; Boal and Schueller.

House File 212

Labor: Hunter, Chair; Chambers and Jochum.

House File 215

Judiciary: Winckler, Chair; Jacobs and Lensing.

House File 231

Judiciary: Wessel-Kroeschell, Chair; Jacobs and Winckler.

House File 249

Education: Cohoon, Chair; Chambers and Staed.

House File 250

Education: Cohoon, Chair; Foege and Tymeson.

House File 251

Education: Wendt, Chair; Gayman and L. Miller.

House File 255

Education: Staed, Chair; Dolecheck and Kelley.

House File 261

Economic Growth: T. Olson, Chair; Anderson and Wenthe.

House File 262

Public Safety: Whitaker, Chair; Baudler and Bell.

House File 264

Economic Growth: Staed, Chair; Clute and H. Miller.

House File 267

Education: Wise, Chair; Kaufmann and Staed.

House File 270

Education: Foege, Chair; Kelley and Wiencek.

House File 276

State Government: Quirk, Chair; Greiner, Jacoby, Jochum, Raecker, Roberts and Shomshor.

House File 277

Education: Heddens, Chair; Boal and Gayman.

House File 279

State Government: Gaskill, Chair; Abdul-Samad, Gipp, Jacobs and T. Taylor.

House File 280

Economic Growth: Bailey, Chair; Anderson and Schueller.

House File 282

Economic Growth: Ford, Chair; Van Fossen and Wise.

House File 284

Commerce: Reichert, Chair; Bailey, Lukan, Petersen, Soderberg, D. Taylor and Van Fossen.

House File 289

Natural Resources: D. Taylor, Chair; Mertz and Van Engelenhoven.

House File 292

Economic Growth: H. Miller, Chair; May and Petersen.

House File 295

Public Safety: R. Olson, Chair; Kuhn and Tomenga.

House File 299

Natural Resources: Reichert, Chair; Lukan and Wenthe.

House File 300

Veterans Affairs: Staed, Chair; Thomas and Watts.

House File 301

Public Safety: Lykam, Chair; Baudler and Berry.

House File 302

Natural Resources: T. Taylor, Chair; Shomshor and Soderberg.

House File 307

State Government: Quirk, Chair; Greiner, Jacoby, Jochum, Raecker, Roberts and Shomshor.

House File 313

Labor: Mascher, Chair; Grassley and Jochum.

House File 329

Labor: Winckler, Chair; Horbach and T. Taylor.

House File 333

Natural Resources: T. Taylor, Chair; Baudler and Shomshor.

House File 334

Labor: T. Taylor, Chair; Watts and Winckler.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS**House Study Bill 165**

Judiciary: Schueller, Chair; Heaton and Oldson.

House Study Bill 167

Judiciary: Palmer, Chair; Boal and Swaim.

House Study Bill 173

State Government: Quirk, Chair; Greiner, Jacoby, Jochum, Raecker, Roberts and Shomshor.

House Study Bill 174

Public Safety: Hunter, Chair; Swaim and Tjepkes.

House Study Bill 175

State Government: Gaskill, Chair; Abdul-Samad, Gipp, Jacobs and T. Taylor.

House Study Bill 176

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

House Study Bill 177

State Government: Quirk, Chair; Greiner, Jacoby, Jochum, Raecker, Roberts and Shomshor.

House Study Bill 178

State Government: Gaskill, Chair; Abdul-Samad, Gipp, Jacobs and T. Taylor.

House Study Bill 182

Human Resources: Hunter, Chair; Mascher and Soderberg.

House Study Bill 183

Human Resources: Ford, Chair; T. Olson and Tomenga.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS**H.S.B. 184 Judiciary**

Granting the civil rights commission additional subpoena power to investigate unfair or discriminatory practices.

H.S.B. 185 Commerce

Relating to cemeteries and related services and providing fees and penalties.

H.S.B. 186 Judiciary

Relating to the creation of drug courts.

H.S.B. 187 Judiciary

Relating to the applicability of statute of limitations tolling provisions relating to minors and persons with mental illness and providing an applicability date.

H.S.B. 188 Judiciary

Providing a minimum annual salary for a county attorney.

H.S.B. 189 Judiciary

Relating to disclosure requirements applicable to new merchandise repairs.

H.S.B. 190 Judiciary

Relating to a civil judgment, decree, or order of a court of a federally recognized Indian tribe and including an applicability provision.

H.S.B. 191 Judiciary

Creating a private cause of action for damages resulting from certain illegal insurance trade practices and providing an effective date.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON HUMAN RESOURCES

Committee Bill (Formerly House Study Bill 18), expanding the scope of services under an existing appropriation for the community empowerment initiative involving preschool services and providing effective date and applicability provisions.

Fiscal Note is not required.

Recommended **Do Pass** February 12, 2007.

Committee Bill (Formerly House Study Bill 20), renaming health-related examining boards as licensing boards and providing for the nonreversion of fees collected by the boards.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 12, 2007.

Committee Bill (Formerly House Study Bill 142), relating to the expenditures allowable from medical assistance income trusts.

Fiscal Note is not required.

Recommended **Do Pass** February 12, 2007.

COMMITTEE ON LOCAL GOVERNMENT

Committee Bill (Formerly House File 85), relating to the filing of nomination petitions to fill a vacancy on a city council.

Fiscal Note is not required.

Recommended **Do Pass** February 12, 2007.

Committee Bill (Formerly House Study Bill 80), relating to county recorder fees for certified copies of certain vital statistics records, and providing an effective date.

Fiscal Note is required.

Recommended **Do Pass** February 12, 2007.

COMMITTEE ON STATE GOVERNMENT

Committee Bill (Formerly House File 37), relating to electronic filing of campaign finance organizational statements, dissolution reports, and disclosure reports by candidates for statewide office or for the general assembly, establishing a filing deadline for all statements and reports, providing a penalty, and providing applicability dates.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 13, 2007.

Senate File 39, a bill for an act relating to campaign contributions, the filing of disclosure reports, the posting of statements and reports on the internet, the posting of signs on private property, and the escheat of funds from an unknown or unidentifiable source.

Fiscal Note is not required.

Recommended **Do Pass** February 13, 2007.

Senate File 40, a bill for an act relating to the regulation of ethical conduct by governmental entities.

Fiscal Note is not required.

Recommended **Do Pass** February 13, 2007.

RESOLUTIONS FILED

HR 19, by Wessel-Kroeschell, Murphy, R. Olson, Kuhn, Hunter, Gayman and Lensing, a resolution opposing the commitment of additional American troops to the war in Iraq.

Laid over under **Rule 25**.

HR 20, by Alons, Baudler, Boal, Chambers, De Boef, Dolecheck, Forristall, Kaufmann, May, Sands, Soderberg, Tymeson, Upmeyer and Watts, a resolution honoring the 133rd Test Squadron of the Iowa Air National Guard for its ongoing role in the Global War on Terror.

Laid over under **Rule 25**.

AMENDMENTS FILED

H—1053	S.F.	61	Senate Amendment
H—1054	H.F.	283	Greiner of Washington
H—1055	H.F.	317	Tymeson of Madison

On motion by McCarthy of Polk the House adjourned at 6:33 p.m., until 9:00 a.m., Wednesday, February 14, 2007.

JOURNAL OF THE HOUSE

Thirty-eighth Calendar Day - Twenty-seventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, February 14, 2007

The House met pursuant to adjournment at 9:07 a.m., Speaker Murphy in the chair.

Prayer was offered by Reverend Kopacek, priest of St. Edwards Catholic Church, Waterloo. He was the guest of Representative Tami Wiencek of Black Hawk County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by House Page, Heather Van Fossen of Davenport. She is the daughter of Representative Jamie Van Fossen of Scott County.

The Journal of Tuesday, February 13, 2007 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Thomas of Clayton, until his arrival, on request of McCarthy of Polk.

INTRODUCTION OF BILLS

House File 371, by R. Olson, a bill for an act concerning mandatory retirement for senior judges.

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

House File 372, by R. Olson, a bill for an act concerning approval of horse racing purse agreements.

Read first time and referred to committee on **state government**.

House File 373, by R. Olson, a bill for an act relating to the definition of employee as it relates to accessing personnel files.

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

House File 374, by Anderson and Forristall, a bill for an act relating to the limitation on the reduction in damages awarded to plaintiffs who fail to wear a motor vehicle safety belt or safety harness.

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

House File 375, by Bailey, Wise, Soderberg and Anderson, a bill for an act relating to distress criteria and the designation of enterprise zones under the enterprise zone program and including effective date and retroactive applicability provisions.

Read first time and referred to committee on **economic growth**.

House File 376, by Kelley, Wenthe, Mertz and Drake, a bill for an act modifying and extending state tax benefits for use of soy-based transformer fluid by electric utilities and including effective and applicability date provisions.

Read first time and referred to committee on **ways and means**.

House File 377, by Quirk, a bill for an act relating to the licensing and regulation of plumbers and mechanical professionals, providing an appropriation and penalties, and providing an effective date.

Read first time and referred to committee on **state government**.

House File 378, by Anderson and Forristall, a bill for an act relating to recovery of prejudgment interest in relation to an offer to confess judgment.

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

House File 379, by Anderson and Forristall, a bill for an act relating to the cost of procuring a supersedeas bond.

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

House File 380, by Bukta and Huser, a bill for an act relating to the application and enforcement of the state building code and providing an applicability date.

Read first time and referred to committee on **local government**.

House File 381, by Chambers, a bill for an act relating to certain overpayments of moneys to a county.

Read first time and referred to committee on **local government**.

House File 382, by Rasmussen, a bill for an act concerning eligibility requirements for an organization to conduct games of skill, games of chance, and raffles.

Read first time and referred to committee on **state government**.

House File 383, by Anderson and Forristall, a bill for an act relating to the payment of interest on certain workers' compensation benefit payments and providing an applicability date.

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

House File 384, by committee on local government, a bill for an act relating to county recorder fees for certified copies of certain vital statistics records, and providing an effective date.

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

House File 385, by committee on local government, a bill for an act relating to the filing of nomination petitions to fill a vacancy on a city council.

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

House File 386, by Upmeyer, a bill for an act relating to the legislative review of administrative rules, and rescinding all rules every five years.

Read first time and referred to committee on **state government**.

House File 387, by Upmeyer, a bill for an act relating to the scope of rulemaking authority delegated to an administrative agency.

Read first time and referred to committee on **state government**.

House File 388, by Gayman, Bailey, Wenthe, T. Olson, Staed, Jochum, Smith, Kuhn, Bell, Whitead, Lykam, Hunter, Winckler, Ford, Reasoner, Murphy, McCarthy, Mertz, Wessel-Kroeschell, Heaton, Abdul-Samad, Gaskill, Swaim and Reichert, a bill for an act creating a generation Iowa commission.

Read first time and referred to committee on **economic growth**.

House File 389, by Dolecheck, a bill for an act making an appropriation to the department of agriculture and land stewardship for purposes of providing a grant to assist farmers with disabilities and their families.

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

House File 390, by Ford, a bill for an act requiring diversity training for judges.

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

House File 391, by Ford and Berry, a bill for an act repealing sentences restricting the maximum accumulation of earned time credits to approximately fifteen percent of a criminal sentence.

Read first time and referred to committee on **public safety**.

SENATE MESSAGE CONSIDERED

Senate File 41, by committee on judiciary, a bill for an act relating to the disposition of unclaimed property concerning minerals.

Read first time and referred to committee on **state government**.

CONSIDERATION OF BILLS

Regular Calendar

House Joint Resolution 3, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the qualification of electors.

Be It Resolved By The General Assembly Of The State Of Iowa:

Section 1. The following amendment to the Constitution of the State of Iowa is proposed:

Section 5 of Article II of the Constitution of the State of Iowa is repealed and the following adopted in lieu thereof:

DISQUALIFIED PERSONS. SEC. 5. A person adjudged mentally incompetent to vote or a person convicted of any infamous crime shall not be entitled to the privilege of an elector.

Sec. 2. RATIFICATION. The foregoing proposed amendment to the Constitution of the State of Iowa, having been adopted and agreed to by the Eighty-first General Assembly, 2006 Session, thereafter duly published, and now adopted and agreed to by the Eighty-second General Assembly in this joint resolution, shall be submitted to the people of the State of Iowa at the general election in November of the year 2008 in the manner required by the Constitution of the State of Iowa and the laws of the State of Iowa.

EXPLANATION

This joint resolution proposes an amendment to the Constitution of the State of Iowa, for adoption by the second consecutive general assembly, relating to persons who are disqualified from voting or holding elective office. The resolution removes the words "idiot" and "insane" from the constitutional provision and substitutes the phrase "mentally incompetent to vote".

The resolution, if adopted, would be referred to the electorate for ratification at the general election in November 2008, was taken up for consideration.

Jochum of Dubuque moved that the joint resolution be read a last time now and placed upon its adoption and the joint resolution was read a last time.

On the question "Shall the joint resolution be adopted and agreed to?" (H.J.R. 3)

The yeas were, 95:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Ford
Forristall	Frevert	Gaskill	Gayman

Gipp	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Jacobs	Jacoby
Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Oldson	Olson, R.
Olson, S.	Olson, T.	Palmer	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rants	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Smith	Soderberg
Staed	Struyk	Swaim	Taylor, D.
Taylor, T.	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wiencek	Winckler	Windschitl
Wise	Worthan	Mr. Speaker	
		Murphy	

The nays were, none.

Absent or not voting, 5:

Foege	Huser	Olson, D.	Thomas
Zirkelbach			

The joint resolution having received a constitutional majority was declared to have been adopted and agreed to by the House.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **House Joint Resolution 3** be immediately messaged to the Senate.

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on February 14, 2007, he approved and transmitted to the Secretary of State the following bill:

Senate File 95, an Act making supplemental appropriations for the home ownership assistance and injured veterans grant programs for Iowa residents who are eligible members or military veterans of the armed forces of the United States and providing an effective date.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- 2007\1128 Glenn Braden, Hedrick – For celebrating his 90th birthday.
- 2007\1129 Betty Daly, Des Moines – For celebrating her 80th birthday.
- 2007\1130 Beulah Curry, Des Moines – For celebrating her 75th birthday.
- 2007\1131 Bonnie Thompson, Des Moines – For celebrating her 80th birthday.
- 2007\1132 Clara Torri, Des Moines – For celebrating her 90th birthday.
- 2007\1133 Darlene Chaney, Des Moines – For celebrating her 75th birthday.
- 2007\1134 Doris Gracey, Des Moines – For celebrating her 80th birthday.
- 2007\1135 Edward Wortham, Des Moines – For celebrating his 90th birthday.
- 2007\1136 Etha Tyler, Des Moines – For celebrating her 90th birthday.
- 2007\1137 Fannie Lamendola, Des Moines – For celebrating her 95th birthday.
- 2007\1138 Frances Cunningham, Des Moines – For celebrating her 85th birthday.
- 2007\1139 Ida Detrick, Des Moines – For celebrating her 75th birthday.
- 2007\1140 James Poulsen, Des Moines – For celebrating his 75th birthday.
- 2007\1141 Jasper Richards, Des Moines – For celebrating his 85th birthday.
- 2007\1142 Joy Gusler, Des Moines – For celebrating her 75th birthday.
- 2007\1143 Kenneth Minard, Des Moines – For celebrating his 85th birthday.
- 2007\1144 Kenneth Wadle, Des Moines – For celebrating his 80th birthday.
- 2007\1145 Laverne Smith, Des Moines – For celebrating his 75th birthday.
- 2007\1146 Leonard Cosimo, Des Moines – For celebrating his 75th birthday.
- 2007\1147 Ralph Jennings, Des Moines – For celebrating his 80th birthday.
- 2007\1148 Ray Ceretti, Des Moines – For celebrating his 85th birthday.

- 2007\1149 Roman Garcia, Des Moines – For celebrating his 80th birthday.
- 2007\1150 Rose Johnson, Des Moines – For celebrating her 75th birthday.
- 2007\1151 Ruth Corrigan, Des Moines – For celebrating her 80th birthday.
- 2007\1152 Vergida Vonk, Des Moines – For celebrating her 80th birthday.
- 2007\1153 Vernon Chandler, Des Moines – For celebrating his 95th birthday.
- 2007\1154 Viola Hibbert, Des Moines – For celebrating her 75th birthday.
- 2007\1155 Virginia Philipson, Des Moines – For celebrating her 75th birthday.
- 2007\1156 Wanda Martin, Des Moines – For celebrating her 90th birthday.
- 2007\1157 William Patterson, Des Moines – For celebrating his 80th birthday.
- 2007\1158 Lervy and Virginia Wheeldon, Pleasantville – For celebrating their 50th wedding anniversary.
- 2007\1159 Margaret and Vernon Menninga, Pella – For celebrating their 60th wedding anniversary, and for Margaret celebrating her 80th birthday.
- 2007\1160 Gary and Beulah De Graaf, Pleasantville – For celebrating their 50th wedding anniversary.
- 2007\1161 Andrew and Aletta Hiemstra, Pella – For celebrating their 68th wedding anniversary.
- 2007\1162 Dwight and Dorthea Wanders, New Sharon – For celebrating their 50th wedding anniversary.

SUBCOMMITTEE ASSIGNMENTS

House File 257

Public Safety: Heddens, Chair; Baudler and Bell.

House File 263

Appropriations: Winckler, Chair; Chambers and Wenthe.

House File 265

State Government: Shomshor, Chair; Abdul-Samad and Roberts.

House File 269

State Government: Lensing, Chair; Roberts and Whitead.

House File 273

Public Safety: Kressig, Chair; Hunter and Tjepkes.

House File 274

State Government: Lensing, Chair; L. Miller and Wendt.

House File 281

State Government: Shomshor, Chair; Abdul-Samad and Jacobs.

House File 290

Appropriations: Foege, Chair; Gayman and Heaton.

House File 291

State Government: Jacoby, Chair; Gipp and T. Taylor.

House File 296

Human Resources: Hunter, Chair; L. Miller and T. Olson.

House File 300 Reassigned

Veterans Affairs: Staed, Chair; Thomas and Tymeson.

House File 308

Human Resources: Smith, Chair; Heaton and Mascher.

House File 309

Human Resources: Smith, Chair; Foege and Heaton.

House File 310

Human Resources: Smith, Chair; Heaton and T. Olson.

House File 311

Human Resources: Smith, Chair; Palmer and Upmeyer.

House File 316

Human Resources: Wessel-Kroeschell, Chair; Heaton and Palmer.

House File 323

Human Resources: Smith, Chair; Heaton and Palmer.

House File 330

Public Safety: Berry, Chair; Gayman and Lukan.

House File 331

State Government: T. Taylor, Chair; Boal, Drake, Gipp, Jochum, Pettengill and Wendt.

House File 332

Appropriations: Winckler, Chair; Chambers and Wenthe.

House File 336

Public Safety: Whitaker, Chair; Baudler and Heddens.

House File 337

Human Resources: Petersen, Chair; Heddens and Roberts.

House File 340

Public Safety: Whitaker, Chair; Baudler and Heddens.

House File 347

Appropriations: Foege, Chair; Gayman and Heaton.

House File 351

Appropriations: Cohoon, Chair; Huseman and Reichert.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS**House Study Bill 109 Reassigned**

State Government: Lensing, Chair; Jacobs and Wendt.

House Study Bill 176 Reassigned

State Government: T. Taylor, Chair; Jacobs and Jochum.

House Study Bill 180

Appropriations: Gayman, Chair; Foege and Heaton.

House Study Bill 184

Judiciary: Lensing, Chair; Baudler and Winckler.

House Study Bill 185

Commerce: Berry, Chair; Clute and D. Taylor.

House Study Bill 186

Judiciary: Lensing, Chair; Anderson and Winckler.

House Study Bill 187

Judiciary: Huser, Chair; Palmer and Tomenga.

House Study Bill 188

Judiciary: R. Olson, Chair; Baudler and Lensing.

House Study Bill 189

Judiciary: R. Olson, Chair; Struyk and Wessel-Kroeschell.

House Study Bill 190

Judiciary: Palmer, Chair; Horbach and Wessel-Kroeschell.

House Study Bill 191

Judiciary: Swaim, Chair; Horbach and Winckler.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 192 Labor

Relating to the provision of medical services and evaluation of permanent disabilities of injured employees under workers' compensation laws.

H.S.B. 193 State Government

Relating to the privacy of social security numbers and other personal information in public records and providing remedies.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON COMMERCE

Committee Bill (Formerly House Study Bill 162), authorizing the formation of a professional corporation or a professional limited liability company by licensed real estate brokers.

Fiscal Note is not required.

Recommended **Do Pass** February 13, 2007.

Committee Bill (Formerly House Study Bill 163), relating to qualifications for licensure as a real estate broker or salesperson upon conviction of specified offenses.

Fiscal Note is not required.

Recommended **Do Pass** February 13, 2007.

COMMITTEE ON VETERANS AFFAIRS

Committee Bill (Formerly House File 124), creating a Vietnam Conflict veterans bonus for a certain period of active duty military service, making an appropriation, and providing a tax exemption and a penalty.

Fiscal Note is not required.

Recommended **Do Pass** February 13, 2007.

On motion by McCarthy of Polk the House adjourned at 9:27 a.m., until 9:00 a.m., Thursday, February 15, 2007.

JOURNAL OF THE HOUSE

Thirty-ninth Calendar Day - Twenty-eighth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, February 15, 2007

The House met pursuant to adjournment at 9:05 a.m., Speaker Murphy in the chair.

Prayer was offered by Reverend Curtis Girod, pastor of the Cornerstone Assembly of God Church, Clinton. He was the guest of Speaker pro tempore Polly Bukta and Representative Steve Olson from Clinton County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Peyton Schmitt from Lone Tree. She is the granddaughter of Representative Steve Olson from Clinton County.

The National Anthem was sung by Amanda and Amy Hynek from the band Pumptown of Ellston, Iowa. Amanda is the clerk for Representative Todd Taylor of Linn County.

The Journal of Wednesday, February 14, 2007 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Petersen of Polk, until her arrival, on request of McCarthy of Polk.

INTRODUCTION OF BILLS

House File 392, by Whitaker, a bill for an act providing for the free association of contract producers of agricultural commodities and providing a penalty.

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

House File 393, by committee on commerce, a bill for an act relating to qualifications for licensure as a real estate broker or salesperson upon conviction of specified offenses.

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

House File 394, by Mertz, a bill for an act relating to maximum size and weight requirements for vehicles hauling crops during the annual period of harvest.

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

House File 395, by Lensing, a bill for an act increasing the taxes imposed on cigarettes and tobacco products and providing for deposit of the increased revenue generated in the healthy Iowans tobacco trust, and providing an effective date.

Read first time and referred to committee on **ways and means**.

House File 396, by committee on human resources, a bill for an act expanding the scope of services under an existing appropriation for the community empowerment initiative involving preschool services and providing effective date and applicability provisions.

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

House File 397, by committee on human resources, a bill for an act relating to the expenditures allowable from medical assistance income trusts.

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

House File 398, by Struyk and Huser, a bill for an act exempting a resident of a state medical institution from prosecution for the criminal offense of willful injury.

Read first time and referred to committee on **public safety**.

House File 399, by Hunter, a bill for an act providing for late voter registration to enable an eligible elector to vote in-person absentee or at the polling place on election day.

Read first time and referred to committee on **state government**.

House File 400, by committee on commerce, a bill for an act authorizing the formation of a professional corporation or a professional limited liability company by licensed real estate brokers.

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

House File 401, by committee on human resources, a bill for an act renaming health-related examining boards as licensing boards.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on February 14, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 58, a bill for an act relating to the number of signatures required on nomination papers for the office of mayor in certain cities.

Also: that the Senate has on February 14, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 116, a bill for an act relating to the labor commissioner's regulation of fire fighter clothing and personal protection equipment.

Also: that the Senate has on February 14, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 129, a bill for an act relating to the racing and gaming commission by modifying provisions regulating horses involved in horse racing and providing an effective date.

Also: that the Senate has on February 14, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 162, a bill for an act creating the Iowa stem cell research and cures initiative, and providing penalties.

MICHAEL E. MARSHALL, Secretary

SPECIAL PRESENTATIONS

Upmeyer of Hancock introduced to the House, several students from East High School, Des Moines and Cedar Rapids Jefferson High

School, whom are studying bio-engineering. They were accompanied by two faculty members.

The House rose and expressed its welcome.

Abdul-Samad of Polk introduced to the House the gentlemen from Zeta Kappa Lambda Graduate Chapter of the Alpha Phi Alpha Fraternity the oldest African-American fraternity. He also introduced Debra Carr the Executive State Coordinator and on the National Advisory Board of Miss Black USA. Ventra Boykin, the 2007 Miss Black America was introduced.

The House rose and expressed its welcome.

McCarthy of Polk asked and received unanimous consent for the immediate consideration of House Resolution 21.

ADOPTION OF HOUSE RESOLUTION 21

Ford of Polk, Berry of Black Hawk, Abdul-Samad of Polk and H. Miller of Webster called up for consideration **House Resolution 21**, a resolution designating February 2007 as Black History Month, and moved its adoption.

The motion prevailed and the resolution was adopted.

SPECIAL PRESENTATION

Berry of Black Hawk introduced to the House, Effie Burt who sang "I'll Make me a World".

The House rose and expressed it welcome.

Gipp of Winneshiek in the chair at 9:25 a.m.

CONSIDERATION OF BILLS Regular Calendar

House File 199, a bill for an act relating to the payment of costs of reasonable attorney fees related to certain paternity proceedings, was taken up for consideration.

Smith of Marshall moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 199)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Granzow	Grassley	Greiner
Heddens	Horbach	Hunter	Huseman
Huser	Jacobs	Jacoby	Jochum
Kaufmann	Kelley	Kressig	Kuhn
Lensing	Lukan	Lykam	Mascher
May	McCarthy	Mertz	Miller, H.
Miller, L.	Murphy, Spkr.	Oldson	Olson, D.
Olson, R.	Olson, S.	Olson, T.	Palmer
Paulsen	Pettengill	Quirk	Raecker
Rants	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Smith	Soderberg
Staed	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Wiencek	Winckler
Windschitl	Wise	Worthan	Gipp, Presiding

The nays were, none.

Absent or not voting, 4:

Heaton	Hoffman	Petersen	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **House File 199** be immediately messaged to the Senate.

House File 245, a bill for an act requiring invasive pneumococcal disease immunization for children enrolling in licensed child care centers, was taken up for consideration.

L. Miller of Scott asked and received unanimous consent to withdraw amendment H-1042 filed by her on February 6, 2007.

Heddens of Story moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 245)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Granzow	Grassley	Greiner
Heddens	Horbach	Hunter	Huseman
Huser	Jacobs	Jacoby	Jochum
Kaufmann	Kelley	Kressig	Kuhn
Lensing	Lukan	Lykam	Mascher
May	McCarthy	Mertz	Miller, H.
Miller, L.	Murphy, Spkr.	Oldson	Olson, D.
Olson, R.	Olson, S.	Olson, T.	Palmer
Paulsen	Pettengill	Quirk	Raecker
Rants	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Smith	Soderberg
Staed	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Wienczek	Winckler
Windschitl	Wise	Worthan	Gipp
			Presiding

The nays were, none.

Absent or not voting, 4:

Heaton	Hoffman	Petersen	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **House File 245** be immediately messaged to the Senate.

House File 260, a bill for an act relating to the classification and regulation of controlled substances and making penalties applicable, was taken up for consideration.

Smith of Marshall moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 260)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevrt	Gaskill
Gayman	Granzow	Grassley	Greiner
Heddens	Horbach	Hunter	Huseman
Huser	Jacobs	Jacoby	Jochum
Kaufmann	Kelley	Kressig	Kuhn
Lensing	Lukan	Lykam	Mascher
May	McCarthy	Mertz	Miller, H.
Miller, L.	Murphy, Spkr.	Oldson	Olson, D.
Olson, R.	Olson, S.	Olson, T.	Palmer
Paulsen	Pettengill	Quirk	Raecker
Rants	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Smith	Soderberg
Staed	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Wiencsek	Winckler
Windschitl	Wise	Worthan	Gipp, Presiding

The nays were, none.

Absent or not voting, 4:

Heaton Hoffman Petersen Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **House File 260** be immediately messaged to the Senate.

House File 317, a bill for an act relating to an on-site fiscal review to be conducted under phase II of the accreditation process upon recommendation by the school budget review committee, was taken up for consideration.

Tymeson of Madison asked and received unanimous consent to withdraw amendment H-1055 filed by her on February 2, 2007.

Wendt of Woodbury moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 317)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Granzow	Grassley	Greiner
Heddenis	Horbach	Hunter	Huseman
Huser	Jacobs	Jacoby	Jochum
Kaufmann	Kelley	Kressig	Kuhn
Lensing	Lukan	Lykam	Mascher
May	McCarthy	Mertz	Miller, H.
Miller, L.	Murphy, Spkr.	Oldson	Olson, D.
Olson, R.	Olson, S.	Olson, T.	Palmer
Paulsen	Pettengill	Quirk	Raecker
Rants	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Smith	Soderberg

Staed	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Wienczek	Winckler
Windschitl	Wise	Worthan	Gipp, Presiding

The nays were, none.

Absent or not voting, 4:

Heaton	Hoffman	Petersen	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **House File 317** be immediately messaged to the Senate.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on Thursday morning, February 15, 2007. Had I been present, I would have voted "aye" on House Files 199, 245, 260 and 317.

PETERSEN of Polk

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- 2007\1163 Bob Mertz, Tama – For celebrating his 80th birthday.
- 2007\1164 Gerald and Mary Ann Ross, Toledo – For celebrating their 50th wedding anniversary.
- 2007\1165 Arthur "Mike" Potratz, Toledo – For celebrating his 80th birthday.
- 2007\1166 Helen M. Posusta, Tama – For celebrating her 80th birthday.

- 2007\1167 John and Mary Hadley, Richland – For celebrating their 65th wedding anniversary.
- 2007\1168 Retha Abrams, Oskaloosa – For celebrating her 95th birthday.
- 2007\1169 Bob and Carol Hayes, Fairfield – For celebrating their 50th wedding anniversary.
- 2007\1170 Gerald “Skeeter” and Geri Hidy, Batavia – For celebrating their 50th wedding anniversary.
- 2007\1171 DeWayne Barton, Fairfield – For celebrating his 88th birthday.
- 2007\1172 Novie and Glen Foss, Jr., LaPorte City – For celebrating their 65th wedding anniversary, and for Glen celebrating his 87th birthday.
- 2007\1173 Darlene Tillman, Belmond – For celebrating her 75th birthday.
- 2007\1174 Donna Sparks, Belmond – For celebrating her 80th birthday.
- 2007\1175 Eleonore Nelson, Belmond – For celebrating her 85th birthday.
- 2007\1176 Ellen Suntken, Belmond – For celebrating her 80th birthday.
- 2007\1177 Fannie Lindaman, Belmond – For celebrating her 95th birthday.
- 2007\1178 Gerald McNulty, Belmond – For celebrating his 90th birthday.
- 2007\1179 Helen Dorr, Belmond – For celebrating her 85th birthday.
- 2007\1180 Inez Pasquariello, Belmond – For celebrating her 85th birthday.
- 2007\1181 Irene Stoffer, Belmond – For celebrating her 85th birthday.
- 2007\1182 Maxine Dougherty, Belmond – For celebrating her 80th birthday.
- 2007\1183 Miriam Vroman, Belmond – For celebrating her 95th birthday.
- 2007\1184 Ralph Johnson, Belmond – For celebrating his 80th birthday.
- 2007\1185 Roger Kinseth, Belmond – For celebrating his 75th birthday.
- 2007\1186 William Gifford, Belmond – For celebrating his 90th birthday.
- 2007\1187 Albert Dahlgren, Clarion – For celebrating his 85th birthday.
- 2007\1188 Keith Bell, Clarion – For celebrating his 75th birthday.
- 2007\1189 Lyle Morgan, Clarion – For celebrating his 75th birthday.
- 2007\1190 Margaret Claggett, Clarion – For celebrating her 90th birthday.

- 2007\1191 Margaret Deimerly, Clarion – For celebrating her 85th birthday.
- 2007\1192 Monroe Newcomb, Clarion – For celebrating his 90th birthday.
- 2007\1193 Doris Charleston, Dows – For celebrating her 90th birthday.
- 2007\1194 Wayne Kessel, Dows – For celebrating his 85th birthday.
- 2007\1195 Richard Burtnett, Duncombe – For celebrating his 75th birthday.
- 2007\1196 Catherine Egesdal, Eagle Grove – For celebrating her 80th birthday.
- 2007\1197 Donald Mericle, Eagle Grove – For celebrating his 80th birthday.
- 2007\1198 Franklyn Wearmouth, Eagle Grove – For celebrating his 75th birthday.
- 2007\1199 Jeanette Seefried, Eagle Grove – For celebrating her 80th birthday.
- 2007\1200 Maryjane Tilghman, Eagle Grove – For celebrating her 80th birthday.
- 2007\1201 Ronald Norton, Eagle Grove – For celebrating his 75th birthday.
- 2007\1202 James Collins, Fort Dodge – For celebrating his 75th birthday.
- 2007\1203 Ardith Field, Goldfield – For celebrating her 85th birthday.
- 2007\1204 Harlan Wilson, Jewell – For celebrating his 80th birthday.
- 2007\1205 Jennie Eekhoff, Kanawha – For celebrating her 75th birthday.
- 2007\1206 Donald Roosa, Lehigh – For celebrating his 75th birthday.
- 2007\1207 Gladys Wilcox, Lehigh – For celebrating her 80th birthday.
- 2007\1208 Norma Richardson, Lehigh – For celebrating for her 75th birthday.
- 2007\1209 Edna Groom, Rowan – For celebrating her 80th birthday.
- 2007\1210 Alice Stevens, Stratford – For celebrating her 80th birthday.
- 2007\1211 Arthur Kelting, Webster City – For celebrating his 90th birthday.
- 2007\1212 Carroll Haynes, Webster City – For celebrating his 75th birthday.
- 2007\1213 Dale Orton, Webster City – For celebrating his 90th birthday.
- 2007\1214 Deloris Schaa, Webster City – For celebrating her 85th birthday.
- 2007\1215 Doris Daniles, Webster City – For celebrating her 85th birthday.

- 2007\1216 Elizabeth Richardson, Webster City – For celebrating her 75th birthday.
- 2007\1217 Harriet Lundquist, Webster City – For celebrating her 90th birthday.
- 2007\1218 Iola Berogan, Webster City – For celebrating her 95th birthday.
- 2007\1219 Isabelle Brinsko, Webster City – For celebrating her 85th birthday.
- 2007\1220 Jerold Jones, Webster City – For celebrating his 75th birthday.
- 2007\1221 Kermit Doolittle, Webster City – For celebrating his 95th birthday.
- 2007\1222 Leah Meyers, Webster City – For celebrating her 85th birthday.
- 2007\1223 Mary Christeson, Webster City – For celebrating her 90th birthday.
- 2007\1224 Mildred Clair, Webster City – For celebrating her 90th birthday.
- 2007\1225 Nadine Dingman, Webster City – For celebrating her 75th birthday.
- 2007\1226 Nola Kohl, Webster City – For celebrating her 85th birthday.
- 2007\1227 Reva Champion, Webster City – For celebrating her 85th birthday.
- 2007\1228 Shirley Burton, Webster City – For celebrating her 80th birthday.
- 2007\1229 Andrew Caruth, Williams – For celebrating his 90th birthday.
- 2007\1230 Loren Krieger, Woolstock – For celebrating his 80th birthday.
- 2007\1231 Moe and Marilyn Farver, Newton – For celebrating their 50th wedding anniversary.

SUBCOMMITTEE ASSIGNMENTS

House File 14

Ways and Means: Jochum, Chair; T. Olson and Sands.

House File 180

Ways and Means: Jochum, Chair; T. Olson and Sands.

House File 192

Local Government: Schueller, Chair; Huser and Kaufmann.

House File 266

Transportation: Worthan, Chair; Dandekar and Lykam.

House File 272

Human Resources: Petersen, Chair; Forristall and Heddens.

House File 275

Human Resources: Smith, Chair; Ford and Grassley.

House File 278

Transportation: Bell, Chair; Huser and Roberts.

House File 288

Transportation: Mertz, Chair; Bukta and Huseman.

House File 293

Ways and Means: T. Olson, Chair; Grassley, Pettengill, Shomshor and Van Fossen.

House File 297

Ways and Means: Jochum, Chair; T. Olson and Sands.

House File 300 Reassigned

Veterans Affairs: D. Taylor, Chair; Thomas and Tymeson.

House File 304

Commerce: Reichert, Chair; Bailey, Lukan, Petersen, Struyk, D. Taylor and Van Fossen.

House File 306

Ways and Means: Thomas, Chair; Grassley and Quirk.

House File 315

Transportation: Bell, Chair; Arnold and Whitaker.

House File 318

Ways and Means: Schueller, Chair; Kaufmann and Thomas.

House File 321

Commerce: Pettengill, Chair; Bailey, Berry, Hoffman and Upmeyer.

House File 322

Ways and Means: Reasoner, Chair; Sands and Shomshor.

House File 326

Ways and Means: Van Fossen, Chair; Deyoe and Struyk.

House File 335

Ways and Means: Huser, Chair; Reasoner and Windschitl.

House File 338

Transportation: Cohoon, Chair; Bukta and May.

House File 339

Transportation: Reasoner, Chair; Cohoon and Rasmussen.

House File 346

Ways and Means: Jochum, Chair; T. Olson and Sands.

House File 348

Ways and Means: Van Fossen, Chair; Deyoe and Struyk.

House File 349

Commerce: Pettengill, Chair; Bailey, Berry, Hoffman and Upmeyer.

House File 354

Commerce: Jacoby, Chair; Clute, Jacobs, Kelley, Kressig, Paulsen and Quirk.

House File 356

Economic Growth: D. Olson, Chair; Granzow and H. Miller.

House File 375

Economic Growth: Bailey, Chair; Anderson and Schueller.

House File 388

Economic Growth: Wenthe, Chair; Bailey, Clute, T. Olson and Wiencek.

House File 391

Public Safety: Heddens, Chair; Alons and Swaim.

Senate File 75

Human Resources: Wessel-Kroeschell, Chair; Ford and Soderberg.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS**House Study Bill 181**

Transportation: Bukta, Chair; Whitaker and Worthan.

House Study Bill 193

State Government: Pettengill, Chair; Jacobs, Jochum, Lensing and Roberts.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS**H.S.B. 194 Appropriations**

Relating to and making appropriations from the healthy Iowans tobacco trust and the tobacco settlement trust fund.

H.S.B. 195 Judiciary

Relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and including effective and retroactive applicability date provisions.

H.S.B. 196 Judiciary

Relating to nonsubstantive Code corrections and including effective and retroactive applicability date provisions.

H.S.B. 197 Human Resources

Relating to and making an appropriation for the office of substitute decision maker under the department of elder affairs.

H.S.B. 198 Local Government

Relating to billing notifications for water service provided by a city utility for residential rental property.

H.S.B. 199 Environmental Protection

Relating to regulation of underground storage tanks by the department of natural resources, making appropriations, and providing contingent effective date provisions.

H.S.B. 200 Commerce

Relating to mortgage release certificates issued by the Iowa finance authority.

H.S.B. 201 Commerce

Relating to the issuance of gift cards and gift certificates, including providing for abandonment, establishing restrictions on fees and charges, prohibiting expiration dates and other restrictive terms, and making penalties applicable.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON COMMERCE

Committee Bill (Formerly House Study Bill 162), authorizing the formation of a professional corporation or a professional limited liability company by licensed real estate brokers.

Fiscal Note is not required.

Recommended **Do Pass** February 13, 2007.

Committee Bill (Formerly House Study Bill 163), relating to qualifications for licensure as a real estate broker or salesperson upon conviction of specified offenses.

Fiscal Note is not required.

Recommended **Do Pass** February 13, 2007.

COMMITTEE ON EDUCATION

Senate File 62, a bill for act relating to the duties and operations of the state board of education, the department of education, and local school boards.

Fiscal Note is not required.

Recommended **Amend and Do Pass with Amendment H—1056** February 14, 2007.

COMMITTEE ON HUMAN RESOURCES

Committee Bill (Formerly House File 17), relating to the annual adjustment of the personal needs allowance for residents of certain facilities.

Fiscal Note is required.

Recommended **Amend and Do Pass** February 14, 2007.

Committee Bill (Formerly House Study Bill 18), expanding the scope of services under an existing appropriation for the community empowerment initiative involving preschool services and providing effective date and applicability provisions.

Fiscal Note is not required.

Recommended **Do Pass** February 12, 2007.

Committee Bill (Formerly House Study Bill 142), relating to the expenditures allowable from medical assistance income trusts.

Fiscal Note is not required.

Recommended **Do Pass** February 12, 2007.

RESOLUTION FILED

HR 22, by Winckler, a resolution designating March 2007 as Iowa Women's History Month.

Laid over under **Rule 25**.

AMENDMENT FILED

H—1056 S.F. 62 Committee on Education

On motion by McCarthy of Polk the House adjourned at 9:45 a.m., until 9:00 a.m., Friday, February 16, 2007.

JOURNAL OF THE HOUSE

Fortieth Calendar Day - Twenty-ninth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, February 16, 2007

The House met pursuant to adjournment at 9:00 a.m., Pettengill of Benton in the chair.

Prayer was offered by the Honorable Wayne Ford, state representative from Polk County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Representative Dawn Pettengill, state representative from Benton County.

The Journal of Thursday, February 15, 2007 was approved.

INTRODUCTION OF BILLS

House File 402, by Shomshor, a bill for an act requiring automatic fire sprinkler systems in hotels and motels and providing for penalties.

Read first time and referred to committee on **state government**.

House File 403, by Heaton, a bill for an act providing for an assessment on ethanol for export, and providing penalties.

Read first time and referred to committee on **ways and means**.

House File 404, by S. Olson and Bukta, a bill for an act relating to enterprise zones that include the site of a biodiesel or biodiesel blended fuel production facility.

Read first time and referred to committee on **economic growth**.

House File 405, by Alons, Baudler, Chambers, De Boef, Deyoe, Forristall, Granzow, Grassley, Huseman, Lukan, S. Olson, Roberts, Sands, Soderberg, Tymeson, Van Engelenhoven, Van Fossen, Watts,

Windschitl and Worthan, a bill for an act eliminating the exception to the Iowa English language reaffirmation law for driver's license-related communications.

Read first time and referred to committee on **state government**.

House File 406, by Struyk, a bill for an act relating to civil service employment residency requirements.

Read first time and referred to committee on **local government**.

House File 407, by Sands, Struyk, Granzow, Watts, Huseman, Jacobs, Raecker, Soderberg, Windschitl, Dolecheck, Kaufmann, Chambers, Deyoe, Upmeyer, Tymeson, Clute, Horbach, Paulsen and De Boef, a bill for an act relating to the state general fund expenditure limitation and making appropriations to repay certain funds, and providing effective and applicability dates.

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

House File 408, by Heaton, Hoffman, May, Sands, Anderson, Drake, Greiner, Rayhons, Forristall, Deyoe, Boal, Huseman, Rasmussen, Chambers, Alons, Tjepkes, De Boef, Jacobs, Lukan, Arnold, Struyk, S. Olson and Granzow, a bill for an act making an appropriation to eliminate overtime incurred by employees of the department of corrections and judicial district departments of correctional services.

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

House File 409, by Thomas, a bill for an act permitting bingo at county fairs.

Read first time and referred to committee on **state government**.

House File 410, by Reasoner, a bill for an act providing an exemption from sales tax for light bulbs used in poultry operations.

Read first time and referred to committee on **ways and means**.

House File 411, by Davitt, Thomas, Bailey, Schueller, Gaskill, D. Olson, Whitaker, Mertz, Gayman, Kuhn, Staed, Kressig, Shomshor, R. Olson, Lensing, Winckler, L. Miller, Paulsen, Jacoby, T. Olson, Van Fossen, Wise, Boal, Reichert, Upmeyer, Mascher, Jochum, Pettengill, Tomenga, Wenthe, Petersen and Palmer, a bill for an act creating a film, television, and video project promotion program and fund and an Iowa film advisory board, providing tax credits and income exclusions, making appropriations, and including effective and retroactive applicability dates.

Read first time and referred to committee on **economic growth**.

House File 412, by Petersen, a bill for an act relating to recycling used, state-owned computer hardware.

Read first time and referred to committee on **state government**.

House File 413, by committee on state government, a bill for an act relating to electronic filing of campaign finance organizational statements, dissolution reports, and disclosure reports by candidates for statewide office or for the general assembly, establishing a filing deadline for all statements and reports, providing a penalty, and providing applicability dates.

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

House File 414, by Windschitl, Struyk, Greiner, Baudler, Kaufmann, Van Fossen, Lukan, Alons, Sands, Huseman, Dolecheck, L. Miller, Horbach, Upmeyer and Paulsen, a bill for an act relating to the justifiable use of reasonable force.

Read first time and referred to committee on **public safety**.

House File 415, by Mascher, a bill for an act providing for a school attendance task force pilot program, and providing an appropriation.

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

House File 416, by Mascher, a bill for an act relating to child care by requiring registration or licensing of child care providers regulated

by the department of human services and making a penalty applicable.

Read first time and referred to committee on **human resources**.

House File 417, by Gaskill, a bill for an act providing procedures to increase the number of city council members in certain cities.

Read first time and referred to committee on **local government**.

SENATE MESSAGES CONSIDERED

Senate File 58, by Warnstadt, a bill for an act relating to the number of signatures required on nomination papers for the office of mayor in certain cities.

Read first time and passed on **file**.

Senate File 116, by committee on labor and business relations, a bill for an act relating to the labor commissioner's regulation of fire fighter clothing and personal protection equipment.

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

Senate File 162, by committee on human resources, a bill for an act creating the Iowa stem cell research and cures initiative, and providing penalties.

Read first time and passed on **file**.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

2007\1232 Jenny Patterson, Collins - For celebrating her 80th birthday.

2007\1233 Don and Ellen Boda, Slater - For celebrating their 60th wedding anniversary.

- 2007\1234 Eleanor and Earl Stratton, Tiffin – For celebrating their 69th wedding anniversary, and for Earl celebrating his 90th birthday.
- 2007\1235 Tom Burns, Oxford – For celebrating his 90th birthday.
- 2007\1236 Max Fitkin, North Liberty – For celebrating his 90th birthday.
- 2007\1237 Florence Vervais, Iowa City – For celebrating her 85th birthday.
- 2007\1238 W. John and Magdalen Kasper, Iowa City – For celebrating their 60th wedding anniversary.

SUBCOMMITTEE ASSIGNMENT

House File 352

Environmental Protection: Frevert, Chair; Drake, Greiner, Kuhn, H. Miller, D. Olson and S. Olson.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 199

Environmental Protection: H. Miller, Chair; Anderson and Kressig.

House Study Bill 200

Commerce: Quirk, Chair; Berry and Jacobs.

House Study Bill 201

Commerce: Quirk, Chair; Jacoby and Struyk.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON COMMERCE

Committee Bill (Formerly House Study Bill 61), relating to the disposition of certain unclaimed property.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 15, 2007.

COMMITTEE ON NATURAL RESOURCES

Senate File 49, providing for a .08 blood alcohol limit for motorboat or sailboat operating while intoxicated offences.

Fiscal Note is not required.

Recommended **Do Pass** February 14, 2007.

COMMITTEE ON PUBLIC SAFETY

Committee Bill (Formerly House File 196), relating to abuse of a human corpse and providing penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 15, 2007.

RESOLUTION FILED

HR 23, by H. Miller, Jochum, Frevert, Bell, Petersen, D. Olson, Lykam, Pettengill, Whitaker, Murphy, Mertz, Bukta, Heddens, Abdul-Samad, D. Taylor, Wessel-Kroeschell, Lensing, Ford, Foege, Mascher, Smith, Kressig, Winckler, Hunter, Reasoner, Dandekar, Swaim, Palmer, Wise, Kelley, T. Taylor, R. Olson, T. Olson, Whitead, Kuhn, Gaskill, Berry, Gayman, Wenthe, Davitt, Anderson, Tjepkes and Kaufmann, a resolution urging immediate action to stop the campaign of racial extermination against the ethnically distinct Black African population of Darfur.

Laid over under **Rule 25**.

On motion by McCarthy of Polk the House adjourned at 9:06 a.m., until 1:00 p.m., Monday, February 19, 2007.

JOURNAL OF THE HOUSE

Forty-third Calendar Day - Thirtieth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, February 19, 2007

The House met pursuant to adjournment at 1:08 p.m., Speaker Murphy in the chair.

Prayer was offered by Reverend Dennis Johnson, pastor of the Lutheran Church of the Resurrection, Marion. He was the guest of Representatives Art Staed and Swati Dandekar of Linn County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Abbie, Jonathan and Nicholas Krone, triplet grandchildren of Carolyn Gaukel, Sr. Administrative Assistant to Speaker Murphy.

The Journal of Friday, February 16, 2007 was approved.

INTRODUCTION OF BILLS

House File 418, by Wise, a bill for an act relating to a commercial property tax credit for individual and corporation income tax, and including effective and retroactive applicability date provisions.

Read first time and referred to committee on **ways and means**.

House File 419, by Whitaker, a bill for an act providing protections for contract producers of agricultural commodities, providing for the administration and enforcement of its provisions, providing penalties, and including applicability and effective date provisions.

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

House File 420, by Quirk, a bill for an act allowing small business wellness and disease management initiatives, and providing an effective date.

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

House File 421, by May, Chambers and Frevert, a bill for an act providing for the sale of motor homes at a camping rally conducted by a manufacturer under a temporary retail sales permit.

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

House File 422, by Mascher, a bill for an act increasing punitive damages that may be awarded for wrongful retention of certain rental deposits.

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

House File 423, by Wise, a bill for an act allowing nonresidents under sixteen years of age to purchase a preserve hunting license and providing a fee.

Read first time and referred to committee on **natural resources**.

House File 424, by Quirk, a bill for an act relating to the assignment of health care coverage benefits.

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

House File 425, by committee on veterans affairs, a bill for an act creating a Vietnam Conflict veterans bonus for a certain period of active duty military service, making an appropriation, and providing a tax exemption and a penalty.

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

House File 426, by Whitaker and Arnold, a bill for an act allowing certain landowners and their tenants to use certain wild turkey hunting licenses during all spring wild turkey hunting seasons.

Read first time and referred to committee on **natural resources**.

House File 427, by Lukán, Clute, May, Rayhons, Baudler and Deyoe, a bill for an act adding one-half unit of personal finance literacy to the education program school districts and accredited nonpublic schools must offer in grades nine through twelve and providing a future effective date.

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

House File 428, by Wendt, a bill for an act relating to a name change by a person required to register as a sex offender, and providing penalties.

Read first time and referred to committee on **public safety**.

McCarthy of Polk asked and received unanimous consent for the immediate consideration of House Resolution 11.

ADOPTION OF HOUSE RESOLUTION 11

Rants of Woodbury and Wise of Lee called up for consideration **House Resolution 11**, a resolution to recognize and honor Representative Dolores Mertz on her appointment as National Chairman of the Board of Directors of the American Legislative Exchange Council, and moved its adoption.

The motion prevailed and the resolution was adopted.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- | | |
|-----------|---|
| 2007\1239 | George Rowe, Sioux City – For celebrating his 92 nd birthday. |
| 2007\1240 | Lois McIntyre, Sioux City – For celebrating her 92 nd birthday. |
| 2007\1241 | Margaret York, Sioux City – For celebrating her 87 th birthday. |
| 2007\1242 | Frank Coussens, Davenport – For celebrating his 90 th birthday. |
| 2007\1243 | Leo and Nellie Miller, Greenfield – For celebrating their 60 th wedding anniversary. |
| 2007\1244 | Doris Fett, Panora – For celebrating her 80 th birthday. |
| 2007\1245 | Elodia Sullivan, Mason City – For celebrating her 80 th birthday. |
| 2007\1246 | Marvin M. Williams, Mason City – For celebrating his 80 th birthday. |

- 2007\1247 Leslie and Mary Beth Marousek, Atlantic – For celebrating their 60th wedding anniversary.
- 2007\1248 Jim and Jo DeForest, Winterset – For celebrating their 50th wedding anniversary.

SUBCOMMITTEE ASSIGNMENTS

House File 241

Local Government: Kressig, Chair; Kaufmann and D. Olson.

House File 242

Local Government: Kressig, Chair; Kaufmann and D. Olson.

House File 247

Local Government: Schueller, Chair; Cohoon and Deyoe.

House File 343

Local Government: Gaskill, Chair; Cohoon and Deyoe.

House File 380

Local Government: Bukta, Chair; Huser and Rasmussen.

House File 381

Local Government: Kelley, Chair; Clute and Lykam.

House File 394

Transportation: Dandekar, Chair; Roberts and Worthan.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

House Study Bill 197

Human Resources: Smith, Chair; Hunter and Upmeyer.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 202 Appropriations

Relating to and making transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund.

H.S.B. 203 Judiciary

Concerning the recognition and enforcement of civil judgments, orders, and decrees issued by a tribal court of a federally recognized Indian tribe and including an applicability provision.

H.S.B. 204 State Government

Allowing a voter to register to vote and to vote after regular registration and prior to voting in an election.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON HUMAN RESOURCES

House File 287, a bill for an act creating the Iowa stem cell research and cures initiative, and providing penalties.

Fiscal Note is not required.

Recommended **Do Pass** February 19, 2007.

COMMITTEE ON STATE GOVERNMENT

Committee Bill (Formerly House File 75), relating to the sales and use taxes on the operation of bingo games.

Fiscal Note is not required.

Recommended **Do Pass** February 15, 2007.

AMENDMENT FILED

H—1057 S.F. 39 Jacobs of Polk

On motion by McCarthy of Polk the House adjourned at 1:24 p.m., until 8:30 a.m., Tuesday, February 20, 2007.

JOURNAL OF THE HOUSE

Forty-four Calendar Day - Thirty-first Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, February 20, 2007

The House met pursuant to adjournment at 8:40 a.m., Speaker Murphy in the chair.

Prayer was offered by Reverend Doug Raymond, Sr. Pastor of Rising Sun Church of Christ, Des Moines. He is the guest of Representative Rod Roberts of Carroll County and Representative Geri Huser of Polk County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Carrie Olson, clerk of Representative Bob Kressig of Black Hawk County.

The Journal of Monday, February 19, 2007 was approved.

INTRODUCTION OF BILLS

House File 429, by May, a bill for an act making an appropriation to the college student aid commission for purposes of the teacher shortage forgivable loan program and relating to the allocation of program moneys.

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

House File 430, by Paulsen, a bill for an act relating to deficiencies in the repair or construction of residential real property.

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

House File 431, by H. Miller, Bailey, Pettengill, Whitaker, Bukta, Ford, Smith, Abdul-Samad, Mascher, Swaim and Whitead, a bill for an act providing appropriations to support funds related to outdoor recreation under the control of the department of natural resources.

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

House File 432, by committee on public safety, a bill for an act relating to abuse of a human corpse and providing penalties.

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

House File 433, by Heaton, a bill for an act relating to the confinement of out-of-state sexually violent predators.

Read first time and referred to committee on **public safety**.

House File 434, by committee on human resources, a bill for an act relating to the personal needs allowance for residents of certain facilities.

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

House File 435, by Whitead, a bill for an act relating to allowing certain cities to appoint additional civil service commissioners.

Read first time and referred to committee on **local government**.

House File 436, by Upmeyer, a bill for an act relating to the provision of incentives for school district reorganizations and dissolution and operation of regional academies.

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

House File 437, by Whitaker, a bill for an act relating to confinement feeding operations, by providing for the issuance of permits to construct confinement feeding operation structures, and including an applicability provision.

Read first time and referred to committee on **environmental protection**.

House File 438, by Pettengill, a bill for an act relating to the determination of the personal needs allowance retained by medical assistance recipients who are residents of certain facilities.

Read first time and referred to committee on **human resources**.

House File 439, by May, a bill for an act directing the state board of regents to convene a task force to develop and coordinate a five-year strategic plan to address alignment of the kindergarten through postsecondary education systems.

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

House File 440, by Pettengill, a bill for an act relating to the Iowa braille school library within the Iowa braille and sight saving school at Vinton.

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

House File 441, by Pettengill, Kressig, Gayman, Quirk, May, Horbach, Berry, Bell, Mertz, Bailey, H. Miller, Sands, Kelley, Reichert and Wenthe, a bill for an act adding one-half unit of personal finance literacy to the education program school districts and accredited nonpublic schools must offer in grades nine through twelve and making an appropriation.

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

House File 442, by Pettengill, a bill for an act relating to requirements for trust fund deposits of prepayments for cemetery and funeral merchandise, and funeral services.

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

House File 443, by Tymeson, a bill for an act applying the open meetings law to advisory bodies created by joint governmental entities.

Read first time and referred to committee on **state government**.

House File 444, by Gaskill, Whitaker, R. Olson, Jochum and Bukta, a bill for an act establishing a moratorium relating to the construction of structures that are part of confinement feeding operations where swine are kept, requesting an interim study committee, and providing an effective date.

Read first time and referred to committee on **environmental protection**.

House File 445, by Upmeyer, Tomenga, Heaton, Hoffman, Dolecheck, Worthan, Soderberg, May, Watts, Sands, Anderson, Drake, Greiner, Clute, Rayhons, L. Miller, Boal, Huseman, Rasmussen, Chambers, Alons, Tjepkes, De Boef, Arnold, Kaufmann, Jacobs, Struyk, S. Olson, Grassley, Paulsen and Granzow, a bill for an act relating to performance and disclosure standards for long-term care insurance.

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

ADOPTION OF HOUSE CONCURRENT RESOLUTION 6

McCarthy of Polk called up for consideration **House Concurrent Resolution 6**, and moved its adoption.

- 1 House Concurrent Resolution 6
- 2 By McCarthy and Rants
- 3 *Be It Resolved By The House Of Representatives, The*
- 4 *Senate Concurring*, That a joint convention of the two
- 5 houses of the 2007 session of the Eighty-second
- 6 General Assembly be held on Tuesday, February 20, 2007,
- 7 at 9:00 a.m.; and
- 8 *Be It Further Resolved*, That Major General Ron
- 9 Dardis be invited to present his message of the
- 10 Condition of the Iowa National Guard at this
- 11 convention, and moved its adoption.

The motion prevailed and the resolution was adopted.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **House Concurrent Resolution 6** be immediately messaged to the Senate.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on February 20, 2007, adopted the following resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 6, a concurrent resolution for a joint convention of the two houses of the 2007 session of the Eighty-second General Assembly to be held on Tuesday, February 20, 2007, at 9:00 a.m. for Major General Ron Dardis to present his message of the Condition of the Iowa National Guard.

MICHAEL E. MARSHALL, Secretary

COMMITTEE TO NOTIFY THE SENATE

Cohoon of Des Moines moved that a committee of three be appointed to notify the Senate that the House was ready to receive it in joint convention.

The motion prevailed and the Speaker appointed as such committee Cohoon of Des Moines, Chair, Mertz of Kossuth and L. Miller of Scott.

REPORT OF THE COMMITTEE TO NOTIFY THE SENATE

Cohoon of Des Moines, Chair of the committee appointed to notify the Senate that the House was ready to receive it in joint convention reported that the committee had performed its duty.

The report was accepted, and the committee discharged.

The Sergeant-at-Arms announced the arrival of the President of the Senate, the Secretary of the Senate and the honorable body of the Senate.

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

JOINT CONVENTION

In accordance with law and House Concurrent Resolution 6, duly adopted, the joint convention was called to order at 9:04 a.m., President Kibbie presiding.

Senator Gronstal of Pottawattamie moved that the roll call be dispensed with and that the President of the joint convention be authorized to declare a quorum present.

The motion prevailed.

President Kibbie announced a quorum present and the joint convention duly organized.

Senator Gronstal of Pottawattamie moved that a committee of six, consisting of three members from the Senate and three members from the House of Representatives, be appointed to escort Governor Chester J. Culver to the House chamber for the Condition of the Iowa National Guard Message.

The motion prevailed and the President appointed as such committee Senators Hancock of Dubuque, Rielly of Mahaska and McKinley of Lucas, on the part of the Senate, and Representatives D. Olson of Boone, Berry of Black Hawk and Worthan of Buena Vista, on the part of the House.

Senator Gronstal of Pottawattamie moved that a committee of ten, consisting of five members from the Senate and five members from the House of Representatives, be appointed to escort Adjutant General Ron Dardis to the House chamber for the Condition of the Iowa National Guard Message.

The motion prevailed and the President appointed as such committee Senators Warnstadt of Woodbury, Danielson of Black Hawk, Wood of Scott, Seymour of Harrison and Noble of Polk, on the part of the Senate, and Representatives Bailey of Hamilton, Whitead of Woodbury, Jacoby of Johnson, Tymeson of Madison and Windschitl of Harrison, on the part of the House.

Treasurer of State, Michael Fitzgerald; State Auditor, David Vaudt; Secretary of State, Michael Mauro and Attorney General Tom Miller, were escorted into the House Chamber.

Mrs. Carmel Dardis, wife of the General, was escorted into the House chamber.

Lieutenant Governor Patty Judge was escorted into the House chamber.

The committee waited upon Governor Chester J. Culver and escorted him into the House chamber.

The committee waited upon Major General Dardis and escorted him to the Speaker's station.

President Kibbie presented Major General Dardis, Adjutant General of the Iowa National Guard. General Dardis provides command and control for 105 Army and Air National Guard Units and over 9,500 Army and Air National Guard members in the state of Iowa.

Major General Dardis delivered the following Condition of the Iowa National Guard Message:

Thank you very much.

I am honored once again to stand before you representing the fine men and women of the Iowa National Guard Team.

A team drawn from throughout Iowa's communities – large and small – dedicated to excellence and committed to defending our state and nation, both here at home and around the world.

Speaker Murphy, President Kibbie – thank you for the invitation to present the Condition of the National Guard address before this joint convention of the eighty-second General Assembly of the Iowa Legislature.

Governor Culver, Lt. Governor Judge, members of the General Assembly, distinguished guests, fellow Iowans:

I am pleased to report the Iowa National Guard is strong – quite possibly the strongest it has been in generations:

During the first five months of this recruiting year the Iowa Army National Guard set recruiting records by enlisting more new Soldiers during that period than ever before;

Both the Iowa Army and Air National Guard remain over 100 percent strength – thanks in large part to members who have chosen to continue serving after their current enlistments expire;

The Iowa National Guard is a national leader, consistently ranking near the top among the 54 states and territories;

Our ranks are filled with dedicated, skilled and experienced combat and deployment veterans who remain ready and willing to serve when called;

Our infrastructure and facilities programs have provided quality facilities for our service members to work and train;

Our units continue to meet requirements to source, train and equip Soldiers and Airmen for the Global War on Terrorism;

Our employer and family support programs remain strong and vibrant;

We continue to have sufficient resources to meet our homeland security requirements despite equipment challenges caused by the Global War on Terrorism and service transformation;

Our Soldiers and Airmen have built strong relationships and developed vital capabilities with local, state and federal law enforcement and homeland security agencies;

Our Soldiers and Airmen add vitality to our communities by serving as role models to young Iowans and giving back with their time and talents;

Our Soldiers and Airmen are proud of their military heritage, they are proud of their service and performance in the Global War on Terrorism, and they are proud to be part of America's national defense team.

Simply put, the Soldiers and Airmen of the Iowa National Guard are strong -- Iowa strong!

Some may ask: "How can this be?" After six years of war, multiple deployments, long and difficult mobilizations, hardship and loss – how can the Iowa National Guard be in such good shape?

The answer is simple – it's people.

We are blessed with remarkable and talented service members who are committed to end and believe in what they are doing, who are supported by understanding families, employers and communities, and who benefit greatly from the benefits and incentives provided by their state and nation.

A prime example of this is the veterans' supplemental passed by the legislature and signed into law by Governor Culver last week. The Home Ownership Assistance Program and the Injured Veteran Grant Program both received a much-needed infusion of cash, \$2 million each.

These are wonderful programs that keep faith with those who have sacrificed to protect our state and defend our nation. The Injured Veteran Grant program is a critical benefit that helps families cope during difficult and trying times.

The Home Ownership Assistance program, coupled with membership in the Iowa National Guard and participation in the Iowa National Guard Tuition Assistance Program, help create powerful opportunities for our young Soldiers, Airmen and their families to live, learn and lead happy and fulfilling lives right here in Iowa.

These young men and women join Iowa National Guard units, they attend Iowa colleges and universities, they are hired by Iowa employers, and they buy Iowa homes, all of which creates a solid foundation for maintaining Iowa roots. None of this would be possible without these significant investments made by the citizens of Iowa.

Additionally, your financial support of our capital and infrastructure programs enables us to leverage federal dollars to begin upgrading and refurbishing armories and maintenance facilities in critical locations around the state.

This allows us to provide our Soldiers and Airmen with facilities that are on par with local school buildings, business facilities and other community amenities.

On behalf of the Iowa National Guard Team, I want to publicly thank the Legislature and all Iowans for their unmatched support of our infrastructure and

quality of life programs for Soldiers, Airmen and veterans. This support has truly made a difference.

Governor Culver, I also want to thank you for your strong support of the Iowa National Guard.

During our very first meeting together you said: "What more can we do to help the young men and women serving and sacrificing today."

We greatly appreciate your support of our programs. Your decision to issue proclamations lowering flags to half-staff is a fitting tribute in honor of our fallen comrades and a moving reminder to all Iowans of the cost and sacrifice of war.

Governor – thank you for this truly remarkable gesture of respect and honor for Iowans who have given their lives in defense of our state and nation.

With us today is very special group of people. For them, sacrifice, honor and hero are not words to be taken lightly. They are the families of our most recent Iowa National Guard Soldiers lost in battle.

At this time I ask the family members to stand as I call the name of your fallen hero:

Sergeant Daniel L. Sesker, April 6, 2006 – Operation Iraqi Freedom

Sergeant Kampha B. Sourivoung, September 30, 2006 – Operation Iraqi Freedom

Sergeant First Class Scott E. Nisely, September 30, 2006 – Operation Iraqi Freedom

Command Sergeant Major Marilyn L. Gabbard, January 20, 2007 -- Operation Iraqi Freedom

These three men and one woman will long be remembered as heroes, not because of how they died but because of how they lived. They lived in service to their state and nation; they lived to be part of something larger than themselves; and they lived to make a difference in the lives of others.

These humble Soldiers stepped forward so others wouldn't have to, they willingly put themselves in harms way to defend our nation and bring freedom and liberty to an oppressed people.

To you the families left behind, I say: there are no words or deeds to offer that will take away your pain or fill the void left by the loss of your loved-one. I only hope that you receive some small measure of comfort in knowing that millions of Iowans stand with you to honor the memory of your fallen hero.

We are humbled by your presence with us today, we are eternally grateful for your sacrifice on behalf of our nation and we are honored to have this opportunity to comfort and salute you.

Thank you...please be seated.

As we gather here today, nearly eleven hundred Iowa National Guard Soldiers and Airmen are currently deployed or are preparing to deploy in support of the Global War on Terrorism.

They are doing dangerous and important work – performing security, aviation and support missions in Iraq and training the Afghan National Army.

They are performing bravely and doing a superb job. I ask all Iowans to remember and pray for all our military members and their families.

The National Guard is a uniquely American organization, with a proud military lineage and strong community ties. Despite recent attention focused on the National Guard resulting from its support and participation in the Global War on Terrorism, many Iowans do not fully understand or appreciate the role, mission, and responsibility the National Guard plays in securing the homeland and defending our national interest.

The National Guard is a community-based organization with global responsibilities. It plays a unique role in our national defense strategy.

Because of its funding, structure and constitutional origins, the National Guard spans the federal-state divide, provides balance between our active and reserve component military, and helps connect the American public to military operations conducted on their behalf.

In an era when less than one percent of the American population serves in uniform or has any association to the military, this connection is critically important.

The National Guard is a vital element of the Nation's All-Volunteer force, a thirty-four year old concept that is being tested like never before.

In the past six years, the Reserve Component has provided nearly half of the military forces required for the Global War on Terrorism. And as I've reported many times from this rostrum, the Iowa National Guard has been at the forefront of this effort, mobilizing and deploying more than 9,500 Soldiers and Airmen – more than 100 percent of our authorized strength.

Some wonder why so much reliance on the National Guard and whether this level of use is appropriate. Since the end of the Cold War, the National Guard has evolved from a strategic to an operational reserve of the active duty military.

Cuts in the size of our Active Duty military following the end of the Cold War, coupled with federal mobilization and sourcing policies, have created a situation that when this nation goes to war it must necessarily rely on its Reserve Component forces.

Many have realized that cuts in the size of the Active Component following the end of the Cold War were too great.

Congress and the department of defense are working to increase the number of military members serving on active duty. Replacing them will take time. And given current operational needs, it is clear demand for Reserve Component forces will continue.

Because we have a federal mission to provide combat ready units in support of the national military strategy, more than 97 percent of our budget is provided by the federal government.

That means this year alone more than \$ 375 million in federal funding came into the state to pay our Soldiers and Airmen, fund our training and operations, procure our equipment and support our infrastructure programs.

This funding results in an economic impact of more than a half of billion dollars to the state of Iowa. This investment by the federal government enables us to meet our state mission requirements of providing units and equipment to protect life and property, coming to the aid of Iowans in time of need, preserving peace and order, and ensuring public safety for our fellow citizens.

Many of you have asked about the status of our equipment, and whether we have sufficient equipment to perform our state mission requirements.

Allow me to put your mind at ease: We have adequate equipment to perform our 10 core capabilities for homeland security/defense missions. That's not to say we don't have equipment shortfalls overall – clearly we do – but when it comes to having what we need to perform our state mission, I am confident we can get the job done.

The equipment issues of most concern to us deal with having what we need to train and prepare in support of the Global War on Terrorism. Transformation and mobilizations have left us short in a few critical areas. The Iowa National Guard is not alone.

The National Guard Bureau has asked the U.S. Army for \$21 billion in funding to modernize equipment; the Army has indicated that it will allocate those funds to be spent over a seven year period. The Iowa National Guard will benefit from these equipment upgrades.

As an operational reserve of the active duty military, mobilizations and deployments of Iowa National Guard Army and Air units will continue for the foreseeable future. After six years of war, anyone joining our ranks today knows and understands this fact.

Working through National Guard Bureau and the Secretary of Defense, we have sought to establish some level of predictability for our service members, their families and employers.

As a result, the Department of Defense recently announced significant changes in its mobilization policy goals.

First and foremost is its desire to limit reserve component call-ups to 365 days start to finish, including pre-deployment training and boots on the ground time. This is a significant change to the 18 to 24 month call-ups we experienced in the past.

Second, the new policy seeks to provide reserve component Soldiers with a minimum of 60 months between mobilizations.

In order to accomplish these goals, the Iowa National Guard will play a larger role in training and validating service members prior to mobilizing. This will change the time commitments our traditional members typically make in support of their military duties in the months preceding deployments.

In order to facilitate the transition to this new policy, the Secretary of Defense has modified the cumulative limit of 24 months for involuntary mobilizations.

This change effectively resets everyone's mobilization clock. Regardless of prior mobilizations in the past six years, all of our members are now eligible for immediate involuntary call-ups.

While this could have adverse affects on some units and selected leadership personnel, we expect the majority of our Soldiers and Airmen to have a minimum of 48

months between deployments. However, in war nothing is certain. We understand and ask our members, families and employers to recognize that the new mobilization strategy is a goal, not a set-in-stone policy.

Like we have seen in the past, most recently with the extension of the 1-133 infantry battalion, sourcing requirements generated by the Global War on Terrorism, may break stated policy goals.

When this happens, the Iowa National Guard, working through family and Soldier readiness programs, will do everything it can to help those most impacted by these events.

The recent alert of the 833rd Engineer Company from Ottumwa is clearly a break in the Department of Defense's mobilization policy goal. This company was previously deployed with the 224th Engineer Battalion in support of Operation Iraqi freedom from October 2004 until December 2005.

The Soldiers from this company have been home for less than 14 months and are now preparing for another deployment. This unit is being alerted because it is the best of its kind in the Army.

I know these Soldiers will serve honorably and with distinction, just like they did before. Our thoughts and prayers go out to the families who must now prepare for another separation.

Because the Department of Defense is breaking its stated goals, the right and fair thing for it to do is provide an appropriate package of federal benefits and incentives to compensate for the additional burdens the department is placing on these Soldiers and their families.

I've asked Governor Culver and our federal delegation to carry this issue forward to make sure it gets the attention it deserves.

The sacrifice made by the families of our deployed Soldiers and Airmen is an often unseen aspect of the Global War on Terrorism. In many respects these noble Americans alone bear the home-front burden of fighting the Global War on Terrorism.

While their loved-ones go off to war, they remain behind in a nation where for the majority of the population, daily life remains unchanged.

Each of them in their own way learns to cope with the separation, anxiety and uncertainty that come with long deployments.

They keep the "home fires" burning so their loved ones can remain focused on their mission.

Although often overlooked, these brave Americans are an important part of the Nation's defense team. With me today are representatives from the family support groups of our current deployed Iowa National Guard Soldiers.

Please join me in honoring and thanking them for their strong support of their loved-ones and the key role they play in contributing to successful deployments.

The vast majority of our Citizen Soldiers and Airmen maintain full-time employment in addition to their military careers.

Mobilizations and deployments have significant impacts on their employers. They must do without or hire replacement workers to fill the void.

In spite of these hardships, many employers choose to continue providing compensation and benefits while their service members are deployed. They reach out and do what they can to help families cope with separation.

They work with our service members to provide them with the flexibility they need to prepare and train for their deployments.

We couldn't succeed without the tremendous help and support of our employers. Berry Spear, the state chairman of the Employer Support of the Guard and Reserve, and his committees work to educate service members and their employers on the rights and obligations each have in this process.

Like families, employers play an important role in the success of the Iowa National Guard.

With Barry in the gallery today are Dennis McGuire from Allied Insurance; Kent Simmer from Des Moines Bolt and Supply Company and Jim Leach from John Deere. These gentlemen represent the hundreds of employers around this great state who employ and support our Soldiers and Airmen.

Please join me in thanking them for being part of America's national defense team!

Community participation and support are other vital elements in the success of the Iowa National Guard. Our Soldiers and Airmen participate in community programs that add value to our communities, to Iowa and to America.

They work to be true role models and make our communities safer and better places to raise our families.

In turn our communities provide us with unbelievable support.

In light of the debate and rhetoric about the Global War on Terrorism one of the greatest concerns our service members express is whether the American people continue to support them.

We need look no further than the gallery for an answer. Here today are a number of community groups that are making a difference in the lives of our service members and their families. They represent but a few of the thousands of such individuals and groups throughout our state and nation.

Please hold your applause until I've finishing introducing them.

The Patriot Guard Riders is full of noble Americans who have made it their mission to ensure our military members and their families receive the support and honor they deserve. They are there when we send our units off to war; they are there to help welcome them home; and on those sad occasions when we lay to rest those lost in battle, they are there to show the colors, protect the family and honor the fallen.

Iowa's Bravest is another community group that is committed to standing with our service members. Formed shortly after the war began in 2003, this group wanted to ensure the men and women fighting this war were treated better than their Vietnam era counterparts.

This group has grown immensely in the last few years and now includes many community members, school children, Boy and Girl Scout troops, veterans' organizations, churches and businesses. To date, they have sent nearly sixteen

hundred and fifty care packages containing over 27,000 pounds of items to deployed Iowa service members serving overseas.

The Iowa Cattleman's Foundation raised more than \$75,000 from hundreds of individual cattlemen and cattlemen organizations to send over three and half tons of beef sticks to deployed Iowa National Guard and Iowa Reserve units.

In addition they donated more than \$7,200 to help meet the emergency needs of deployed service members and their families. We thank Iowa's Cattlemen and women for bringing a little taste of home to those deployed and helping those left behind.

But most importantly we thank them for standing with our Soldiers and Airmen as they sacrifice to protect our values and freedoms.

Over the years the Iowa Cubs have shown great community support for our Soldiers and Airmen by sponsoring an Iowa National Guard night at Principle Park.

They have given away thousands of tickets to our members and their families in appreciation for the sacrifices they make in protecting our state and nation.

The Des Moines Menace donated 100 soccer balls to the 1-133rd Infantry Battalion for them to provide to a youth soccer park in Baghdad. This donation helps our Soldiers build goodwill while they patrol Iraqi streets.

Carl Jacob aka "the Tootsie Roll Man," is a Charles City Vietnam vet who wanted to do something for our Soldiers. Remembering his days on patrol in Vietnam where he substituted tootsie roll pops for cigarettes, Carl knew what to do.

He immediately went to the Tootsie Roll Company and asked for their help, which has resulted in more than 100,000 tootsie rolls, pops and other tootsie roll candy products being sent to our deployed Iowa National Guard Soldiers.

Carol Duncan aka the phone card lady is a Camp Dodge institution. Carol has done more than any other Iowan to help our service members and their families stay connected by raising more than \$70,000 in phone cards to send with our deployed units.

These are but a few of the millions of grateful Americans who stand with our Soldiers and Airmen. They didn't wait idly by for someone to give them a role to play in the Global War on Terrorism. They looked around and said, "Here's what I can do, these are my talents, this is what needs to be done, this is what I can contribute on behalf of those whom we have placed such a heavy burden."

These humble and caring citizens are an example to all of us of the generosity and gratitude of the American people. Please join me in showing our appreciation for all they have done!

As I wrap up my comments I want to introduce you to a few of our Citizen Soldiers and Airmen sitting in the gallery.

They represent some of the significant accomplishments and contributions our members have made this past year.

Please stand as I identify your unit.

The 2168th Transportation Company, Iowa Army National Guard, received the National Defense Transportation Association, Transportation Unit of the Year Award for its distinguished service during its 2005 deployment to Iraq.

While deployed to Iraq, the unit logged over 2 million miles and delivered more than 15 thousand pieces of equipment to support the war effort – all without accident, damage to equipment being delivered, or loss of a single Soldier.

132nd Fighter Wing, Iowa Air National Guard, was selected as the recipient for the 2006 Air Force Outstanding Unit Award in the nation for exceptional meritorious service from September 1, 2004 to August 31, 2006. This is an extraordinary accomplishment by a truly outstanding unit.

185th Air Refueling Wing, Iowa Air National Guard, continued to support the Global War on Terror with individual and group deployments while completing their conversion. Their new mission has taken them too many locations across the Globe – Europe, the Middle East, the Caribbean, the north Atlantic, the South Pacific, Asia and various U.S. locations including Alaska and Hawaii.

Three weeks ago the 185th participated in the Ability to Survive and Operate exercise to verify personnel would be ready to deploy at a moments notice to anywhere in the world, and survive. This was the unit's first Operational Readiness Inspection since converting from F-16 fighters to KC 135 tankers in 2003. They received an "excellent" rating overall – almost unheard of the first time through – a truly remarkable accomplishment!

133rd Test Squadron is the only Command and Control Test Squadron in the United States Air Force. The unit is chartered with ensuring that Air Force and Joint military systems are thoroughly tested prior to delivery.

The 3655th Maintenance Company returned from Iraq last year where it established and enforced forward operating base defenses which helped protect thousands of coalition forces and civilians, and provided maintenance and training support for critical scout surveillance systems.

The 134th Medical Company returned from Iraq this fall, where its Soldiers provided medical support to detainees at Abu Ghraib prison, operated Troop Medical Clinics, provided medical and evacuation support, and trained and gave medical support to Iraqi Special Forces units.

The JFHQ Afghanistan National Army training team returned from Afghanistan last summer where they trained, mentored, and advised more than 2,000 ANA soldiers during more than 50 major combat operations and patrols.

Ladies and Gentlemen: please join me in thanking these great Soldiers and Airmen for all they and their colleagues have done for our state and nation.

I want to end with an extraordinary story about a few dedicated members of Troop C, 1st Squadron, 113th Cavalry. This unit was deployed to Iraq last year.

On May 20, 2006, these troopers were on mission in Baghdad when they heard a large explosion. The mission leader, Staff Sergeant Jeremy Koch, immediately ordered his squad to turn around and investigate. Arriving on scene they saw wounded U.S. personnel and civilians on the ground.

Without regard for their own personal safety, they established security and began first aid.

As they began treating the injured, Staff Sergeant Koch came upon CBS reporter Kimberly Dozier. He immediately saw that her injuries were life threatening and

began first aid. Staff Sergeant Koch stayed with Ms. Dozier the entire time treating her injuries and providing comfort.

Staff Sergeant Koch along with Staff Sergeant Mitchell Hall, Sergeant Patrick Flattery, and Specialist Corey Heaberlin stayed on the ground providing security and critical first aid for 45 minutes waiting for a MEDEVAC to arrive.

One U.S. service member, one U.S. local national interpreter, and two CBS crewman died in the explosion. Six U.S. service members and one U.S. civilian, Kimberly Dozier, the CBS reporter, were injured. Had these brave troopers not arrived on the scene when they did, the death toll surely would have been higher.

In doing their job that day these ordinary Soldiers did something extraordinary. Someone needed help and these humble Soldiers from the heartland stepped forward without hesitation. They will insist they did nothing special or unique; they were just doing their duty.

Everyday around the world thousands of brave Americans put their lives on the line to do their duty. We must never forget what they are doing for all of us.

Please join me in thanking these outstanding Soldiers for their service on behalf of our state and nation.

Ladies and Gentlemen, thanks for allowing me to share my comments with you today, and thank you for your continued support of the Iowa National Guard and of the dedicated men and women in uniform who call Iowa home.

May God continue to bless you and your families, the great state of Iowa and the United States of America!

Thank you!

Major General Dardis was escorted from the House chamber by the committee previously appointed.

Governor Chester J. Culver was escorted from the House chamber by the committee previously appointed.

On motion by McCarthy of Polk, the joint convention was dissolved at 9:52 a.m.

The House resumed session at 9:58 a.m., Speaker Murphy in the chair.

On motion by McCarthy of Polk, the House was recessed at 9:59 a.m., until 5:00 p.m.

EVENING SESSION

The House reconvened at 5:09 p.m., Speaker Murphy in the chair.

Mertz of Kossuth in the chair at 5:10 p.m.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed ninety members present, ten absent.

INTRODUCTION OF BILLS

House File 446, by Thomas, a bill for an act relating to the adoption of a window safety screen standard as part of the state building code.

Read first time and referred to committee on **state government**.

House File 447, by Pettengill, Whitaker, Dandekar, Berry, Swaim, Heddens and Schueller, a bill for an act concerning disclosures of information by state employees to a member or employee of the general assembly.

Read first time and referred to committee on **state government**.

House File 448, by Paulsen, Struyk and Upmeyer, a bill for an act eliminating the inheritance tax on property passing to relatives related to the decedent within the third degree of consanguinity or affinity and including an applicability date provision.

Read first time and referred to committee on **ways and means**.

House File 449, by Upmeyer, a bill for an act relating to entertainment facilities subject to boiler inspection requirements.

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

House File 450, by Jacobs, a bill for an act prohibiting the department of administrative services from establishing a motor pool and providing for the disposition and sale of motor pool vehicles and making an appropriation.

Read first time and referred to committee on **state government**.

House File 451, by Upmeyer, a bill for an act relating to a single point of entry long-term living resources system.

Read first time and referred to committee on **human resources**.

House File 452, by Whitaker, a bill for an act creating an unsewered community revolving loan program and fund.

Read first time and referred to committee on **environmental protection**.

House File 453, by Wendt, a bill for an act relating to and making an appropriation to the department of education for the establishment and implementation of an area education agency infrastructure grant program.

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

House File 454, by committee on commerce, a bill for an act relating to the disposition of certain unclaimed property.

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

House File 455, by Reichert, a bill for an act creating a potable water supply improvement grant program.

Read first time and referred to committee on **environmental protection**.

House File 456, by Reichert, a bill for an act relating to art, culture, and entertainment by providing income tax deductions for certain related income and contributions and by allowing cultural and entertainment districts to be included in self-supported municipal improvement districts, and including a retroactive applicability date provision.

Read first time and referred to committee on **economic growth**.

House File 457, by Mascher, a bill for an act relating to township property tax levies for emergency services and providing an applicability date.

Read first time and referred to committee on **ways and means**.

House File 458, by Whitaker, a bill for an act restricting students from open enrolling to school districts that have been designated as school districts in need of assistance as part of the federal No Child Left Behind Act.

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

House File 459, by committee on education, a bill for an act relating to the purposes for which physical plant and equipment levy revenue may be utilized, and including an applicability provision.

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

House File 460, by Schueller and Jochum, a bill for an act exempting the instructional support property tax levy of a school district from being collected as part of the incremental taxes paid to a municipality for an urban renewal area and providing for the Act's applicability.

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

SENATE MESSAGE CONSIDERED

Senate File 129, by committee on state government, a bill for an act relating to the racing and gaming commission by modifying provisions regulating horses involved in horse racing and providing an effective date.

Read first time and **passed on file**.

CONSIDERATION OF BILLS

Regular Calendar

House File 258, a bill for an act relating to the duties of directors of nonprofit corporations, was taken up for consideration.

Schueller of Jackson moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 258)

The ayes were, 96:

Abdul-Samad	Anderson	Arnold	Bailey
Baudler	Bell	Berry	Boal
Bukta	Chambers	Clute	Cphoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Heaton
Heddens	Hoffman	Horbach	Hunter
Huseman	Huser	Jacobs	Jacoby
Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Miller, H.
Miller, L.	Murphy, Spkr.	Oldson	Olson, D.
Olson, R.	Olson, S.	Olson, T.	Palmer
Petersen	Pettengill	Quirk	Raecker
Rants	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Smith	Soderberg
Staed	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Wiencsek	Winckler
Windschilt	Wise	Worthan	Mertz, Presiding

The nays were, 3:

Alons	Greiner	Paulsen
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Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 367, a bill for an act relating to wage payment collection of direct deposit wages as administered by the division of labor services of the department of workforce development, was taken up for consideration.

Mascher of Johnson moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 367)

The ayes were, 99:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Gipp	Granzow	Grassley
Greiner	Heaton	Heddens	Hoffman
Horbach	Hunter	Huseman	Huser
Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	Mascher	May
McCarthy	Miller, H.	Miller, L.	Murphy, Spkr.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Palmer	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Smith	Soderberg	Staed
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wiencek	Winckler	Windschitl
Wise	Worthan	Mertz,	
		Presiding	

The nays were, none.

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 385, a bill for an act relating to the filing of nomination petitions to fill a vacancy on a city council, was taken up for consideration.

Gaskill of Wapello moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 385)

The ayes were, 99:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Gipp	Granzow	Grassley
Greiner	Heaton	Heddens	Hoffman
Horbach	Hunter	Huseman	Huser
Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	Mascher	May
McCarthy	Miller, H.	Miller, L.	Murphy, Spkr.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Palmer	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Smith	Soderberg	Staed
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wiencsek	Winckler	Windschitl
Wise	Worthan	Mertz,	
		Presiding	

The nays were, none.

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 397, a bill for an act relating to the expenditures allowable from medical assistance income trusts, was taken up for consideration.

T. Olson of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 397)

The ayes were, 99:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Gipp	Granzow	Grassley
Greiner	Heaton	Heddens	Hoffman
Horbach	Hunter	Huseman	Huser
Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	Mascher	May
McCarthy	Miller, H.	Miller, L.	Murphy, Spkr.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Palmer	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Smith	Soderberg	Staed
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wiencek	Winckler	Windschitl
Wise	Worthan	Mertz,	
		Presiding	

The nays were, none.

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 258, 367, 385 and 397.**

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Third Grade students from Moulton Elementary School, Des Moines, Iowa. By Abdul-Samad of Polk.

COMMUNICATIONS RECEIVED

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

BOARD OF PHARMACY EXAMINERS

Notice of appointment to the Board of Pharmacy Examiners, pursuant to Chapter 124.510D, Code of Iowa.

DEPARTMENT OF REVENUE Iowa Streamlined Sales Tax Advisory Council

Annual report, pursuant to Chapter 7A.11A, Code of Iowa.

TREASURER OF STATE

Annual report of the Tobacco Settlement Authority (TSA), pursuant to Chapter 12E.15, Code of Iowa.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- | | |
|-----------|---|
| 2007\1249 | John and Darlene Hupp, Wapello – For celebrating their 60 th wedding anniversary. |
| 2007\1250 | Glenn and Treva Beard, Grandview – For celebrating their 70 th wedding anniversary. |
| 2007\1251 | Virgil H. and Joyce R Kehe, Readlyn – For celebrating their 62 nd wedding anniversary. |
| 2007\1252 | Freddie Grell, Danbury – For celebrating his 80 th birthday. |

- 2007\1253 Jim Collins, Danbury – For celebrating his 80th birthday.
- 2007\1254 Ida Bell, Galva – For celebrating her 80th birthday.
- 2007\1255 Betty Doeing, Cedar Rapids – For celebrating her 90th birthday.
- 2007\1256 Marvin Beer, Cedar Rapids – For celebrating his 75th birthday.
- 2007\1257 Raymond Kruger, Cedar Rapids – For celebrating his 75th birthday.
- 2007\1258 Joann Kramer, Cedar Rapids – For celebrating her 75th birthday.
- 2007\1259 Evelyn Karasek, Cedar Rapids – For celebrating her 90th birthday.
- 2007\1260 Gordon Johnson, Cedar Rapids – For celebrating his 75th birthday.
- 2007\1261 Robert Eppel, Cedar Rapids – For celebrating his 80th birthday.
- 2007\1262 Betty Lint, Cedar Rapids – For celebrating her 75th birthday.
- 2007\1263 Vera Drew, Cedar Rapids – For celebrating her 80th birthday.
- 2007\1264 Gertrude Martin, Cedar Rapids – For celebrating her 85th birthday.
- 2007\1265 Mary Deweerdt, Cedar Rapids – For celebrating her 80th birthday.
- 2007\1266 Dorothy Delong, Cedar Rapids – For celebrating her 85th birthday.
- 2007\1267 Camille Darrow, Cedar Rapids – For celebrating her 85th birthday.
- 2007\1268 James Clar, Cedar Rapids – For celebrating his 80th birthday.
- 2007\1269 Donald Christle, Cedar Rapids – For celebrating his 90th birthday.
- 2007\1270 Joann Bronsema, Cedar Rapids – For celebrating her 75th birthday.
- 2007\1271 Marjorie Ebinger, Cedar Rapids – For celebrating her 85th birthday.
- 2007\1272 John Peet, Cedar Rapids – For celebrating his 75th birthday.
- 2007\1273 Ruth Waddington, Cedar Rapids – For celebrating her 80th birthday.
- 2007\1274 Nadine Vandercook, Cedar Rapids – For celebrating her 80th birthday.
- 2007\1275 Donald Taylor, Cedar Rapids – For celebrating his 80th birthday.
- 2007\1276 Evelyn Taylor, Cedar Rapids – For celebrating her 85th birthday.
- 2007\1277 John Steel, Cedar Rapids – For celebrating his 85th birthday.

- 2007\1278 Kenneth Lauer, Cedar Rapids – For celebrating his 75th birthday.
- 2007\1279 Helen Santon, Cedar Rapids – For celebrating her 85th birthday.
- 2007\1280 Gloria Wilson, Cedar Rapids – For celebrating her 75th birthday.
- 2007\1281 Pauline Mulherin, Cedar Rapids – For celebrating her 85th birthday.
- 2007\1282 Arlene Mineck, Cedar Rapids – For celebrating her 90th birthday.
- 2007\1283 Betty Milota, Cedar Rapids – For celebrating her 80th birthday.
- 2007\1284 Margaret Miller, Cedar Rapids – For celebrating her 85th birthday.
- 2007\1285 Richard Merrifield, Cedar Rapids – For celebrating his 75th birthday.
- 2007\1286 Joan McInerney, Cedar Rapids – For celebrating her 75th birthday.
- 2007\1287 Marvel McCalla, Cedar Rapids – For celebrating her 85th birthday.
- 2007\1288 James Snethen, Cedar Rapids – For celebrating his 90th birthday.
- 2007\1289 John Carter, Cedar Rapids – For celebrating his 75th birthday.
- 2007\1290 Lucy Bass, New Hartford – For celebrating her 80th birthday.
- 2007\1291 Elsie and Wendell Elliott, Iowa Falls – For celebrating their 60th wedding anniversary, and for Elsie celebrating her 90th birthday.
- 2007\1292 Harold Balvanz, Eldora – For celebrating his 90th birthday.
- 2007\1293 Bernie and Betty Rolls, Eldora – For celebrating their 60th wedding anniversary.
- 2007\1294 Marjorie and Elliot Lee, Spirit Lake – For celebrating their 65th wedding anniversary.
- 2007\1295 James Franken, Sioux Center – For celebrating his 90th birthday.
- 2007\1296 Gerrit and Louise Hulstein, Sioux Center – For celebrating their 60th wedding anniversary.
- 2007\1297 Vernon and Agnes Kahl, Inwood – For celebrating their 60th wedding anniversary.
- 2007\1298 Alvera Helle, Winthrop – For celebrating her 80th birthday.
- 2007\1299 Lilith Kickbush, Guttenberg – For celebrating her 95th birthday.
- 2007\1300 Ivanell Woods, Elkader – For celebrating her 90th birthday.

- 2007\1301 Margaret Roberts, Elgin – For celebrating her 85th birthday.
- 2007\1302 Molly Hulstein, Rock Rapids – For being crowned Lyon County Pork Queen.
- 2007\1303 Ryan and Melanie Warner, Larchwood – For being named Lyon County Master Pork Producer.
- 2007\1304 Mark Smidt, Keokuk – For receiving the Spirit of Keokuk Award for 2007.
- 2007\1305 Joann Cramer, Keokuk – For receiving the Spirit of Keokuk Award for 2007.
- 2007\1306 Wilbert Scharnhorst, Waterloo – For celebrating his 80th birthday.
- 2007\1307 Mildred Kramme, Hartley – For celebrating her 95th birthday.
- 2007\1308 Dick Prins, Hartley – For celebrating his 80th birthday.
- 2007\1309 Ed and Mildred Drake, Le Mars – For celebrating their 70th wedding anniversary.
- 2007\1310 August and Anna Huebner, Akron – For celebrating their 73rd wedding anniversary.
- 2007\1311 Arval and Edna Jurgenson, Akron – For celebrating their 74th wedding anniversary.
- 2007\1312 Ruth and Loren Behrens, Kingsley – For celebrating their 50th wedding anniversary.
- 2007\1313 Esther Mungon, Akron – For celebrating her 90th birthday.
- 2007\1314 Kay Allen, Le Mars – For her 45 years of dedicated service with St. Luke's Hospital.
- 2007\1315 Marie Otto, Hubbard – For celebrating her 95th birthday.
- 2007\1316 Ralph Terpstra, Ackley – For celebrating his 80th birthday.
- 2007\1317 Lucille Rudebeck, Janesville – For celebrating her 85th birthday.
- 2007\1318 Edna Ayers, Aredale – For celebrating her 101st birthday.
- 2007\1319 Wilbert and Darlene Meyer, Sumner – For celebrating their 60th wedding anniversary.
- 2007\1320 Richard and Sharon Frascht, Marble Rock – For celebrating their 50th wedding anniversary.

- 2007\1321 Harold and Joan Meyer, Greene – For celebrating their 50th wedding anniversary.
- 2007\1322 Donald and Ruth Fenneman, Clarksville – For celebrating their 50th wedding anniversary.
- 2007\1323 Richard and Esther Eisentrager, Dumont – For celebrating their 50th wedding anniversary.
- 2007\1324 Robert and Virginia Miller, Waverly – For celebrating their 50th wedding anniversary.
- 2007\1325 Jordan Fahr, Eldora – For attaining the rank of Eagle Scout, the highest rank in Boy Scouts of America.
- 2007\1326 Gary and Joan Rogis, Clinton – For celebrating their 55th wedding anniversary.
- 2007\1327 William and Leillia Zeeb, Iowa Falls – For celebrating their 60th wedding anniversary.
- 2007\1328 Robert and Maxine Cooper, Nevada – For celebrating their 65th wedding anniversary.

SUBCOMMITTEE ASSIGNMENTS

House File 233 Reassigned

State Government: Abdul-Samad, Chair; Drake and Quirk.

House File 271

Public Safety: Whitaker, Chair; Baudler and Heddens.

House File 328

Natural Resources: D. Taylor, Chair; Arnold and Shomshor.

House File 342

Human Resources: Smith, Chair; Grassley and Jacoby.

House File 344

State Government: Gaskill, Chair; Abdul-Samad and Jacobs.

House File 345

Human Resources: Smith, Chair; Ford and Forristall.

House File 350

State Government: Gaskill, Chair; Jacobs and T. Taylor.

House File 355

State Government: Quirk, Chair; Greiner, Jacoby, Jochum, Raecker, Roberts and Shomshor.

House File 359

State Government: T. Taylor, Chair; Abdul-Samad and Gipp.

House File 362

State Government: Quirk, Chair; Greiner, Jacoby, Jochum, Raecker, Roberts and Shomshor.

House File 372

State Government: Quirk, Chair; Greiner, Jacoby, Jochum, Raecker, Roberts and Shomshor.

House File 377

State Government: Quirk, Chair; Greiner, Jacoby, Jochum, Raecker, Roberts and Shomshor.

House File 382

State Government: Quirk, Chair; Greiner, Jacoby, Jochum, Raecker, Roberts and Shomshor.

House File 386

State Government: Lensing, Chair; L. Miller and Whitead.

House File 387

State Government: Lensing, Chair; L. Miller and Whitead.

House File 404

Economic Growth: Bailey, Chair; Anderson and Schueller.

House File 406

Local Government: D. Olson, Chair; Tjepkes and Whitead.

House File 411

Economic Growth: T. Olson, Chair; H. Miller and Wienczek.

House File 417

Local Government: Kelley, Chair; Lykam and Tjepkes.

House File 420

Commerce: Pettengill, Chair; Quirk, Struyk, Upmeyer and Wise.

House File 424

Commerce: Pettengill, Chair; Hoffman, Jacobs, Quirk and Wise.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS**H.S.B. 205 Local Government**

Relating to information required to be indexed in the records of the county recorder.

H.S.B. 206 Local Government

Relating to county general obligation bonds by modifying the definition of essential county purpose and by changing the requirements under which a county may issue general county purpose bonds without an election.

H.S.B. 207 Local Government

Relating to the salary of deputy officers in certain county offices and providing an applicability date.

H.S.B. 208 Local Government

Relating to publication of property assessment equalization orders.

H.S.B. 209 Local Government

Relating to limitations of action as applied to county collection of delinquent property taxes.

H.S.B. 210 State Government

Concerning the department of administrative services and providing an effective date.

H.S.B. 211 Human Resources

Relating to support including child support provisions relating to passport sanctions for nonpayment of child support and mandatory review and adjustment of child support orders, medical support, and support payments, providing effective dates, and providing for retroactive applicability.

H.S.B. 212 Human Resources

Relating to regulation of children's services by the department of human services by increasing the age for certain children receiving child care regulated by the department and revising child welfare and juvenile justice service provisions.

H.S.B. 213 Local Government

Concerning accountability requirements for entities and boards created for joint exercise of governmental powers.

H.S.B. 214 Judiciary

Relating to the recognition and enforcement of civil judgments, orders, and decrees issued by a tribal court of a federally recognized Indian tribe.

H.S.B. 215 Judiciary

Relating to the statute of limitation period in an action involving a tort claim against a municipality.

H.S.B. 216 Public Safety

Relating to the sale of a pseudoephedrine product by a pharmacy or retailer, and providing penalties and contingent applicability.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON EDUCATION

Committee Bill (Formerly House File 154), requiring a study by the department of education relating to implementation of a statewide student information system.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 19, 2007.

Committee Bill (Formerly House File 156), relating to permissible uses of physical plant and equipment levy revenue, and including an applicability provision.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 19, 2007.

Committee Bill (Formerly House File 165), relating to the purposes for which physical plant and equipment levy revenue may be utilized, and including an applicability provision.

Fiscal Note is not required.

Recommended **Do Pass** February 19, 2007.

COMMITTEE ON ENVIRONMENTAL PROTECTION

Committee Bill (Formerly House Study Bill 82), relating to the waste tire management fund and making appropriations.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 19, 2007.

Committee Bill (Formerly House Study Bill 85), relating to permit fees for diverting, storing, or withdrawing water and making appropriations.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 19, 2007.

COMMITTEE ON LOCAL GOVERNMENT

House File 229, a bill for an act relating to the number of signatures required on nomination papers for the office of mayor in certain cities.

Fiscal Note is not required.

Recommended **Do Pass** February 19, 2007.

Committee Bill (Formerly House File 200), appropriating revenues from the state franchise tax to cities and counties.

Fiscal Note is not required.

Recommended **Do Pass** February 19, 2007.

COMMITTEE ON STATE GOVERNMENT

House File 75, a bill for an act relating to the sales and use taxes on the operation of bingo games.

Fiscal Note is not required.

Recommended **Do Pass** February 15, 2007.

Pursuant to **Rule 31.7**, House File 75 was referred to the committee on ways and means.

RESOLUTION FILED

HR 24, by H. Miller, Bailey, Pettengill, Whitaker, D. Olson, Heddens, Bukta, Jochum, Ford, Smith, Berry, Abdul-Samad, Hunter, Swaim, Frevert, Whitead, Winckler, Wenthe, Palmer, T. Taylor, Mascher, Lensing, Wessel-Kroeschell, Reasoner, Kelley, Shomshor, Kressig and Petersen, a resolution urging the United States Congress and state legislatures to develop programs for E-85 fueling infrastructure.

Laid over under **Rule 25**.

AMENDMENTS FILED

H—1058	H.F.	365	Dolecheck of Ringgold
H—1059	H.F.	400	Quirk of Chickasaw
H—1060	H.F.	298	Palmer of Mahaska
H—1061	S.F.	39	Jacobs of Polk
H—1062	H.F.	370	Lukan of Dubuque
H—1063	H.F.	368	Upmeyer of Hancock
H—1064	S.F.	62	Tymeson of Madison

On motion by McCarthy of Polk the House adjourned at 6:12 p.m., until 9:00 a.m., Wednesday, February 21, 2007.

JOURNAL OF THE HOUSE

Forty-fifth Calendar Day - Thirty-second Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, February 21, 2007

The House met pursuant to adjournment at 9:09 a.m., Mascher of Johnson in the chair.

Prayer was offered by Reverend Michael Fitzsimmon, pastor of the Presbyterian Church, Carroll. He was the guest of Representative Rod Roberts of Carroll County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Sam Braun from Columbus Junction. He is the clerk of Representative Tom Sands of Louisa County.

The Journal of Tuesday, February 20, 2007 was approved.

INTRODUCTION OF BILLS

House File 461, by Hunter, a bill for an act relating to the establishment of regional sports authorities by convention and visitors bureaus in certain cities and making appropriations.

Read first time and referred to committee on **economic growth**.

House File 462, by Smith, a bill for an act relating to the authority of the mental health, mental retardation, developmental disabilities, and brain injury commission to approve certain rules affecting disability programs and services.

Read first time and referred to committee on **human resources**.

House File 463, by Ford, a bill for an act requiring inspections for lead-based paint hazards prior to the sale of housing built before 1978.

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

House File 464, by Ford, a bill for an act relating to the certification and registration of real estate appraisers, providing a penalty, and making an appropriation.

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

House File 465, by Ford, a bill for an act requiring the use of helmets by motorcycle and motorized bicycle operators and passengers under eighteen years of age and providing a penalty.

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

House File 466, by committee on local government, a bill for an act appropriating revenues from the state franchise tax to cities and counties.

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

House File 467, by Alons, a bill for an act relating to bait sales by nonresident aquaculture unit licensees.

Read first time and referred to committee on **natural resources**.

House File 468, by committee on education, a bill for an act requiring a study by the department of education relating to implementation of a statewide student information system.

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

House File 469, by committee on education, a bill for an act relating to permissible uses of physical plant and equipment levy revenue, and including an applicability provision.

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

House File 470, by Ford and Abdul-Samad, a bill for an act relating to policies granting resident status for purposes of paying postsecondary tuition and fees at public institutions of higher education.

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

SPECIAL PRESENTATION

Chambers of O'Brien introduced to the House the Honorable Richard Vande Hoef, former state representative from Osceola County.

The House rose and expressed its welcome.

CONSIDERATION OF BILLS

Regular Calendar

House File 396, a bill for an act expanding the scope of services under an existing appropriation for the community empowerment initiative involving preschool services and providing effective date and applicability provisions, was taken up for consideration.

Heaton of Henry moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 396)

The ayes were, 98:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevort	Gaskill
Gayman	Gipp	Granzow	Grassley
Greiner	Heaton	Heddens	Hoffman
Horbach	Hunter	Huseman	Huser
Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	May	McCarthy
Mertz	Miller, H.	Miller, L.	Murphy, Spkr.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor
Smith	Soderberg	Staed	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead

Wiencek	Winckler	Windschitl	Wise
Worthan	Mascher, Presiding		

The nays were, none.

Absent or not voting, 2:

Palmer	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 40, a bill for an act relating to the regulation of ethical conduct by governmental entities, with report of committee recommending passage, was taken up for consideration.

Gaskill of Wapello moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 40)

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Gipp	Granzow	Grassley
Greiner	Heaton	Heddens	Hoffman
Horbach	Hunter	Huseman	Huser
Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	May	McCarthy
Mertz	Miller, H.	Miller, L.	Murphy, Spkr.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor
Smith	Soderberg	Staed	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wiencek

Winckler
Mascher,
Presiding

Windschitl

Wise

Worthan

The nays were, none.

Absent or not voting, 3:

Palmer

Watts

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House File 396** and **Senate File 40**.

On motion by McCarthy of Polk, the House was recessed at 9:33 a.m., until 4:00 p.m.

AFTERNOON SESSION

The House reconvened at 4:09 p.m., Speaker Murphy in the chair.

INTRODUCTION OF BILLS

House Joint Resolution 5, by Rants, Paulsen, Kaufmann, Roberts, Struyk and Upmeyer, a joint resolution proposing an amendment to the Constitution of the State of Iowa establishing a state general fund expenditure limitation.

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

House File 471, by Abdul-Samad, Swaim, Gayman, Winckler, Berry, H. Miller, Ford and Wessel-Kroeschell, a bill for an act relating to pilot projects for culturally competent substance abuse treatment and providing an appropriation.

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

House File 472, by Abdul-Samad, a bill for an act requiring a consultant in the department of education to coordinate programs for at-risk children and youth, and providing an appropriation.

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

House File 473, by Kaufmann, a bill for an act relating to the appointment or election of district judicial nominating commissioners and the appointment of district judges.

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

House File 474, by committee on judiciary, a bill for an act relating to appealing the determination a person is a sexually violent predator.

Read first time and referred to committee on **public safety**.

House File 475, by Staed, Dandekar, T. Taylor, Abdul-Samad, Gayman, T. Olson, Ford, Thomas, Kelley, D. Olson, Hunter and D. Taylor, a bill for an act providing for the establishment of a math and science education improvement grant program, and providing appropriations.

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

House File 476, by Rants, a bill for an act relating to the transportation of passengers in an open truck bed and providing penalties.

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

House File 477, by Bukta, a bill for an act concerning the name and the membership of the Mississippi river parkway commission.

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

House File 478, by Rants, a bill for an act allowing certain cities to appoint additional civil service commissioners.

Read first time and referred to committee on **local government**.

House File 479, by Heaton, a bill for an act relating to postnatal tissue and fluid banking, including the utilization of postnatal tissue and fluid in research and medical treatment.

Read first time and referred to committee on **human resources**.

House File 480, by Swaim, a bill for an act relating to children who are subject to a court order for a temporary or permanent out-of-home placement by providing for visitation or ongoing interaction between the children and siblings.

Read first time and referred to committee on **human resources**.

House File 481, by Rants, a bill for an act relating to gross weight limitations for vehicles transporting ocean shipping containers on noninterstate highways.

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

House File 482, by May, a bill for an act relating to requests for approval for early school start dates and year around schools.

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

House File 483, by Jacoby, a bill for an act relating to the criminal offense of interference with official acts.

Read first time and referred to committee on **public safety**.

House File 484, by Lukan, Baudler, Rayhons, Chambers, May and Hoffman, a bill for an act prohibiting remote control or internet hunting of wild animals and providing penalties.

Read first time and referred to committee on **natural resources**.

CONSIDERATION OF BILLS

Regular Calendar

Senate File 32, a bill for an act extending the future repeal of a provision requiring the issuance of certificates for furnishing local telecommunications services, and providing an effective date, with

report of committee recommending amendment and passage, was taken up for consideration.

Kressig of Black Hawk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 32)

The ayes were, 99:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Gipp	Granzow	Grassley
Greiner	Heaton	Heddens	Hoffman
Horbach	Hunter	Huseman	Huser
Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	Mascher	May
McCarthy	Mertz	Miller, H.	Miller, L.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Palmer	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Smith	Soderberg	Staed
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wiencek	Winckler	Windschitl
Wise	Worthan	Mr. Speaker	
		Murphy	

The nays were, none.

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 298, a bill for an act relating to the conveyance or encumbrance of a homestead, was taken up for consideration.

Palmer of Mahaska offered the following amendment H-1060 filed by him and moved its adoption:

H-1060

- 1 Amend House File 298 as follows:
- 2 1. Page 1, by inserting after line 23 the
- 3 following:
- 4 "Sec. ____ EFFECTIVE AND APPLICABILITY DATE. This
- 5 Act, being deemed of immediate importance, takes
- 6 effect upon enactment and applies to powers of
- 7 attorney in existence on or after the effective date
- 8 of this Act."
- 9 2. Title page, line 1, by inserting after the
- 10 word "homestead" the following: "and providing an
- 11 effective and applicability date".
- 12 3. By renumbering as necessary.

Amendment H-1060 was adopted.

Palmer of Mahaska moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 298)

The ayes were, 98:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Gipp	Granzow	Grassley
Greiner	Heaton	Heddens	Hoffman
Horbach	Hunter	Huseman	Huser
Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	Mascher	May
McCarthy	Mertz	Miller, H.	Miller, L.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Palmer	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rants
Rasmussen	Rayhons	Reasoner	Reichert

Roberts	Sands	Schickel	Schueller
Shomshor	Smith	Soderberg	Staed
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomonga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Wienczek	Winckler	Windschitl	Wise
Worthan	Mr. Speaker		
	Murphy		

The nays were, 1:

Struyk

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

House File 369, a bill for an act relating to elevator conveyance safety standards enforced by the division of labor services of the department of workforce development, was taken up for consideration.

T. Taylor of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 369)

The ayes were, 99:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Gipp	Granzow	Grassley
Greiner	Heaton	Heddens	Hoffman
Horbach	Hunter	Huseman	Huser
Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	Mascher	May
McCarthy	Mertz	Miller, H.	Miller, L.
Oldson	Olson, D.	Olson, R.	Olson, S.

Olson, T.	Palmer	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Smith	Soderberg	Staed
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wienczek	Winckler	Windschitl
Wise	Worthan	Mr. Speaker	
		Murphy	

The nays were, none.

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 401, a bill for an act renaming health-related examining boards as licensing boards, was taken up for consideration.

SENATE FILE 74 SUBSTITUTED FOR HOUSE FILE 401

Wessel-Kroeschell of Story asked and received unanimous consent to substitute Senate File 74 for House File 401.

Senate File 74, a bill for an act renaming health-related examining boards as licensing boards, was taken up for consideration.

Wessel-Kroeschell of Story moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question: "Shall the bill pass?" (S.F. 74)

The ayes were, 99:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill

Gayman	Gipp	Granzow	Grassley
Greiner	Heaton	Heddens	Hoffman
Horbach	Hunter	Huseman	Huser
Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	Mascher	May
McCarthy	Mertz	Miller, H.	Miller, L.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Palmer	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueler
Shomshor	Smith	Soderberg	Staed
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wienczek	Winckler	Windschitl
Wise	Worthan	Mr. Speaker	
		Murphy	

The nays were, none.

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 368, a bill for an act relating to the boiler and pressure vessel safety program enforced by the division of labor services of the department of workforce development, was taken up for consideration.

Upmeyer of Hancock asked and received unanimous consent to withdraw amendment H-1063 filed by her on February 20, 2007.

T. Taylor of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 368)

The ayes were, 99:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry

Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Gipp	Granzow	Grassley
Greiner	Heaton	Heddens	Hoffman
Horbach	Hunter	Huseman	Huser
Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	Mascher	May
McCarthy	Mertz	Miller, H.	Miller, L.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Palmer	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Smith	Soderberg	Staed
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wienczek	Winckler	Windschitl
Wise	Worthan	Mr. Speaker	
		Murphy	

The nays were, none.

Absent or not voting and 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 401 WITHDRAWN

Wessel-Kroeschell of Story asked and received unanimous consent to withdraw House File 401 from further consideration by the House.

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 298, 368 and 369 and Senate Files 32 and 74.**

SPECIAL PRESENTATION

Raecker of Polk introduced to the House the Honorable Steve Churchill, former state representative from Polk County.

The House rose and expressed its welcome.

On motion by McCarthy of Polk, the House was recessed at 4:50 p.m., until 7:00 p.m.

EVENING SESSION

The House reconvened at 6:56 p.m., Smith of Marshall in the chair.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on Wednesday, February 21, 2007. Had I been present, I would have voted "aye" on Senate File 40.

WATTS of Dallas

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Democrats Club students from City High School, Iowa City, Iowa, accompanied by Melanie Friedman. By Mascher of Johnson and Foegel of Linn.

Four students from the State Juvenile Home, Toledo, Iowa, accompanied by teacher Diane Chargo. By Horbach of Tama.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- 2007\1329 Elizabeth Baudler, Fontanelle – For receiving the 2007 Prudential Spirit of Community Award.
- 2007\1330 Alyse Herr, Fontanelle – For receiving the 2007 Prudential Spirit of Community Award.
- 2007\1331 Margaret Borton, Conrad – For celebrating her 90th birthday.
- 2007\1332 Doris Snyder, Wellsburg – For celebrating her 90th birthday.

- 2007\1333 Lyle and Darlene Refshauge, Dike – For celebrating their 60th wedding anniversary.
- 2007\1334 Bill and Carrie Bergman, Dike – For celebrating their 60th wedding anniversary.
- 2007\1335 Willard and Ruth Balfour, Toledo – For celebrating their 70th wedding anniversary.
- 2007\1336 Harold and Betty Nielsen, Waverly – For celebrating their 50th wedding anniversary.
- 2007\1337 Allen Casady, Waverly – For celebrating his 90th birthday.
- 2007\1338 Arlan and Norma Luhring, Waverly – For celebrating their 60th wedding anniversary.
- 2007\1339 Dorothy Whitney, Waverly – For celebrating her 85th birthday.
- 2007\1340 Norbert and Evelyn Caloud, Clutier – For celebrating their 60th wedding anniversary.
- 2007\1341 Charles Hogue, Toledo – For celebrating his 80th birthday.
- 2007\1342 Dorothy Vanicek, Traer – For celebrating her 95th birthday.
- 2007\1343 Bill Hein, Dysart – For celebrating his 97th birthday.
- 2007\1344 Ellsworth Cizek, Traer – For celebrating his 80th birthday.
- 2007\1345 Burdell and Jean Staker, Traer – For celebrating their 65th wedding anniversary.

SUBCOMMITTEE ASSIGNMENTS

House File 268

Judiciary: Wessel-Kroeschell, Chair; Boal and Winckler.

House File 303

Judiciary: Huser, Chair; Horbach and Oldson.

House File 305

Judiciary: R. Olson, Chair; Heaton and Lensing.

House File 312

Judiciary: Schueller, Chair; Horbach and Mertz.

House File 325

Judiciary: R. Olson, Chair; Jacobs and Lensing.

House File 371

Judiciary: R. Olson, Chair; Jacobs and Smith.

House File 374

Judiciary: R. Olson, Chair; Baudler and Lensing.

House File 378

Judiciary: R. Olson, Chair; Lensing and Tomenga.

House File 379

Judiciary: R. Olson, Chair; Lensing and Struyk.

House File 389

Agriculture: Frevert, Chair; Davitt and Dolecheck.

House File 390

Judiciary: Lensing, Chair; Tomenga and Wessel-Kroeschell.

House File 415

Education: Mascher, Chair; Kelley and Wiencek.

House File 416

Human Resources: Mascher, Chair; Forristall and Petersen.

House File 421

Transportation: D. Olson, Chair; Bukta and Huseman.

House File 427

Education: Cohoon, Chair; Chambers and Foege.

House File 436

Education: Cohoon, Chair; Dolecheck and Foege.

House File 439

Education: Staed, Chair; May and Wendt.

House File 440

Education: Mascher, Chair; Boal and Wendt.

House File 441

Education: Wendt, Chair; Chambers and Heddens.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS**House Study Bill 192**

Labor: R. Olson, Chair; Horbach and Palmer.

House Study Bill 195

Judiciary: Palmer, Chair; Struyk and Winckler.

House Study Bill 196

Judiciary: Wessel-Kroeschell, Chair; Tomenga and Wendt.

House Study Bill 203

Judiciary: Palmer, Chair; Wessel-Kroeschell and Horbach.

House Study Bill 205

Local Government: Gaskill, Chair; D. Taylor and Van Engelenhoven.

House Study Bill 206

Local Government: Thomas, Chair; Hoffman and Whitead.

House Study Bill 207

Local Government: D. Olson, Chair; Arnold and D. Taylor.

House Study Bill 208

Local Government: Kressig, Chair; Huser and Van Fossen.

House Study Bill 209

Local Government: Huser, Chair; Kelley and Van Fossen.

House Study Bill 211

Human Resources: T. Olson, Chair; Palmer and Tomenga.

House Study Bill 212

Human Resources: Mascher, Chair; Foegen and Heaton.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS**H.S.B. 217 Human Resources**

Providing for county and state financial responsibility for certain human services programs and treatment or support services.

H.S.B. 218 Natural Resources

Relating to the regulation of snowmobiles and all-terrain vehicles, and providing fees and penalties.

H.S.B. 219 Public Safety

Relating to civil service for deputy county sheriffs by allowing a county to appeal certain decisions of the civil service commission.

H.S.B. 220 Education

Relating to the membership of the board of educational examiners.

H.S.B. 221 Public Safety

Relating to possession or consumption of an alcoholic beverage by an under legal age person on certain property.

H.S.B. 222 State Government

Relating to expenditure approval requirements applicable to the purchase of telecommunications equipment or services by the Iowa communications networks.

H.S.B. 223 Appropriations

Relating to financial and regulatory matters by making and revising appropriations for the fiscal years beginning July 1, 2004, 2005, and 2006, and providing an effective date.

H.S.B. 224 Agriculture

Concerning horse racing by providing for purse agreements for races of standardbred horses at county fairs.

H.S.B. 225 Ways and Means

Increasing the earned income tax credit under the individual income tax and including a retroactive applicability date provision.

H.S.B. 226 Ways and Means

Relating to classification of assisted living property for purposes of property taxation and providing effective and retroactive applicability dates.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON COMMERCE

Committee Bill (Formerly House Study Bill 77), relating to the authority of creditors and credit unions in consumer credit or credit union transactions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 20, 2007.

Committee Bill (Formerly House Study Bill 120), relating to various matters under the purview of the insurance division of the department of commerce including workers' compensation insurance, premium taxes, the uniform securities Act, powers and duties of the insurance division, regulation of insurance sales to military personnel, domestic insurance companies, examination of insurance companies, life insurance companies, nonprofit health service corporations, external review of health care coverage decisions, investment limitations on insurers other than life insurers, property and casualty insurers' reserves, motor vehicle service contracts, county and

state mutual associations, reciprocal or interinsurance contracts, licensing of insurance producers and public adjusters, and life and fire insurance company boards of directors, and providing penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 20, 2007.

COMMITTEE ON ENVIRONMENTAL PROTECTION

Committee Bill (Formerly House Study Bill 83), relating to animal feeding operations, by providing for the enforcement of regulatory provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 21, 2007.

COMMITTEE ON JUDICIARY

Committee Bill (Formerly House Study Bill 133), adding hallucinogenic substances to the list of schedule I controlled substances, and providing penalties.

Fiscal Note is not required.

Recommended **Do Pass** February 20, 2007.

Committee Bill (Formerly House Study Bill 138), relating to appealing the determination a person is a sexually violent predator.

Fiscal Note is not required.

Recommended **Do Pass** February 20, 2007.

COMMITTEE ON PUBLIC SAFETY

Committee Bill (Formerly House File 295), prohibiting the department of corrections from entering into an agreement with a private sector for-profit entity for the purpose of housing inmates.

Fiscal Note is not required.

Recommended **Do Pass** February 20, 2007.

RESOLUTION FILED

HR 25, by Raecker, Abdul-Samad, Alons, Anderson, Arnold, Bailey, Baudler, Bell, Berry, Boal, Bukta, Chambers, Clute, Cohoon, Dandekar, Davitt, De Boef, Deyoe, Dolecheck, Drake, Foege, Ford, Forristall, Frevert, Gaskill, Gayman, Gipp, Granzow, Grassley, Greiner, Heaton, Heddens, Hoffman, Horbach, Hunter, Huseman,

Huser, Jacobs, Jacoby, Jochum, Kaufmann, Kelley, Kressig, Kuhn, Lensing, Lukan, Lykam, Mascher, May, McCarthy, Mertz, H. Miller, L. Miller, Murphy, Oldson, D. Olson, R. Olson, S. Olson, T. Olson, Palmer, Paulsen, Petersen, Pettengill, Quirk, Rants, Rasmussen, Rayhons, Reasoner, Reichert, Roberts, Sands, Schickel, Schueller, Shomshor, Smith, Soderberg, Staed, Struyk, Swaim, D. Taylor, T. Taylor, Thomas, Tjepkes, Tomenga, Tymeson, Upmeyer, Van Engelenhoven, Van Fossen, Watts, Wendt, Wenthe, Wessel-Kroeschell, Whitaker, Whitead, Wiencek, Winckler, Windschitl, Wise, Worthan and Zirkelbach, a resolution honoring the life and accomplishments of Gerald Rudolph Ford, thirty-eighth President of the United States of America.

Laid over under **Rule 25.**

AMENDMENTS FILED

H—1065	S.F.	162	Roberts of Carroll
H—1066	S.F.	162	Upmeyer of Hancock Tymeson of Madison
H—1067	H.F.	287	Roberts of Carroll
H—1068	H.F.	287	Upmeyer of Hancock Tymeson of Madison
H—1069	H.F.	287	Anderson of Page
H—1070	H.F.	287	Upmeyer of Hancock Alons of Sioux Huseman of Cherokee De Boef of Keokuk Heaton of Henry Windschitl of Harrison Kaufmann of Cedar Forristall of Pottawattamie Jacobs of Polk Van Fossen of Scott Paulsen of Linn Arnold of Lucas Drake of Pottawattamie Granzow of Hardin Hoffman of Crawford S. Olson of Clinton Roberts of Carroll Clute of Polk
			Dolecheck of Ringgold Chambers of O'Brien Raecker of Polk Lukan of Dubuque Grassley of Butler Deyoe of Story Sands of Louisa Wiencek of Black Hawk Soderberg of Plymouth Struyk of Pottawattamie Anderson of Page Baudler of Adair Gipp of Winneshiek Greiner of Washington May of Dickinson Rasmussen of Buchanan Watts of Dallas

Horbach of Tama			L. Miller of Scott
Rants of Woodbury			Rayhons of Hancock
Tjepkes of Webster			Tymeson of Madison
Van Engelenhoven of Marion			Worthan of Buena Vista
H—1071	H.F.	287	Anderson of Page
H—1072	H.F.	287	Roberts of Carroll
Dolecheck of Ringgold			Alons of Sioux
Chambers of O'Brien			Huseman of Cherokee
Raecker of Polk			De Boef of Keokuk
Lukan of Dubuque			Heaton of Henry
Grassley of Butler			Windschitl of Harrison
Deyoe of Story			Kaufmann of Cedar
Sands of Louisa			Forristall of Pottawattamie
Wienczek of Black Hawk			Jacobs of Polk
Soderberg of Plymouth			Van Fossen of Scott
Struyk of Pottawattamie			Paulsen of Linn
Boal of Polk			Anderson of Page
Baudler of Adair			Drake of Pottawattamie
Gipp of Winneshiek			Granzow of Hardin
Greiner of Washington			Hoffman of Crawford
May of Dickinson			S. Olson of Clinton
Upmeyer of Hancock			Watts of Dallas
Clute of Polk			L. Miller of Scott
Rants of Woodbury			Tjepkes of Webster
Tymeson of Madison			Van Engelenhoven of Marion
Worthan of Buena Vista			
H—1073	S.F.	162	Upmeyer of Hancock
Dolecheck of Ringgold			Alons of Sioux
Chambers of O'Brien			Huseman of Cherokee
Raecker of Polk			De Boef of Keokuk
Lukan of Dubuque			Heaton of Henry
Grassley of Butler			Windschitl of Harrison
Deyoe of Story			Kaufmann of Cedar
Sands of Louisa			Forristall of Pottawattamie
Wienczek of Black Hawk			Jacobs of Polk
Soderberg of Plymouth			Van Fossen of Scott
Struyk of Pottawattamie			Paulsen of Linn
Anderson of Page			Arnold of Lucas
Baudler of Adair			Drake of Pottawattamie
Gipp of Winneshiek			Granzow of Hardin

Greiner of Washington	Hoffman of Crawford
May of Dickinson	S. Olson of Clinton
Rasmussen of Buchanan	Roberts of Carroll
Watts of Dallas	Clute of Polk
Horbach of Tama	L. Miller of Scott
Rants of Woodbury	Rayhons of Hancock
Tjepkes of Webster	Tymeson of Madison
Van Engelenhoven of Marion	Worthan of Buena Vista
H—1074 S.F. 162	Roberts of Carroll
Dolecheck of Ringgold	Alons of Sioux
Chambers of O'Brien	Huseman of Cherokee
Raecker of Polk	De Boef of Keokuk
Lukan of Dubuque	Heaton of Henry
Grassley of Butler	Windschitl of Harrison
Deyoe of Story	Kaufmann of Cedar
Sands of Louisa	Forristall of Pottawattamie
Wiencek of Black Hawk	Jacobs of Polk
Soderberg of Plymouth	Van Fossen of Scott
Struyk of Pottawattamie	Paulsen of Linn
Boal of Polk	Anderson of Page
Arnold of Lucas	Baudler of Adair
Drake of Pottawattamie	Gipp of Winneshiek
Granzow of Hardin	Greiner of Washington
Hoffman of Crawford	May of Dickinson
S. Olson of Clinton	Rasmussen of Buchanan
Upmeyer of Hancock	Watts of Dallas
Clute of Polk	Horbach of Tama
L. Miller of Scott	Rants of Woodbury
Rayhons of Hancock	Tjepkes of Webster
Tymeson of Madison	Van Engelenhoven of Marion
Worthan of Buena Vista	

On motion by Reasoner of Union the House adjourned at 6:57 p.m., until 9:00 a.m., Thursday, February 22, 2007.

JOURNAL OF THE HOUSE

Forty-sixth Calendar Day - Thirty-third Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, February 22, 2007

The House met pursuant to adjournment at 9:12 a.m., Speaker Murphy in the chair.

Prayer was offered by Reverend Stephen Anenson, pastor of Immanuel Lutheran Church, Story City. He was the guest of Representative Dave Deyoe from Story County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Tiffany Kelderhouse-Tucker, House Page from Pella.

The Journal of Wednesday, February 21, 2007 was approved.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on February 21, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 260, a bill for an act relating to the classification and regulation of controlled substances and making penalties applicable.

Also: That the Senate has on February 21, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 25, a bill for an act relating to the payment of victim restitution by a person convicted of a criminal offense.

Also: That the Senate has on February 21, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 42, a bill for an act relating to campaign finance by revising the requirements for filing reports and for the use of certain resources for political purposes.

Also: That the Senate has on February 21, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 48, a bill for an act concerning the limitation of actions for prosecution of violations under certain statutes administered by the natural resource commission.

Also: That the Senate has on February 21, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 70, a bill for an act relating to crime victim compensation.

Also: That the Senate has on February 21, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 110, a bill for an act relating to the standardized training and state certification of reserve peace officers.

Also: That the Senate has on February 21, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 130, a bill for an act relating to commissions that oversee memorial buildings and monuments.

Also: That the Senate has on February 21, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 137, a bill for an act providing for the registration of associate real estate appraisers, prohibiting improper influence over an appraiser's evaluation opinion, and imposing a penalty.

Also: That the Senate has on February 21, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 161, a bill for an act relating to the confidentiality of security procedures or emergency preparedness information discussed at a meeting of a governmental body and providing an effective date.

Also: That the Senate has on February 21, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 169, a bill for an act providing for county eligibility for state payment of certain mental health, mental retardation, and developmental disabilities services funding and providing effective and retroactive applicability dates.

MICHAEL E. MARSHALL, Secretary

INTRODUCTION OF BILLS

House File 485, by Lukan and D. Taylor, a bill for an act relating to an appropriation to the department of natural resources for lake dredging.

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

House File 486, by Deyoe, Lukan, Rayhons, Roberts, Dolecheck, Huseman, Rants, Gipp, Upmeyer, Sands, Struyk, Greiner, Rasmussen, Arnold, S. Olson, Paulsen, Tjepkes, Granzow, De Boef, Worthan, Windschitl, Van Engelenhoven, Kaufmann, Grassley, Horbach, Chambers, Forristall, Schickel, Drake, Jacobs and Hoffman, a bill for an act making appropriations to the state board of regents for the design and construction of a new renewable fuels building and providing an effective date.

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

House File 487, by Swaim, a bill for an act providing for the recall of city council members and providing a penalty.

Read first time and referred to committee on **local government**.

House File 488, by Jacoby, McCarthy and Heaton, a bill for an act concerning employment protection for members of the national disaster medical system and providing an effective date and applicability provision.

Read first time and referred to committee on **state government**.

House File 489, by Mascher, a bill for an act relating to the age at which an elector is eligible to register to vote and to vote in a school district election.

Read first time and referred to committee on **state government**.

House File 490, by Mascher, a bill for an act appropriating moneys for tourism marketing and promotion.

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

House File 491, by committee on judiciary, a bill for an act adding hallucinogenic substances to the list of schedule I controlled substances, and providing penalties.

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

House File 492, by committee on public safety, a bill for an act prohibiting the department of corrections from entering into an agreement with a private sector for-profit entity for the purpose of housing inmates.

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

House File 493, by Ford, a bill for an act making an appropriation to the department of justice for the development of a domestic violence brochure regarding the effects of domestic violence.

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

House File 494, by Ford, a bill for an act relating to the locally imposed hotel and motel tax by increasing the rate allowed and requiring local governments to comply with the Iowa targeted small business procurement Act in spending revenues from the tax.

Read first time and referred to committee on **ways and means**.

House File 495, by Ford, a bill for an act prohibiting discrimination in the business of insurance on the basis of gender and making remedies and penalties applicable.

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

ADOPTION OF HOUSE RESOLUTION 25

Raecker of Polk called up for consideration **House Resolution 25**, a resolution honoring the life and accomplishments of Gerald Rudolph Ford, thirty-eighth President of the United States of America, and moved its adoption.

The motion prevailed and the resolution was adopted.

RULE 57 SUSPENDED

Cohon of Des Moines asked and received unanimous consent to suspend Rule 57, relating to committee notice and agenda, for a meeting on the committee on transportation, infrastructure and capitals today.

On motion by McCarthy of Polk, the House was recessed at 9:32 a.m., until 4:00 p.m.

AFTERNOON SESSION

The House reconvened at 4:06 p.m., Speaker Murphy in the chair.

INTRODUCTION OF BILLS

House File 496, by Mascher, a bill for an act providing that employees should be paid based on comparable worth and making penalties applicable.

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

House File 497, by committee on environmental protection, a bill for an act relating to permit fees for diverting, storing, or allocating water, making appropriations, and including an effective date provision.

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

House File 498, by Petersen, Reichert, Kelley, Thomas, Bell, Reasoner, Wenthe, Gayman, Smith, Whitead, Dandekar, Gaskill, Lykam, Bukta, Whitaker, Heddens, Bailey, Kressig, Mertz, R. Olson, Frevert, Kuhn, Cohoon, Davitt, D. Taylor, T. Taylor and D. Olson, a bill for an act relating to energy, establishing the Iowa energy independence office, the Iowa power fund, making related changes consistent with energy efficiency, and making appropriations.

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

House File 499, by committee on commerce, a bill for an act relating to various matters under the purview of the insurance division of the department of commerce including workers' compensation self-insurance, premium taxes, the uniform securities Act, powers and duties of the insurance division, regulation of insurance sales to military personnel, domestic insurance companies, life insurance companies, nonprofit health service corporations, external review of health care coverage decisions, investment limitations on insurers other than life insurers, property and casualty insurers' reserves, motor vehicle service contracts, county and state

mutual associations, reciprocal or interinsurance contracts, licensing of insurance producers and public adjusters, and life and fire insurance company boards of directors, and providing penalties.

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

House File 500, by committee on commerce, a bill for an act relating to the authority of creditors and credit unions in consumer credit or credit union transactions.

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

House File 501, by Smith and Baudler, a bill for an act relating to receiving an evaluation in lieu of a criminal fine or civil penalty in certain simple misdemeanor cases.

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

House File 502, by Staed and Thomas, a bill for an act creating an Iowa community entrepreneurial program and fund and making appropriations.

Read first time and referred to committee on **economic growth**.

House File 503, by Heddens, Foegen, Jochum, Abdul-Samad, Frevert, Heaton, Grassley, Upmeyer and Deyoe, a bill for an act relating to providing opportunities to individuals with disabilities.

Read first time and referred to committee on **human resources**.

House File 504, by Hunter, a bill for an act concerning the operation of motor vehicles by minors by establishing criminal and civil liability for providing alcoholic beverages to persons under legal age, providing for an identification number on kegs of beer, and including driver education requirements, graduated driver licensing provisions, cell phone use restrictions, and passenger restraint requirements, and making penalties applicable and providing an effective date.

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

House File 505, by Ford, a bill for an act requiring the department of public health to conduct a study regarding the occurrence and treatment of certain diseases and health issues affecting African-Americans and making an appropriation.

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

House File 506, by Ford, a bill for an act providing for prescription drug retail price comparison.

Read first time and referred to committee on **human resources**.

House File 507, by Ford, a bill for an act requiring additional notice to insureds about external review of health care coverage decisions.

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

House File 508, by Ford, a bill for an act relating to unfair or deceptive practice in the insurance trade involving the discharge of individuals from hospitals, and providing penalties.

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

SENATE MESSAGES CONSIDERED

Senate File 25, by committee on judiciary, a bill for an act relating to the payment of victim restitution by a person convicted of a criminal offense.

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

Senate File 42, by committee on state government, a bill for an act relating to campaign finance by revising the requirements for filing reports and for the use of certain resources for political purposes.

Read first time and referred to committee on **state government**.

Senate File 48, by committee on natural resources and environment, a bill for an act concerning the limitation of actions for

prosecution of violations under certain statutes administered by the natural resource commission.

Read first time and referred to committee on **natural resources**.

Senate File 70, by committee on judiciary, a bill for an act relating to crime victim compensation.

Read first time and **passed on file**.

Senate File 110, by committee on judiciary, a bill for an act relating to the standardized training and state certification of reserve peace officers.

Read first time and **passed on file**.

Senate File 130, by committee on local government, a bill for an act relating to commissions that oversee memorial buildings and monuments.

Read first time and referred to committee on **local government**.

Senate File 137, by committee on state government, a bill for an act providing for the registration of associate real estate appraisers, prohibiting improper influence over an appraiser's evaluation opinion, and imposing a penalty.

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

Senate File 169, by committee on human resources, a bill for an act providing for county eligibility for state payment of certain mental health, mental retardation, and developmental disabilities services funding and providing effective and retroactive applicability dates.

Read first time and referred to committee on **human resources**.

The House stood at ease at 4:12 p.m., until the fall of the gavel.

The House resumed session at 4:35 p.m., Speaker Murphy in the chair.

SENATE AMENDMENT CONSIDERED

Wendt of Woodbury called up for consideration **Senate File 61**, a bill for an act relating to the establishment of state and school antiharassment and antibullying policies, providing data collection and reporting requirements, and providing for immunity and other related matters, amended by the House, further amended by the Senate and moved that the House concur in the following Senate amendment H-1053 to the House amendment:

H-1053

- 1 Amend the House amendment, S-3024, to Senate File
- 2 61, as passed by the Senate, as follows:
- 3 1. Page 1, by striking lines 17 through 48.

Roll call was requested by Rants of Woodbury and Alons of Sioux.

On the question "Shall the House concur in the Senate amendment H-1053?" (H.F. 61)

The ayes were, 55:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Miller, L.
Oldson	Olson, D.	Olson, R.	Olson, T.
Palmer	Petersen	Pettengill	Quirk
Reasoner	Reichert	Schueller	Shomshor
Smith	Staed	Swaim	Taylor, D.
Taylor, T.	Thomas	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wiencek
Winckler	Wise	Mr. Speaker	
		Murphy	

The nays were, 43:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Granzow	Grassley	Greiner
Heaton	Hoffman	Huseman	Jacobs
Kaufmann	Lukan	May	Olson, S.

Paulsen	Raecker	Rants	Rasmussen
Rayhons	Roberts	Sands	Schickel
Soderberg	Struyk	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Windschitl	Worthan	

Absent or not voting, 2:

Horbach Zirkelbach

The motion prevailed and the House concurred in the Senate amendment H-1053, to the House amendment.

Wendt of Woodbury moved that the bill, as amended by the House, further amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 61)

The ayes were, 56:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Miller, L.
Oldson	Olson, D.	Olson, R.	Olson, T.
Palmer	Petersen	Pettengill	Quirk
Reasoner	Reichert	Schickel	Schueller
Shomshor	Smith	Staed	Swaim
Taylor, D.	Taylor, T.	Thomas	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Wienczek	Winckler	Wise	Mr. Speaker
			Murphy

The nays were, 42:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Granzow	Grassley	Greiner
Heaton	Hoffman	Huseman	Jacobs
Kaufmann	Lukan	May	Olson, S.
Paulsen	Raecker	Rants	Rasmussen
Rayhons	Roberts	Sands	Soderberg
Struyk	Tjepkes	Tomenga	Tymeson

Upmeyer
Windschitl

Van Engelenhoven
Worthan

Van Fossen
Watts

Absent or not voting, 2:

Horbach

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **Senate File 61** be immediately messaged to the Senate.

House File 287, a bill for an act creating the Iowa stem cell research and cures initiative, and providing penalties, was taken up for consideration.

Heddens of Story asked unanimous consent to substitute Senate File 162 for House File 287.

Objection was raised.

Heddens of Story moved that the House substitute Senate File 162 for House File 287.

A non-record roll call was requested.

The ayes were 53, nays 44.

The motion prevailed placing out of order the following amendments:

Amendment H-1067 filed by Roberts of Carroll on February 21, 2007.

Amendment H-1068 filed by Upmeyer of Hancock and Tymeson of Madison on February 21, 2007.

Amendment H-1069 filed by Anderson of Page on February 21, 2007.

Amendment H-1070 filed by Upmeyer of Hancock on February 21, 2007.

Amendment H-1071 filed by Anderson of Page on February 21, 2007.

Amendment H-1072 filed by Roberts of Carroll on February 21, 2007.

SENATE FILE 162 SUBSTITUTED FOR HOUSE FILE 287

Senate File 162, a bill for an act creating the Iowa stem cell research and cures initiative, and providing penalties, was taken up for consideration.

Roberts of Carroll offered amendment H-1074 filed by Roberts, et al., as follows:

H-1074

1 Amend Senate File 162, as passed by the Senate, as
2 follows:

3 1. By striking everything after the enacting
4 clause and inserting the following:

5 "Section 1. POSTNATAL TISSUE AND FLUID BANKING
6 TASK FORCE.

7 1. The department of public health shall convene a
8 task force on postnatal tissue and fluid banking and
9 related postnatal procedures. The task force shall
10 consist of the following members, selected by the
11 institution or association specified or, if not
12 specified, selected by the director of public health:

13 a. The director of public health, or the
14 director's designee.

15 b. A representative of each of the public and
16 private colleges or universities in the state that
17 have interest in postnatal tissue and fluid for the
18 purposes of research or medical treatment.

19 c. A representative of the Iowa hospital
20 association.

21 d. A representative of the Iowa medical society.

22 e. A physician representing a birthing hospital.

23 f. A prenatal healthcare provider.

24 g. A representative of the Iowa midwives
25 association.

26 h. A representative of the postnatal tissue and
27 fluid research community.

28 i. A representative of recipients of postnatal
29 tissue and fluid transplants.

30 j. A representative of a postnatal tissue and
31 fluid transplant center.

32 k. A representative of a postnatal tissue and
33 fluid bank.

34 1. An attorney with expertise in public health or
35 biotechnology law, selected by the Iowa state bar
36 association.

37 2. Members of the task force shall receive actual
38 expenses incurred while serving in their official
39 capacity and may also be eligible to receive

40 compensation as provided in section 7E.6.
41 3. The director of public health, or the
42 director's designee, shall act as chairperson of the
43 task force. A majority of the members of the task
44 force shall constitute a quorum.
45 4. The task force shall investigate the optimum
46 method by which to establish a network of postnatal
47 tissue and fluid banks in partnership with public and
48 private colleges or universities, public and private
49 hospitals, or nonprofit organizations and private
50 organizations in the state to collect and store

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1 postnatal tissue and fluid for the purposes of
2 scientific research and medical treatment. The
3 investigation shall address and make recommendations
4 regarding all of the following:
5 a. Regulatory requirements for public and private
6 postnatal tissue and fluid banks in the state,
7 including regulations or protocols to govern donations
8 to the bank and the release and use of banked
9 postnatal tissue or fluid.
10 b. The development of a statewide network of
11 postnatal tissue and fluid banks and birthing hospital
12 collection sites in a manner that provides for
13 geographic distribution throughout the state.
14 c. The development of a statewide postnatal tissue
15 and fluid registry to identify, acquire, and
16 distribute donated postnatal tissue and fluid to
17 suitably matched candidates including documentation of
18 the collection, storage, distribution, and
19 transplantation of the postnatal tissue and fluid and
20 the clinical outcomes of all transplantations related
21 to the network.
22 d. Any incentives for donation to public postnatal
23 tissue and fluid banks.
24 e. Public awareness and encouragement of donation
25 or private storage of postnatal tissue and fluid by
26 providing information including but not limited to all
27 of the following:
28 (1) The current and potential future medical uses
29 of postnatal tissue and fluid.
30 (2) The benefits and risks associated with
31 postnatal tissue and fluid banking.
32 (3) Medical or family history criteria that may
33 impact a family's consideration of postnatal tissue
34 and fluid banking.
35 (4) An explanation of the differences between
36 private and public banking.
37 (5) Medically accepted uses and benefits of
38 postnatal tissue and fluid collection and

39 transplantation.

40 (6) The costs associated with donation and
41 storage, and an explanation of the storage,
42 maintenance, and viability for transplantation of
43 postnatal tissue and fluid.

44 f. Participation in the public cord blood bank
45 network established pursuant to the federal Stem Cell
46 Therapeutic and Research Act of 2005, Pub. L. No.
47 109-129, or other national or international networks.

48 g. Any changes in law or rules necessary to
49 implement a postnatal tissue and fluid banking network
50 in the state to provide for scientific research and

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1 medical treatment.

2 h. Consent and privacy protections related to
3 donation or private banking of postnatal tissue and
4 fluid.

5 i. Any fee structure to be associated with
6 participation in the postnatal tissue and fluid bank
7 network.

8 j. The costs associated with the operation and
9 maintenance of a public postnatal tissue and fluid
10 bank network, including the need for public funding.

11 5. In addition to postnatal tissue and fluid
12 banking the task force shall review the issue of the
13 retention, use, and disposition of neonatal metabolic
14 screening specimens, including but not limited to the
15 length of time the specimens are retained and specimen
16 research use.

17 6. The task force shall report its findings and
18 recommendations, along with any proposed legislation,
19 to the general assembly by November 1, 2007.

20 7. For the purposes of this section, "postnatal
21 tissue and fluid" means the placenta, umbilical cord,
22 umbilical cord blood, and amniotic fluid expelled or
23 extracted in connection with the birth of a child.

24 Sec. 2. APPROPRIATION. There is appropriated from
25 the general fund of the state to the department of
26 public health for the period beginning on the
27 effective date of this Act, and ending January 1,
28 2008, the following amount, or so much thereof as is
29 necessary, to be used for the purpose designated:

30 For the task force on postnatal tissue and fluid
31 banking:

32 \$ 20,000

33 Sec. 3. EFFECTIVE DATE. The sections of this Act
34 relating to the postnatal tissue and fluid banking
35 task force and the appropriation for the task force,
36 being deemed of immediate importance, take effect upon
37 enactment."

38 2. Title page, by striking lines 1 and 2 and
 39 inserting the following: "An Act relating to the
 40 creation of a task force on postnatal tissue and fluid
 41 banking and other postnatal procedures, providing an
 42 appropriation, and providing an effective date."

Heddens of Story rose on a point of order that amendment H-1074 was not germane.

The Speaker ruled the point well taken and amendment H-1074 not germane.

Roberts of Carroll asked for unanimous consent to suspend the rules to consider amendment H-1074.

Objection was raised.

Roberts of Carroll moved to suspend the rules to consider amendment H-1074.

Roll call was requested by Rants of Woodbury and Roberts of Carroll.

On the question "Shall the rules be suspended to consider amendment H-1074?" (S.F. 162)

The ayes were, 44:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Granzow	Grassley	Greiner
Heaton	Hoffman	Huseman	Jacobs
Kaufmann	Lukan	May	Miller, L.
Olson, S.	Paulsen	Raecker	Rants
Rasmussen	Rayhons	Roberts	Sands
Schickel	Soderberg	Struyk	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wienczek	Windschitl	Worthan

The nays were, 54:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig

Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Pettengill	Quirk	Reasoner
Reichert	Schueller	Shomshor	Smith
Staed	Swaim	Taylor, D.	Taylor, T.
Thomas	Tomenga	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Winckler
Wise	Mr. Speaker		
	Murphy		

Absent or not voting, 2:

Horbach Zirkelbach

The motion to suspend the rules lost.

Upmeyer of Hancock offered amendment H-1066 filed by her and Tymeson of Madison as follows:

H-1066

- 1 Amend Senate File 162, as passed by the Senate, as
- 2 follows:
- 3 1. Page 1, by striking line 3 and inserting the
- 4 following: "Human Cloning Repeal and Embryonic Stem
- 5 Cell Research Authorization Act".
- 6 2. Page 1, by striking lines 5 through 9 and
- 7 inserting the following:
- 8 "It is the purpose of this chapter to repeal the
- 9 prohibition on human cloning and to authorize
- 10 embryonic stem cell research in this state."
- 11 3. Title page, line 1, by striking the words
- 12 "creating the Iowa stem cell research and cures
- 13 initiative" and inserting the following: "repealing
- 14 the prohibition on human cloning and authorizing
- 15 embryonic stem cell research".

Tymeson of Madison offered the following amendment H-1075, to amendment H-1066, filed by her from the floor and moved its adoption:

H-1075

- 1 Amend the amendment, H-1066, to Senate File 162, as
- 2 passed by the Senate, as follows:
- 3 1. Page 1, lines 4 and 5, by striking the words
- 4 "Embryonic Stem Cell Research" and inserting the
- 5 following: "Therapeutic Cloning".

- 6 2. Page 1, line 10, by striking the words
 7 "embryonic stem cell research" and inserting the
 8 following: "therapeutic cloning".
 9 3. Page 1, by striking line 15, and inserting the
 10 following: "therapeutic cloning".

Amendment H-1075 was adopted.

Tymeson of Madison moved the adoption of amendment H-1066, as amended.

Roll call was requested by Tymeson of Madison and Baudler of Adair.

On the question "Shall amendment H-1066, as amended, be adopted?" (S.F. 162)

The ayes were, 46:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Granzow	Grassley	Greiner
Heaton	Hoffman	Huseman	Jacobs
Kaufmann	Lukan	May	Mertz
Miller, L.	Olson, S.	Paulsen	Raecker
Rants	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wienczek
Windschitl	Worthan		

The nays were, 52:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Miller, H.	Oldson	Olson, D.
Olson, R	Olson, T.	Palmer	Petersen
Pettengill	Quirk	Reasoner	Reichert
Schueller	Shomshor	Smith	Staed
Swaim	Taylor, D.	Taylor, T.	Thomas
Wendt	Wentlie	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	Mr. Speaker
			Murphy

Absent or not voting, 2:

Horbach Zirkelbach

Amendment H-1066 lost.

Roberts of Carroll offered the following amendment H-1065 filed by him and moved its adoption:

H-1065

- 1 Amend Senate File 162, as passed by the Senate, as
- 2 follows:
- 3 1. Page 2, by inserting after line 2 the
- 4 following:
- 5 "d. Create a cloned human embryo."
- 6 2. Page 2, line 5, by inserting after the word
- 7 "'c'" the following: "or "d"".

Roll call was requested by Roberts of Carroll and Rants of Woodbury.

On the question "Shall amendment H-1065 be adopted?" (S.F. 162)

The ayes were, 45:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Granzow	Grassley	Greiner
Heaton	Hoffman	Huseman	Jacobs
Kaufmann	Lukan	May	Miller, L.
Olson, S.	Paulsen	Raecker	Rants
Rasmussen	Rayhons	Roberts	Sands
Schickel	Soderberg	Struyk	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wiencek	Windschitl
Worthan			

The nays were, 53:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer

Petersen	Pettengill	Quirk	Reasoner
Reichert	Schueller	Shomshor	Smith
Staed	Swaim	Taylor, D.	Taylor, T.
Thomas	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise
Mr. Speaker			
Murphy			

Absent or not voting, 2:

Horbach Zirkelbach

Amendment H-1065 lost.

Upmeyer of Hancock offered amendment H-1073 filed by her as follows:

H-1073

- 1 Amend Senate File 162, as passed by the Senate, as
- 2 follows:
- 3 1. Page 2, by inserting after line 18 the
- 4 following:
- 5 "Sec. ____ **NEW SECTION. 707C.5 DONATION OF**
- 6 **EMBRYOS AND INFORMED CONSENT FOR EMBRYONIC STEM CELL**
- 7 **RESEARCH.**
- 8 Human embryos created only for the purpose of in
- 9 vitro fertilization, in excess of the clinical need,
- 10 may be donated for the purpose of embryonic stem cell
- 11 research and treatment and those human embryos donated
- 12 may be used for research and treatment, only if the
- 13 donation meets all of the following requirements:
- 14 1. The donation is voluntary.
- 15 2. No inducement, monetary or of any other nature,
- 16 is offered in exchange for the donation.
- 17 3. Informed consent for the donation is obtained
- 18 from the individuals participating in the in vitro
- 19 fertilization treatments.
- 20 4. The individuals participating in the in vitro
- 21 fertilization treatments are informed that the human
- 22 embryos may be placed for adoption."
- 23 2. By renumbering as necessary.

Upmeyer of Hancock offered the following amendment H-1078, to amendment H-1073, filed by her from the floor and moved its adoption:

H-1078

- 1 Amend the amendment, H-1073, to Senate File 162, as
- 2 passed by the Senate, as follows:
- 3 1. Page 1, by striking lines 8 through 22 and
- 4 inserting the following:
- 5 "Only those human embryos created for the purpose
- 6 of in vitro fertilization, in excess of the clinical
- 7 need, may be donated for the purpose of embryonic stem
- 8 cell research and treatment and those human embryos
- 9 donated may be used for research and treatment, only
- 10 if the donation meets all of the following
- 11 requirements:
- 12 1. The donation is voluntary.
- 13 2. No inducement, monetary or of any other nature,
- 14 is offered in exchange for the donation.
- 15 3. Informed consent for the donation is obtained
- 16 from the individuals participating in the in vitro
- 17 fertilization treatments.
- 18 4. The individuals participating in the in vitro
- 19 fertilization treatments are informed that the human
- 20 embryos may be placed for adoption."

Amendment H-1078 was adopted.

Heddens of Story rose on a point of order that amendment H-1073, as amended, was not germane.

The Speaker ruled the point not well taken and amendment H-1073, as amended, germane.

The House stood at ease at 7:37 p.m., until the fall of the gavel.

The House resumed session at 7:43 p.m., Speaker Murphy in the chair.

Upmeyer of Hancock moved the adoption of amendment H-1073, as amended.

Roll call was requested by Upmeyer of Hancock and Rants of Woodbury.

On the question "Shall amendment H-1073, as amended, be adopted?" (S.F. 162)

The ayes were, 46:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Granzow	Grassley	Greiner
Heaton	Hoffman	Huseman	Huser
Jacobs	Kaufmann	Lukan	May
Miller, L.	Olson, S.	Paulsen	Raecker
Rants	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wienczek
Windschitl	Worthan		

The nays were, 52:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Mertz	Miller, H.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Pettengill	Quirk	Reasoner	Reichert
Schueller	Shomshor	Smith	Staed
Swaim	Taylor, D.	Taylor, T.	Thomas
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	Mr. Speaker Murphy

Absent or not voting, 2:

Horbach Zirkelbach

Amendment H-1073, as amended, lost.

Heddens of Story moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 162)

The ayes were, 52:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
De Boef	Foege	Ford	Frevert
Gaskill	Gayman	Heddens	Hunter

Huser	Jacoby	Jochum	Kelley
Kressig	Kuhn	Lensing	Lykam
Mascher	McCarthy	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Pettengill	Quirk	Reichert
Schueller	Shomshor	Smith	Staed
Swaim	Taylor, D.	Taylor, T.	Thomas
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	Mr. Speaker
			Murphy

The nays were, 46:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	Deyoe
Dolecheck	Drake	Forristall	Gipp
Granzow	Grassley	Greiner	Heaton
Hoffman	Huseman	Jacobs	Kaufmann
Lukan	May	Mertz	Miller, L.
Olson, S.	Paulsen	Raecker	Rants
Rasmussen	Rayhons	Reasoner	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wiencck
Windschitl	Worthan		

Absent or not voting, 2:

Horbach	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **Senate File 162** be immediately messaged to the Senate.

HOUSE FILE 474 REREFERRED

The Speaker announced that House File 474, previously referred to committee on **public safety** was placed on **calendar**.

EXPLANATION OF VOTE

On the evening of Thursday, February 22, 2007, I inadvertently voted "aye" on Senate File 162. I meant to vote "no".

DE BOEF of Keokuk

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on February 22, 2007, he approved and transmitted to the Secretary of State the following bill:

Senate File 109, an Act providing for the establishment of the state percent of growth for purposes of the state school foundation program, and providing an applicability date.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- 2007\1346 Raymond Saunders, Manilla – For celebrating his 96th birthday.
- 2007\1347 Evelyn Griebel, Dewitt – For celebrating her 90th birthday.
- 2007\1348 Ken and Janice Wielard, Pella – For celebrating their 50th wedding anniversary.

SUBCOMMITTEE ASSIGNMENTS

House File 232

Transportation: Cohoon, Chair; Arnold, Bukta, Huseman and Lykam.

House File 326 Reassigned

Ways and Means: Wise, Chair; Deyoe, T. Olson, Quirk, Reasoner, Struyk and Van Fossen.

House File 348 Reassigned

Ways and Means: Wise, Chair; Deyoe, T. Olson, Quirk, Reasoner, Struyk and Van Fossen.

House File 357

Appropriations: Kuhn, Chair; Alons and Cohoon.

House File 360

Appropriations: Dandekar, Chair; Chambers and Cohoon.

House File 361

Appropriations: Ford, Chair; Berry, Lukan, Schickel and Winckler.

House File 363

Appropriations: Winckler, Chair; Chambers and Wenthe.

House File 366

Appropriations: Kuhn, Chair; De Boef and Wenthe.

House File 384

Appropriations: Foege, Chair; Heaton and Jacoby.

House File 398

Public Safety: Mascher, Chair; Alons and Kuhn.

House File 399

State Government: Wessel-Kroeschell, Chair; Abdul-Samad, Gipp, Jacobs and T. Taylor.

House File 402

State Government: Quirk, Chair; Greiner, Jacoby, Jochum, Raecker, Roberts and Shomshor.

House File 403

Ways and Means: Reasoner, Chair; Sands and Shomshor.

House File 405

State Government: Jochum, Chair; Gipp and Jacoby.

House File 407

Appropriations: Oldson, Chair; Jacoby and Watts.

House File 408

Appropriations: T. Taylor, Chair; Kuhn and Lukan.

House File 409

State Government: Quirk, Chair; Greiner, Jacoby, Jochum, Raecker, Roberts and Shomshor.

House File 410

Ways and Means: Reasoner, Chair; Deyoe and Shomshor.

House File 412

State Government: Lensing, Chair; Boal and Whitead.

House File 418

Ways and Means: Wise, Chair; Deyoe, T. Olson, Quirk, Reasoner, Struyk and Van Fossen.

House File 425

Appropriations: Foegel, Chair; Chambers and Jacoby.

House File 428

Public Safety: Gayman, Chair; Hunter and S. Olson.

House File 429

Appropriations: Winckler, Chair; Chambers and Wenthe.

House File 431

Appropriations: Kuhn, Chair; De Boef and Oldson.

House File 434

Appropriations: Foegel, Chair; Heaton and Oldson.

House File 437

Environmental Protection: Frevert, Chair; Drake, Greiner, Kuhn, H. Miller, D. Olson and S. Olson.

House File 444

Environmental Protection: Frevert, Chair; Drake, Greiner, Kuhn, H. Miller, D. Olson and S. Olson.

House File 452

Environmental Protection: Sands, Chair; Jochum and H. Miller.

House File 455

Environmental Protection: Frevert, Chair; Drake, Greiner, Kuhn, H. Miller, D. Olson and S. Olson.

House File 456

Economic Growth: Wenthe, Chair; H. Miller and Wienczek.

House File 461

Economic Growth: D. Olson, Chair; Clute and Thomas.

House File 465

Transportation: Cohoon, Chair; Lykam and Tjepkes.

House File 476

Transportation: Huser, Chair; Arnold and Swaim.

House File 477

Transportation: D. Olson, Chair; Bukta and May.

House File 481

Transportation: Huser, Chair; Dandekar and Rasmussen.

Senate File 34

Transportation: Cohoon, Chair; Arnold, Bukta, Huseman and Lykam.

Senate File 41

State Government: Whitead, Chair; L. Miller and Wendt.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS**House Study Bill 204**

State Government: Wessel-Kroeschell, Chair; Abdul-Samad, Gipp, Jacobs and T. Taylor.

House Study Bill 210

State Government: Lensing, Chair; Abdul-Samad and L. Miller.

House Study Bill 213

Local Government: Gaskill, Chair; Huser and Rasmussen.

House Study Bill 217

Human Resources: Palmer, Chair; Granzow and Jacoby.

House Study Bill 218

Natural Resources: Bailey, Chair; Lukan and Mertz.

House Study Bill 220

Education: Wendt, Chair; Mascher and L. Miller.

House Study Bill 222

State Government: Lensing, Chair; Jacobs and Jacoby.

House Study Bill 223

Appropriations: Oldson, Chair; Cohoon and Watts.

House Study Bill 224

Agriculture: Wenthe, Chair; De Boef and Gayman.

House Study Bill 225

Ways and Means: T. Olson, Chair; Grassley, Pettengill, Shomshor and Van Fossen.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 227 Economic Growth

Relating to programs, funds, authority, and duties of the Iowa finance authority.

H.S.B. 228 Labor

Concerning racing and gaming commission procedural requirements relating to disciplinary actions taken by the commission.

H.S.B. 229 Economic Growth

Creating an endow Iowa planned gift tax credit and including a retroactive applicability date.

H.S.B. 230 Economic Growth

Relating to funding for a statewide labor shed study.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON AGRICULTURE

Committee Bill (Formerly House File 169), relating to animal pounds, by authorizing pounds to provide for foster care, to refer to themselves as animal shelters, and providing penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 21, 2007.

Committee Bill (Formerly House Study Bill 179), relating to cooperative associations, by providing for documentation, including certificates and statements.

Fiscal Note is not required.

Recommended **Do Pass** February 21, 2007.

COMMITTEE ON COMMERCE

Committee Bill (Formerly House Study Bill 91), establishing the Iowa propane education and research council, providing for the development of programs and projects related to propane, providing for an assessment on the sale of odorized propane, and providing criminal penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 22, 2007.

COMMITTEE ON ECONOMIC GROWTH

Committee Bill (Formerly House File 171), relating to residential property and property taxation within a self-supported municipal improvement district, providing a property tax exemption, and providing that related notices may be sent by first class mail.

Fiscal Note is not required.

Recommended **Do Pass** February 22, 2007.

COMMITTEE ON HUMAN RESOURCES

Committee Bill (Formerly House Study Bill 21), requiring children to have a dental screening as a condition of enrollment in elementary or high school and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 21, 2007.

Committee Bill (Formerly House Study Bill 25), relating to the regulation and practice of pharmacy, including providing for the establishment of a limited drug and device distributor license.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 21, 2007.

Committee Bill (Formerly House Study Bill 27), relating to the practice of pharmacy and the registration of pharmacy technicians.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 21, 2007.

Committee Bill (Formerly House Study Bill 93), relating to the regulation of hospitals and health care facilities by the department of inspections and appeals, including investigations of complaints against health care facilities and rules relating to authentication of certain orders by practitioners, and providing an immediate effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 21, 2007.

COMMITTEE ON NATURAL RESOURCES

Committee Bill (Formerly House Study Bill 32), relating to various conservation and recreation activities under the purview of the department of natural resources, modifying fees, and making penalties applicable.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 21, 2007

COMMITTEE ON PUBLIC SAFETY

Committee Bill (Formerly House File 330), establishing an interim study committee to study the impact of unemployment on the recidivism rate of persons who have been committed to the custody of the department of corrections or assigned to the judicial district departments of correctional services.

Fiscal Note is not required.

Recommended **Do Pass** February 22, 2007.

Committee Bill (Formerly House Study Bill 174), relating to the department of public safety practices and procedures, and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 22, 2007.

COMMITTEE ON TRANSPORTATION

Committee Bill (Formerly House File 222), crediting fees from the sale of certain special motor vehicle registration plates to the veterans license fee fund.

Fiscal Note is required.

Recommended **Amend and Do Pass** February 22, 2007.

Committee Bill (Formerly House File 278), relating to the Midwest interstate passenger rail compact and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 22, 2007.

Committee Bill (Formerly House Study Bill 155), establishing prelicensing and continuing education requirements for used motor vehicle dealers.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 22, 2007.

COMMITTEE ON VETERANS AFFAIRS

Committee Bill (Formerly House File 300), concerning the licensure, operation, and taxation of card game tournaments by organizations representing veterans and allowable prizes at annual game nights.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 22, 2007.

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly House File 346), increasing the taxes imposed on cigarettes and tobacco products providing for deposit of the increased revenue generated in the healthy lowans tobacco trust, and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 21, 2007.

AMENDMENTS FILED

H—1076	S.F.	110	Dolecheck of Ringgold
H—1077	S.F.	70	Lukan of Dubuque
H—1079	H.F.	413	Gipp of Winneshiek

On motion by McCarthy of Polk the House adjourned at 9:47 p.m., until 9:00 a.m., Friday, February 23, 2007.

JOURNAL OF THE HOUSE

Forty-seventh Calendar Day - Thirty-fourth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, February 23, 2007

The House met pursuant to adjournment at 9:00 a.m., Speaker Murphy in the chair.

Prayer was offered by Mark Brandsgard, Chief Clerk of the House.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Murphy.

The Journal of Thursday, February 22, 2007 was approved.

INTRODUCTION OF BILLS

House File 509, by Dandekar, D. Olson, Thomas, Shomshor, Reasoner, Wendt, Gayman, T. Olson, Staed, Davitt, Frevert, Jochum, Mascher, Lensing, Wessel-Kroeschell, Mertz, Huser, Reichert, Wenthe, Murphy, Cohoon, Gaskill, Whitaker, Quirk, Kelley, Kressig, T. Taylor, Bell and Abdul-Samad, a bill for an act providing for agricultural and industrial development, including by providing for research into initiatives relating to biofuels, and making appropriations.

Read first time and referred to committee on **economic growth**.

House File 510, by Kuhn, a bill for an act allowing certain associations to qualify as self-insurers for purposes of Iowa's motor vehicle financial responsibility laws.

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

House File 511, by committee on environmental protection, a bill for an act relating to the waste tire management fund and making appropriations.

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

House File 512, by Ford, a bill for an act expanding access to the Iowa communications network to include the Iowa national guard and the military division of the department of public defense for specified purposes.

Read first time and referred to committee on **government oversight**.

House File 513, by Granzow, Lukan, Tomenga, May, Forristall, Hoffman, Deyoe and Pettengill, a bill for an act concerning publication requirements for joint governmental entities.

Read first time and referred to committee on **state government**.

House File 514, by Ford, a bill for an act relating to the appointment of a consumer advocate on insurance.

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

House File 515, by Hunter, a bill for an act relating to drugs and vaccines containing mercury and providing a penalty and an effective date.

Read first time and referred to committee on **human resources**.

House File 516, by committee on natural resources, a bill for an act relating to various conservation and recreation activities under the purview of the department of natural resources, modifying fees, making penalties applicable, and making an appropriation.

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

House File 517, by committee on human resources, a bill for an act requiring children to have a dental screening as a condition of enrollment in elementary or high school and providing an effective date.

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

House File 518, by Ford, Abdul-Samad, Berry, Wessel-Kroeschell and H. Miller, a bill for an act to support the establishment of a

George Washington Carver endowed chair at the Iowa state university of science and technology and making an appropriation.

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

House File 519, by Struyk, a bill for an act authorizing certain association group health care plans, wellness initiatives, and providing an effective date.

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

House File 520, by Heaton and Upmeyer, a bill for an act relating to medical assistance program criteria for admission to a psychiatric medical institution for children.

Read first time and referred to committee on **human resources**.

House File 521, by Upmeyer, Boal, Heaton, Struyk and Tjepkes, a bill for an act addressing financial crimes by providing for the establishment of specialized units in the departments of justice and public safety and making appropriations.

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

House File 522, by T. Taylor, a bill for an act concerning employees subject to unannounced drug or alcohol testing.

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

House File 523, by Heaton, Alons, Windschitl, Arnold, Rasmussen, Rayhons, Struyk, Van Fossen, Boal, Deyoe, Drake, Granzow, S. Olson, Jacobs and Kaufmann, a bill for an act relating to mental health, mental retardation, developmental disabilities, and brain injury services by increasing the allowed growth appropriation made for distribution to counties for the fiscal year beginning July 1, 2007.

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

SENATE MESSAGE CONSIDERED

Senate File 161, by committee on local government, a bill for an act relating to the confidentiality of security procedures or emergency preparedness information discussed at a meeting of a governmental body and providing an effective date.

Read first time and referred to committee on **local government**.

HOUSE FILE 287 WITHDRAWN

McCarthy of Polk asked and received unanimous consent to withdraw House File 287 from further consideration by the House.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- 2007\1349 Glendora Howarth, Blakesburg – For celebrating her 90th birthday.
- 2007\1250 Patricia Myerslock, Ottumwa – For celebrating her 75th birthday.
- 2007\1351 Dorothy Hutton, Ottumwa – For celebrating her 80th birthday.
- 2007\1352 Wilma Bales, Ottumwa – For celebrating her 85th birthday.
- 2007\1353 Maxine Dickens, Ottumwa – For celebrating her 90th birthday.
- 2007\1354 Betty Wright, Ottumwa – For celebrating her 80th birthday.
- 2007\1355 Pauline Konrad, Ottumwa – For celebrating her 90th birthday.
- 2007\1356 Jennie Cutts, Ottumwa – For celebrating her 75th birthday.
- 2007\1357 Mary Buschner, Ottumwa – For celebrating her 85th birthday.
- 2007\1358 Patricia Buckley, Ottumwa – For celebrating her 75th birthday.
- 2007\1359 Mary Rich, Ottumwa – For celebrating her 75th birthday.
- 2007\1360 Dorothy Benson, Ottumwa – For celebrating her 90th birthday.
- 2007\1361 Marian Watt, Ottumwa – For celebrating her 80th birthday.

- 2007\1362 Etta Buckingham, Ottumwa – For celebrating her 80th birthday.
- 2007\1363 Effie Rupe, Ottumwa – For celebrating her 85th birthday.
- 2007\1364 H. Phipps, Ottumwa – For celebrating her 90th birthday.
- 2007\1365 Ramona Remmark, Ottumwa – For celebrating her 75th birthday.
- 2007\1366 Virginia Reifsnnyder, Ottumwa – For celebrating her 90th birthday.
- 2007\1367 Delphina Pilcher, Ottumwa – For celebrating her 80th birthday.
- 2007\1368 Jean Shields, Ottumwa – For celebrating her 80th birthday.
- 2007\1369 Howard Grinstead, Blakesburg – For celebrating his 75th birthday.
- 2007\1370 Donald Copple, Ottumwa – For celebrating his 75th birthday.
- 2007\1371 Norman Forgy, Ottumwa – For celebrating his 80th birthday.
- 2007\1372 Douglas Carl, Ottumwa – For celebrating his 75th birthday.
- 2007\1373 Martenis Kamerick, Ottumwa – For celebrating his 85th birthday.
- 2007\1374 Richard Douglas, Ottumwa – For celebrating his 75th birthday.
- 2007\1375 Charles Foxx, Ottumwa – For celebrating his 95th birthday.
- 2007\1376 James Garrett, Ottumwa – For celebrating his 75th birthday.
- 2007\1377 Rex Holzhauser, Ottumwa – For celebrating his 85th birthday.
- 2007\1378 Donald Johnson, Ottumwa – For celebrating his 85th birthday.
- 2007\1379 Walter Kudart, Ottumwa – For celebrating his 80th birthday.
- 2007\1380 James Landtiser, Ottumwa – For celebrating his 75th birthday.
- 2007\1381 Walter Meeker, Ottumwa – For celebrating his 85th birthday.
- 2007\1382 Bernard Mottet, Ottumwa – For celebrating his 75th birthday.
- 2007\1383 Meryl Nichols, Ottumwa – For celebrating his 75th birthday.
- 2007\1384 Dale Stevens, Ottumwa – For celebrating his 75th birthday.
- 2007\1385 Robert Wells, Ottumwa – For celebrating his 75th birthday.
- 2007\1386 Walter Jerred, Ottumwa – For celebrating his 85th birthday.

SUBCOMMITTEE ASSIGNMENT

House File 380 Reassigned

Local Government: Huser, Chair; Bukta and Rasmussen.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 214

Judiciary: Palmer, Chair; Horbach and Wendt.

House Study Bill 215

Judiciary: Swaim, Chair; Baudler and Wendt.

House Study Bill 226

Ways and Means: Shomshor, Chair; Forristall and Reasoner.

House Study Bill 227

Economic Growth: Thomas, Chair; Anderson and Ford.

House Study Bill 229

Economic Growth: T. Olson, Chair; Anderson and Wenthe.

House Study Bill 230

Economic Growth: Thomas, Chair; D. Olson and Schickel.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON EDUCATION

Committee Bill (Formerly House Study Bill 114), relating to incentives for school district reorganizations and shared operational functions, and making an appropriation.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 21, 2007.

Committee Bill (Formerly House Study Bill 115), creating a preschool for four-year-old children program, and making appropriations and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 22, 2007.

COMMITTEE ON JUDICIARY

Committee Bill (Formerly House Study Bill 65), relating to jury service compensation, reimbursement, and confidentiality and exempting certain governmental employees from jury service compensation.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 22, 2007.

Committee Bill (Formerly House Study Bill 117), relating to judicial branch practices and procedures, including expanding the definition of a seal, eliminating duties of the clerk of the supreme court, making confidential personal information, and obtaining electronic signatures on citations.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 22, 2007.

Committee Bill (Formerly House Study Bill 136), relating to a criminal defendant filing an application for post conviction relief.

Fiscal Note is not required,

Recommended **Amend and Do Pass** February 22, 2007.

Committee Bill (Formerly House Study Bill 196), relating to nonsubstantive Code corrections and including effective and retroactive applicability date provisions.

Fiscal Note is not required.

Recommended **Do Pass** February 22, 2007.

On motion by McCarthy of Polk the House adjourned at 9:15 a.m., until 1:00 p.m., Monday, February 26, 2007.

JOURNAL OF THE HOUSE

Fiftieth Calendar Day - Thirty-fifth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, February 26, 2007

The House met pursuant to adjournment at 1:15 p.m., Speaker Murphy in the chair.

Prayer was offered by the Honorable Ako Abdul-Samad, state representative from Polk County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Lindsey and Jennifer Frank, sisters and House Clerks of Representative Dawn Pettengill of Benton County and Doris Kelley of Black Hawk County. Anthony Menendez, clerk of Representative Ako Abdul-Samad from Polk County, sang the National Anthem.

The Journal of Friday, February 23, 2007 was approved.

INTRODUCTION OF BILLS

House File 524, by Heaton, a bill for an act relating to training and other technical assistance to be provided to medical assistance providers.

Read first time and referred to committee on **human resources**.

House File 525, by committee on public safety, a bill for an act establishing an interim study committee to study the impact of unemployment on the recidivism rate of persons who have been committed to the custody of the department of corrections or assigned to the judicial district departments of correctional services.

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

House File 526, by committee on public safety, a bill for an act relating to the department of public safety practices and procedures.

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

House File 527, by committee on education, a bill for an act creating a statewide preschool program for four-year-old children and making appropriations.

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

House File 528, by committee on human resources, a bill for an act relating to the regulation of hospitals and health care facilities by the department of inspections and appeals, including investigations of complaints against health care facilities and rules relating to authentication of certain orders by practitioners, and providing an immediate effective date.

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

House File 529, by committee on agriculture, a bill for an act relating to cooperative associations, by providing for documentation, including certificates and statements.

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

House File 530, by Cohoon, a bill for an act requiring school districts to provide school superintendents and other administrators with training to identify gifted and talented students.

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

House File 531, by Shomshor and Wessel-Kroeschell, a bill for an act relating to the amount of the earned income tax credit under the individual income tax and including a retroactive applicability date provision.

Read first time and referred to committee on **ways and means**.

House File 532, by Ford, a bill for an act relating to unfair or discriminatory employment practices based upon a person's marital or family status.

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

House File 533, by Shomshor, a bill for an act requiring automatic sprinkler systems in school buildings.

Read first time and referred to committee on **state government**.

House File 534, by committee on education, a bill for an act relating to incentives for school district reorganizations and shared operational functions, and making an appropriation.

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

House File 535, by Ford, a bill for an act providing for increased driver's license sanctions for a person under twenty-one years of age who is convicted of vehicular homicide.

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

House File 536, by Shomshor, a bill for an act making appropriations to the department of education and the state board of regents to reimburse community colleges and institutions of higher education governed by the board for the costs of providing certain education-related services.

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

House File 537, by Tomenga, a bill for an act establishing the position of state historian and providing an appropriation.

Read first time and referred to committee on **economic growth**.

House File 538, by committee on veterans affairs, a bill for an act concerning the licensure, operation, and taxation of card game tournaments by organizations representing veterans.

Read first time and referred to committee on **state government**.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- 2007\1387 Eleanor Scheffert, Monona – For celebrating her 90th birthday.
- 2007\1388 Dorothy Meany, Edgewood – For celebrating her 80th birthday.
- 2007\1389 Fred and Shirley Moore, Garnavillo – For celebrating their 50th wedding anniversary.
- 2007\1390 Dr. Carl Zylstra, Sioux Center – For being selected to the National Association of Independent Colleges and Universities Board and Directors.
- 2007\1391 Harold Aardema, Doon – For his 59 years of dedicated service as Editor of the Doon Press.
- 2007\1392 Mike Broek, Hull – For being named Lender of the Year for 2006 by the Board of Directors of the Siouxland Economic Development Corporation.
- 2007\1393 Bob Mars, Sioux Center – For being named Administrator of the Year by the Northwest AEA.
- 2007\1394 Janel Guse, George – For being named Northwest Iowa Principal of the Year.
- 2007\1395 Nate Herda, Central Lyon – For winning 1st place in the 135 lb. weight class in the Class 1–A Division of the 2007 State Wrestling Tournament.
- 2007\1396 Jordan Gacke, Central Lyon – For winning 1st place in the 160 lb. weight class in the Class 1–A Division of the 2007 State Wrestling Tournament.
- 2007\1397 John Sas, Hull – For celebrating his 90th birthday.
- 2007\1398 John B. and Marian Groeneweg, Rock Valley – For celebrating their 60th wedding anniversary.
- 2007\1399 Central Lyon Wrestling Team – For receiving 3rd place in the Class 1–A Division of the 2007 State Wrestling Tournament.

SUBCOMMITTEE ASSIGNMENTS

House File 414

Public Safety: Whitaker, Chair; Baudler and Heddens.

House File 423

Natural Resources: D. Taylor, Chair; Baudler and Shomshor.

House File 426

Natural Resources: Wenthe, Chair; Arnold and Reichert.

House File 433

Public Safety: Kuhn, Chair; Alons and Berry.

House File 451

Human Resources: Smith, Chair; Ford and Upmeyer.

House File 462

Human Resources: Smith, Chair; Forristall and Hunter.

House File 467

Natural Resources: Mertz, Chair; Van Engelenhoven and Whitead.

House File 479

Human Resources: Petersen, Chair; Heddens and Roberts.

House File 480

Human Resources: T. Olson, Chair; Mascher and Tomenga.

House File 483

Public Safety: Mascher, Chair; Kressig and Tjepkes.

House File 484

Natural Resources: Lukan, Chair; Bailey and Whitaker.

House File 502

Economic Growth: Staed, Chair; Hoffman and Wenthe.

House File 509

Economic Growth: Dandekar, Chair; Granzow, Hoffman, D. Olson and Thomas.

Senate File 48

Natural Resources: Whitaker, Chair; Baudler and Wenthe.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 231 Local Government

Relating to the confidentiality of security procedures or emergency preparedness information discussed at a meeting of a governmental body and providing an effective date.

H.S.B. 232 Administration and Rules

A resolution relating to an annual budget for the daily operations of the House of Representatives.

H.S.B. 233 Veterans Affairs

Concerning veterans by providing for regional veterans affairs offices, providing for the duties of the department of veterans affairs and the commission on veterans affairs, and establishing a counseling program for veterans.

H.S.B. 234 Agriculture

Relating to animal feeding operations by providing for reports alleging violations of state law.

H.S.B. 235 Judiciary

Relating to dogs, including the right to kill a tagged dog and the liability of a dog's owner for damages caused by the dog.

H.S.B. 236 Agriculture

Relating to the duties and powers of the state entomologist, and making penalties applicable.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON STATE GOVERNMENT

Committee Bill (Formerly House File 155), relating to membership on election boards.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 22, 2007.

Committee Bill (Formerly House Study Bill 154), regulating electioneering communications for campaign finance and disclosure purposes and making civil remedies applicable.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 22, 2007.

RESOLUTION FILED

HCR 7, by Ford, a concurrent resolution requesting establishment of an interim study committee by the Legislative Council to conduct a study of issues related to accountability and fraud in contracts or agreements between private contractors and the State of Iowa.

Laid over under **Rule 25**.

AMENDMENTS FILED

H—1080	S.F.	62	Tymeson of Madison
H—1081	H.F.	319	Van Fossen of Scott
H—1082	H.F.	459	Raecker of Polk
H—1083	H.F.	469	Raecker of Polk

On motion by McCarthy of Polk the House adjourned at 1:33 p.m., until 9:00 a.m., Tuesday, February 27, 2007.

JOURNAL OF THE HOUSE

Fifty-first Calendar Day - Thirty-sixth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, February 27, 2007

The House met pursuant to adjournment at 9:10 a.m., Upmeyer of Hancock in the chair.

Prayer was offered by Reverend John De Boef, pastor of Hilltop Chapel of What Cheer. He is the guest and brother-in-law of Representative Betty De Boef of Keokuk County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Kara Mohs, Legislative Service Agency Page from Madison County.

The Journal of Monday, February 26, 2007 was approved.

INTRODUCTION OF BILLS

House File 539, by committee on environmental protection, a bill for an act relating to animal feeding operations, by providing for the enforcement of regulatory provisions.

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

House File 540, by Mertz and Drake, a bill for an act relating to soil and water conservation district work projects supporting water protection practices, and providing an effective date.

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

House File 541, by committee on human resources, a bill for an act relating to the regulation and practice of pharmacy, including providing for the establishment of a limited drug and device distributor license.

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

House File 542, by committee on human resources, a bill for an act relating to the registration of pharmacy technicians.

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

House File 543, by Shomshor, a bill for an act requiring automatic sprinkler systems in dormitories and providing for penalties.

Read first time and referred to committee on **state government**.

House File 544, by Gaskill, a bill for an act relating to inspection of absentee ballot affidavit envelopes by the county commissioner of elections.

Read first time and referred to committee on **state government**.

House File 545, by committee on transportation, a bill for an act establishing preclicensing and continuing education requirements for used motor vehicle dealers.

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

House File 546, by committee on state government, a bill for an act relating to membership on election boards.

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

House File 547, by committee on agriculture, a bill for an act relating to animal pounds, by authorizing pounds to provide for temporary placement, to refer to themselves as animal shelters, and providing penalties.

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

House File 548, by Ford, a bill for an act relating to the creation of a consumer choice, support, and education program, and providing an appropriation.

Read first time and referred to committee on **human resources**.

House File 549, by Arnold, a bill for an act relating to reports of suspected illegal discarding of solid waste.

Read first time and referred to committee on **environmental protection**.

House File 550, by Ford, a bill for an act relating to health care outreach and providing an appropriation.

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

House File 551, by Schickel, a bill for an act relating to offenses against identity by providing a procedure to secure credit information and providing a penalty.

Read first time and referred to committee on **public safety**.

House File 552, by Schickel, a bill for an act relating to sex offenders by restricting the presence of offenders on certain real properties where minors are present, repealing the residency restriction for offenders residing near a school or child care facility, and providing a penalty.

Read first time and referred to committee on **public safety**.

House File 553, by Schickel, a bill for an act requiring governmental entities to hold a public hearing prior to hiring a consultant for hiring personnel.

Read first time and referred to committee on **state government**.

House File 554, by committee on judiciary, a bill for an act relating to a criminal defendant filing an application for postconviction relief.

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

House File 555, by committee on ways and means, a bill for an act increasing the taxes imposed on cigarettes and tobacco products and providing for deposit of the increased revenue generated in the

healthy Iowans tobacco trust, and providing an effective date and an applicability provision.

Read first time and placed on the **ways and means calendar**.

CONSIDERATION OF BILLS

Regular Calendar

House File 491, a bill for an act adding hallucinogenic substances to the list of schedule I controlled substances, and providing penalties, was taken up for consideration.

Huser of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 491)

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Hunter
Huseman	Huser	Jacobs	Jacoby
Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Murphy, Spkr.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor
Smith	Soderberg	Staed	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Van Engelenhoven
Van Fossen	Watts	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wienczek
Winckler	Windschitl	Wise	Worthan
Upmeyer,			
Presiding			

The nays were, none.

Absent or not voting, 3:

Deyoe Horbach Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 499, a bill for an act relating to various matters under the purview of the insurance division of the department of commerce including workers' compensation self-insurance, premium taxes, the uniform securities Act, powers and duties of the insurance division, regulation of insurance sales to military personnel, domestic insurance companies, life insurance companies, nonprofit health service corporations, external review of health care coverage decisions, investment limitations on insurers other than life insurers, property and casualty insurers' reserves, motor vehicle service contracts, county and state mutual associations, reciprocal or interinsurance contracts, licensing of insurance producers and public adjusters, and life and fire insurance company boards of directors, and providing penalties, was taken up for consideration.

Hoffman of Crawford moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 499)

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Hunter
Huseman	Huser	Jacobs	Jacoby
Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Murphy, Spkr.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill

Quirk	Raecker	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor
Smith	Soderberg	Staed	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Van Engelenhoven
Van Fossen	Watts	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wienczek
Winckler	Windschitl	Wise	Worthan
Upmeyer, Presiding			

The nays were, none.

Absent or not voting, 3:

Deyoe Horbach Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 491 and 499.**

RULE 57 SUSPENDED

McCarthy of Polk asked and received unanimous consent to suspend Rule 57, related to committee notice and agenda, for a meeting of the subcommittee on health and human services.

SPECIAL PRESENTATION

Clute of Polk introduced to the House the Honorable Gene Maddox, former state representative from Polk County.

The House rose and expressed its welcome.

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bill has been examined and found correctly enrolled, signed by the Speaker of the House

and the President of the Senate, and presented to the Governor for his approval on this 27th day of February, 2007: House File 260.

MARK W. BRANDSGARD
Chief Clerk of the House

Report adopted.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- 2007\1400 Blanche McGrady, Mason City – For celebrating her 100th birthday.
- 2007\1401 Alfina Jones, Mason City – For celebrating her 95th birthday.
- 2007\1402 Devon Kimber, Waukon – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\1403 Jacob Riese, Waukon – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\1404 Elva Davis, Radcliffe – For celebrating her 90th birthday.
- 2007\1405 Wilma Wood, Iowa Falls – For celebrating her 100th birthday.
- 2007\1406 George and Alma Mathiasen, Harlan – For celebrating their 70th wedding anniversary.
- 2007\1407 Donald Morrison, Alburnett – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\1408 Eric Meyer, Alburnett – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\1409 Gerry Peterson, Danville – For celebrating her 80th birthday.
- 2007\1410 Doris Forbes, Columbus Junction – For celebrating her 80th birthday.
- 2007\1411 Kenneth and Carolyn Hammons, Columbus Junction – For celebrating their 50th wedding anniversary.
- 2007\1412 Robert and Marjory Knapp, Morning Sun – For celebrating their 60th wedding anniversary.

- 2007\1413 Jim and Mabel Kelly, Mediapolis – For celebrating their 60th wedding anniversary.
- 2007\1414 Dennis and Aggie Reed, Winterset – For celebrating their 50th wedding anniversary.
- 2007\1415 Jim and Jo DeForest, Winterset – For celebrating their 50th wedding anniversary.
- 2007\1416 Jerry and Carolyn Austin, St. Charles – For celebrating their 60th wedding anniversary.
- 2007\1417 Don and Shirley Ellensohn, Le Mars – For celebrating their 50th wedding anniversary.
- 2007\1418 Clarence and Veronica Harpenau, Remsen – For celebrating their 50th wedding anniversary.
- 2007\1419 Nona Olson, Hawarden – For celebrating her 90th birthday.
- 2007\1420 Dennis “Tunie” Owens, Alton – For his 40 years of dedicated service with the Alton Fire, Rescue and Ambulance Squad.
- 2007\1421 Mike Finch, Hartley–Melvin–Sanborn School District – For winning first place in the 152 lb. weight class in the Class 1-A Division of the 2007 State Wrestling Tournament.
- 2007\1422 Irene Richter, Ashton – For celebrating her 85th birthday.
- 2007\1423 Marvin and Verna Wallinga, Sheldon – For celebrating their 65th wedding anniversary.
- 2007\1424 Tony Kommes, Exira – For celebrating his 89th birthday.
- 2007\1425 Elizabeth Anderson, Audubon – For celebrating her 90th birthday.
- 2007\1426 Willis and Thelma Umland, Audubon – For celebrating their 50th wedding anniversary.
- 2007\1427 Agnes Jacobsen, Exira – For celebrating her 90th birthday.
- 2007\1428 Louise Molgaard, Audubon – For celebrating her 95th birthday.
- 2007\1429 Maude Morrison, Panora – For celebrating her 98th birthday.
- 2007\1430 Charlie and Joan Sorenson, Audubon – For celebrating their 50th wedding anniversary.
- 2007\1431 Roman and Wilma Johnson, Alexander – For celebrating their 60th wedding anniversary.
- 2007\1432 Helen Halsne, Clear Lake – For celebrating her 80th birthday.

- 2007\1433 Elizabeth Noelting, Dumont – For celebrating her 90th birthday.
- 2007\1434 Kermit and Marlene Sandersfeld, Latimer – For celebrating their 50th wedding anniversary.
- 2007\1435 Doris Boyenga Richtsmeier, Hampton – For celebrating her 85th birthday.
- 2007\1436 Edna Ayers, Aredale – For celebrating her 101st birthday.
- 2007\1437 Paul and Joyce Hauser, Hampton – For celebrating their 50th wedding anniversary.
- 2007\1438 Richard and Esther Eisentrager, Dumont – For celebrating their 50th wedding anniversary.
- 2007\1439 Colleen Roscovius, Independence – For celebrating her 80th birthday.
- 2007\1440 Vernon Wermerskirchen, Gilbertville – For celebrating his 90th birthday.
- 2007\1441 Mary Vogel, Gilbertville – For celebrating her 80th birthday.
- 2007\1442 Louise Kollmann, Parkersburg – For celebrating her 90th birthday.
- 2007\1443 Rosalyn Schuknecht, Waverly – For celebrating her 90th birthday.
- 2007\1444 Dorothy Rick, Waverly – For celebrating her 95th birthday.
- 2007\1445 Calvin and Johanna Kannegieter, Aplington – For celebrating their 60th wedding anniversary.
- 2007\1446 Henry and Meta Siemons, Greene – For celebrating their 60th wedding anniversary.
- 2007\1447 Henry and Velda Mehmen, Shell Rock – For celebrating their 60th wedding anniversary.

SUBCOMMITTEE ASSIGNMENTS

House File 392

Agriculture: Reasoner, Chair; Drake and H. Miller.

House File 419

Agriculture: Reasoner, Chair; Drake and H. Miller.

House File 422

Judiciary: Palmer, Chair; Lensing and Tomenga.

House File 430

Judiciary: R. Olson, Chair; Lensing and Struyk.

House File 442

Commerce: Berry, Chair; Clute and Pettengill.

House File 443

State Government: Lensing, Chair; Abdul-Samad and Jacobs.

House File 445

Commerce: Oldson, Chair; Hoffman and Jacoby.

House File 446

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

House File 447

State Government: Pettengill, Chair; Lensing and Roberts.

House File 450

State Government: Lensing, Chair; Raecker and T. Taylor.

House File 458

Education: Cohoon, Chair; L. Miller and Wendt.

House File 460

Education: Winckler, Chair; Tymeson and Wendt.

House File 463

Judiciary: Smith, Chair; Boal and Winckler.

House File 464

Commerce: Quirk, Chair; Kelley and Lukan.

House File 470

Education: Cohoon, Chair; Foegen and Wiencek.

House File 473

Judiciary: Wendt, Chair; Lensing and Struyk.

House File 475

Education: Staed, Chair; Cohoon and Forristall.

House File 482

Education: Mascher, Chair; Abdul-Samad and May.

House File 495

Commerce: Petersen, Chair; Jacobs and Oldson.

House File 496

Judiciary: Lensing, Chair; Jacobs and Wendt.

House File 498

Commerce: Reichert, Chair; Kelley, Soderberg, Struyk, D. Taylor, Van Fossen and Wise.

House File 501

Judiciary: Smith, Chair; Baudler and Winckler.

House File 504

Transportation: Lykam, Chair; Cohoon, Gipp, Huser and Tjepkes.

House File 507

Commerce: Pettengill, Chair; Quirk, Sands, Soderberg and Wise.

House File 508

Commerce: Petersen, Chair; Jacoby and Van Fossen.

House File 512

Government Oversight: Ford, Chair; Berry and Tymeson.

House File 530

Education: Cohoon, Chair; Boal and Wendt.

House File 532

Judiciary: Smith, Chair; Heaton and Lensing.

House File 533

State Government: Shomshor, Chair; L. Miller and Quirk.

House File 535

Transportation: Bell, Chair; Arnold and D. Olson.

House File 537

Economic Growth: H. Miller, Chair; Clute and Schueller.

House File 538

State Government: Quirk, Chair; Greiner, Jacoby, Jochum, Raecker, Roberts and Shomshor.

Senate File 25

Judiciary: R. Olson, Chair; Boal and Smith.

Senate File 42

State Government: Wessel-Kroeschell, Chair; Kaufmann and Lensing.

Senate File 137

Commerce: Shomshor, Chair; Bailey and Upmeyer.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS**House Study Bill 124**

Agriculture: Reasoner, Chair; Drake and H. Miller.

House Study Bill 125

Agriculture: Reasoner, Chair; Drake and H. Miller.

House Study Bill 216

Public Safety: Heddens, Chair; Baudler and Swaim.

House Study Bill 219

Public Safety: R. Olson, Chair; Lukan and Mascher.

House Study Bill 221

Public Safety: Whitaker, Chair; Baudler and Gayman.

House Study Bill 231

Local Government: D. Olson, Chair; Bukta and Deyoe.

House Study Bill 234

Agriculture: Reasoner, Chair; Drake, Mertz, H. Miller and S. Olson.

House Study Bill 235

Judiciary: Smith, Chair; Heaton and Oldson.

House Study Bill 236

Agriculture: Struyk, Chair; Pettengill and Reichert.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON EDUCATION

Committee Bill (Formerly House Study Bill 87), relating to human growth and development and health education under the education standards, authorizing school districts and nonpublic schools to provide comprehensive sexual health education, and establishing related duties for the director of the department of education.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 26, 2007.

Committee Bill (Formerly House Study Bill 220), relating to the membership of the board of educational examiners.

Fiscal Note is not required.

Recommended **Do Pass** February 26, 2007.

COMMITTEE ON ENVIRONMENTAL PROTECTION

Committee Bill (Formerly House Study Bill 81), requiring certain water treatment and supply-related inspections to be conducted when certain property is sold or transferred.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 26, 2007.

COMMITTEE ON HUMAN RESOURCES

House File 337, a bill for an act relating to the creation of a task force on postnatal tissue and fluid banking, providing an appropriation, and providing an effective date.

Fiscal note is not required.

Recommended **Amend and Do Pass with Amendment H—1085** February 26, 2007.

Pursuant to Rule 31.7, House File 337 was referred to the committee on appropriations.

Committee Bill (Formerly House Study Bill 144), relating to acquired immune deficiency syndrome and the human immunodeficiency virus.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 26, 2007.

COMMITTEE ON LOCAL GOVERNMENT

Committee Bill (Formerly House File 52), relating to notice of meetings of the board of township trustees.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 26, 2007.

Committee Bill (Formerly House File 201), relating to advisory boards created pursuant to emergency services agreements and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** February 26, 2007.

Committee Bill (Formerly House File 343), relating to requirements for persons seeking election to township office.

Fiscal Note is not required.

Recommended **Do Pass** February 26, 2007.

Committee Bill (Formerly House File 380), relating to the application and enforcement of the state building code and providing an applicability date.

Fiscal Note is not required.

Recommended **Do Pass** February 26, 2007.

Committee Bill (Formerly House File 417), providing procedures to increase the number of city council members in certain cities.

Fiscal Note is not required.

Recommended **Do Pass** February 26, 2007.

Committee Bill (Formerly House Study Bill 209), relating to limitations of actions as applied to county collection of delinquent property taxes.

Fiscal Note is not required.

Recommended **Do Pass** February 26, 2007.

COMMITTEE ON NATURAL RESOURCES

Committee Bill (Formerly House File 152), providing for a low head dam public hazard program, and making an appropriation.

Fiscal Note is required.

Recommended **Amend and Do Pass** February 26, 2007.

Committee Bill (Formerly House Study Bill 45), relating to civil damages payable for unlawful taking of certain animals and fish.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 26, 2007.

AMENDMENTS FILED

H—1084	H.F.	516	Bell of Jasper
H—1085	H.F.	337	Committee on Human Resources
H—1086	H.F.	555	Struyk of Pottawattamie
H—1087	H.F.	555	Struyk of Pottawattamie

On motion by McCarthy of Polk the House adjourned at 9:38 a.m., until 9:00 a.m., Wednesday, February 28, 2007.

JOURNAL OF THE HOUSE

Fifty-second Calendar Day - Thirty-seventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, February 28, 2007

The House met pursuant to adjournment at 9:09 a.m., Speaker Murphy in the chair.

Prayer was offered by Reverend David Ruhe, pastor of the Plymouth Congregational United Church of Christ. He is the guest of Representatives Libby Jacobs and Jo Oldson from Polk County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Adam Fisher, House Page from Ellsworth. Claire Kapustka, an 8th grade student from St. Pius X School in Des Moines, sang the National Anthem.

The Journal of Tuesday, February 27, 2007 was approved.

INTRODUCTION OF BILLS

House File 556, by committee on commerce, a bill for an act establishing the Iowa propane education and research council, providing for the development of programs and projects related to propane, providing for an assessment on the sale of odorized propane, providing criminal penalties, and providing for effective dates.

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

House File 557, by Gayman, a bill for an act providing for mandatory universal newborn and infant eye examinations.

Read first time and referred to committee on **human resources**.

House File 558, by committee on economic growth, a bill for an act relating to residential property and property taxation within a self-supported municipal improvement district, providing a property tax exemption, and providing that related notices may be sent by first class mail.

Read first time and referred to committee on **ways and means**.

House File 559, by committee on transportation, a bill for an act relating to the midwest interstate passenger rail compact and providing an effective date.

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

House File 560, by Mascher, a bill for an act requiring a political committee expressly advocating the passage or defeat of a ballot issue to file four disclosure reports in an election year.

Read first time and referred to committee on **state government**.

House File 561, by Schickel, a bill for an act prohibiting the use of high intensity discharge headlamps on motor vehicles and providing a penalty.

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

House File 562, by committee on natural resources, a bill for an act relating to civil damages payable for unlawful taking of certain animals and fish.

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

House File 563, by Alons, a bill for an act relating to the name listed on a driver's license or nonoperator's identification card.

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

House File 564, by Upmeyer, a bill for an act relating to major stationary sources for air quality control purposes.

Read first time and referred to committee on **environmental protection**.

House File 565, by May, a bill for an act prohibiting the use of a mobile or cellular telephone by the driver of a school bus, and providing a penalty.

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

House File 566, by Quirk, a bill for an act relating to the definition of a free clinic for the purposes of the volunteer health care provider program.

Read first time and referred to committee on **human resources**.

House File 567, by committee on judiciary, a bill for an act relating to nonsubstantive Code corrections and including effective and retroactive applicability date provisions.

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

House File 568, by Lukan, a bill for an act relating to national pollutant discharge elimination system permits for disposal systems of certain cities.

Read first time and referred to committee on **environmental protection**.

House File 569, by Ford, a bill for an act relating to state health care and other programs, including the expansion of the Medicaid and IowaCare programs, and including a process to facilitate utilization of state services by former inmates transitioning to the community.

Read first time and referred to committee on **human resources**.

House File 570, by Ford, a bill for an act relating to contracted services for substance abuse treatment funded through the department of public health.

Read first time and referred to committee on **human resources**.

House File 571, by Swaim, a bill for an act relating to partition fences, including by providing powers to fence viewers and standards.

Read first time and referred to committee on **local government**.

House File 572, by Ford, a bill for an act relating to the unlawful manufacture, delivery, or possession with intent to manufacture or deliver a substance or counterfeit substance containing cocaine base.

Read first time and referred to committee on **public safety**.

House File 573, by Ford, a bill for an act requiring secondary school students to take a college entrance examination prior to graduating from high school and making an appropriation.

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

House File 574, by Ford, a bill for an act making an appropriation to the department of education for the division of vocational rehabilitation in order to provide a match for the federal funding available to the state for the fiscal year.

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

House File 575, by Swaim, a bill for an act relating to the use of a cellular telephone by a motor vehicle operator with an instruction permit or intermediate driver's license issued under the graduated driver licensing program and making penalties applicable.

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

House File 576, by Pettengill and Baudler, a bill for an act relating to telecommunications violations and complaints, by providing for expanded access to Iowa utilities board antitrust complaint procedures and prohibiting excessive charges by telephone service providers.

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

House File 577, by Rants, a bill for an act relating to the designation of enterprise zones located near modes of transportation and including effective date and retroactive applicability date provisions.

Read first time and referred to committee on **economic growth**.

House File 578, by Whitaker, a bill for an act providing for the regulation of Iowa packers and the purchase of swine from Iowa producers, providing for civil and state enforcement, and providing civil penalties.

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

House File 579, by committee on judiciary, a bill for an act relating to judicial branch practices and procedures, including expanding the definition of a seal, eliminating duties of the clerk of the supreme court, and obtaining electronic signatures on citations.

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

House File 580, by committee on state government, a bill for an act regulating electioneering communications for campaign finance and disclosure purposes and making civil remedies applicable.

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

House File 581, by Rants, Paulsen, De Boef, Watts, Alons, Windschitl, Struyk, Sands, Boal, Dolecheck, Drake, Huseman, Granzow and Baudler, a bill for an act denying state assistance to unauthorized adult aliens and making penalties applicable.

Read first time and referred to committee on **state government**.

House File 582, by Chambers, a bill for an act relating to the procedure for releasing a security interest in a snowmobile, an all-terrain vehicle, or a vessel.

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

House File 583, by Abdul-Samad, Lensing, Gayman, Winckler, Smith, Berry, Wessel-Kroeschell, Wendt, Staed, Bukta, Foege, Mascher, May, Wise, Palmer, Kelley, Frevert, L. Miller and Raecker, a bill for an act requiring school districts to prohibit the use of cigarettes and tobacco products at schools, on school grounds, in school vehicles, and at off-campus school-related indoor events.

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

House File 584, by Tymeson, a bill for an act establishing safety requirements for riding a bicycle on a street or highway and making a penalty applicable.

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

House File 585, by Jochum, a bill for an act relating to the selection of board members by area agencies on aging.

Read first time and referred to committee on **human resources**.

House File 586, by Bailey, a bill for an act providing for grandparent and great-grandparent visitation.

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

House File 587, by committee on local government, a bill for an act relating to advisory boards created pursuant to emergency services agreements and providing an effective date.

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

House File 588, by committee on local government, a bill for an act relating to requirements for persons seeking election to township office.

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

House File 589, by committee on local government, a bill for an act relating to limitations of actions as applied to county collection of delinquent property taxes.

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

House File 590, by committee on local government, a bill for an act relating to the application and enforcement of the state building code and providing an applicability date.

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

House File 591, by committee on local government, a bill for an act providing procedures to increase the number of city council members in certain cities.

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

CONSIDERATION OF BILLS

Regular Calendar

House File 468, a bill for an act requiring a study by the department of education relating to implementation of a statewide student information system, was taken up for consideration.

Winckler of Scott moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 468)

The ayes were, 99:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Gipp	Granzow	Grassley
Greiner	Heaton	Heddens	Hoffman
Horbach	Hunter	Huseman	Huser
Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	Mascher	May
McCarthy	Mertz	Miller, H.	Miller, L.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Palmer	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Smith	Soderberg	Staed
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wiencek	Winckler	Windschitl
Wise	Worthan	Mr. Speaker	
		Murphy	

The nays were, none.

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Ways and Means Calendar

House File 319, a bill for an act updating the Code references to the Internal Revenue Code and including effective date and retroactive applicability provisions, was taken up for consideration.

Van Fossen of Scott asked and received unanimous consent to withdraw amendment H-1081 filed by him on February 26, 2007.

Kelley of Black Hawk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 319)

The ayes were, 99:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Gipp	Granzow	Grassley
Greiner	Heaton	Heddens	Hoffman
Horbach	Hunter	Huseman	Huser
Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	Mascher	May
McCarthy	Mertz	Miller, H.	Miller, L.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Palmer	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Smith	Soderberg	Staed
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wienczek	Winckler	Windschitl
Wise	Worthan	Mr. Speaker	
		Murphy	

The nays were, none.

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 319 and 468.**

RULE 57 SUSPENDED

McCarthy of Polk asked and received unanimous consent to suspend Rule 57, related to committee notice and agenda, for a meeting of the committee on appropriations to consider the disaster aid bill.

On motion by McCarthy of Polk, the House was recessed at 9:41 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened at 2:06 p.m., Speaker Murphy in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on February 28, 2007, passed the following bill in which the concurrence of the Senate is asked:

House File 245, a bill for an act requiring invasive pneumococcal disease immunization for children enrolling in licensed child care centers.

Also: that the Senate has on February 28, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 78, a bill for an act relating to various conservation and recreation activities under the purview of the department of natural resources, modifying fees, and making penalties applicable.

Also: that the Senate has on February 28, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 139, a bill for an act relating to a criminal defendant filing an application for postconviction relief.

Also: that the Senate has on February 28, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 140, a bill for an act relating to the time period for which peace officers' investigative reports and specific portions of electronic mail and telephone billing records are to be kept confidential.

Also: that the Senate has on February 28, 2007 passed the following bill in which the concurrence of the House is asked:

Senate File 175, a bill for an act relating to the disposition of seized property in a criminal proceeding.

Also: that the Senate has on February 28, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 201, a bill for an act relating to county recorder fees for certified copies of certain vital statistics records, and providing an effective date.

Also: that the Senate has on February 28, 2007 passed the following bill in which the concurrence of the House is asked:

Senate File 203, a bill for an act requiring certain children to wear personal flotation devices while on board certain vessels operated on state waters and providing for a penalty and an effective date.

Also: that the Senate has on February 28, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 204, a bill for an act relating to the department of public safety practices and procedures.

Also: that the Senate has on February 28, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 205, a bill for an act relating to the use of moneys in the Iowa cultural trust grant account by the board of trustees of the Iowa cultural trust.

Also: that the Senate has on February 28, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 305, a bill for an act authorizing funding for providing disaster grants to needy individuals and families and providing an effective date.

MICHAEL E. MARSHALL, Secretary

INTRODUCTION OF BILLS

House File 592, by Lukan, a bill for an act relating to consumer credit, by updating references in the consumer credit code, changing specified dollar amounts and fee levels, providing for a method of periodic dollar amount increases, specifying a valuation increase method applicable to certain provisions, and prohibiting rent-to-own car transactions.

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

House File 593, by Heaton, a bill for an act requiring a person arrested for a felony to submit a DNA sample, and providing a contingent effective date.

Read first time and referred to committee on **public safety**.

House File 594, by Whitaker, a bill for an act providing for the regulation of swine, including feral swine and estray swine, providing penalties, and providing for effective dates.

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

House File 595, by Swaim, a bill for an act relating to political party affiliation of candidates for city elective office.

Read first time and referred to committee on **local government**.

House File 596, by Paulsen, a bill for an act relating to state funding of education by creating a lottery fund for education and providing for the crediting of lottery revenues.

Read first time and referred to committee on **state government**.

House File 597, by Wise, a bill for an act relating to the property tax assessment limitation for commercial and industrial property and providing a retroactive applicability date.

Read first time and referred to committee on **ways and means**.

House File 598, by committee on judiciary, a bill for an act relating to jury service compensation, reimbursement, and confidentiality.

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

House File 599, by Sands, a bill for an act relating to property taxes by linking the assessment limitations of certain classes of property, and including a retroactive applicability date provision.

Read first time and referred to committee on **ways and means**.

House File 600, by Paulsen, a bill for an act relating to impoundment of a motor vehicle driven by a person whose driver's license is denied, canceled, suspended, revoked, or barred.

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

House File 601, by Ford, a bill for an act requesting a legislative study regarding the application, nomination, and appointment of women as judges.

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

House File 602, by Raecker, a bill for an act relating to antiharassment and antibullying in the public arena and providing a penalty.

Read first time and referred to committee on **state government**.

House File 603, by Mascher, Hunter, Wessel-Kroeschell, Jacoby, Lensing, Winckler, D. Taylor, Foege, R. Olson, T. Taylor, Heddens, Oldson and Abdul-Samad, a bill for an act concerning discrimination based upon a person's sexual orientation or gender identity under the Iowa civil rights Act.

Read first time and referred to committee on **human resources**.

House File 604, by committee on transportation, a bill for an act crediting fees from the sale of certain special motor vehicle

registration plates to the emergency medical services fund and the veterans license fee fund, and providing an effective date.

Read first time and referred to committee on **veterans affairs**.

House File 605, by Heddens, Swaim, Kaufmann, Granzow, Jacoby, Kressig, Bailey, Mertz, H. Miller, R. Olson, Frevert, Kuhn, Cohoon, Davitt, D. Taylor, T. Taylor, Pettengill, Lykam, Bukta, Whitaker, McCarthy and Murphy, a bill for an act relating to special motor vehicle registration plates associated with military service, providing for distinguished service cross, navy cross, air force cross, soldier's medal, sailor's medal, and airman's medal special plates, establishing fees, and crediting fees from the sale of certain special plates to the veterans license fee fund.

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

House File 606, by committee on appropriations, a bill for an act authorizing funding for providing disaster grants to needy individuals and families and providing an effective date.

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

House File 607, by Tymeson, a bill for an act requiring a background investigation of certain teachers prior to issuance of an initial contract by a school district.

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

House File 608, by committee on local government, a bill for an act relating to notice of meetings of the board of township trustees.

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

House File 609, by committee on environmental protection, a bill for an act requiring certain private sewage disposal system-related inspections to be conducted when certain property is sold or transferred and including an effective date provision.

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

House File 610, by committee on human resources, a bill for an act relating to acquired immune deficiency syndrome and the human immunodeficiency virus.

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

House File 611, by committee on education, a bill for an act relating to human growth and development and health education under the educational standards, requiring school districts to provide curricular information to agencies and organizations upon request, and providing related duties for the director of the department of education.

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

House File 612, by committee on natural resources, a bill for an act providing for a low head dam public hazard program, and making an appropriation.

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

SENATE MESSAGE CONSIDERED

Senate File 305, by committee on appropriations, a bill for an act authorizing funding for providing disaster grants to needy individuals and families and including effective and retroactive applicability date provisions.

Read first time and **passed on file**.

McCarthy of Polk asked and received unanimous consent for the immediate consideration of House File 606.

COMMITTEE RECOMMENDATION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Committee Bill (Formerly LSB 2829HC), authorizing funding for providing disaster grants to needy individuals and families and providing an effective date.

Fiscal Note is not required.

Recommended: **Do Pass** February 28, 2007.

CONSIDERATION OF BILL
Appropriations Calendar

House File 606, a bill for an act authorizing funding for providing disaster grants to needy individuals and families and providing an effective date, was taken up for consideration.

Kuhn of Floyd asked and received unanimous consent for the immediate consideration of amendment H-1091.

Kuhn of Floyd offered the following amendment H-1091 filed by him from the floor and moved its adoption:

H-1091

- 1 Amend House File 606 as follows:
- 2 1. Page 1, line 7, by inserting after the word
- 3 "expenses" the following: ", food-related costs,".
- 4 2. Page 1, by striking lines 18 and 19 and
- 5 inserting the following:
- 6 "Sec.____. EFFECTIVE DATE - RETROACTIVE
- 7 APPLICABILITY. This Act, being deemed of immediate
- 8 importance, takes effect upon enactment and applies
- 9 retroactively to February 23, 2007, to proclamations
- 10 issued by the governor on or after that date."
- 11 3. Title page, line 2, by striking the words
- 12 "providing an effective date" and inserting the
- 13 following: "including effective and retroactive
- 14 applicability date provisions".

Amendment H-1091 was adopted.

SENATE FILE 305 SUBSTITUTED FOR HOUSE FILE 606

Kuhn of Floyd asked and received unanimous consent to substitute Senate File 305 for House File 606.

Senate File 305, a bill for an act authorizing funding for providing disaster grants to needy individuals and families and including effective and retroactive applicability date provisions, was taken up for consideration.

Kuhn of Floyd moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 305)

The ayes were, 99:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Gipp	Granzow	Grassley
Greiner	Heaton	Heddens	Hoffman
Horbach	Hunter	Huseman	Huser
Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	Mascher	May
McCarthy	Mertz	Miller, H.	Miller, L.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Palmer	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Smith	Soderberg	Staed
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wiencek	Winckler	Windschitl
Wise	Worthan	Mr. Speaker	
		Murphy	

The nays were, none.

Absent or not-voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **Senate File 305** be immediately messaged to the Senate.

HOUSE FILE 606 WITHDRAWN

Kuhn of Floyd asked and received unanimous consent to withdraw House File 606 from further consideration by the House.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- 2007\1448 Milly Weiss, Fairfield – For celebrating her 94th birthday.
- 2007\1449 Junior and Carol Davis, Fairfield – For celebrating their 50th wedding anniversary.
- 2007\1450 Mark Meek, Bonaparte – For his 30 years of dedicated service to the communities of Bonaparte and Hillsboro as a rural postal carrier.
- 2007\1451 Merl and Gerdena Brown, Kellogg – For celebrating their 50th wedding anniversary.
- 2007\1452 Merle and Helen Kreager, Newton – For celebrating their 65th wedding anniversary.
- 2007\1453 Nona Devries, Des Moines – For celebrating her 75th birthday.
- 2007\1454 Wilma Corbin, Des Moines – For celebrating her 75th birthday.
- 2007\1455 Earl Paul, Des Moines – For celebrating his 75th birthday.
- 2007\1456 Emma Severino, Des Moines – For celebrating her 75th birthday.
- 2007\1457 Robert Miller, Des Moines – For celebrating his 75th birthday.
- 2007\1458 Barbara Deangelo, Des Moines – For celebrating her 75th birthday.
- 2007\1459 Norma Hildebrand, Pleasant Hill – For celebrating her 75th birthday.
- 2007\1460 Donna Collings, Pleasant Hill – For celebrating her 75th birthday.
- 2007\1461 Donna Meek, Pleasant Hill – For celebrating her 75th birthday.
- 2007\1462 Eldena Price, Des Moines – For celebrating her 80th birthday.
- 2007\1463 Alice Jenks, Des Moines – For celebrating her 80th birthday.
- 2007\1464 Myrna Rasmussen, Des Moines – For celebrating her 80th birthday.
- 2007\1465 Kenneth Snook, Des Moines – For celebrating his 80th birthday.
- 2007\1466 Pat Keil, Des Moines – For celebrating his 80th birthday.

- 2007\1467 Emily Carter, Des Moines – For celebrating her 80th birthday.
- 2007\1468 Kathleen Hill, Des Moines – For celebrating her 80th birthday.
- 2007\1469 Charles Patrick, Des Moines – For celebrating his 80th birthday.
- 2007\1470 Clifford Smith, Des Moines – For celebrating his 85th birthday.
- 2007\1471 Betty Gillespie, Des Moines – For celebrating her 85th birthday.
- 2007\1472 Robert Lackey, Des Moines – For celebrating his 85th birthday.
- 2007\1473 Georgia Wade, Des Moines – For celebrating her 85th birthday.
- 2007\1474 Jenny Harmon, Des Moines – For celebrating her 85th birthday.
- 2007\1475 Dwain Dereus, Altoona – For celebrating his 90th birthday.
- 2007\1476 Lucille Burke, Pleasant Hill – For celebrating her 90th birthday.
- 2007\1477 Leona Klever, Williamsburg – For celebrating her 95th birthday.
- 2007\1478 Bill and Lois Berry, Williamsburg – For celebrating their 50th wedding anniversary.
- 2007\1479 Glen and Georgina Bruhl, Eagle Grove – For celebrating their 58th wedding anniversary.
- 2007\1480 Logan Ogden, What Cheer – For receiving the 2006-2007 Academic All-State Award.
- 2007\1481 Duan Thompson, Belmond – For celebrating his 80th birthday.
- 2007\1482 Eleanor Pals, Belmond – For celebrating her 80th birthday.
- 2007\1483 George Mennenga, Belmond – For celebrating his 102nd birthday.
- 2007\1484 Imogene Hiddleston, Belmond – For celebrating her 85th birthday.
- 2007\1485 Jessie Mechem, Belmond – For celebrating her 100th birthday.
- 2007\1486 June Mosiman, Belmond – For celebrating her 80th birthday.
- 2007\1487 Maurine Verhelst, Belmond – For celebrating her 80th birthday.
- 2007\1488 Ruby Boller, Belmond – For celebrating her 85th birthday.
- 2007\1489 Viola Barkema, Belmond – For celebrating her 80th birthday.
- 2007\1490 Earl Jergensen, Clarion – For celebrating his 80th birthday.
- 2007\1491 Helen Hilpipre, Clarion – For celebrating her 95th birthday.

- 2007\1492 Lois Southard, Clarion – For celebrating her 75th birthday.
- 2007\1493 Max Titus, Clarion – For celebrating his 85th birthday.
- 2007\1494 Richard Thompson, Clarion – For celebrating his 75th birthday.
- 2007\1495 Deloris Story, Dows – For celebrating her 85th birthday.
- 2007\1496 Edward Rockow, Dows – For celebrating his 75th birthday.
- 2007\1497 Melvin Goodrich, Dows – For celebrating his 75th birthday.
- 2007\1498 Anna Hinz, Eagle Grove – For celebrating her 75th birthday.
- 2007\1499 Charlotte Rasmussen, Eagle Grove – For celebrating her 80th birthday.
- 2007\1500 Constance McCutcheon, Eagle Grove – For celebrating her 90th birthday.
- 2007\1501 Dolly Myers, Eagle Grove – For celebrating her 75th birthday.
- 2007\1502 Esther Johnson, Eagle Grove – For celebrating her 90th birthday.
- 2007\1503 Georgiana Bruhl, Eagle Grove – For celebrating her 80th birthday.
- 2007\1504 Harriet Foster, Eagle Grove – For celebrating her 90th birthday.
- 2007\1505 Helen Axtell, Eagle Grove – For celebrating her 85th birthday.
- 2007\1506 Kenneth Melhus, Eagle Grove – For celebrating his 80th birthday.
- 2007\1507 Marlene Jorgensen, Eagle Grove – For celebrating her 75th birthday.
- 2007\1508 Mary Sadler, Eagle Grove – For celebrating her 75th birthday.
- 2007\1509 Maryann Powell, Eagle Grove – For celebrating her 75th birthday.
- 2007\1510 Millie Iehl, Eagle Grove – For celebrating her 80th birthday.
- 2007\1511 Phyllis Strain, Eagle Grove – For celebrating her 85th birthday.
- 2007\1512 Phyllis Sholly, Eagle Grove – For celebrating her 75th birthday.
- 2007\1513 Rachel Umthun, Eagle Grove – For celebrating her 75th birthday.
- 2007\1514 Robert Wisecup, Eagle Grove – For celebrating his 75th birthday.
- 2007\1515 William Baker, Eagle Grove – For celebrating his 75th birthday.
- 2007\1516 Nathan Poncin, Galt – For celebrating his 75th birthday.

- 2007\1517 Betty Sease, Goldfield – For celebrating her 85th birthday.
- 2007\1518 Donald Mrazek, Goldfield – For celebrating his 75th birthday.
- 2007\1519 Kenneth Axon, Goldfield – For celebrating his 80th birthday.
- 2007\1520 Carol Raymond, Lehigh – For celebrating her 75th birthday.
- 2007\1521 Lavonne Pogge, Renwick – For celebrating her 75th birthday.
- 2007\1522 Anna Avery, Rowan – For celebrating her 75th birthday.
- 2007\1523 James Jackson, Rowan – For celebrating his 80th birthday.
- 2007\1524 Joan Utz, Rowan – For celebrating her 75th birthday.
- 2007\1525 Julia Gordon, Rowan – For celebrating her 80th birthday.
- 2007\1526 Tilford Enderson, Stanhope – For celebrating his 85th birthday.
- 2007\1527 Paul Neese, Stratford – For celebrating his 75th birthday.
- 2007\1528 Marcille Segar, Webster – For celebrating her 80th birthday.
- 2007\1529 Wilbur Segar, Webster – For celebrating his 80th birthday.
- 2007\1530 Arthur Lewis, Webster City – For celebrating his 80th birthday.
- 2007\1531 Betty Ringer, Webster City – For celebrating her 85th birthday.
- 2007\1532 Donald Utter, Webster City – For celebrating his 85th birthday.
- 2007\1533 Donald Meyers, Webster City – For celebrating his 90th birthday.
- 2007\1534 Jim Fassett, Webster City – For celebrating his 80th birthday.
- 2007\1535 Joyce Anderson, Webster City – For celebrating her 75th birthday.
- 2007\1536 Lorna Rebhuhn, Webster City – For celebrating her 75th birthday.
- 2007\1537 Luella Segar, Webster City – For celebrating her 95th birthday.
- 2007\1538 Philis Fletchall, Webster City – For celebrating her 80th birthday.
- 2007\1539 Ruby Hamman, Webster City – For celebrating her 75th birthday.
- 2007\1540 Ruth Klaver, Webster City – For celebrating her 85th birthday.
- 2007\1541 Salvatore Antimuro, Webster City – For celebrating his 90th birthday.
- 2007\1542 Thomas Romick, Webster City – For celebrating his 80th birthday.

- 2007\1543 Clifton Chally, Webster City – For celebrating his 75th birthday.
- 2007\1544 Damon Adams, Woolstock – For celebrating his 80th birthday.
- 2007\1545 Robert Flaws, Woolstock – For celebrating his 75th birthday.
- 2007\1546 Helen Janssen, Traer – For celebrating her 95th birthday.
- 2007\1547 Dorothy Vanicek, Traer – For celebrating her 95th birthday.
- 2007\1548 Albert Middleton, Webster City – For celebrating his 80th birthday.
- 2007\1549 Alicia Long, Clarion – For celebrating her 75th birthday.
- 2007\1550 Barbara Drury, Clarion – For celebrating her 85th birthday.
- 2007\1551 Bettimae Mammaing, Webster City – For celebrating her 80th birthday.
- 2007\1552 Bonnie Eckhoff, Belmond – For celebrating her 80th birthday.
- 2007\1553 Carrie Ballou, Eagle Grove – For celebrating her 100th birthday.
- 2007\1554 Clarice Pearson, Stratford – For celebrating her 90th birthday.
- 2007\1555 Della Cady, Williams – For celebrating her 95th birthday.
- 2007\1556 Deloris Lowenberg, Belmond – For celebrating her 80th birthday.
- 2007\1557 Donald Braner, Belmond – For celebrating his 85th birthday.
- 2007\1558 Donald Cook, Webster City – For celebrating his 75th birthday.
- 2007\1559 Donovan Back, Eagle Grove – For celebrating his 75th birthday.
- 2007\1560 Duane Whipple, Webster City – For celebrating his 80th birthday.
- 2007\1561 Elizabeth Oleson, Dows – For celebrating her 75th birthday.
- 2007\1562 Ellen McCutcheon, Goldfield – For celebrating her 75th birthday.
- 2007\1563 Frances Gist, Eagle Grove – For celebrating her 75th birthday.
- 2007\1564 Gladys Woodley, Rowan – For celebrating her 95th birthday.
- 2007\1565 Harold Naefke, Clarion – For celebrating his 80th birthday.
- 2007\1566 Howard Dorman, Belmond – For celebrating his 75th birthday.
- 2007\1567 Jeanette Larson, Story City – For celebrating her 80th birthday.
- 2007\1568 John Biege, Eagle Grove – For celebrating his 90th birthday.

- 2007\1569 Lowell Kilmer, Stanhope – For celebrating his 80th birthday.
- 2007\1570 Lyman Spencer, Clarion – For celebrating his 80th birthday.
- 2007\1571 Marion Dosland, Lehigh – For celebrating his 90th birthday.
- 2007\1572 Marladean Hadley, Belmond – For celebrating her 80th birthday.
- 2007\1573 Martha Miller, Alexander – For celebrating her 90th birthday.
- 2007\1574 Mary Chapman, Goldfield – For celebrating her 75th birthday.
- 2007\1575 Mary Dawson, Webster City – For celebrating her 95th birthday.
- 2007\1576 Mary Eliason, Clarion – For celebrating her 75th birthday.
- 2007\1577 Mildred Anderson, Woolstock – For celebrating her 75th birthday.
- 2007\1578 Norman Johnson, Lehigh – For celebrating his 80th birthday.
- 2007\1579 Norris Skadburg, Eagle Grove – For celebrating his 90th birthday.
- 2007\1580 Patricia Schaufler, Webster City – For celebrating her 75th birthday.
- 2007\1581 Robert Engels, Eagle Grove – For celebrating his 75th birthday.
- 2007\1582 Robert Hensley, Webster City – For celebrating his 80th birthday.
- 2007\1583 Rosebelle Dirks, Belmond – For celebrating her 80th birthday.
- 2007\1584 Shirley Hillyer, Webster City – For celebrating her 75th birthday.
- 2007\1585 Shirley Kuhlers, Belmond – For celebrating her 85th birthday.
- 2007\1586 Shirley Yungclas, Webster City – For celebrating her 75th birthday.
- 2007\1587 Verla Lundahl, Clarion – For celebrating her 85th birthday.
- 2007\1588 Walter Detmer, Williams – For celebrating his 95th birthday.
- 2007\1589 Wanda Glade, Dows – For celebrating her 80th birthday.
- 2007\1590 Wanda Schnurr, Webster City – For celebrating her 75th birthday.
- 2007\1591 William Mock, Clarion – For celebrating his 75th birthday.
- 2007\1592 Victor Claude, Woolstock – For celebrating his 85th birthday.

SUBCOMMITTEE ASSIGNMENTS

House Joint Resolution 5

Appropriations: Oldson, Chair; Jacoby and Watts.

House File 294

Human Resources: Smith, Chair; Ford and Heaton.

House File 341

Human Resources: Smith, Chair; Ford and Tomenga.

House File 435

Local Government: D. Olson, Chair; Clute and Whitead.

House File 453

Appropriations: Cohoon, Chair; Huseman and Winckler.

House File 466

Appropriations: Cohoon, Chair; Huseman and Oldson.

House File 471

Appropriations: Foegen, Chair; Gayman and Heaton.

House File 472

Appropriations: Winckler, Chair; Chambers and Wenthe.

House File 478

Local Government: D. Olson, Chair; Clute and Gaskill.

House File 485

Appropriations: Cohoon, Chair; Huseman and Reichert.

House File 486

Appropriations: Cohoon, Chair; Huseman and Reichert.

House File 487

Local Government: D. Olson, Chair; Gaskill and Kaufmann.

House File 490

Appropriations: Dandekar, Chair; Cohoon and Schickel.

House File 493

Appropriations: T. Taylor, Chair; Berry and Lukan.

House File 503

Human Resources: Heddens, Chair; Foege and Grassley.

House File 505

Appropriations: Foege, Chair; Gayman and Heaton.

House File 506

Human Resources: Smith, Chair; Ford and Soderberg.

House File 511

Appropriations: Kuhn, Chair; De Boef and Reichert.

House File 515

Human Resources: Hunter, Chair; Jacoby and L. Miller.

House File 517

Appropriations: Foege, Chair; Heaton and Winckler.

House File 518

Appropriations: Winckler, Chair; Chambers and Wenthe.

House File 520

Human Resources: Smith, Chair; Ford and Heaton.

House File 521

Appropriations: T. Taylor, Chair; Berry and Lukan.

House File 522

Labor: T. Taylor, Chair; Abdul-Samad and Watts.

House File 523

Appropriations: Foege, Chair; Gayman and Heaton.

House File 524

Human Resources: Smith, Chair; Ford and Heaton.

House File 527

Appropriations: Winckler, Chair; Chambers and Wenthe.

House File 531

Ways and Means: T. Olson, Chair; Grassley, Pettengill, Shomshor and Van Fossen.

House File 534

Appropriations: Winckler, Chair; Chambers and Wenthe.

House File 536

Appropriations: Winckler, Chair; Chambers and Oldson.

House File 540

Agriculture: Drake, Chair; Frevert and Mertz.

House File 548

Human Resources: Smith, Chair; Mascher and Upmeyer.

House File 550

Appropriations: Foege, Chair; Heaton and Kuhn.

House File 551

Public Safety: Mascher, Chair; Berry and Tomenga.

House File 552

Public Safety: Berry, Chair; Baudler and Lykam.

House File 571

Local Government: D. Olson, Chair; Kaufmann and Schueller.

Senate File 161

Local Government: D. Olson, Chair; Bukta and Deyoe.

Senate File 169

Human Resources: Wessel-Kroeschell, Chair; Heddens and Roberts.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 237 Education

Creating an all Iowa opportunity grant program and fund to be administered by the college student aid commission.

H.S.B. 238 Economic Growth

Relating to a statewide labor shed study and making appropriations.

H.S.B. 239 Economic Growth

Relating to the creation of enterprise zones in relation to Iowa great places projects and certified cultural and entertainment districts.

H.S.B. 240 Education

Relating to implementation of core content standards and a model core curriculum and making an appropriation.

H.S.B. 241 Judiciary

Relating to trusts and estates including fiduciaries and beneficiaries and including applicability provisions.

H.S.B. 242 Judiciary

Relating to mechanics' liens.

H.S.B. 243 Agriculture

Providing for an Iowa farmers' market nutrition program.

H.S.B. 244 Judiciary

Relating to a revised uniform anatomical gift Act, and providing penalties.

H.S.B. 245 Agriculture

Providing for excise taxes imposed on the sale of motor fuel containing ethanol blended gasoline.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON ECONOMIC GROWTH

Committee Bill (Formerly House File 235), relating to moneys appropriated to the department of economic development for regional tourism marketing purposes.

Fiscal Note is not required.

Recommended **Do Pass** February 27, 2007.

Committee Bill (Formerly House File 280), relating to distress criteria for enterprise zones.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 27, 2007.

Committee Bill (Formerly House File 388), creating a generation Iowa commission.

Fiscal Note is not required.

Recommended **Do Pass** February 27, 2007.

Committee Bill (Formerly House Study Bill 149), relating to the designation of Iowa great places and financial and technical assistance to projects in Iowa great places.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 27, 2007.

COMMITTEE ON JUDICIARY

Committee Bill (Formerly House Study Bill 64), relating to judicial branch practices and procedures, including distribution of court revenue to cities and counties, ordering hearings for forcible entry and detainer actions, and forfeiting bail for failure to appear.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 27, 2007.

Committee Bill (Formerly House Study Bill 76), relating to business corporations by providing for information required to be filed with the secretary of state and providing for shareholder voting.

Fiscal Note is not required.

Recommended **Do Pass** February 27, 2007.

Committee Bill (Formerly House Study Bill 140), relating to revising the uniform commercial code, by providing for warehouse receipts, bills of lading, and other documents of title.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 27, 2007.

COMMITTEE ON LABOR

Committee Bill (Formerly House File 313), relating to the establishment of a study of the economic, fiscal, and social impact of the living wage in Iowa.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 27, 2007.

Committee Bill (Formerly House Study Bill 70), relating to the workers' compensation liability of employment brokers or temporary employment agencies for their employees.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 27, 2007.

Committee Bill (Formerly House Study Bill 98), relating to proceedings to reopen an award or agreement for settlement of workers' compensation benefits.

Fiscal Note is not required.

Recommended **Do Pass** February 27, 2007.

COMMITTEE ON STATE GOVERNMENT

Committee Bill (Formerly House File 56), relating to the sales of beer kegs by requiring an identification number on each keg of beer, recording of the purchase of beer by the keg, and providing penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 27, 2007.

Committee Bill (Formerly House Study Bill 152), allowing a county commissioner of elections to appoint certain high school students to serve as precinct election board members.

Fiscal Note is not required.

Recommended **Do Pass** February 27, 2007.

Committee Bill (Formerly House Study Bill 153), relating to voter registration and voting systems performance standards.

Fiscal Note is not required.

Recommended **Do Pass** February 27, 2007.

Committee Bill (Formerly House Study Bill 204), allowing a voter to register to vote and to vote after regular registration and prior to voting in an election.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 27, 2007.

COMMITTEE ON TRANSPORTATION

Committee Bill (Formerly House File 476), relating to the transportation of passengers in an open truck bed and providing penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 27, 2007.

AMENDMENTS FILED

H—1088	H.F.	555	Gipp of Winneshiek Huser of Polk Mertz of Kossuth
H—1089	H.F.	555	Van Fossen of Scott
H—1090	H.F.	555	Van Fossen of Scott
H—1092	H.F.	555	Gipp of Winneshiek

On motion by McCarthy of Polk the House adjourned at 2:43 p.m., until 9:00 a.m., Thursday, March 1, 2007.

JOURNAL OF THE HOUSE

Fifty-third Calendar Day – Thirty-eighth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, March 1, 2007

The House met pursuant to adjournment at 9:07 a.m., Speaker Murphy in the chair.

Prayer was offered by the Honorable Bob Kressig, state representative from Black Hawk County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Heidi Horstman, House Page from Shelby.

The Journal of Wednesday, February 28, 2007 was approved.

INTRODUCTION OF BILL

House File 613, by Ford, a bill for an act providing for the establishment and administration of mental health court pilot projects.

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

The House stood at ease at 9:10 a.m., until the fall of the gavel.

The House resumed session at 9:22 a.m., Speaker Murphy in the chair.

INTRODUCTION OF BILLS

House File 614, by Ford, a bill for an act requiring a study of tax increment financing for purposes of urban renewal and providing an appropriation.

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

House File 615, by committee on education, a bill for an act relating to the membership of the board of educational examiners.

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

SENATE MESSAGES CONSIDERED

Senate File 139, by committee on judiciary, a bill for an act relating to a criminal defendant filing an application for postconviction relief.

Read first time and **passed on file**.

Senate File 140, by committee on judiciary, a bill for an act relating to the time period for which peace officers' investigative reports and specific portions of electronic mail and telephone billing records are to be kept confidential.

Read first time and referred to committee on **public safety**.

Senate File 175, by committee on judiciary, a bill for an act relating to the disposition of seized property in a criminal proceeding.

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

Senate File 201, by committee on local government, a bill for an act relating to county recorder fees for certified copies of certain vital statistics records, and providing an effective date.

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

Senate File 203, by committee on natural resources and environment, a bill for an act requiring certain children to wear personal flotation devices while on board certain vessels operated on state waters and providing for a penalty and an effective date.

Read first time and referred to committee on **natural resources**.

Senate File 204, by committee on judiciary, a bill for an act relating to the department of public safety practices and procedures.

Read first time and **passed on file.**

Senate File 205, by committee on economic growth, a bill for an act relating to the use of moneys in the Iowa cultural trust grant account by the board of trustees of the Iowa cultural trust.

Read first time and referred to committee on **economic growth.**

CONSIDERATION OF BILLS
Regular Calendar

House File 370, a bill for an act relating to crime victim compensation, was taken up for consideration.

SENATE FILE 70 SUBSTITUTED FOR HOUSE FILE 370

Berry of Black Hawk asked and received unanimous consent to substitute Senate File 70 for House File 370 placing out of order amendment H-1062 filed by Lukan of Dubuque on February 20, 2007.

Lukan of Dubuque offered the following amendment H-1077 filed by him and moved its adoption:

H-1077

- 1 Amend Senate File 70, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, by inserting after line 4 the
- 4 following:
- 5 "Sec. ___ Section 422.7, Code 2007, is amended by
- 6 adding the following new subsection:
- 7 **NEW SUBSECTION.** 50. Subtract, to the extent
- 8 included, the amount of victim compensation awards
- 9 paid under the victim compensation program, victim
- 10 restitution payments received pursuant to chapter 910
- 11 or 915, and any damages awarded by a court, and
- 12 received by the taxpayer, in a civil action filed by
- 13 the victim against the offender, during the tax year."
- 14 2. Page 5, by inserting after line 6 the
- 15 following:
- 16 "Sec. ___ RETROACTIVE APPLICABILITY DATE. The
- 17 section of this Act amending section 422.7 applies
- 18 retroactively to January 1, 2007, for tax years
- 19 beginning on or after that date."
- 20 3. Title page, line 1, by inserting after the

- 21 word "compensation" the following: ", excluding
 22 certain victim compensation payments from income
 23 taxation, and providing a retroactive applicability
 24 date".
 25 4. By renumbering as necessary.

Amendment H-1077 was adopted.

Berry of Black Hawk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 70)

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Bailey
Baudler	Bell	Berry	Boal
Bukta	Chambers	Clute	Cohoon
Dandekar	Davitt	Deyoe	Dolecheck
Drake	Foege	Ford	Forristall
Frevert	Gaskill	Gayman	Gipp
Grassley	Greiner	Heddens	Hoffman
Horbach	Hunter	Huseman	Huser
Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	Mascher	May
McCarthy	Mertz	Miller, H.	Miller, L.
Oldson	Olson, D.	Olson, R.	Olsón, S.
Olson, T.	Palmer	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Smith	Soderberg	Staed
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wiencek	Winckler	Windschitl
Wise	Worthan	Mr. Speaker	
		Murphy	

The nays were, none.

Absent or not voting, 5:

Arnold	De Boef	Granzow	Heaton
Zirkelbach			

Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Smith	Soderberg	Staed
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wienczek	Winckler	Windschitl
Wise	Worthan	Mr. Speaker	
		Murphy	

The nays were, none.

Absent or not voting, 5:

Arnold	De Boef	Granzow	Heaton
Zirkelbach			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 432, a bill for an act relating to abuse of a human corpse and providing penalties, was taken up for consideration.

Gayman of Scott moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 432)

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Bailey
Baudler	Bell	Berry	Boal
Bukta	Chambers	Clute	Cohoon
Dandekar	Davitt	Deyoe	Dolecheck
Drake	Foege	Ford	Forristall
Frevert	Gaskill	Gayman	Gipp
Grassley	Greiner	Heddens	Hoffman
Horbach	Hunter	Huseman	Huser
Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	Mascher	May
McCarthy	Mertz	Miller, H.	Miller, L.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Palmer	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller

Shomshor	Smith	Soderberg	Staed
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wienczek	Winckler	Windschitl
Wise	Worthan	Mr. Speaker	
		Murphy	

The nays were, none.

Absent or not voting, 5:

Arnold	De Boef	Granzow	Heaton
Zirkelbach			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 400, 432 and Senate File 70.**

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on February 28, 2007, he approved and transmitted to the Secretary of State the following bills:

House File 260, an Act relating to the classification and regulation of controlled substances and making penalties applicable.

Senate File 32, an Act extending the future repeal of a provision requiring the issuance of certificates for furnishing local telecommunications services, and providing an effective date.

Senate File 40, an Act relating to the regulation of ethical conduct by governmental entities.

Senate File 162, an Act creating the Iowa stem cell research and cures initiative, and providing penalties.

Senate File 305, an Act authorizing funding for providing disaster grants to needy individuals and families and including effective and retroactive applicability date provisions.

SUBCOMMITTEE ASSIGNMENTS

House File 488

State Government: Jacoby, Chair; L. Miller and Whitead.

House File 489

State Government: Gaskill, Chair; Jacobs and T. Taylor.

House File 510

Commerce: Petersen, Chair; Hoffman and Jacoby.

House File 513

State Government: Lensing, Chair; Gaskill and Jacobs.

House File 514

Commerce: Pettengill, Chair; Clute, Hoffman, Quirk and Wise.

House File 519

Commerce: Pettengill, Chair; Hoffman, Quirk, Upmeyer and Wise.

House File 543

State Government: Jacoby, Chair; L. Miller and Shomshor.

House File 544

State Government: Gaskill, Chair; Abdul-Samad and Jacobs.

House File 549

Environmental Protection: Jochum, Chair; De Boef and T. Olson.

House File 553

State Government: Shomshor, Chair; Lensing and Roberts.

House File 560

State Government: Wessel-Kroeschell, Chair; Boal and Lensing.

House File 561

Transportation: Tjepkes, Chair; Huser and Lykam.

House File 563

Transportation: Lykam, Chair; Huser and Tjepkes.

House File 565

Transportation: Huser, Chair; Lykam and Tjepkes.

House File 575

Transportation: Tjepkes, Chair; Huser and Lykam.

House File 581

State Government: Lensing, Chair; Boal and Wessel-Kroeschell.

House File 582

Transportation: May, Chair; Bell and Cohoon.

House File 583

Education: Abdul-Samad, Chair; Gayman and Kaufmann.

House File 584

Transportation: Tjepkes, Chair; Huser and Lykam.

House File 600

Transportation: Lykam, Chair; Huser and Tjepkes.

House File 605

Transportation: Huser, Chair; Lykam and Tjepkes.

Senate File 130

Local Government: D. Taylor, Chair; Kaufmann and Whitead.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 228

Labor: R. Olson, Chair; Horbach and Palmer.

House Study Bill 237

Education: Wendt, Chair; Dolecheck and Gayman.

House Study Bill 238

Economic Growth: Thomas, Chair; Wenthe and Wiencek

House Study Bill 239

Economic Growth: Thomas, Chair; Anderson and Bailey.

House Study Bill 240

Education: Wendt, Chair; Cohoon and May.

House Study Bill 241

Judiciary: Huser, Chair; Anderson and Swaim.

House Study Bill 243

Agriculture: Gayman, Chair; Pettengill and Struyk.

House Study Bill 245

Agriculture: Kuhn, Chair; Greiner and Wenthe.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON HUMAN RESOURCES

House File 125, a bill for an act establishing billing and payment standards for child care provided under the state child care assistance program administered by the department of human services.

Fiscal Note is not required.

Recommended **Amend and Do Pass with Amendment H—1093** February 28, 2007.

COMMITTEE ON TRANSPORTATION

House File 81, a bill for an act relating to a probation period following certain periods of driver's license suspension, revocation, or bar.

Fiscal Note is not required.

Recommended **Do Pass** February 27, 2007.

AMENDMENTS FILED

H—1093	H.F.	125	Committee on Human Resources
H—1094	H.F.	611	Tymeson of Madison
H—1095	H.F.	320	Paulsen of Linn
H—1096	H.F.	81	Paulsen of Linn

On motion by McCarthy of Polk the House adjourned at 9:55 a.m., until 1:00 p.m., Monday, March 5, 2007.

JOURNAL OF THE HOUSE

Fifty-seventh Calendar Day - Thirty-ninth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, March 5, 2007

The House met pursuant to adjournment at 1:18 p.m., Speaker pro tempore Bukta in the chair.

Prayer was offered by Reverend Randy Widbin, pastor of Christ Community Church of Sioux Center. He was the guest of Representative Dwayne Alons of Sioux County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led and the National Anthem was sung by Joni Carroll. She is the daughter of the Honorable Danny Carroll, former state representative from Poweshiek County and the guest of Speaker Murphy.

The Journal of Thursday, March 1, 2007 was approved.

INTRODUCTION OF BILLS

House Joint Resolution 6, by Sands, a joint resolution designating the channel catfish as the official state fish for the State of Iowa.

Read first time and referred to committee on **state government**.

House File 616, by committee on economic growth, a bill for an act relating to moneys appropriated to the department of economic development for regional tourism marketing purposes.

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

House File 617, by committee on economic growth, a bill for an act creating a generation Iowa commission.

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

House File 618, by committee on state government, a bill for an act allowing a county commissioner of elections to appoint certain high school students to serve as precinct election board members.

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

House File 619, by May, a bill for an act creating the service enhancement grant program for county veteran affairs, providing an appropriation, and providing an effective date.

Read first time and referred to committee on **veterans affairs**.

House File 620, by Horbach, a bill for an act allowing Tama county to request reimbursement for services rendered to the Sac and Fox Indian settlement and providing an effective date.

Read first time and referred to committee on **state government**.

House File 621, by Horbach, a bill for an act relating to the issuance of a protection order or approval of a consent agreement in a domestic abuse case.

Read first time and referred to committee on **public safety**.

House File 622, by Ford, a bill for an act relating to the operation of the Iowa communications network by providing for expansion of the network to facilitate statewide wireless network access, eliminating a provision relating to the lease of specified network components, and making appropriations.

Read first time and referred to committee on **government oversight**.

House File 623, by Smith, a bill for an act establishing a capital projects fund for the Iowa veterans home and making appropriations.

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

House File 624, by Heaton, a bill for an act relating to the recruitment and retention of psychiatrists in the state, and providing an appropriation.

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

House File 625, by Heaton, a bill for an act relating to education funding by providing for the establishment of the state percent of growth for purposes of the state school foundation program, providing that a portion of the growth be reserved for public school textbook and supply costs, and providing an applicability date.

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

House File 626, by May, a bill for an act relating to annual water quality assessments.

Read first time and referred to committee on **environmental protection**.

House File 627, by Reichert, a bill for an act appropriating moneys to support projects to maintain and improve state parks.

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

House File 628, by Horbach, a bill for an act relating to a surviving spouse's elective share involving a revocable trust and including an effective and retroactive applicability provision.

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

House File 629, by Worthan, a bill for an act relating to the use of the results of a preliminary screening test to determine alcohol consumption.

Read first time and referred to committee on **public safety**.

House File 630, by Pettengill, a bill for an act relating to judicial review of agency actions of the department of natural resources and the natural resources commission.

Read first time and referred to committee on **natural resources**.

House File 631, by Heaton, a bill for an act relating to a state false claims Act, providing penalties, and providing an effective date and applicability provision.

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

House File 632, by Heaton, a bill for an act relating to distribution of child support payments for families who have received or are receiving family investment program assistance.

Read first time and referred to committee on **human resources**.

House File 633, by Heaton, a bill for an act relating to middle school remediation programs and support services implemented by school districts and making an appropriation.

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

House File 634, by Horbach, a bill for an act relating to the possession of certain weapons by a private investigator or private security officer licensed in this state.

Read first time and referred to committee on **public safety**.

House File 635, by Heaton, a bill for an act providing for a summer reading loss prevention grant program for students in kindergarten through grade three, and making an appropriation.

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

House File 636, by Tymeson, Deyoe, Drake, Arnold, Rayhons, Tjepkes, Lukan, Baudler, De Boef, Alons, Boal, Chambers, Granzow and Huseman, a bill for an act modifying the method for determining and appropriating adjusted additional property tax levy aid for certain school districts and providing an effective date.

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

House File 637, by Heddens, Wessel-Kroeschell, Frevert, D. Olson, Bukta, Jochum, Ford, Abdul-Samad, Davitt, Foegen, Reichert and H. Miller, a bill for an act relating to appropriations for the design and construction of a new renewable fuels building and for the employment of additional renewable fuels research scientists at Iowa state university.

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

House File 638, by Wessel-Kroeschell, a bill for an act providing an income tax deduction for an individual whose rate of reimbursement under the medical assistance program is less than the individual normally charges and including a retroactive applicability date provision.

Read first time and referred to committee on **ways and means**.

House File 639, by Ford, a bill for an act providing for a study of issues in connection with officially accepting an identification card issued by the consular offices of foreign governments.

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

House File 640, by Ford, a bill for an act appropriating funds to the department of education for the development and implementation of professional development initiatives with area education agencies and local school districts focused on at-risk youth issues and programs.

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

House File 641, by committee on judiciary, a bill for an act relating to judicial branch practices and procedures, including distribution of court revenue to cities and counties, and reporting requirements in pending conservatorships, guardianships, estates, or trusts, and providing an effective date.

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

House File 642, by Palmer, a bill for an act relating to an exception to participation in required conciliation efforts based on a history of domestic abuse.

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

House File 643, by Quirk, a bill for an act concerning horses and horse racing, by providing for minimum racing days and arbitration for resolving disputes on horse racing agreements among representatives of horse breeds, horse purses for standardbred horses at county fairs, county gambling elections, by providing for an equine

industry promotional commission and related fund, and by making appropriations, and by providing for an effective date and applicability provision.

Read first time and referred to committee on **state government**.

House File 644, by D. Olson, a bill for an act providing for the purchase of special service credit under the Iowa public employees' retirement system.

Read first time and referred to committee on **state government**.

House File 645, by D. Olson, a bill for an act relating to health care coverage of certain treatments, drugs, and devices.

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

House File 646, by committee on transportation, a bill for an act relating to the transportation of passengers in an open truck bed and providing penalties.

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

House File 647, by committee on economic growth, a bill for an act relating to the designation of Iowa great places and financial and technical assistance to projects in Iowa great places.

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

House File 648, by committee on economic growth, a bill for an act relating to distress criteria for enterprise zones.

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

House File 649, by Wessel-Kroeschell, a bill for an act relating to eligibility for the preparation for adult living program administered by the department of human services.

Read first time and referred to committee on **human resources**.

House File 650, by committee on state government, a bill for an act relating to the sales of beer kegs by requiring an identification number on each keg of beer, recording of the purchase of beer by the keg, and providing penalties.

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

House File 651, by committee on judiciary, a bill for an act relating to business corporations, by providing for information required to be filed with the secretary of state and providing for shareholder voting.

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

House File 652, by committee on state government, a bill for an act relating to voter registration and voting systems performance standards.

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

House File 653, by committee on state government, a bill for an act allowing a voter to register to vote and to vote after regular registration and prior to voting in an election.

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

House File 654, by Upmeyer, a bill for an act relating to health care recordkeeping including electronic health records and the use of uniform billing codes.

Read first time and referred to committee on **human resources**.

House File 655, by Wessel-Kroeschell and Shomshor, a bill for an act relating to identity theft including providing for the notification of a breach in the security of computerized data of personal information, allowing a security alert or block on a consumer report, allowing the issuance of an identity theft passport, requiring the deletion of certain records relating to dishonored checks, prohibiting the collection of certain unauthorized debt obligations, and providing for civil remedies and penalties.

Read first time and referred to committee on **public safety**.

House File 656, by Reichert, a bill for an act providing an appropriation for a pilot project to implement a child care center that operates twenty-four hours per day, seven days per week.

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

House File 657, by Murphy, D. Olson, Bailey, Wise, Reichert, Gaskill, Dandekar, Cohoon, Wenthe, Whitaker, Kressig, Pettengill, Frevert, Palmer, H. Miller, Lykam, D. Taylor, Swaim and Mertz, a bill for an act relating to the employment of unauthorized aliens and providing penalties.

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

SENATE MESSAGE CONSIDERED

Senate File 78, by committee on natural resources and environment, a bill for an act relating to various conservation and recreation activities under the purview of the department of natural resources, modifying fees, making penalties applicable, and making an appropriation.

Read first time and **passed on file**.

RULE 57 SUSPENDED

McCarthy of Polk asked and received unanimous consent to suspend Rule 57, relating to committee notice and agenda, for budget subcommittee meetings on Wednesday, March 7, 2007.

On motion by McCarthy of Polk, the House was recessed at 1:44 p.m., until the completion of the 3:30 p.m. afternoon committee meetings.

AFTERNOON SESSION

The House reconvened at 5:48 p.m., Speaker Murphy in the chair.

INTRODUCTION OF BILLS

House File 658, by May, a bill for an act authorizing the establishment of county trails boards, creating penalties, and providing for appropriations.

Read first time and referred to committee on **local government**.

House File 659, by Hunter, a bill for an act relating to the provision of certain information to insureds regarding the internal appeal mechanism provided under certain health care plans or policies.

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

House File 660, by Hunter, a bill for an act requiring certain new school buses to be equipped with seat belts, requiring the use of such seat belts, and making a penalty applicable.

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

House File 661, by Smith, Winckler, Reichert, D. Olson, T. Olson, Kressig, Wenthe, Kuhn, Abdul-Samad, Lensing, Jacoby, Cohoon, Whitead, Gayman, Lykam, Ford, Bukta, Frevert, D. Taylor, Wessel-Kroeschell, Bailey, Palmer, Reasoner, Kelley, Wendt, Schueller, Petersen, Berry, Mertz, Staed, Foege, Jochum, Shomshor, R. Olson, T. Taylor, Wise, Hunter, Whitaker, Thomas, Davitt, Bell, Pettengill, H. Miller, Mascher and Heddens, a bill for an act relating to human papillomavirus infection by providing appropriations for a public awareness program and for vaccinations of low-income persons who are uninsured.

Read first time and referred to committee on **human resources**.

House File 662, by Whitaker, a bill for an act relating to tax paid by prohibiting a social security number on a check or other financial instrument submitted with a tax return.

Read first time and referred to committee on **ways and means**.

House File 663, by Whitaker, a bill for an act relating to taking the fingerprints of a child by a governmental unit.

Read first time and referred to committee on **public safety**.

House File 664, by Whitaker, a bill for an act allowing the use of a siren on the personal vehicles of certain volunteer fire fighters and making a penalty applicable.

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

House File 665, by May, a bill for an act providing for separation distance requirements between confinement feeding operation structures and certain lakes, providing an appropriation, and making penalties applicable.

Read first time and referred to committee on **environmental protection**.

House File 666, by Mascher, a bill for an act establishing a motorcycle safety helmet surcharge for issuance of a driver's license valid for operation of a motorcycle, providing for distribution of the surcharge, and providing penalties.

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

HOUSE FILE 125 REREFERRED

The Speaker announced that House File 125, previously placed on the **calendar** was rereferred to committee on **appropriations**.

HOUSE FILE 614 REREFERRED

The Speaker announced that House File 614, previously referred to committee on **appropriations** was rereferred to committee on **ways and means**.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on Thursday, March 1, 2007. Had I been present, I would have voted "aye" on House Files 400, 432 and Senate File 70.

DE BOEF of Keokuk

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 5, 2007, he approved and transmitted to the Secretary of State the following bill:

Senate File 61, an Act relating to the establishment of state and school antiharassment and antibullying policies, providing data collection and reporting requirements, and providing for immunity and other related matters.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- 2007\1593 Vern Walker, Algona – For celebrating his 80th birthday.
- 2007\1594 Carolyn Hansen, Armstrong – For celebrating her 75th birthday.
- 2007\1595 Geraldine Helgason, Armstrong – For celebrating her 80th birthday.
- 2007\1596 Helen Henriksen, Armstrong – For celebrating her 95th birthday.
- 2007\1597 John Helgason, Armstrong – For celebrating his 75th birthday.
- 2007\1598 Lorraine Hansen, Armstrong – For celebrating her 95th birthday.
- 2007\1599 Roberta Rieke, Armstrong – For celebrating her 75th birthday.
- 2007\1600 William Olson, Armstrong – For celebrating his 85th birthday.
- 2007\1601 Eileen Herbers, Ayrshire – For celebrating her 80th birthday.
- 2007\1602 Darlene Menke, Bancroft – For celebrating her 75th birthday.
- 2007\1603 Vincent Becker, Bancroft – For celebrating his 85th birthday.
- 2007\1604 Marjorie Lavernz, Burt – For celebrating her 85th birthday.
- 2007\1605 Marguerite Bramley, Cylinder – For celebrating her 75th birthday.
- 2007\1606 Elmer Simacek, Dolliver – For celebrating his 85th birthday.
- 2007\1607 Andre Torkelson, Elmore – For celebrating his 80th birthday.
- 2007\1608 Betty Kinnetz, Emmetsburg – For celebrating her 101st birthday.
- 2007\1609 Bonnie Anliker, Emmetsburg – For celebrating her 75th birthday.
- 2007\1610 Carol Glennon, Emmetsburg – For celebrating her 85th birthday.
- 2007\1611 Fay Wojahn, Emmetsburg – For celebrating her 75th birthday.

- 2007\1612 John Vaughan, Emmetsburg – For celebrating his 75th birthday.
- 2007\1613 Raymond Loring, Emmetsburg – For celebrating his 75th birthday.
- 2007\1614 Ruth Clasen, Emmetsburg – For celebrating her 95th birthday.
- 2007\1615 Shirley Brown, Emmetsburg – For celebrating her 80th birthday.
- 2007\1616 Arvin Juhl, Estherville – For celebrating his 75th birthday.
- 2007\1617 Bennie Moland, Estherville – For celebrating his 95th birthday.
- 2007\1618 Carolyn Martin, Estherville – For celebrating her 80th birthday.
- 2007\1619 Catherine Kiefer, Estherville – For celebrating her 85th birthday.
- 2007\1620 Eileen Obrein, Estherville – For celebrating her 80th birthday.
- 2007\1621 Fauntelle Blagg, Estherville – For celebrating her 80th birthday.
- 2007\1622 Floyd Chrestiansen, Estherville – For celebrating his 75th birthday.
- 2007\1623 Geneva Nelsen, Estherville – For celebrating her 85th birthday.
- 2007\1624 Harold Niss, Estherville – For celebrating his 80th birthday.
- 2007\1625 Harry Soper, Estherville – For celebrating his 80th birthday.
- 2007\1626 Leslie Higgins, Estherville – For celebrating her 80th birthday.
- 2007\1627 Margaret Harvey, Estherville – For celebrating her 95th birthday.
- 2007\1628 Norma Richard, Estherville – For celebrating her 75th birthday.
- 2007\1629 Paul House, Estherville – For celebrating his 80th birthday.
- 2007\1630 Roxie Chelsey, Estherville – For celebrating her 75th birthday.
- 2007\1631 Samuel Torrence, Estherville – For celebrating his 95th birthday.
- 2007\1632 Vern Barlow, Estherville – For celebrating his 80th birthday.
- 2007\1633 Iris Decker, Fenton – For celebrating her 75th birthday.
- 2007\1634 Ray Fessler, Fenton – For celebrating his 75th birthday.
- 2007\1635 Adolph Poppe, Lakota – For celebrating his 80th birthday.
- 2007\1636 Christ Engelbarts, Ledyard – For celebrating his 80th birthday.
- 2007\1637 Irene Brandt, Ledyard – For celebrating her 85th birthday.

- 2007\1638 Orville Beenken, Ledyard – For celebrating his 80th birthday.
- 2007\1639 Helena Dodds, Lone Rock – For celebrating her 80th birthday.
- 2007\1640 Harlan Sonksen, Mallard – For celebrating his 75th birthday.
- 2007\1641 Betty Johansen, Ringsted – For celebrating her 80th birthday.
- 2007\1642 Marlene Skovgaard, Ringstead – For celebrating her 75th birthday.
- 2007\1643 Andrew Hermanson, Ruthven – For celebrating his 75th birthday.
- 2007\1644 Margie Brown, Ruthven – For celebrating her 95th birthday.
- 2007\1645 Vera Peterson, Ruthven – For celebrating her 75th birthday.
- 2007\1646 Carl Callies, Titonka – For celebrating his 103rd birthday.
- 2007\1647 Katherine Kurtzleben, Titonka – For celebrating her 85th birthday.
- 2007\1648 Margietta Boyken, Titonka – For celebrating her 85th birthday.
- 2007\1649 Dennis Haverly, Wesley – For celebrating his 80th birthday.
- 2007\1650 Grace Simpson, Wesley – For celebrating her 95th birthday.
- 2007\1651 Lillie Hanson, Wesley – For celebrating her 85th birthday.
- 2007\1652 Martin Hamilton, Wesley – For celebrating his 80th birthday.
- 2007\1653 Cornelius Girres, West Bend – For celebrating his 95th birthday.
- 2007\1654 Harley Bruellman, West Bend – For celebrating his 80th birthday.
- 2007\1655 Hulda Wirtz, West Bend – For celebrating her 95th birthday.
- 2007\1656 Rex Brown, West Bend – For celebrating his 75th birthday.
- 2007\1657 Elmer Harmel, Tipton – For celebrating his 80th birthday.
- 2007\1658 Merlyn and Helen Timm, Tipton – For celebrating their 50th wedding anniversary.
- 2007\1659 Darren Brooke, West Liberty – For being named the Iowa Emergency Medical Service Association Career Individual of the Year.
- 2007\1660 Matt Escher, Wilton – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\1661 Mark Escher, Wilton – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.

- 2007\1662 Evelyn Straub, Tipton – For celebrating her 90th birthday.
- 2007\1663 Eleanor Thomson, Stanwood – For celebrating her 90th birthday.
- 2007\1664 Alvin and Mary Wright, Tipton – For celebrating their 50th wedding anniversary.
- 2007\1665 Dr. Ryan Stuntz, Farley – For being named Iowa's new dentist of the year by the Iowa Dental Association.
- 2007\1666 Alex Ryan, Des Moines – For the rare honor of being accepted to the three United States military academies, and for choosing to attend the United States Navel Academy.
- 2007\1667 Earl Check, Madrid – For celebrating his 75th birthday.
- 2007\1668 Richard Kottman, Ames – For celebrating his 75th birthday.
- 2007\1669 Wesley Shank, Ames – For celebrating his 80th birthday.
- 2007\1670 Donald Johnson, Madrid – For celebrating his 85th birthday.
- 2007\1671 John Shelley, Ames – For celebrating his 95th birthday.
- 2007\1672 Jon Applequist, Ames – For celebrating his 75th birthday.
- 2007\1673 Selva Lehman, Ames – For celebrating her 75th birthday.
- 2007\1674 Joan Latta, Madrid – For celebrating her 75th birthday.
- 2007\1675 Edith Reynoldson, Madrid – For celebrating her 85th birthday.
- 2007\1676 Jean West, Ames – For celebrating her 80th birthday.
- 2007\1677 Charles Mischke, Ames – For celebrating his 80th birthday.
- 2007\1678 Arthur Akers, Ames – For celebrating his 80th birthday.
- 2007\1679 Charles Meyer, Ames – For celebrating his 75th birthday.
- 2007\1680 E. Jane Jensen, Gilbert – For celebrating her 85th birthday.
- 2007\1681 Beverly Meyer, Ames – For celebrating her 75th birthday.
- 2007\1682 Donald Johnson, Ames – For celebrating his 75th birthday.
- 2007\1683 Ellen Landon, Ames – For celebrating her 85th birthday.
- 2007\1684 Clifford Olson, Ames – For celebrating his 80th birthday.
- 2007\1685 Charlotte Jamison, Ames – For celebrating her 75th birthday.

- 2007\1686 Dale Balmer, Ames – For celebrating his 75th birthday.
- 2007\1687 Dorothy Lagomarcino, Ames – For celebrating her 85th birthday.
- 2007\1688 Betty Ring, Ames – For celebrating her 80th birthday.
- 2007\1689 Jeanette Andreae, Ames – For celebrating her 80th birthday.
- 2007\1690 Mildred Hollander, Ames – For celebrating her 95th birthday.
- 2007\1691 Walter Nelson, Ames – For celebrating his 75th birthday.
- 2007\1692 Ethel Locke, Ames – For celebrating her 85th birthday.
- 2007\1693 Hobart Riney, Ames – For celebrating his 75th birthday.
- 2007\1694 Roma Sills, Ames – For celebrating her 80th birthday.
- 2007\1695 Fayona Larkins, Ames – For celebrating her 85th birthday.
- 2007\1696 Freda Washburn, Ames – For celebrating her 85th birthday.
- 2007\1697 Roger Sogard, Ames – For celebrating his 80th birthday.
- 2007\1698 Phyllis Harris, Ames – For celebrating her 80th birthday.
- 2007\1699 Wendell Laisure, Ames – For celebrating his 80th birthday.
- 2007\1700 Thamon Hazen, Ames – For celebrating his 80th birthday.
- 2007\1701 Virginia Ullrick, Ames – For celebrating her 80th birthday.
- 2007\1702 Iona Lenning, Ames – For celebrating her 80th birthday.
- 2007\1703 Bill and Coleen Sanquist, Adel – For celebrating their 50th wedding anniversary.
- 2007\1704 Mr. and Mrs. Robert Garrison, Davenport – For celebrating their 60th wedding anniversary.
- 2007\1705 Emmett and Lucene Sitzmann, Kingsley – For celebrating their 50th wedding anniversary.
- 2007\1706 Clarence and Arletta Dorhout, Orange City – For celebrating their 50th wedding anniversary.
- 2007\1707 Dorothy Poppen, Orange City – For celebrating her 100th birthday.
- 2007\1708 Florence Spangler, Norwalk – For celebrating her 90th birthday.

SUBCOMMITTEE ASSIGNMENTS

House File 416 Reassigned

Human Resources: Mascher, Chair; Forristall and Heddens.

House File 539

Agriculture: Reasoner, Chair; Kuhn and S. Olson.

House File 557

Human Resources: T. Olson, Chair; L. Miller and Palmer.

House File 564

Environmental Protection: Frevert, Chair; Drake, Greiner, Kuhn, H. Miller, D. Olson and S. Olson.

House File 566

Human Resources: Smith, Chair; Ford and Roberts.

House File 568

Environmental Protection: Kressig, Chair; Lensing and Watts.

House File 569

Human Resources: Smith, Chair; Ford and Tomenga.

House File 570

Human Resources: Smith, Chair; Heaton and Mascher.

House File 578

Agriculture: Drake, Chair; H. Miller and Reasoner.

House File 585

Human Resources: T. Olson, Chair; Smith and Upmeyer.

House File 595

Local Government: Gaskill, Chair; Clute and Whitead.

House File 603

Human Resources: Smith, Chair; Ford and Granzow.

House File 626

Environmental Protection: Frevert, Chair; Drake, Greiner, Kuhn, H. Miller, D. Olson and S. Olson.

Senate File 203

Natural Resources: Davitt, Chair; Baudler and Wenthe.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS**House Study Bill 194**

Appropriations: Foegen, Chair; Berry and Heaton.

House Study Bill 242

Judiciary: Swaim, Chair; Tomenga and Wessel-Kroeschell.

House Study Bill 244

Judiciary: Smith, Chair; Heaton and Winckler.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS**H.S.B. 246 Economic Growth**

Relating to certification of allocations of the state ceiling under the private activity bond allocation Act.

H.S.B. 247 Transportation

Providing an exemption from vehicle recycler licensing requirements for a person or business operating as a salvage pool.

H.S.B. 248 Transportation

Relating to motor vehicle enforcement within one thousand feet of the entrance to a construction area.

H.S.B. 249 Commerce

Relating to the development, management, and efficient use of energy resources in the state.

H.S.B. 250 Education

Increasing the state sales and use tax rates and using revenues to replace the local option sales and services tax for school infrastructure purposes, providing a penalty and including an effective date.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON AGRICULTURE

Committee Bill (Formerly House File 389), making an appropriation to the department of agriculture and land stewardship for purposes of providing a grant to assist farmers with disabilities and their families.

Fiscal Note is not required.

Recommended **Do Pass** February 28, 2007.

COMMITTEE ON EDUCATION

Committee Bill (Formerly House Study Bill 69), providing school districts with supplemental funding for students who attend virtual shared classes via the Iowa communications network, and providing a monetary incentive for teachers who instruct virtual shared classes, and providing an applicability date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 28, 2007.

Committee Bill (Formerly House Study Bill 88), relating to efforts to improve the educational environment in the classrooms operated by Iowa's school districts.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 28, 2007.

COMMITTEE ON ENVIRONMENTAL PROTECTION

Committee Bill (Formerly House Study Bill 86), relating to enforcement of prohibitions against the use of heavy metals in packaging and packaging components and providing a civil penalty.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 28, 2007.

COMMITTEE ON HUMAN RESOURCES

House File 158, a bill for an act relating to a requirement that children receive a blood lead test by age six or prior to enrollment in an elementary school.

Fiscal note is not required.

Recommended **Amend and Do Pass with Amendment H—1097** February 28, 2007.

Committee Bill (Formerly House Study Bill 182), relating to cigarette fire safety standards, and providing penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 28, 2007.

COMMITTEE ON LOCAL GOVERNMENT

Committee Bill (Formerly House Study Bill 89), relating to local regulation of smoking.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 5, 2007.

COMMITTEE ON NATURAL RESOURCES

Committee Bill (Formerly House File 484), prohibiting remote control or internet hunting of wild animals and providing penalties.

Fiscal Note is not required.

Recommended **Do Pass** February 28, 2007.

Committee Bill (Formerly House Study Bill 169), regulating dangerous wild animals, including their ownership and possession, requiring registration, providing for fees and appropriations, and providing penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 28, 2007.

COMMITTEE ON STATE GOVERNMENT

Senate File 41, a bill for an act relating to the disposition of unclaimed property concerning minerals.

Fiscal Note is not required.

Recommended **Do Pass** February 27, 2007.

AMENDMENTS FILED

H—1097	H.F.	158	Committee on Human Resources
H—1098	H.F.	555	Sands of Louisa

On motion by McCarthy of Polk the House adjourned at 5:50 p.m., until 9:00 a.m., Tuesday, March 6, 2007.

JOURNAL OF THE HOUSE

Fifty-eighth Calendar Day - Fortieth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, March 6, 2007

The House met pursuant to adjournment at 9:13 a.m., Speaker Murphy in the chair.

Prayer was offered by Bishop R. Walker Nickless from the Diocese of Sioux City. He was the guest of Representative Dolores Mertz of Kossuth County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Diyonda Avant, clerk of Representative Wayne Ford from Polk County.

The Journal of Monday, March 5, 2007 was approved.

INTRODUCTION OF BILLS

House File 667, by Mascher, a bill for an act exempting certain birth centers from the certificate of need requirements.

Read first time and referred to committee on **human resources**.

House File 668, by Mascher and Upmeyer, a bill for an act relating to forgivable loans for individuals enrolled in approved nursing education programs.

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

House File 669, by committee on environmental protection, a bill for an act relating to enforcement of certain solid waste disposal requirements and providing civil penalties.

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

House File 670, by committee on education, a bill for an act relating to efforts to improve the educational environment in the

classrooms operated by Iowa's school districts and making an appropriation.

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

House File 671, by committee on natural resources, a bill for an act prohibiting remote control or internet hunting of wild animals and providing penalties.

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

House File 672, by committee on agriculture, a bill for an act making an appropriation to the department of agriculture and land stewardship for purposes of providing a grant to assist farmers with disabilities and their families.

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

House File 673, by T. Olson, a bill for an act concerning county regulation of mailboxes along highways under county jurisdiction.

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

House File 674, by Granzow, a bill for an act providing for judicial branch employment and compensation of patient advocates for persons involuntarily hospitalized for mental illness.

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

House File 675, by committee on labor, a bill for an act relating to the establishment of a study of the economic, fiscal, and social impact of the living wage in Iowa.

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

House File 676, by committee on labor, a bill for an act relating to proceedings to reopen an award or agreement for settlement of workers' compensation benefits.

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

House File 677, by committee on labor, a bill for an act relating to the workers' compensation liability of temporary employment agencies for their employees.

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

House File 678, by Alons and Baudler, a bill for an act relating to minors and public intoxication or possession of alcohol.

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

House File 679, by Granzow, a bill for an act allowing counties to share the services of certain elective county officers.

Read first time and referred to committee on **local government**.

House File 680, by Davitt and Van Fossen, a bill for an act exempting tangible personal property representing services furnished for the production of master audio, video, film, or digital recordings or similar media from the sales and use taxes.

Read first time and referred to committee on **ways and means**.

House File 681, by Schickel and Kuhn, a bill for an act establishing an energy city designation program.

Read first time and referred to committee on **environmental protection**.

House File 682, by Wendt, a bill for an act relating to notarial acts, including the regulation of notarial officers, and providing a penalty.

Read first time and referred to committee on **state government**.

House File 683, by Lukan and Clute, a bill for an act relating to the department of justice establishing an internet website for the victims of identity theft.

Read first time and referred to committee on **public safety**.

House File 684, by Lukan and Clute, a bill for an act requiring the department of justice to establish an internet website to assist persons in identifying and reporting internet e-mail fraud related to identity theft and financial crimes.

Read first time and referred to committee on **public safety**.

House File 685, by Lukan, a bill for an act requiring school districts to coordinate with local law enforcement to assess the security of school facilities.

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

House File 686, by Ford, a bill for an act expanding access to the Iowa communications network by adding classifications of eligible users of the network.

Read first time and referred to committee on **government oversight**.

House File 687, by T. Olson, a bill for an act providing for the establishment of an energy-efficient appliance assistance grant program and fund, and making an appropriation.

Read first time and referred to committee on **human resources**.

House File 688, by R. Olson, a bill for an act relating to performing community service in lieu of a criminal fine or civil penalty.

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

House File 689, by Pettengill, a bill for an act relating to funding for local emergency management and providing an applicability date.

Read first time and referred to committee on **local government**.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 5, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 319, a bill for an act updating the Code references to the Internal Revenue Code and including effective date and retroactive applicability provisions.

Also: That the Senate has on March 5, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 369, a bill for an act relating to elevator conveyance safety standards enforced by the division of labor services of the department of workforce development.

Also: That the Senate has on March 5, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 400, a bill for an act authorizing the formation of a professional corporation or a professional limited liability company by licensed real estate brokers.

Also: That the Senate has on March 5, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 7, a bill for an act allowing cash prizes at annual game nights conducted by qualified organizations representing volunteer emergency services providers.

Also: That the Senate has on March 5, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 67, a bill for an act relating to the regulation and practice of pharmacy, including providing for the establishment of a limited drug and device distributor license.

Also: That the Senate has on March 5, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 131, a bill for an act relating to publication of property assessment equalization orders.

Also: That the Senate has on March 5, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 155, a bill for an act relating to local governments by creating a local government innovation commission and fund, creating a center for governing excellence, and including an effective date.

Also: That the Senate has on March 5, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 208, a bill for an act relating to documents recorded with the county recorder.

Also: That the Senate has on March 5, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 212, a bill for an act relating to the salary of deputy officers in certain county offices and providing an applicability date.

Also: That the Senate has on March 5, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 232, a bill for an act authorizing payroll deduction for dues to a certified bargaining representative for individuals receiving payment for work performed from the state.

Also: That the Senate has on March 5, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 248, a bill for an act relating to the membership of the board of physician assistant examiners.

Also: That the Senate has on March 5, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 254, a bill for an act revising family investment program requirements.

Also: That the Senate has on March 5, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 263, a bill for an act concerning gambling games on gambling structures.

Also: That the Senate has on March 5, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 277, a bill for an act relating to the state's educational standards regarding teacher librarians and qualified guidance counselors, and to teacher and administrator quality, including the student achievement and teacher quality program and an administrator quality program, making appropriations, and providing an effective date.

Also: That the Senate has on March 5, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 278, a bill for an act relating to changes in the utility replacement tax law by redefining a new electric power generating plant, extending the life of the utility replacement tax task force, and requiring notification by the taxpayer to the department of revenue and local taxing district upon transfer of utility property.

Also: That the Senate has on March 5, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 302, a bill for an act relating to moneys appropriated to the department of economic development for regional tourism marketing purposes.

MICHAEL E. MARSHALL, Secretary

SPECIAL PRESENTATION

McCarthy of Polk introduced to the House a delegation of five Croatian Mayors.

The House rose and expressed its welcome.

On motion by McCarthy of Polk, the House was recessed at 9:29 a.m., until 5:00 p.m. or the completion of the 3:30 p.m. committee meetings.

EVENING SESSION

The House reconvened at 5:32 p.m., Speaker Murphy in the chair.

INTRODUCTION OF BILLS

House File 690, by Murphy, H. Miller, Bailey, Reichert and Shomshor, a bill for an act relating to the development, maintenance, and promotion of a credit transfer and articulation internet website by the state board of regents and making an appropriation.

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

House File 691, by Abdul-Samad, a bill for an act making an appropriation for a grant to provide support for children with a parent in prison.

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

House File 692, by Hunter, a bill for an act requiring employers to provide employees with meal periods and rest periods and providing penalties.

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

House File 693, by Kaufmann, D. Taylor, Worthan and Reichert, a bill for an act making an appropriation to the department of veterans affairs for a contribution toward the construction of the American veterans disabled for life memorial.

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

House File 694, by Berry, Dandekar, Gayman, T. Olson, Abdul-Samad, Heddens, Kaufmann, Kressig, Pettengill, D. Taylor, Lykam, D. Olson, Bukta, Whitaker and Mertz, a bill for an act relating to criminal offenses against minors including sexual abuse, enticing a minor away, and indecent exposure through a webcam, and providing penalties.

Read first time and referred to committee on **public safety**.

House File 695, by Abdul-Samad, a bill for an act appropriating funds to the department of cultural affairs for community cultural grants for events that promote culture-specific diversity in this state.

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

House File 696, by Staed, a bill for an act requiring certification of the performance of an eye examination, and submission of the results of such examination, when a child enrolls in kindergarten.

Read first time and referred to committee on **human resources**.

House File 697, by Kaufmann and Grassley, a bill for an act relating to an exemption from inheritance tax of agricultural land or an interest therein passing to certain relatives under certain circumstances and including an applicability date provision.

Read first time and referred to committee on **ways and means**.

House File 698, by D. Olson, a bill for an act relating to property tax incentives offered under the high quality job creation program or as part of an urban renewal plan or project and providing applicability dates.

Read first time and referred to committee on **ways and means**.

House File 699, by Struyk, a bill for an act relating to horseback riding on the state's game management areas, and providing for fees and penalties.

Read first time and referred to committee on **natural resources**.

House File 700, by Abdul-Samad, a bill for an act making an appropriation to expand substance abuse treatment services for mothers with an addiction.

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

House File 701, by Kaufmann, a bill for an act requiring carbon monoxide detectors in certain multiple-unit residential buildings, making penalties applicable, and providing an appropriation.

Read first time and referred to committee on **state government**.

House File 702, by Ford, a bill for an act requiring the department of workforce development to promote tax incentive programs to businesses that hire ex-offenders.

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

House File 703, by Quirk, a bill for an act relating to assessment of telecommunications company property for purposes of property taxation, and providing effective and retroactive applicability dates.

Read first time and referred to committee on **ways and means**.

House File 704, by Ford, a bill for an act making an appropriation for substance abuse treatment and prevention and including effective date and retroactive applicability provisions.

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

House File 705, by Quirk, a bill for an act phasing out the tax on gross premiums of life and health insurance companies, mutual health service corporations, and health maintenance organizations.

Read first time and referred to committee on **ways and means**.

House File 706, by Whitaker, S. Olson, Lukan and Roberts, a bill for an act establishing the Iowa retail petroleum unfair sales Act, and providing a penalty.

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

House File 707, by Ford, a bill for an act relating to the payment of wages by electronic funds transfer pursuant to a payroll card and making penalties applicable.

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

House File 708, by Tymeson, De Boef, Roberts, Heaton, Watts and Windschitl, a bill for an act providing special education school tuition grants.

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

House File 709, by committee on human resources, a bill for an act relating to and making an appropriation for the office of substitute decision maker under the department of elder affairs.

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

House File 710, by Wise, a bill for an act relating to student achievement and teacher quality through performance measures, standards, assessments, teacher compensation, and education data collection, and making appropriations to the department of education and the department of management.

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

SENATE MESSAGES CONSIDERED

Senate File 7, by Hancock, a bill for an act allowing case prizes at annual game nights conducted by qualified organizations representing volunteer emergency services providers.

Read first time and referred to committee on **state government**.

Senate File 277, by committee on education, a bill for an act relating to the state's educational standards regarding teacher librarians and qualified guidance counselors, and to teacher and administrator quality, including the student achievement and teacher quality program and an administrator quality program, making appropriations, and providing an effective date.

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

HOUSE FILE 687 REREFERRED

The Speaker announced that House File 687, previously referred to committee on **human resources** was rereferred to committee on **environmental protection**.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- 2007\1709 Alice Gamble, Spirit Lake – For celebrating her 90th birthday.
- 2007\1710 Dwight and Carol Bonham, Nevada – For celebrating their 50th wedding anniversary.
- 2007\1711 Lee (Lela) Peterson, Scranton – For celebrating her 90th birthday.
- 2007\1712 Mildred Hogan, Casey – For celebrating her 90th birthday.
- 2007\1713 Kyle Pedretti, MFL Mar Mac School – For winning the 125 lb. weight class in the Class 2-A Division of the 2007 State Wrestling Tournament, and for being named 2-A's outstanding performer.
- 2007\1714 Ryan Helenthal, Keokuk – For winning the 152 lb. weight class in the Class 3-A Division of the 2007 State Wrestling Tournament.
- 2007\1715 Tena Klosterboer, Rock Rapids – For celebrating her 90th birthday.
- 2007\1716 Simon Post, Doon – For celebrating his 95th birthday.
- 2007\1717 Loren and Evelyn Tedrow, Newton – For celebrating their 50th wedding anniversary.
- 2007\1718 Bob and LaVonne Thorson, Newton – For celebrating their 60th wedding anniversary.
- 2007\1719 Richard and Phyllis Atwood, Newton – For celebrating their 50th wedding anniversary.
- 2007\1720 Harrison and Elaine Miller, Mason City – For celebrating their 50th wedding anniversary.
- 2007\1721 Roger and Helen Sherman, Dubuque – For celebrating their 50th wedding anniversary.

- 2007\1722 Frank and Eva Schneider, Dubuque – For celebrating their 50th wedding anniversary.
- 2007\1723 Elmer Aeilts, Rock Rapids – For his 37 years of service as a Rock Rapids volunteer firefighter.
- 2007\1724 Alvin Frese, Bridgewater – For celebrating his 90th birthday.

SUBCOMMITTEE ASSIGNMENTS

House File 324

Labor: T. Taylor, Chair; Horbach and R. Olson.

House File 337

Appropriations: Foege, Chair; Gayman and Heaton.

House File 572

Public Safety: Swaim, Chair; Baudler and Berry.

House File 574

Appropriations: Winckler, Chair; Chambers and Wenthe.

House File 576

Commerce : Pettengill, Chair; Quirk and Struyk.

House File 577

Economic Growth: D. Olson, Chair; Hoffman and H. Miller.

House File 592

Commerce : Jacoby, Chair; Clute , Jacobs, Kelley, Kressig, Quirk and Sands.

House File 593

Public Safety: Whitaker, Chair; Baudler and Heddens.

House File 596

State Government: Quirk, Chair; Greiner, Jacoby, Jochum, Raecker, Roberts and Shomshor.

House File 598

Appropriations: Winckler, Chair; Heaton and T. Taylor.

House File 602

State Government: Lensing, Chair; Jacoby and Raecker.

House File 612

Appropriations: Cohoon, Chair; Huseman and Reichert.

House File 621

Public Safety: Berry, Chair; Alons and Whitaker.

House File 643

State Government: Quirk, Chair; Greiner, Jacoby, Jochum, Raecker, Roberts and Shomshor.

House File 657

Labor: Staed, Chair; Hunter and Tymeson.

House File 663

Public Safety: Whitaker, Chair; Berry and Tomenga.

House File 681

Environmental Protection: T. Olson, Chair; Anderson and Jochum.

Senate File 201

Appropriations: Foege, Chair; Heaton and Jacoby.

Senate File 203 Reassigned

Natural Resources: Shomshor, Chair; Baudler and Wenthe.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS**House Study Bill 246**

Economic Growth: Thomas, Chair; Anderson and Ford.

House Study Bill 247

Transportation: Lykam, Chair; Cohoon and Worthan.

House Study Bill 248

Transportation: D. Olson, Chair; Gaskill and Windschitl.

House Study Bill 249

Commerce: Reichert, Chair; Kelley, Soderberg, Struyk, D. Taylor, Van Fossen and Wise.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS**H.S.B. 251 Appropriations**

Relating to financial and regulatory matters by making and revising appropriations for the fiscal year beginning July 1, 2006, and providing an effective date.

H.S.B. 252 Appropriations

Relating to and making appropriations involving state government, including provisions affecting agriculture and natural resources.

H.S.B. 253 Appropriations

Relating to and making appropriations to the department of human services, the department of elder affairs, the department of public health, the department of veterans affairs and the Iowa veterans home, the state board of regents, the department of inspections and appeals, and including other related provisions and appropriations, and including effective date provisions.

H.S.B. 254 Agriculture

Providing for an equine industry promotional commission and related fund, and providing an appropriation.

H.S.B. 255 State Government

Requiring a separate tally of absentee votes by precinct.

H.S.B. 256 State Government

Relating to the conduct of elections by modifying procedures on election day and by modifying procedures related to absentee voting.

H.S.B. 257 Appropriations

Relating to and making appropriations to the justice system.

H.S.B. 258 Appropriations

Relating to and making appropriations to the judicial branch.

H.S.B. 259 Appropriations

Relating to and making transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund, the primary road fund, and the state aviation fund.

H.S.B. 260 Appropriations

Relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, environment first fund, vertical infrastructure fund, the endowment for Iowa's health restricted capitals fund, the technology reinvestment fund, and the endowment for Iowa's health account and providing an immediate effective date.

H.S.B. 261 Appropriations

Relating to and making appropriations to certain state departments, agencies, funds, and certain other entities.

H.S.B. 262 Human Resources

Creating a hemophilia advisory committee and providing an effective date.

H.S.B. 263 Natural Resources

Relating to swine, by regulating the control or custody of swine including feral swine and estray swine, providing for the hunting of swine, and providing penalties and effective dates.

H.S.B. 264 Judiciary

Relating to general provisions of the uniform commercial code relating to the construction and application of its subject matter, and providing for a contingent effective date.

H.S.B. 265 Human Resources

Establishing an Iowa Abraham Lincoln bicentennial commission and fund and providing for its prospective repeal.

H.S.B. 266 Economic Growth

Relating to the development and commercialization of businesses in the targeted industry areas of advanced manufacturing, bioscience, and information technology.

H.S.B. 267 Environmental Protection

Providing for environmental protection of facilities and practices related to the production of livestock, including animal feeding operations, providing for fees and tax exemptions, making penalties applicable, and providing effective and applicability dates.

H.S.B. 268 Agriculture

Providing for an agricultural-biomanufacturing initiative and making an appropriation.

H.S.B. 269 Labor

Concerning work-related injuries suffered and claims made outside of this state.

H.S.B. 270 Judiciary

Relating to the postsecondary education subsidy.

H.S.B. 271 Economic Growth

Creating an entrepreneurial endowment and development grant program and making an appropriation.

H.S.B. 272 Labor

Relating to revoking the driver's license or motor vehicle operating privileges of persons convicted of a controlled substance offense.

H.S.B. 273 Labor

Relating to sentencing and parole eligibility of persons convicted of controlled substance offenses.

H.S.B. 274 Human Resources

Relating to elimination of certain duties of the department of elder affairs and the area agencies on aging.

H.S.B. 275 Commerce

Establishing the office of renewable energy and the Iowa power fund and related provisions, and providing an effective date.

H.S.B. 276 State Government

Relating to county attorneys, by providing a minimum annual salary.

H.S.B. 277 Transportation

Relating to requirements for operation of a motor vehicle in merging traffic and providing a penalty.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Committee Bill (Formerly House Study Bill 180), appropriating federal funds made available from federal block grants and other federal grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 6, 2007.

Committee Bill (Formerly House Study Bill 202), relating to and making transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund.

Fiscal Note is not required.

Recommended **Do Pass** March 6, 2007.

COMMITTEE ON HUMAN RESOURCES

House File 146, a bill for an act providing for establishment of a mental health professional shortage area program and providing an appropriation.

Fiscal Note is not required.

Recommended **Amend and Do Pass with Amendment H—1099** March 5, 2007.

Pursuant to Rule 31.7, House File 146 was referred to the committee on appropriations.

House File 451, a bill for an act relating to a single point of entry long-term living resources system.

Fiscal Note is not required.

Recommended **Amend and Do Pass with Amendment H—1100** March 5, 2007.

COMMITTEE ON LABOR

House File 522, a bill for an act concerning employees subject to unannounced drug or alcohol testing.

Fiscal Note is not required.

Recommended **Do Pass** March 6, 2007.

Committee Bill (Formerly House Study Bill 99), concerning successive disabilities and successor employers for purposes of workers' compensation laws.

Fiscal Note is not required.

Recommended **Do Pass** March 6, 2007.

Committee Bill (Formerly House Study Bill 100), requiring additional workers' compensation payments for scheduled injuries that result in a reduction in the injured employee's earning capacity.

Fiscal Note is not required.

Recommended **Do Pass** March 6, 2007.

COMMITTEE ON NATURAL RESOURCES

Committee Bill (Formerly House Study Bill 37), regulating the administration of drugs to certain noncaptive vertebrate wildlife and providing a penalty.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 5, 2007.

Committee Bill (Formerly House Study Bill 218), relating to the regulation of snowmobiles and all-terrain vehicles, and providing fees and penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 5, 2007.

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly House File 335), relating to administration of regional transportation by regional transit districts and of highways and regulation of motor vehicles by the state department of transportation, including provisions relating to qualifications of property appraisers, state standards for land surveying, destruction of suspended or revoked driver's licenses, requirements for a temporary restricted driver's license, registration and titling of vehicles, legion of merit special registration plates and fees, antique motor vehicle registration plates and fees, licensing of motor vehicle dealers, motor carrier registration and fuel tax liability, the maximum length limitation for single trucks, requirements for operation of certain self-propelled implements of husbandry on secondary roads, and disposition of regional transit district tax revenues collected by a county treasurer, and providing effective dates.

Fiscal Note is required.

Recommended **Amend and Do Pass** March 6, 2007.

Committee Bill (Formerly House Study Bill 104), relating to changes in the utility replacement tax law by redefining a new electric power generating plant, extending the life of the utility replacement tax task force, and requiring notification by the taxpayer to the department of revenue and local taxing district upon transfer of utility property.

Fiscal Note is not required.

Recommended **Do Pass** March 6, 2007.

RESOLUTION FILED

HR 26, by Schickel, Anderson and Kuhn, a resolution declaring the trombone Iowa's premier musical instrument.

Laid over under **Rule 25**.

AMENDMENTS FILED

H—1099	H.F.	146	Committee on Human Resources
H—1100	H.F.	451	Committee on Human Resources
H—1101	H.F.	516	Bell of Jasper
H—1102	H.F.	615	L. Miller of Scott
H—1103	H.F.	646	Huser of Polk

On motion by McCarthy of Polk the House adjourned at 5:40 p.m., until 9:00 a.m., Wednesday, March 7, 2007.

JOURNAL OF THE HOUSE

Fifty-ninth Calendar Day - Forty-first Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, March 7, 2007

The House met pursuant to adjournment at 9:15 a.m., Speaker Murphy in the chair.

Prayer was offered by Reverend Dr. Christopher Bozung, pastor of Cornerstone Church, Marion. He was the guest of Representative Swati Dandekar of Linn County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mallori Phillips, Legislative Service Agency Page from Eagle Grove.

The Journal of Tuesday, March 6, 2007 was approved.

INTRODUCTION OF BILLS

House File 711, by Wessel-Kroeschell, Lensing, Winckler and Hunter, a bill for an act creating a mental health services and policy division in the department of public health.

Read first time and referred to committee on **human resources**.

House File 712, by committee on natural resources, a bill for an act regulating dangerous wild animals, including their ownership and possession, requiring registration, providing for fees and appropriations, and providing penalties.

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

House File 713, by Heaton, Tomenga, Hoffman, Dolecheck, Worthan, Soderberg, May, Watts, Anderson, Drake, Greiner, Clute, Rayhons, L. Miller, Forristall, Deyoe, Huseman, Rasmussen, Chambers, Alons, Tjepkes, De Boef, Arnold, Kaufmann, Schickel, Jacobs, Struyk, S. Olson, Lukan, Boal, Paulsen and Granzow, a bill for an act providing for increased reimbursement to certain providers

and for certain services under the purview of the department of human services, and providing an appropriation.

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

House File 714, by committee on education, a bill for an act providing school districts with supplemental funding for students who attend virtual shared classes via the Iowa communications network, and providing a monetary incentive for teachers who instruct virtual shared classes, and providing effective and applicability dates.

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

House File 715, by D. Olson, a bill for an act creating a clean campaign pledge program and establishing a penalty.

Read first time and referred to committee on **state government**.

House File 716, by committee on judiciary, a bill for an act relating to revising the uniform commercial code, by providing for warehouse receipts, bills of lading, and other documents of title.

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

House File 717, by Frevert, a bill for an act making a supplemental appropriation for a county mental health, mental retardation, and developmental disabilities allowed growth factor adjustment payment and providing an effective date.

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

House File 718, by committee on human resources, a bill for an act relating to cigarette fire safety standards, and providing penalties.

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

House File 719, by Ford, a bill for an act relating to violations and attempted violations of certain court orders, court-approved

consent agreements, protective orders, and no-contact orders and providing penalties.

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

House File 720, by Wise, a bill for an act providing a sales tax exemption for the purchase of fitness equipment by a physical exercise club.

Read first time and referred to committee on **ways and means**.

House File 721, by T. Taylor, a bill for an act concerning penalties for moving traffic violations committed in road work zones.

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

House File 722, by Wessel-Kroeschell, Lensing, Winckler and Hunter, a bill for an act providing an appropriation to the department of human rights for an Americans With Disabilities Act compliance coordinator and providing duties.

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

House File 723, by Ford, a bill for an act providing an Iowa individual income tax checkoff for the department of human services' child abuse prevention program, making an appropriation, and providing for the Act's implementation.

Read first time and referred to committee on **ways and means**.

SENATE MESSAGES CONSIDERED

Senate File 67, by committee on human resources, a bill for an act relating to the regulation and practice of pharmacy, including providing for the establishment of a limited drug and device distributor license.

Read first time and **passed on file**.

Senate File 155, by committee on local government, a bill for an act relating to local governments by creating a local government

innovation commission and fund, creating a center for governing excellence, and including an effective date.

Read first time and **passed on file.**

Senate File 263, by committee on state government, a bill for an act concerning gambling games on gambling structures.

Read first time and referred to committee on **state government.**

Senate File 278, by committee on ways and means, a bill for an act relating to changes in the utility replacement tax law by redefining a new electric power generating plant, extending the life of the utility replacement tax task force, and requiring notification by the taxpayer to the department of revenue and local taxing district upon transfer of utility property.

Read first time and **passed on file.**

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Raecker of Polk and Soderberg of Plymouth on request of Rants of Woodbury.

CONSIDERATION OF BILL

Regular Calendar

Senate File 39, a bill for an act relating to campaign contributions, the filing of disclosure reports, the posting of statements and reports on the internet, the posting of signs on private property, and the escheat of funds from an unknown or unidentifiable source, with report of committee recommending passage, was taken up for consideration.

Jacobs of Polk asked and received unanimous consent to withdraw amendment H-1057 filed by her on February 19, 2007, placing out of order amendment H-1061, filed by Jacobs of Polk on February 20, 2007.

Gaskill of Wapello moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 39)

The ayes were, 94:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Gipp	Granzow	Grassley
Greiner	Heaton	Heddens	Horbach
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Pettengill	Quirk
Rants	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Smith	Staed
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Watts	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Wienczek	Winckler	Windschitl	Wise
Worthan	Mr. Speaker		
	Murphy		

The nays were, none.

Absent or not voting, 6:

Hoffman	Petersen	Raecker	Soderberg
Van Fossen	Zirkelbach		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **Senate File 39** be immediately messaged to the Senate.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 7, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 258, a bill for an act relating to the duties of directors of nonprofit corporations.

Also: that the Senate has on March 7, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 265, a bill for an act relating to asbestos removal and encapsulation regulations as enforced by the labor commissioner.

Also: that the Senate has on March 7, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 311, a bill for an act relating to an action for satisfaction of a mortgage.

Also: that the Senate has on March 7, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 319, a bill for an act relating to cooperative associations, by providing for documentation, including certificates and statements.

MICHAEL E. MARSHALL, Secretary

TEMPORARY CHANGES IN COMMITTEE MEMBERSHIP

The Speaker announced temporary changes to the following committees:

Commerce Committee Chair, Jacoby of Johnson.
Commerce Committee Vice Chair, Kressig of Johnson.
Commerce Committee, Heddens of Story.
Economic Development, Reasoner of Union.
Human Resources, Lensing of Johnson.

HOUSE FILE 689 REREFERRED

The Speaker announced that House File 689, previously referred to committee on **local government** was rereferred to committee on **ways and means**.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on Wednesday, March 7, 2007. Had I been present, I would have voted "aye" on Senate File 39.

VAN FOSSEN of Scott

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bill has been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 7th day of March, 2007: House File 245.

MARK W. BRANDSGARD
Chief Clerk of the House

Report adopted.

COMMUNICATIONS RECEIVED

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

COUNTY REAL ESTATE ELECTRONIC GOVERNMENT ADVISORY COMMITTEE

Third annual supplemental report, pursuant to Chapter 543D, Code of Iowa.

DEPARTMENT FOR THE BLIND

Annual report on the plastic and recycled content products and soy-based inks regularly purchased by the department, pursuant to Chapter 216B.3(12d), Code of Iowa.

DEPARTMENT OF ECONOMIC DEVELOPMENT

Report on the Enterprise Zone Program, pursuant to 2006 Iowa Acts.

**DEPARTMENT OF HUMAN RIGHTS
Iowa Commission on the Status of Women**

35th annual report, pursuant to Chapter 216A.1, Code of Iowa.

IOWA COLLEGE STUDENT AID COMMISSION

2007 Ethnic Diversity Report, pursuant to Chapter 261.25, Code of Iowa.

MIDWEST REGIONAL RAIL PASSENGER REPORT

Annual report, pursuant to Chapter 327J.3(5), Code of Iowa.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- 2007\1725 Mildred Erickson, DeWitt – For celebrating her 100th birthday.
- 2007\1726 Pearl Harms, Ackley – For celebrating her 90th birthday.
- 2007\1727 Wilma Terveer, Hubbard – For celebrating her 85th birthday.
- 2007\1728 Duana and Judy Abbas, Ackley – For celebrating their 50th wedding anniversary.
- 2007\1729 Brandon Ball, Columbus Junction – For winning the 130 lb. weight class in the Class 2-A Division of the 2007 Iowa State Wrestling Tournament.
- 2007\1730 Johnny Siegel, New London – For winning the 140 lb. weight class in the Class 2-A Division of the 2007 Iowa State Wrestling Tournament.
- 2007\1731 Gerald and Darlene Stevens, Mediapolis – For celebrating their 80th birthdays.
- 2007\1732 Leon and Marilyn Marshall, Sperry – For celebrating their 50th wedding anniversary.
- 2007\1733 Harold and Beverly Todd, Morning Sun – For celebrating their 50th wedding anniversary.
- 2007\1734 John and Ruth Schrock, Mediapolis – For celebrating their 60th wedding anniversary.
- 2007\1735 Dale and Arlene Heater, Morning Sun – For celebrating their 65th wedding anniversary.
- 2007\1736 Howard and Dorothy Reif, Sperry – For celebrating their 67th wedding anniversary.

- 2007\1737 Delbert and Mildred Pilling, Mediapolis – For celebrating their 70th wedding anniversary.
- 2007\1738 Elmer and June Stangeland, Primghar – For celebrating their 60th wedding anniversary.
- 2007\1739 Jenny Patterson, Collins – For celebrating her 80th birthday.
- 2007\1740 Carol Burnett, Nevada – For celebrating her 80th birthday.
- 2007\1741 Adeline Mohrhauser, Battle Creek – For celebrating her 95th birthday.
- 2007\1742 Bea Snyder, Denison – For celebrating her 80th birthday.
- 2007\1743 Mabel Greene, Denison – For celebrating her 90th birthday.
- 2007\1744 James Baagoe, Mapleton – For celebrating his 90th birthday.
- 2007\1745 Marvin and Roberta Peterson, Anthon – For celebrating their 60th wedding anniversary.
- 2007\1746 Leslie and Eileen Grell, Schleswig – For celebrating their 60th wedding anniversary.
- 2007\1747 Joe and Diane Harbaugh, Anthon – For celebrating their 50th wedding anniversary.
- 2007\1748 Keith and Sylvia Carstens, Holstein – For celebrating their 50th wedding anniversary.
- 2007\1749 Darrel and Elvera Todd, Holstein – For celebrating their 50th wedding anniversary.
- 2007\1750 Paul and Marie Schwanz, Denison – For celebrating their 60th wedding anniversary.
- 2007\1751 Hawkeye FFA Chapter, West Bend – For celebrating its 75th anniversary.
- 2007\1752 Kylene Carlson, Council Bluffs – For winning the Women in Science and Engineering 8th-9th Grade Division in the “Write Women Back Into History” Essay Contest.
- 2007\1753 Erica Christensen, Council Bluffs – For winning the 8th-9th Grade Division in the “Write Women Back Into History” Essay Contest.
- 2007\1754 Paul and Mamie Rottink, Allison – For celebrating their 80th birthdays.
- 2007\1755 Myrtle Albrecht, Greene – For celebrating her 80th birthday.

- 2007\1756 Helen Tietje, Shell Rock – For celebrating her 85th birthday.
- 2007\1757 Harold Gielau, Denver – For celebrating his 90th birthday.
- 2007\1758 Charles and Joan Sorenson, Exira – For celebrating their 50th wedding anniversary.
- 2007\1759 Glen and Pat Brown, Mt. Union – For celebrating their 50th wedding anniversary.
- 2007\1760 Michelle Eberhart, Delmar – For attaining the Girl Scout Gold Award, the highest award in Girl Scouting.
- 2007\1761 Velma Stout, Columbus Junction – For celebrating her 90th birthday.
- 2007\1762 Al Hiland, North Liberty – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\1763 Alex Ludvicek, North Liberty – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\1764 Benjamin K. Robinson, North Liberty – For attaining the rank Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\1765 Michael L. Smith, North Liberty – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\1766 Corey Woodin, North Liberty – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\1767 Jim and Gloria Willms, Grundy Center – For celebrating their 50th wedding anniversary.
- 2007\1768 Elizabeth Miller, Bettendorf – For attaining the Girl Scout Gold Award, the highest award in Girl Scouting.

SUBCOMMITTEE ASSIGNMENTS

House Joint Resolution 6

State Government: Jacoby, Chair; Jochum and L. Miller.

House File 75 Reassigned

Ways and Means: Quirk, Chair; Jacobs and Jochum.

House File 358

Ways and Means: Huser, Chair; Jacobs and Jochum.

House File 376

Ways and Means: Kelley, Chair; Quirk and Wiencek.

House File 395

Ways and Means: Jochum, Chair; T. Olson and Sands.

House File 448

Ways and Means: Reasoner, Chair; Shomshor and Struyk.

House File 457

Ways and Means: Wise, Chair; Deyoe, T. Olson, Quirk, Reasoner, Struyk and Van Fossen.

House File 494

Ways and Means: Reasoner, Chair; Sands and Shomshor.

House File 586

Judiciary: Palmer, Chair; Tomenga and Wessel-Kroeschell.

House File 597

Ways and Means: Wise, Chair; Deyoe, T. Olson, Quirk, Reasoner, Struyk and Van Fossen.

House File 599

Ways and Means: Wise, Chair; Deyoe, T. Olson, Quirk, Reasoner, Struyk and Van Fossen.

House File 601

Judiciary: Lensing, Chair; Boal and Winckler.

House File 613

Judiciary: Smith, Chair; Heaton and Winckler.

House File 620

State Government: Pettengill, Chair; Lensing and Roberts.

House File 628

Judiciary: R. Olson, Chair; Jacobs and Winckler.

House File 629

Public Safety: Whitaker, Chair; Heddens and Tjepkes.

House File 630

Natural Resources: D. Taylor, Chair; Soderberg and Whitead.

House File 631

Judiciary: Palmer, Chair; Heaton and Smith.

House File 634

Public Safety: Berry, Chair; Baudler and Lykam.

House File 642

Judiciary: Lensing, Chair; Jacobs and Winckler.

House File 644

State Government: Wendt, Chair; Gipp and Jochum.

House File 655

Public Safety: Berry, Chair; Mascher and Sands.

House File 658

Local Government: Thomas, Chair; Cohoon and Rasmussen.

House File 660

Transportation: Bukta, Chair; D. Olson and Windschitl.

House File 664

Transportation: Whitaker, Chair; Reasoner and Worthan.

House File 665

Environmental Protection: Frevert, Chair; Drake, Greiner, Kuhn, H. Miller, D. Olson and S. Olson.

House File 666

Transportation: Cohoon, Chair; Huser and Tjepkes.

House File 679

Local Government: Schueller, Chair; Gaskill and Tjepkes.

House File 680

Ways and Means: Davitt, Chair; T. Olson and Van Fossen.

House File 683

Public Safety: Heddens, Chair; Lukan and Whitaker.

House File 684

Public Safety: Whitaker, Chair; Heddens and Lukan.

House File 687

Environmental Protection: T. Olson, Chair; Anderson and Jochum.

House File 694

Public Safety: Berry, Chair; Kressig and S. Olson.

House File 699

Natural Resources: D. Taylor, Chair; Arnold and Mertz.

Senate File 175

Judiciary: Palmer, Chair; Baudler and Mertz.

Senate File 203 Reassigned

Natural Resources: Wenthe, Chair; Baudler and Shomshor.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS**House Study Bill 251**

Appropriations: Oldson, Chair; Cohoon and Watts.

House Study Bill 252

Appropriations: Kuhn, Chair; De Boef and Wenthe.

House Study Bill 253

Appropriations: Foege, Chair; Gayman and Heaton.

House Study Bill 254

Agriculture: Mertz, Chair; Frevert and Worthan.

House Study Bill 255

State Government: Gaskill, Chair; Abdul-Samad and Jacobs.

House Study Bill 256

State Government: Gaskill, Chair; Abdul-Samad and Jacobs.

House Study Bill 257

Appropriations: T. Taylor, Chair; Lukan and Winckler.

House Study Bill 258

Appropriations: T. Taylor, Chair; Lukan and Winckler.

House Study Bill 259

Appropriations: Cohoon, Chair; Huseman and Reichert.

House Study Bill 260

Appropriations: Cohoon, Chair; Huseman and Oldson.

House Study Bill 262

Human Resources: Hunter, Chair; Ford and L. Miller.

House Study Bill 263

Natural Resources: Whitaker, Chair; Van Engelenhoven and Whitead.

House Study Bill 264

Judiciary: Swaim, Chair; Boal and R. Olson.

House Study Bill 265

Human Resources: Smith, Chair; Ford and Grassley.

House Study Bill 266

Economic Growth: Thomas, Chair; Dandekar and Hoffman.

House Study Bill 268

Agriculture: Mertz, Chair; Drake and Reasoner.

House Study Bill 269

Labor: T. Taylor, Chair; Horbach and Jochum.

House Study Bill 271

Economic Growth: Thomas, Chair; Hoffman and T. Olson.

House Study Bill 272

Labor: R. Olson, Chair; Abdul-Samad and Grassley.

House Study Bill 273

Labor: R. Olson, Chair; Abdul-Samad and Chambers.

House Study Bill 274

Human Resources: T. Olson, Chair; Smith and Upmeyer.

House Study Bill 275

Commerce: Reichert, Chair; Kelley, Soderberg, Struyk, D. Taylor, Van Fossen and Wise.

HOUSE STUDY BILL COMMITTEE ASSIGNMENT**H.S.B. 278 Labor**

Requiring the payment of local prevailing wage rates to persons working on public improvements for public bodies, and providing penalties and an effective date.

H.S.B. 279 Ways and Means

Relating to hybrid and alternative fuel motor vehicles by replacing the current deduction with an individual income tax credit, and including effective and retroactive applicability date provisions.

H.S.B. 280 Ways and Means

Relating to a commercial property tax credit for individual and corporation income tax, and including effective and retroactive applicability date provisions.

H.S.B. 281 Public Safety

Relating to the liability limits of a parent for the unlawful actions by a child of the parent.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON ECONOMIC GROWTH

Committee Bill (Formerly House File 100), relating to certain distress criteria under the enterprise zone program.

Fiscal Note is not required.

Recommended **Do Pass** March 6, 2007.

Committee Bill (Formerly House File 246), establishing a tax credit certificate transfer program.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 6, 2007.

Committee Bill (Formerly House File 282), relating to funding for the shelter assistance fund.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 6, 2007.

Committee Bill (Formerly House File 411), creating a film, television, and video project promotion program and fund and an Iowa film advisory board, providing tax credits and income exclusions, making appropriations, and including effective and retroactive applicability dates.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 6, 2007.

Committee Bill (Formerly House File 456), relating to art, culture, and entertainment by providing income tax deductions for certain related income and contributions and by allowing cultural and entertainment districts to be included in self-supported municipal improvement districts, and including a retroactive applicability date provision.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 6, 2007.

Committee Bill (Formerly House Study Bill 168), creating an insurance industry new jobs tax credit.

Fiscal Note is not required.

Recommended **Do Pass** March 6, 2007.

Committee Bill (Formerly House Study Bill 227), relating to programs, funds, authority, and duties of the Iowa finance authority.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 6, 2007.

Committee Bill (Formerly House Study Bill 230), relating to funding for a statewide labor shed study.

Fiscal Note is not required.

Recommended **Do Pass** March 6, 2007.

COMMITTEE ON ENVIRONMENTAL PROTECTION

Committee Bill (Formerly House Study Bill 199), regulation of underground storage tank by the department of natural resources, making appropriations, and providing contingent effective date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 7, 2007.

COMMITTEE ON PUBLIC SAFETY

Committee Bill (Formerly House File 186), specifying the functions of the Clarinda correctional facility.

Fiscal Note is not required.

Recommended **Do Pass** March 6, 2007.

Committee Bill (Formerly House File 257), relating to the issuance of a protective order on behalf of a person who is the alleged victim of a sexual offense and providing a penalty.

Fiscal Note is not required.

Recommended **Do Pass** March 6, 2007.

Committee Bill (Formerly House File 273), eliminating provisions relating to the contents of the uniform citation and complaint.

Fiscal Note is not required.

Recommended **Do Pass** March 6, 2007.

Committee Bill (Formerly House Study Bill 10), restricting the presence of a registered sex offender on the real property comprising a school or child care facility and providing a penalty.

Fiscal Note is not required.

Recommended **Do Pass** March 6, 2007.

Committee Bill (Formerly House Study Bill 219), relating to civil service for deputy county sheriffs by allowing a county to appeal certain decisions of the civil service commission.

Fiscal Note is not required.

Recommended **Do Pass** March 6, 2007.

Committee Bill (Formerly House Study Bill 221), relating to possession or consumption of an alcoholic beverage by an under legal age person on certain property.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 6, 2007.

COMMITTEE ON STATE GOVERNMENT

Committee Bill (Formerly House File 36), relating to political campaigns by limiting campaign contributions for statewide and legislative elections and making penalties applicable.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 6, 2007.

Committee Bill (Formerly House File 99), prohibiting the distribution of campaign material without the consent of the candidate benefiting from that material, restricting the content of certain types of campaign material, and providing remedies and a penalty.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 6, 2007.

Committee Bill (Formerly House File 233), relating to the construction bidding procedures Act by modifying procedures and requirements for letting public improvement contracts, and making corrections.

Fiscal Note is not required.

Recommended **Do Pass** March 6, 2007.

Committee Bill (Formerly House File 236), establishing statewide licensure of electricians and installers, providing for inspections, establishing fees, and providing penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 6, 2007.

Committee Bill (Formerly House Study Bill 41), relating to the racing and gaming commission by modifying provisions regulating horses involved in horse racing and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** March 6, 2007.

Committee Bill (Formerly House Study Bill 105), relating to campaign finance by requiring electronic filing of certain reports and by establishing an Iowa voter-owned clean elections Act, providing for funding of the Act, including an income tax checkoff and a sales tax imposed on political advertising, and providing an income tax exemption, penalties, and an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 6, 2007.

Committee Bill (Formerly House Study Bill 148), making changes to the time frames and the duties of the legislative services agency concerning the process of congressional and legislative redistricting.

Fiscal Note is not required.

Recommended **Do Pass** March 6, 2007.

COMMITTEE ON TRANSPORTATION

Committee Bill (Formerly House File 266), concerning the marking or lighting of antenna structures and making a penalty applicable.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 6, 2007.

COMMITTEE ON VETERANS AFFAIRS

Committee Bill (Formerly House File 604), crediting fees from the sale of certain special motor vehicle registration plates to the emergency medical services fund and the veterans license fee fund, and providing an effective date.

Fiscal Note is required.

Recommended **Amend and Do Pass** March 6, 2007.

AMENDMENT FILED

H—1104 H.F. 454 Shomshor of Pottawattamie

On motion by McCarthy of Polk the House adjourned at 9:42 a.m., until 9:00 a.m., Thursday, March 8, 2007.

JOURNAL OF THE HOUSE

Sixtieth Calendar Day – Forty-second Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, March 8, 2007

The House met pursuant to adjournment at 9:08 a.m., Speaker Murphy in the chair.

Prayer was offered by Dr. Kenneth Arentson, pastor of the Westminster Presbyterian Church, Des Moines. He was the guest of Representatives Dan Clute and Scott Raecker of Polk County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by House Journal Page, Brianna Steitzer from Cedar Rapids.

The Journal of Wednesday, March 7, 2007 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Soderberg of Plymouth on request of Paulsen of Linn.

INTRODUCTION OF BILLS

House Joint Resolution 7, by Wiencek, Heaton, Paulsen, Raecker, Jacobs, Watts, Huseman, Tymeson, De Boef, Roberts, May, Deyoe, Rayhons, Arnold, Boal, Van Engelenhoven, Granzow, Lukan, Soderberg, Dolecheck, Tjepkes, Baudler, S. Olson, L. Miller, Kaufmann, Struyk, Drake, Alons, Worthan, Schickel, Van Fossen, Grassley, Rants, Gipp, Clute, Upmeyer, Greiner, Horbach, Chambers and Tomenga, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to certain funds received for senior programs.

Read first time and referred to committee on **human resources**.

House File 724, by Ford, a bill for an act relating to the establishment of a lead-safe housing registry, including provisions related to property owner, managing agent, or employee liability, and providing a penalty.

Read first time and referred to committee on **human resources**.

House File 725, by Ford, a bill for an act requiring that certain residential dwellings be tested for lead-based paint and providing a penalty.

Read first time and referred to committee on **human resources**.

House File 726, by D. Olson, Smith, Wise, T. Taylor, Lykam, Reichert, Mascher, Mertz, D. Taylor, Bukta, H. Miller and Reasoner, a bill for an act relating to railway security and providing for penalties.

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

House File 727, by H. Miller, Berry, Wessel-Kroeschell, Ford, D. Olson, Reasoner, Smith, Kressig, Frevert, Bailey, Mertz, Rasmussen, Upmeyer, Abdul-Samad, May and Davitt, a bill for an act providing for the creation of an interactive website featuring the materials, services, and programs maintained by the department of cultural affairs and making an appropriation.

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

House File 728, by H. Miller, Mertz, Wienczek, Frevert, Upmeyer, Abdul-Samad, D. Olson, May, Davitt and Berry, a bill for an act to support efforts to strengthen education and enrichment programming for youth using the arts and making an appropriation.

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

House File 729, by Upmeyer, Paulsen, Tomenga, De Boef, S. Olson, L. Miller, Rayhons, Kaufmann, Forristall, Soderberg and Struyk, a bill for an act providing appropriations for general state financial aid to merged areas.

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

House File 730, by Kaufmann, Wiencek and Pettengill, a bill for an act relating to the providing of income tax, premium tax, and moneys and credits tax credits for employers paying part of their employees' student loans and including a retroactive applicability date provision.

Read first time and referred to committee on **ways and means**.

House File 731, by Kaufmann, Mascher, Worthan and Lensing, a bill for an act making an appropriation to the department of education for teacher training in the reconstruction of reading recovery in Spanish program and providing an effective and applicability date provision.

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

House File 732, by Van Fossen, a bill for an act relating to a state work opportunity tax credit and including a retroactive applicability date provision.

Read first time and referred to committee on **ways and means**.

House File 733, by D. Olson, Dandekar, Thomas, Kuhn, Reichert, Mascher, Staed, Mertz, D. Taylor, Reasoner, Bukta and H. Miller, a bill for an act providing for the creation of a state energy policy council and a state energy plan.

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

House File 734, by Alons, Anderson, Baudler, Boal, Chambers, Clute, Deyoe, Dolecheck, Drake, Forristall, Gipp, Grassley, Horbach, Huseman, Jacobs, Kaufmann, Lukan, May, S. Olson, Raecker, Rasmussen, Rayhons, Roberts, Soderberg, Struyk, Tjepkes, Tomenga, Tymeson, Upmeyer, Van Fossen, Watts, Windschitl and Worthan, a bill for an act relating to assessment of commercial and industrial property for purposes of property taxation and including a retroactive applicability date.

Read first time and referred to committee on **ways and means**.

House File 735, by Whitaker, a bill for an act relating to organic food by providing for the duties of the department, establishing a council, and establishing a fund.

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

House File 736, by Davitt, a bill for an act identifying a mid-Iowa network of commercial and industrial highways.

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

House File 737, by R. Olson, a bill for an act relating to license revocations and temporary restricted licenses.

Read first time and referred to committee on **public safety**.

House File 738, by Bailey, a bill for an act relating to establishing a supply and material pooling program between private employers of inmates and Iowa state industries.

Read first time and referred to committee on **public safety**.

House File 739, by Berry and Abdul-Samad, a bill for an act relating to the incorporation of historical contributions by minorities and women into high school curricula.

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

House File 740, by committee on natural resources, a bill for an act regulating the administration of drugs to certain noncaptive vertebrate wildlife and providing a penalty.

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

House File 741, by Bailey, a bill for an act relating to a statewide microenterprise survey and making an appropriation.

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

SENATE MESSAGES CONSIDERED

Senate File 208, by committee on local government, a bill for an act relating to documents recorded with the county recorder.

Read first time and referred to committee on **local government**.

Senate File 212, by committee on local government, a bill for an act relating to the salary of deputy officers in certain county offices and providing an applicability date.

Read first time and referred to committee on **local government**.

Senate File 232, by committee on state government, a bill for an act authorizing payroll deduction for dues to a certified bargaining representative for individuals receiving payment for work performed from the state.

Read first time and referred to committee on **state government**.

Senate File 254, by committee on human resources, a bill for an act revising family investment program requirements.

Read first time and referred to committee on **human resources**.

Senate File 265, by committee on labor and business relations, a bill for an act relating to asbestos removal and encapsulation regulations as enforced by the labor commissioner.

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

Senate File 302, by committee on economic growth, a bill for an act relating to moneys appropriated to the department of economic development for regional tourism marketing purposes.

Read first time and **passed on file**.

Senate File 311, by committee on judiciary, a bill for an act relating to an action for satisfaction of a mortgage.

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

Senate File 319, by committee on agriculture, a bill for an act relating to cooperative associations, by providing for documentation, including certificates and statements.

Read first time and **passed on file**.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 7, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 128, a bill for an act relating to an increase in the taxes on cigarettes and tobacco products, imposing an inventory tax on tobacco products, creating a health care trust fund, and providing an effective date and providing an applicability provision.

MICHAEL E. MARSHALL, Secretary

SPECIAL PRESENTATION TO HOUSE PAGES

Speaker Murphy invited the House Pages to the Speaker's station for a special presentation and thanked them for their service to the House of Representatives.

Certificates of excellence for serving with honor and distinction as a House Page during the First Regular Session of the Eighty-second General Assembly were presented to the following Pages by Speaker Patrick Murphy of Dubuque, Majority Leader Kevin McCarthy of Polk and Minority Leader Christopher Rants of Woodbury.

Alexandra Elgersma
Adam Fisher
Frank Mason
Hannah Van Fossen
Heather Van Fossen

MEMORIAL COMMITTEE APPOINTED

Speaker Murphy announced the appointment of the following members to serve on the memorial committee: The Honorable Vicki Lensing of Johnson, Chair; the Honorable Sandy Greiner of

Washington, the Honorable Dolores Mertz of Kossuth and the Honorable Rod Roberts of Carroll.

ADOPTION OF HOUSE MEMORIAL RESOLUTION 1

T. Olson of Linn offered the following **House Memorial Resolution 1** and moved its adoption:

HOUSE MEMORIAL RESOLUTION 1

Whereas, The Honorable Cecil A. Reed, of Linn County, Iowa, who was a member of the Sixty-second General Assembly, passed away August 14, 2006; Now Therefore,

Be It Resolved By The House Of Representatives, That a committee of three be appointed by the Speaker of the House to prepare suitable resolutions commemorating his life, character and service to the state.

The motion prevailed and the Speaker appointed as such committee: T. Olson of Linn, Paulsen of Linn and T. Taylor of Linn.

ADOPTION OF HOUSE MEMORIAL RESOLUTION 2

Oldson of Polk offered the following **House Memorial Resolution 2** and moved its adoption:

HOUSE MEMORIAL RESOLUTION 2

Whereas, The Honorable Charles F. Glenn, of Polk County, Iowa, who was a member of the Sixty-second General Assembly, passed away August 6, 2006; Now Therefore,

Be It Resolved By The House Of Representatives, That a committee of three be appointed by the Speaker of the House to prepare suitable resolutions commemorating his life, character and service to the state.

The motion prevailed and the Speaker appointed as such committee: Oldson of Polk, Ford of Polk and Petersen of Polk.

ADOPTION OF HOUSE MEMORIAL RESOLUTION 3

Worthan of Buena Vista offered the following **House Memorial Resolution 3** and moved its adoption:

HOUSE MEMORIAL RESOLUTION 3

Whereas, The Honorable Mary Lou Freeman, of Buena Vista County, Iowa, who was a member of the Seventy-sixth, Seventy-seventh, Seventy-eighth, Seventy-ninth, Seventy-ninth Extra, Seventy-ninth Second Extra, Eightieth, Eightieth Extra, Eightieth Second Extra, and Eighty-first General Assemblies, passed away September 4, 2006; *Now Therefore*,

Be It Resolved By The House Of Representatives, That a committee of three be appointed by the Speaker of the House to prepare suitable resolutions commemorating her life, character and service to the state.

The motion prevailed and the Speaker appointed as such committee: Worthan of Buena Vista, Chambers of O'Brien and Huseman of Cherokee.

ADOPTION OF HOUSE MEMORIAL RESOLUTION 4

Lykam of Scott offered the following **House Memorial Resolution 4** and moved its adoption:

HOUSE MEMORIAL RESOLUTION 4

Whereas, The Honorable James D. Resnick, of Scott County, Iowa, who was a member of the Sixty-first General Assembly, passed away February 9, 2007; *Now Therefore*,

Be It Resolved By The House Of Representatives, That a committee of three be appointed by the Speaker of the House to prepare suitable resolutions commemorating his life, character and service to the state.

The motion prevailed and the Speaker appointed as such committee: Lykam of Scott, Gayman of Scott and Winckler of Scott.

ADOPTION OF HOUSE MEMORIAL RESOLUTION 5

Mascher of Johnson offered the following **House Memorial Resolution 5** and moved its adoption:

HOUSE MEMORIAL RESOLUTION 5

Whereas, The Honorable Earl M. Yoder, of Johnson County, Iowa, who was a member of the Sixty-second General Assembly, passed away November 29, 2006; *Now Therefore*,

Be It Resolved By The House Of Representatives, That a committee of three be appointed by the Speaker of the House to prepare suitable resolutions commemorating his life, character and service to the state.

The motion prevailed and the Speaker appointed as such committee: Mascher of Johnson, Greiner of Washington and Lensing of Johnson.

SPECIAL PRESENTATION

May of Dickinson introduced to the House the Graettinger-Terril Knights, the girls' basketball team and their coach, Jared Cecil, whom qualified for the finals in last nights' tournament.

The House rose and expressed its welcome.

RULE 60 FAILED

Rants of Woodbury invoked Rule 60, and moved to withdraw the following House Files from committee and be placed on the calendar:

House File 19
House File 46
House File 102
House File 135
House File 325
House File 414
House File 593

Roll call was requested by Rants of Woodbury and Struyk of Pottawattamie.

On the question "Shall House Rule 60 be invoked?"

The ayes were, 44:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Granzow	Grassley	Greiner
Heaton	Horbach	Huseman	Jacobs
Kaufmann	Lukan	May	Miller, L.
Olson, S.	Paulsen	Raecker	Rants

Rasmussen	Rayhons	Roberts	Sands
Schickel	Struyk	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wienczek	Windschitl	Worthan

The nays were, 49:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Foega
Frevert	Gaskill	Gayman	Heddens
Hunter	Huser	Jacoby	Jochum
Kelley	Kressig	Kuhn	Lensing
Lykam	Mascher	McCarthy	Mertz
Miller, H.	Oldson	Olson, D.	Olson, T.
Palmer	Pettengill	Quirk	Reasoner
Reichert	Schueller	Shomshor	Smith
Staed	Swaim	Taylor, D.	Taylor, T.
Thomas	Wendt	Wenthe	Wessel-Kraeschell
Whitaker	Whitead	Winckler	Wise
Mr. Speaker			
Murphy			

Absent or not voting, 7:

Davitt	Ford	Hoffman	Olson, R.
Petersen	Soderberg	Zirkelbach	

The motion to invoke Rule 60 lost.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 8TH day of March, 2007: House Files 319 and 400.

MARK W. BRANDSGARD
Chief Clerk of the House

Report adopted.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- 2007\1769 La Vaughn Fowlie, Coralville – For celebrating her 90th birthday.
- 2007\1770 Woody Millett, West Branch – For celebrating his 90th birthday.
- 2007\1771 Johnny Siegel, New London/Winfield Wrestling Team – For winning the 140 lb. weight class in the Class 1-A Division of the 2007 State Wrestling Tournament.
- 2007\1772 Loren M. Greiner, Emmetsburg – For celebrating his 99th birthday.

SUBCOMMITTEE ASSIGNMENTS

House File 206

Transportation: Huser, Chair; Lykam and Tjepkes.

House File 253

Transportation: Huser, Chair; Lykam and Tjepkes.

House File 726

Transportation: Tjepkes, Chair; Huser and Lykam.

House File 736

Transportation: Lykam, Chair; Huser and Tjepkes.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 270

Judiciary: Winckler, Chair; Palmer and Struyk.

House Study Bill 278

Labor: R. Olson, Chair; Hunter and Watts.

House Study Bill 281

Public Safety: Gayman, Chair; Alons and Lykam.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 282 Environmental Protection

Relating to reporting requirements for the watershed quality planning task force.

H.S.B. 283 Economic Growth

Establishing a renewable energy physical infrastructure assistance program, and providing effective and retroactive applicability dates.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON AGRICULTURE

Committee Bill (Formerly House File 539), relating to animal feeding operations, by providing for the enforcement of regulatory provisions.

Fiscal Note is not required.

Recommended **Do Pass** March 7, 2007.

Committee Bill (Formerly House File 540), relating to soil and water conservation district work projects supporting water protection practices, and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 7, 2007.

Committee Bill (Formerly House Study Bill 224), concerning horse racing by providing for purse agreements for races of standardbred horses at county fairs.

Fiscal Note is not required.

Recommended **Do Pass** March 7, 2007.

Committee Bill (Formerly House Study Bill 236), relating to the duties and powers of the state entomologist, and making penalties applicable.

Fiscal Note is not required.

Recommended **Do Pass** March 7, 2007.

Committee Bill (Formerly House Study Bill 243), providing for an Iowa farmers' market nutrition program.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 7, 2007.

Committee Bill (Formerly House Study Bill 245), providing for excise taxes imposed on the sale of motor fuel containing ethanol blended gasoline.

Fiscal Note is not required.

Recommended **Do Pass** March 7, 2007.

Committee Bill (Formerly House Study Bill 254), providing for an equine industry promotional commission and related fund, and providing an appropriation.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 7, 2007.

Committee Bill (Formerly House Study Bill 268), providing for an agricultural-biomanufacturing initiative and making an appropriation.

Fiscal Note is not required.

Recommended **Do Pass** March 7, 2007.

COMMITTEE ON EDUCATION

Committee Bill (Formerly House File 6), relating to the compulsory school attendance age and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 2007.

Committee Bill (Formerly House File 47), relating to reimbursement of advanced placement examination fees paid by or on behalf of students enrolled in public school districts and accredited nonpublic schools or receiving competent private instruction and making an appropriation.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 7, 2007.

Committee Bill (Formerly House File 415), providing for a school attendance task force pilot program, and providing an appropriation.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 2007.

Committee Bill (Formerly House File 439), directing the state board of regents to convene a task force to develop and coordinate a five-year strategic plan to address alignment of the kindergarten through postsecondary education systems.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 7, 2007.

Committee Bill (Formerly House File 583), requiring school districts to prohibit the use of cigarettes and tobacco products at schools, on school grounds, in school vehicles, and at off-campus school-related indoor events.

Fiscal Note is not required.

Recommended **Do Pass** March 8, 2007.

Committee Bill (Formerly House Study Bill 240), relating to implementation of core content standards and a model core curriculum and making an appropriation.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 7, 2007.

Committee Bill (Formerly House Study Bill 250), increasing the state sales and use tax rates and using revenues to replace the local option sales and services tax for school infrastructure purposes, providing a penalty and including an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 7, 2007.

COMMITTEE ON ENVIRONMENTAL PROTECTION

Committee Bill (Formerly House File 164), increasing the reimbursement amount paid by distributors to persons redeeming empty beverage containers.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 7, 2007.

Committee Bill (Formerly House File 452), creating an unsewered community revolving loan program and fund.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 7, 2007.

Committee Bill (Formerly House File 568), relating to national pollutant discharge elimination system permits for disposal systems of certain cities.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 7, 2007.

COMMITTEE ON HUMAN RESOURCES

House File 309, a bill for an act requiring development of a uniform cost report for certain services reimbursed through the department of human services and counties.

Fiscal Note is not required.

Recommended **Do Pass** March 7, 2007.

House File 503, a bill for an act relating to providing opportunities to individuals with disabilities.

Fiscal Note is not required.

Recommended **Do Pass** March 7, 2007.

House File 566, a bill for an act relating to the definition of a free clinic for the purposes of the volunteer health care provider program.

Fiscal Note is not required.

Recommended **Do Pass** March 7, 2007.

House File 585, a bill for an act relating to the selection of board members by area agencies on aging.

Fiscal Note is not required.

Recommended **Do Pass** March 7, 2007.

Committee Bill (Formerly House File 480), relating to children who are subject to a court order for a temporary or permanent out-of-home placement by providing for visitation or ongoing interaction between the children and siblings.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 7, 2007.

Committee Bill (Formerly House Study Bill 156), relating to nursing facility financial assistance related to certain renovation and construction and regulatory compliance, and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 7, 2007.

Committee Bill (Formerly House Study Bill 212), relating to regulation of children's services by the department of human services by increasing the age for certain children receiving child care regulated by the department and revising child welfare and juvenile justice service provisions.

Fiscal Note is required.

Recommended **Amend and Do Pass** March 7, 2007.

Committee Bill (Formerly House Study Bill 262), creating a hemophilia advisory committee and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 7, 2007.

Committee Bill (Formerly House Study Bill 265), establishing an Iowa Abraham Lincoln bicentennial commission and fund and providing for its prospective repeal.

Fiscal Note is not required.

Recommended **Do Pass** March 7, 2007.

COMMITTEE ON JUDICIARY

Committee Bill (Formerly House Study Bill 71), relating to a debtor's exempt personal injury payments in state court debt collection and federal bankruptcy actions.

Fiscal Note is not required.

Recommended **Do Pass** March 6, 2007.

Committee Bill (Formerly House Study Bill 132), relating to the issuance of temporary orders modifying an order of child support or custody.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 7, 2007.

Committee Bill (Formerly House Study Bill 165), prohibiting a donation or contribution to an agency, organization, or political subdivision of the state in a criminal proceeding.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 7, 2007.

Committee Bill (Formerly House Study Bill 167), relating to judicial branch practices and procedures including but not limited to adoption petitions, clerk of the district court duties and recordkeeping affecting real estate, the confidentiality of arrest warrants, and notices by the department of corrections to the clerk of the district court.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 7, 2007.

Committee Bill (Formerly House Study Bill 241), relating to trusts and estates including fiduciaries and beneficiaries and including applicability provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 7, 2007.

Committee Bill (Formerly House Study Bill 242), relating to mechanics' liens.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 7, 2007.

COMMITTEE ON LOCAL GOVERNMENT

House File 247, a bill for an act providing voting member representation on joint E911 service boards for cities or townships providing fire protection services through a volunteer fire department.

Fiscal Note is not required.

Recommended **Do Pass** March 7, 2007.

Committee Bill (Formerly House File 192), relating to notice and collection of delinquent charges by certain city utilities or city enterprises.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 7, 2007.

Senate File 130, a bill for an act relating to commissions that oversee memorial buildings and monuments.

Fiscal Note is not required.

Recommended **Do Pass** March 7, 2007.

Committee Bill (Formerly House Study Bill 205), relating to information required to be indexed in the records of the county recorder.

Fiscal Note is not required.

Recommended **Do Pass** March 7, 2007.

Committee Bill (Formerly House Study Bill 206), relating to county general obligation bonds by modifying the definition of essential county purpose and by changing the requirements under which a county may issue general county purpose bonds without an election.

Fiscal Note is not required.

Recommended **Do Pass** March 7, 2007.

Committee Bill (Formerly House Study Bill 208), relating to publication of property assessment equalization orders.

Fiscal Note is not required.

Recommended **Do Pass** March 7, 2007.

Committee Bill (Formerly House Study Bill 213), concerning accountability requirements for entities and boards created for joint exercise of governmental powers.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 7, 2007.

COMMITTEE ON STATE GOVERNMENT

Committee Bill (Formerly House File 230), concerning investment of certain public funds in companies doing business in Sudan by the treasurer of state, public retirement systems in Iowa, and the state board of regents.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 6, 2007.

COMMITTEE ON VETERANS AFFAIRS

Committee Bill (Formerly House Study Bill 233), concerning veterans by providing for regional veterans affairs offices, providing for the duties of the department of veterans affairs and the commission on veterans affairs, and establishing a counseling program for veterans.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 7, 2007.

AMENDMENTS FILED

H—1105	S.F.	62	Tymeson of Madison
H—1106	H.F.	498	Committee on Commerce
H—1107	H.F.	546	Jacobs of Polk

On motion by McCarthy of Polk the House adjourned at 9:45 a.m., until 9:00 a.m., Friday, March 9, 2007.

JOURNAL OF THE HOUSE

Sixty-first Calendar Day - Forty-third Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, March 9, 2007

The House met pursuant to adjournment at 9:12 a.m., Speaker Murphy in the chair.

Prayer was offered by the Honorable Mike May, state representative from Dickinson County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Murphy.

The Journal of Thursday, March 8, 2007 was approved.

INTRODUCTION OF BILLS

House File 742, by committee on natural resources, a bill for an act relating to the regulation of snowmobiles and all-terrain vehicles, and providing fees and penalties.

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

House File 743, by committee on labor, a bill for an act requiring additional workers' compensation payments for scheduled injuries that result in a reduction in the injured employee's earning capacity.

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

House File 744, by committee on judiciary, a bill for an act relating to a debtor's exempt personal injury payments in state court debt collection and federal bankruptcy actions.

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

House File 745, by Abdul-Samad, a bill for an act making an appropriation to the department of education for a pilot program for programs to assist at-risk students entering high school.

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

House File 746, by Davitt, Wise, Horbach, Tymeson, Wenthe, Palmer, Mascher, Foege and Roberts, a bill for an act concerning the manufacture and sale of native distilled spirits, and establishing a related permit fee and excise tax.

Read first time and referred to committee on **ways and means**.

House File 747, by Baudler and Upmeyer, a bill for an act relating to under legal age consumption or possession of an alcoholic beverage on certain property, and providing penalties.

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

House File 748, by Jacoby, Mascher and Lensing, a bill for an act allowing a county board of supervisors to expend moneys from the local emergency management fund for a joint law enforcement communications center.

Read first time and referred to committee on **ways and means**.

House File 749, by committee on veterans affairs, a bill for an act crediting fees from the sale of certain special motor vehicle registration plates to the emergency medical services fund and the veterans license fee fund, and providing an effective date.

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

House File 750, by committee on human resources, a bill for an act relating to support including child support provisions relating to passport sanctions for nonpayment of child support and mandatory review and adjustment of child support orders, medical support, and support payments, providing effective dates, and providing for nullification of an administrative rule and retroactive applicability.

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

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 8, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 413, a bill for an act providing for fair share agreements relating to collective bargaining for public employees and providing an effective date.

MICHAEL E. MARSHALL, Secretary

SENATE MESSAGES CONSIDERED

Senate File 128, by committee on ways and means, a bill for an act relating to an increase in the taxes on cigarettes and tobacco products, imposing an inventory tax on tobacco products, creating a health care trust fund, providing for a standing appropriation, and providing an effective date and providing an applicability provision.

Read first time and **passed on file**.

Senate File 131, by committee on local government, a bill for an act relating to publication of property assessment equalization orders.

Read first time and **passed on file**.

Senate File 248, by committee on human resources, a bill for an act relating to the membership of the board of physician assistant examiners.

Read first time and referred to committee on **human resources**.

Senate File 413, by committee on labor and business relations, a bill for an act providing for fair share agreements relating to collective bargaining for public employees and providing an effective date.

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

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- 2007\1774 Philip Barber, Des Moines – For celebrating his 80th birthday.
- 2007\1775 Virginia Cox, Des Moines – For celebrating her 85th birthday.
- 2007\1776 Gertraud Eisenbarger, Des Moines – For celebrating her 75th birthday.
- 2007\1777 Joy Graham, Des Moines – For celebrating her 75th birthday.
- 2007\1778 Stanley Gullord, Des Moines – For celebrating his 85th birthday.
- 2007\1779 Edith Hagen, Des Moines – For celebrating her 80th birthday.
- 2007\1780 Letha Hockensmith, Des Moines – For celebrating her 90th birthday.
- 2007\1781 Rita Hoxeng, Des Moines – For celebrating her 75th birthday.
- 2007\1782 Pauline Jones, Des Moines – For celebrating her 85th birthday.
- 2007\1783 David Klinefelter, Des Moines – For celebrating his 75th birthday.
- 2007\1784 Audrey Mager, Des Moines – For celebrating her 80th birthday.
- 2007\1785 Charlotte Magnani, Des Moines – For celebrating her 80th birthday.
- 2007\1786 Imogene Magnuson, Des Moines – For celebrating her 75th birthday.
- 2007\1787 Lucille Morris, Des Moines – For celebrating her 80th birthday.
- 2007\1788 Carl Noftsger, Des Moines – For celebrating his 80th birthday.
- 2007\1789 Lloyd Richards, Des Moines – For celebrating his 80th birthday.
- 2007\1790 Marilyn Roth, Des Moines – For celebrating her 75th birthday.
- 2007\1791 Ann Sanford, Des Moines – For celebrating her 80th birthday.
- 2007\1792 Josephine Scigliano, Des Moines – For celebrating her 90th birthday.
- 2007\1793 Maxine Searcy, Des Moines – For celebrating her 90th birthday.
- 2007\1794 Robert Seliger, Des Moines – For celebrating his 75th birthday.
- 2007\1795 Leroy Sims, Des Moines – For celebrating his 75th birthday.
- 2007\1796 Marjorie Smiley, Des Moines – For celebrating her 95th birthday.
- 2007\1797 Naomi Surber, Des Moines – For celebrating her 80th birthday.

- 2007\1798 Martin Tew, Des Moines – For celebrating his 80th birthday.
- 2007\1799 Anne Vacco, Des Moines – For celebrating her 75th birthday.
- 2007\1800 Ruth Villines, Des Moines – For celebrating her 85th birthday.
- 2007\1801 Dorothy Walker, Des Moines – For celebrating her 80th birthday.
- 2007\1802 Virginia West, Des Moines – For celebrating her 80th birthday.
- 2007\1803 Molissa Owen, Iowa City – For attaining the Girl Scout Gold Award, the highest award in Girl Scouting.
- 2007\1804 Kathryn Roberts, Iowa City – For attaining the Girl Scout Gold Award, the highest award in Girl Scouting.
- 2007\1805 Rachel Ruplinger, Iowa City – For attaining the Girl Scout Gold Award, the highest award in Girl Scouting.
- 2007\1806 Robert Arnold, Cedar Rapids – For celebrating his 85th birthday.
- 2007\1807 Mary Beeler, Cedar Rapids – For celebrating her 75th birthday.
- 2007\1808 Arlene Bloemers, Cedar Rapids – For celebrating her 75th birthday.
- 2007\1809 Janice Burgess, Cedar Rapids – For celebrating her 75th birthday.
- 2007\1810 Beverly Calvert, Cedar Rapids – For celebrating her 75th birthday.
- 2007\1811 Charles Campbell, Cedar Rapids – For celebrating his 75th birthday.
- 2007\1812 Joe Cook, Cedar Rapids – For celebrating his 75th birthday.
- 2007\1813 Daryl Daker, Cedar Rapids – For celebrating his 75th birthday.
- 2007\1814 Jennie Danehy, Cedar Rapids – For celebrating her 90th birthday.
- 2007\1815 Gordon Danielsen, Cedar Rapids – For celebrating his 75th birthday.
- 2007\1816 Raymond Dewitt, Cedar Rapids – For celebrating his 75th birthday.
- 2007\1817 Leslie Duffy, Cedar Rapids – For celebrating his 85th birthday.
- 2007\1818 Viola Ellis, Cedar Rapids – For celebrating her 75th birthday.
- 2007\1819 Dorrance Emerson, Cedar Rapids – For celebrating his 80th birthday.
- 2007\1820 Arlene Fiala, Cedar Rapids – For celebrating her 85th birthday.

- 2007\1821 Anna Frimml, Cedar Rapids – For celebrating her 85th birthday.
- 2007\1822 Armand Fuller, Cedar Rapids – For celebrating his 80th birthday.
- 2007\1823 Patricia Goodwin, Cedar Rapids – For celebrating her 75th birthday.
- 2007\1824 Marie Gunder, Cedar Rapids – For celebrating her 80th birthday.
- 2007\1825 Sharla Heath, Cedar Rapids – For celebrating her 80th birthday.
- 2007\1826 Dorothy Johnson, Cedar Rapids – For celebrating her 80th birthday.
- 2007\1827 Elizabeth Johnson, Cedar Rapids – For celebrating her 90th birthday.
- 2007\1828 Edgar Joyner, Cedar Rapids – For celebrating his 85th birthday.
- 2007\1829 Dale Junge, Cedar Rapids – For celebrating his 75th birthday.
- 2007\1830 Patricia Kadinger, Cedar Rapids – For celebrating her 75th birthday.
- 2007\1831 Betty Kraetsch, Cedar Rapids – For celebrating her 75th birthday.
- 2007\1832 Mildred Lodge, Cedar Rapids – For celebrating her 95th birthday.
- 2007\1833 Robert Michael, Cedar Rapids – For celebrating his 75th birthday.
- 2007\1834 Roy Mrstik, Cedar Rapids – For celebrating his 75th birthday.
- 2007\1835 Virgil Munson, Cedar Rapids – For celebrating his 75th birthday.
- 2007\1836 Joe Nortmann, Cedar Rapids – For celebrating his 90th birthday.
- 2007\1837 Esther Taylor, Cedar Rapids – For celebrating her 95th birthday.
- 2007\1838 Arlene Thomas, Cedar Rapids – For celebrating her 85th birthday.
- 2007\1839 Ella Watson, Cedar Rapids – For celebrating her 90th birthday.
- 2007\1840 Betty White, Cedar Rapids – For celebrating her 75th birthday.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

House Study Bill 282

Environmental Protection: D. Olson, Chair; Drake, Frevert, Greiner, Kuhn, H. Miller and S. Olson.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON COMMERCE

House File 498, a bill for an act relating to energy, establishing the Iowa energy independence office, the Iowa power fund, making related changes consistent with energy efficiency, and making appropriations.

Fiscal Note is not required.

Recommended **Amend and Do Pass with Amendment H—1106** March 6, 2007.

Pursuant to Rule 31.7, House File 498 was referred to the committee on economic growth.

Committee Bill (Formerly House File 4), providing for association group health care plans, including a five-year association group health care plan pilot project, association group health care plan actuarial studies, wellness initiatives, providing an appropriation, and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 2007.

Committee Bill (Formerly House File 185), requiring health care benefit coverage for certain prosthetic devices and providing an applicability date.

Fiscal Note is not required.

Recommended **Do Pass** March 8, 2007.

Committee Bill (Formerly House File 304), appropriating moneys to support the purchase of equipment to conduct testing of motor fuel and biofuel.

Fiscal Note is not required.

Recommended **Do Pass** March 8, 2007.

Committee Bill (Formerly House Study Bill 161), requiring insurers offering certain individual or group health insurance contracts, policies, or plans to provide coverage for certain enteral formulas, audiological services and hearing aids for children, and vaccinations for human papilloma virus.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 2007.

Committee Bill (Formerly House Study Bill 200), relating to mortgage release certificates issued by the Iowa finance authority.

Fiscal Note is not required.

Recommended **Do Pass** March 8, 2007.

COMMITTEE ON ECONOMIC GROWTH

Committee Bill (Formerly House File 259), creating a help inner city vitality and economic growth fund and making appropriations.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 2007.

Committee Bill (Formerly House File 264), relating to technical assistance for certain recipients of moneys from the grow Iowa values fund.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 2007.

Committee Bill (Formerly House File 404), relating to enterprise zones that include the site of a biodiesel or biodiesel blended fuel production facility.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 2007.

Committee Bill (Formerly House File 509), providing for agricultural and industrial development, including by providing for research into initiatives relating to biofuels, and making appropriations.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 2007.

Committee Bill (Formerly House Study Bill 229), creating an endow Iowa planned gift tax credit and including a retroactive applicability date.

Fiscal Note is not required.

Recommended **Do Pass** March 8, 2007.

Committee Bill (Formerly House Study Bill 266), relating to the development and commercialization of businesses in the targeted industry areas of advanced manufacturing, bioscience, and information technology.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 2007.

COMMITTEE ON ENVIRONMENTAL PROTECTION

Committee Bill (Formerly House File 681), establishing an energy city designation program.

Fiscal Note is not required.

Recommended **Do Pass** March 8, 2007.

Committee Bill (Formerly House File 687), providing for the establishment of an energy-efficient appliance assistance grant program and fund, and making an appropriation.

Fiscal Note is not required.

Recommended **Do Pass** March 8, 2007.

Committee Bill (Formerly House Study Bill 267), providing for environmental protection of facilities and practices related to the production of livestock, including animal feeding operations, providing for fees and tax exemptions, making penalties applicable, and providing effective and applicability dates.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 2007.

Committee Bill (Formerly House Study Bill 282), relating to reporting requirements for the watershed quality planning task force.

Fiscal Note is not required.

Recommended **Do Pass** March 8, 2007.

COMMITTEE ON LABOR

Committee Bill (Formerly House File 182), concerning disclosures of information by health care workers and providing penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 2007.

Committee Bill (Formerly House Study Bill 272), relating to revoking the driver's license or motor vehicle operating privileges of persons convicted of a controlled substance offense.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 2007.

Committee Bill (Formerly House Study Bill 273), relating to sentencing and parole eligibility of persons convicted of controlled substance offenses.

Fiscal Note is not required.

Recommended **Do Pass** March 8, 2007.

Committee Bill (Formerly House Study Bill 278), requiring the payment of local prevailing wage rates to persons working on public improvements for public bodies, and providing penalties and an effective date.

Fiscal Note is not required.

Recommended **Do Pass** March 8, 2007.

COMMITTEE ON PUBLIC SAFETY

Committee Bill (Formerly House File 694), relating to criminal offenses against minors including sexual abuse, enticing a minor away, and indecent exposure through a webcam, and providing penalties.

Fiscal Note is not required.

Recommended **Do Pass** March 8, 2007.

Committee Bill (Formerly House Study Bill 54), relating to the implementation of an electronic monitoring system to track pseudoephedrine sales at pharmacies, and making an appropriation.

Fiscal Note is not required.

Recommended **Do Pass** March 8, 2007.

Committee Bill (Formerly House Study Bill 216), relating to the sale of a pseudoephedrine product by a pharmacy or retailer, and providing penalties and contingent applicability.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 2007.

COMMITTEE ON TRANSPORTATION

House File 582, a bill for an act relating to the procedure for releasing a security interest in a snowmobile, an all-terrain vehicle, or a vessel.

Fiscal Note is not required.

Recommended **Do Pass** March 8, 2007.

Committee Bill (Formerly House Study Bill 277), relating to requirements for operation of a motor vehicle in merging traffic and providing a penalty.

Fiscal Note is not required.

Recommended **Do Pass** March 8, 2007.

COMMITTEE ON VETERANS AFFAIRS

Committee Bill (Formerly House File 60), relating to eligible veterans for purposes of the injured veterans grant program.

Fiscal Note is not required.

Recommended **Do Pass** March 8, 2007.

AMENDMENTS FILED

H—1108	H.F.	320	Kaufmann of Cedar
H—1109	H.F.	652	Jacobs of Polk
H—1110	H.F.	320	Kaufmann of Cedar
H—1111	H.F.	617	Paulsen of Linn

On motion by McCarthy of Polk the House adjourned at 9:19 a.m., until 1:00 p.m., Monday, March 12, 2007.

JOURNAL OF THE HOUSE

Sixty-fourth Calendar Day - Forty-fourth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, March 12, 2007

The House met pursuant to adjournment at 1:06 p.m., Speaker Murphy in the chair.

Prayer was offered by George Gregory of the Christian Science Church, Iowa City. He was the guest of Representative Mary Mascher of Johnson County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Student Council of Evans Middle School, Ottumwa. They were the guests of Representative Mary Gaskill of Wapello County.

The Journal of Friday, March 9, 2007 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Gipp of Winneshiek on request of Paulsen of Linn.

INTRODUCTION OF BILLS

House File 751, by Kaufmann and Foege, a bill for an act relating to the collection and recycling of thermostats.

Read first time and referred to committee on **environmental protection**.

House File 752, by committee on appropriations, a bill for an act relating to and making transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund.

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

House File 753, by May, a bill for an act providing criminal penalties for a vessel operator who willfully eludes or attempts to elude an authorized marked law enforcement vessel.

Read first time and referred to committee on **natural resources**.

House File 754, by committee on education, a bill for an act requiring school districts to prohibit the use of cigarettes and tobacco products at schools, on school grounds, in school vehicles, and at off-campus school-related indoor events.

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

House File 755, by committee on education, a bill for an act relating to reimbursement of advanced placement examination fees paid by or on behalf of students enrolled in public school districts and accredited nonpublic schools or receiving competent private instruction and making an appropriation.

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

The House stood at ease at 1:20 p.m., until the fall of the gavel.

The House resumed session at 3:01 p.m., Speaker Murphy in the chair.

CONSIDERATION OF BILLS Regular Calendar

House File 314, a bill for an act relating to a peace officer's statements to a person operating a noncommercial motor vehicle and holding a commercial driver's license who has been requested to submit to a chemical test in an operating-while-intoxicated case, was taken up for consideration.

Swaim of Davis moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 314)

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foegen
Ford	Forristall	Frevert	Gaskill
Gayman	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Pettengill	Quirk
Raecker	Rants	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Smith
Soderberg	Staed	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wiencek
Winckler	Windschitl	Wise	Worthan
Mr. Speaker			
Murphy			

The nays were, none.

Absent or not voting, 3:

Gipp	Petersen	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 525, a bill for an act establishing an interim study committee to study the impact of unemployment on the recidivism rate of persons who have been committed to the custody of the department of corrections or assigned to the judicial district departments of correctional services, was taken up for consideration.

Berry of Black Hawk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 525)

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Pettengill	Quirk
Raecker	Rants	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Smith
Soderberg	Staed	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wiencck
Winckler	Windschitl	Wise	Worthan
Mr. Speaker			
Murphy			

The nays were, none.

Absent or not voting, 3:

Gipp	Petersen	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 590, a bill for an act relating to the application and enforcement of the state building code and providing an applicability date, was taken up for consideration.

Huser of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 590)

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Pettengill	Quirk
Raecker	Rants	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Smith
Soderberg	Staed	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wiencek
Winckler	Windschitl	Wise	Worthan
Mr. Speaker			
Murphy			

The nays were, none.

Absent or not voting, 3:

Gipp	Petersen	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 610, a bill for an act relating to acquired immune deficiency syndrome and the human immunodeficiency virus, was taken up for consideration.

Abdul-Samad of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 610)

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Pettengill	Quirk
Raecker	Rants	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Smith
Soderberg	Staed	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wienczek
Winckler	Windschitl	Wise	Worthan
Mr. Speaker Murphy			

The nays were, none.

Absent or not voting, 3:

Gipp	Petersen	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILES 89 and 380 WITHDRAWN

Huser of Polk asked and received unanimous consent to withdraw House Files 89 and 380 from further consideration by the House.

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 314, 525, 590 and 610.**

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 12, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 199, a bill for an act granting the civil rights commission additional subpoena power to investigate unfair or discriminatory practices and providing an effective date.

Also: that the Senate has on March 12, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 202, a bill for an act relating to the disposition of certain unclaimed property.

Also: that the Senate has on March 12, 2007, passed the following bill in which the House is asked:

Senate File 260, a bill for an act relating to dependent adult abuse.

Also: that the Senate has on March 12, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 272, a bill for an act relating to nonsubstantive Code corrections and including effective and retroactive applicability date provisions.

Also: that the senate has on March 12, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 333, a bill for an act relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and including effective and retroactive applicability date provisions.

Also: That the Senate has on March 12, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 335, a bill for an act relating to zoning provisions for the premises of home and community-based services waiver providers.

Also: That the Senate has on March 12, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 336, a bill for an act allowing certain cities to appoint additional civil service commissioners.

Also: That the Senate has on March 12, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 337, a bill for an act relating to information required to be indexed in the records of the county recorder.

Also: That the Senate has on March 12, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 400, a bill for an act relating to mortgage release certificates issued by the Iowa finance authority.

Also: that the Senate has on March 12, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 403, a bill for an act addressing financial and regulatory matters by making and revising appropriations, providing for properly related matters, and providing effective dates.

Also: That the Senate has on March 12, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 421, a bill for an act relating to workers' compensation laws by regulating insurance policy exclusions and debt collection practices.

MICHAEL E. MARSHALL, Secretary

On motion by McCarthy of Polk, the House was recessed at 3:35 p.m., until completion of the 3:30 p.m. committee meetings.

MORNING SESSION

The House reconvened at 12:49 a.m., Speaker Murphy in the chair.

House File 229, a bill for an act relating to the number of signatures required on nomination papers for the office of mayor in certain cities, was taken up for consideration.

McCarthy of Polk asked and received unanimous consent that House File 229 be deferred and that the bill retain its place on the calendar.

HOUSE FILE 714 REREFERRED

The Speaker announced that House File 714, previously placed on the **calendar** was rereferred to committee on **appropriations**.

SENATE FILE 75 REREFERRED

The Speaker announced that Senate File 75, previously referred to committee on **human resources** was **passed on file**.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 12th day of March, 2007: House Files 258 and 369.

MARK W. BRANDSGARD
Chief Clerk of the House

Report adopted.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 9, 2007, he approved and transmitted to the Secretary of State the following bills:

House File 245, an Act requiring invasive pneumococcal disease immunization for children enrolling in licensed child care centers.

House File 319, an Act updating the Code references to the Internal Revenue Code and including effective date and retroactive applicability provisions.

House File 400, an Act authorizing the formation of a professional corporation or a professional limited liability company by licensed real estate brokers.

Senate File 74, an Act renaming health-related examining boards as licensing boards.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- 2007\1841 Winnie Macfarlane, Sioux City – For celebrating her 80th birthday.
- 2007\1842 Ralph and Marilyn Moore, Sioux City – For celebrating their 50th wedding anniversary.
- 2007\1843 Mr. and Mrs. Robert Neff, Davenport – For celebrating their 50th wedding anniversary.
- 2007\1844 Sioux City North Stars Girls Basketball Team, Head Coach Kirk Walker, and Assistant Coaches Darron Koolstra and Heathet Hensley, Sioux City North High School – For winning the 2007 Class 4-A Girls State Basketball Championship.
- 2007\1845 Grace Snuttjer, Orange City – For celebrating her 96th birthday.
- 2007\1846 Inez Lensing, Bancroft – For celebrating her 80th birthday.
- 2007\1847 Ruth Nerem, Lone Rock – For celebrating her 85th birthday.
- 2007\1848 Mae Menz, Fenton – For celebrating her 95th birthday.
- 2007\1849 Leon Cooper, Emmetsburg – For celebrating his 80th birthday.
- 2007\1850 Edwin Blair, Swea City – For celebrating his 85th birthday.
- 2007\1851 Lavon Osher, Wallingford – For celebrating her 95th birthday.
- 2007\1852 Helen Wilberg, Armstrong – For celebrating her 100th birthday.
- 2007\1853 Edwin Dontje, Lakota – For celebrating his 80th birthday.
- 2007\1854 Alice Fay, Wallingford – For celebrating her 85th birthday.
- 2007\1855 Bobby Tuttle, Estherville – For celebrating his 75th birthday.
- 2007\1856 William Hellman, Bancroft – For celebrating his 80th birthday.
- 2007\1857 Josie England, Ruthven – For celebrating her 104th birthday.
- 2007\1858 Ellen Hoppe, Estherville – For celebrating her 75th birthday.
- 2007\1859 Joseph Lehman, Estherville – For celebrating his 80th birthday.
- 2007\1860 Roy Danielson, Estherville – For celebrating his 90th birthday.
- 2007\1861 Dorothy Christ, Lakota – For celebrating her 75th birthday.
- 2007\1862 Donald Koons, Estherville – For celebrating his 75th birthday.
- 2007\1863 Mavis Loewenberg, Estherville – For celebrating her 85th birthday.
- 2007\1864 James Kennedy, Armstrong – For celebrating his 75th birthday.

- 2007\1865 Virgil Anderson, Wallingford – For celebrating his 80th birthday.
- 2007\1866 Irene Garness, Estherville – For celebrating her 85th birthday.
- 2007\1867 Donald Olesen, Estherville – For celebrating his 75th birthday.
- 2007\1868 Ronald Olesen, Graettinger – For celebrating his 75th birthday.
- 2007\1869 Martha Forsyth, Estherville – For celebrating her 80th birthday.
- 2007\1870 Shirley Moran, Graettinger – For celebrating her 80th birthday.
- 2007\1871 James Waldschmidt, Armstrong – For celebrating his 80th birthday.
- 2007\1872 Clifford Bower, Curlew – For celebrating his 75th birthday.
- 2007\1873 Maxine Lashbrook, Emmetsburg – For celebrating her 75th birthday.
- 2007\1874 Donald Christensen, Estherville – For celebrating his 80th birthday.
- 2007\1875 Floyd Fosnot, Mallard – For celebrating his 85th birthday.
- 2007\1876 Clarence Weinzetl, Mallard – For celebrating his 80th birthday.
- 2007\1877 Betty Becker, Bancroft – For celebrating her 90th birthday.
- 2007\1878 Catherine Hamilton, Bancroft – For celebrating her 75th birthday.
- 2007\1879 Don Sundall, Ruthven – For celebrating his 75th birthday.
- 2007\1880 Edna Billings, Estherville – For celebrating her 80th birthday.
- 2007\1881 Mildred Lehman, Emmetsburg – For celebrating her 95th birthday.
- 2007\1882 Dorothy Mergen, Estherville – For celebrating her 75th birthday.
- 2007\1883 Fred Brattmiller, Ruthven – For celebrating his 80th birthday.
- 2007\1884 Phyllis Evans, Armstrong – For celebrating her 80th birthday.
- 2007\1885 Doris Schealler, Graettinger – For celebrating his 80th birthday.
- 2007\1886 Daniel Shey, Algona – For celebrating her 80th birthday.
- 2007\1887 Lorraine Kirchner, Estherville – For celebrating her 85th birthday.
- 2007\1888 Ronald Meyer, Lakota – For celebrating his 75th birthday.
- 2007\1889 Roger Meyer, Lakota – For celebrating his 75th birthday.
- 2007\1890 Alver Reiman, Ayrshire – For celebrating his 85th birthday.

- 2007\1891 Mary Edwards, Armstrong – For celebrating her 90th birthday.
- 2007\1892 Dorothy Dirksen, Estherville – For celebrating her 85th birthday.
- 2007\1893 Donald Burge, Estherville – For celebrating his 75th birthday.
- 2007\1894 Lyle Siefken, Estherville – For celebrating his 75th birthday.
- 2007\1895 Leroy Naig, Graettinger – For celebrating his 80th birthday.
- 2007\1896 Alverda Jensen, Ringsted – For celebrating her 85th birthday.
- 2007\1897 Vernon Smith, Lakota – For celebrating his 90th birthday.
- 2007\1898 Kenneth Anderson, Estherville – For celebrating his 85th birthday.
- 2007\1899 Vitus Terveer, Ayrshire – For celebrating his 80th birthday.
- 2007\1900 Lois Knudsen, Ruthven – For celebrating her 80th birthday.
- 2007\1901 Clara Corderman, Armstrong – For celebrating his 85th birthday.
- 2007\1902 James Sewell, West Bend – For celebrating his 75th birthday.
- 2007\1903 Margaret Gallagher, Estherville – For celebrating her 80th birthday.
- 2007\1904 Gerald Lewis, Wallingford – For celebrating his 80th birthday.
- 2007\1905 Ronald Richardson, Lakota – For celebrating his 85th birthday.
- 2007\1906 Hannah Burg, Armstrong – For celebrating her 102nd birthday.
- 2007\1907 Mildred Studer, Wesley – For celebrating her 90th birthday.
- 2007\1908 Mary Berte, Bancroft – For celebrating her 80th birthday.
- 2007\1909 Gary and Deloris Faught, Mason City – For celebrating their 50th wedding anniversary.
- 2007\1910 Ruth Paxton, Mason City – For celebrating her 100th birthday.
- 2007\1911 Darlene Alexander, Mason City – For celebrating her 80th birthday.
- 2007\1912 Lu Hodenfield, Mason City – For celebrating her 80th birthday.
- 2007\1913 Dallas and JoAnne Bantz, Fairbank – For celebrating their 55th wedding anniversary.
- 2007\1914 Gail Griswold, Independence – For celebrating her 90th birthday.
- 2007\1915 Rolly and Jo Mulder, Rock Valley – For celebrating their 60th wedding anniversary.

SUBCOMMITTEE ASSIGNMENTS

House File 498

Economic Growth: Thomas, Chair; Bailey, Dandekar, Granzow, Hoffman, May, H. Miller, D. Olson, Schickel, Van Fossen and Wenthe.

Senate File 205

Economic Growth: H. Miller, Chair; Clute and Wenthe.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON ECONOMIC GROWTH

Committee Bill (Formerly House File 502), creating an Iowa community entrepreneurial program and fund and making appropriations.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 9, 2007.

Committee Bill (Formerly House File 577), relating to the designation of enterprise zones located near modes of transportation and including effective date and retroactive applicability date provisions.

Fiscal Note is not required.

Recommended **Do Pass** March 9, 2007.

COMMITTEE ON HUMAN RESOURCES

Committee Bill (Formerly House File 96), relating to third-party payment of health care coverage costs for mental health conditions, including alcohol or substance abuse treatment services.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 7, 2007.

Senate File 169, a bill for an act providing for county eligibility for state payment of certain mental health, mental retardation, and developmental disabilities services funding and providing effective and retroactive applicability dates.

Fiscal Note is not required.

Recommended **Do Pass** March 7, 2007.

COMMITTEE ON JUDICIARY

Committee Bill (Formerly House Study Bill 137), relating to the assessment of civil and criminal court fees and penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 2007.

Committee Bill (Formerly House Study Bill 190), relating to a civil judgment, decree, or order of a court of a federally recognized Indian tribe and including an applicability provision.

Fiscal Note is not required.

Recommended **Do Pass** March 8, 2007.

Committee Bill (Formerly House Study Bill 244), relating to a revised uniform anatomical gift Act, and providing penalties.

Fiscal Note is not required.

Recommended **Do Pass** March 8, 2007.

Committee Bill (Formerly House Study Bill 264), relating to general provisions of the uniform commercial code relating to the construction and application of its subject matter, and providing for a contingent effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 2007.

COMMITTEE ON LABOR

Senate File 413, a bill for an act providing for fair share agreements relating to collective bargaining for public employees and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** March 13, 2007.

COMMITTEE ON STATE GOVERNMENT

Committee Bill (Formerly House File 68), relating to mandatory disclosures in certain political telephone communications, and applying a penalty.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 2007.

Committee Bill (Formerly House File 281), requiring the training and certification of designated security personnel working at commercial establishments with a liquor control license or wine or beer permit.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 2007.

Committee Bill (Formerly House File 291), providing for candidate physical ability tests for fire fighter applicants under the statewide fire and police retirement system.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 2007.

Committee Bill (Formerly House File 350), relating to the conduct of elections and voter registration and including effective and applicability date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 2007.

Committee Bill (Formerly House File 372), concerning approval of horse racing purse agreements.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 2007.

Committee Bill (Formerly House File 377), relating to the licensing and regulation of plumbers and mechanical professionals, providing an appropriation and penalties, and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 2007.

Committee Bill (Formerly House File 544), relating to inspection of absentee ballot affidavit envelopes by the county commissioner of elections.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 2007.

Committee Bill (Formerly House Study Bill 103), relating to the licensing and inspection of hotels, home food establishments, and food establishments and processing plants, providing and increasing fees, making penalties applicable, making an appropriation, and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 2007.

Committee Bill (Formerly House Study Bill 109), relating to the regulation of pharmacy benefits managers and providing penalties.

Fiscal Note is not required.

Recommended **Do Pass** March 8, 2007.

Committee Bill (Formerly House Study Bill 178), relating to voting machines, including by requiring that direct recording electronic voting machines used in the state produce paper records to be verified by voters.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 2007.

Committee Bill (Formerly House Study Bill 210), concerning the department of administrative services and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 2007.

Committee Bill (Formerly House Study Bill 222), relating to expenditure approval requirements applicable to the purchase of telecommunications equipment or services by the Iowa communications network.

Fiscal Note is not required.

Recommended **Do Pass** March 8, 2007.

AMENDMENTS FILED

H—1112	H.F.	617	McCarthy of Polk
H—1113	S.F.	78	Bell of Jasper
H—1114	H.F.	546	Jacobs of Polk
H—1115	S.F.	128	Sands of Louisa
H—1116	H.F.	555	Jochum of Dubuque
H—1117	S.F.	128	Struyk of Pottawattamie
H—1118	H.F.	516	Alons of Sioux
H—1119	H.F.	653	Wessel-Kroeschell of Story
H—1120	S.F.	128	Wise of Lee
			Cohon of Des Moines
			Reichert of Muscatine
			Quirk of Chickasaw
H—1121	H.F.	671	Alons of Sioux
H—1122	S.F.	128	Upmeyer of Hancock

H—1123	S.F.	128	Rants of Woodbury
H—1124	S.F.	128	Struyk of Pottawattamie
H—1125	S.F.	128	Van Fossen of Scott
H—1126	S.F.	128	Upmeyer of Hancock
H—1127	S.F.	128	Struyk of Pottawattamie
H—1128	H.F.	653	Jacobs of Polk
H—1129	H.F.	545	Arnold of Lucas
H—1130	S.F.	128	Raecker of Polk
H—1131	S.F.	128	Gipp of Winneshiek
			Huser of Polk
			Mertz of Kossuth
H—1132	S.F.	128	Jacobs of Polk
Clute of Polk			Raecker of Polk
Van Fossen of Scott			Windschitl of Harrison
Boal of Polk			Upmeyer of Hancock
Wiencek of Black Hawk			Paulsen of Linn
Drake of Pottawattamie			
H—1133	S.F.	128	Lukan of Dubuque
H—1134	S.F.	128	Heaton of Henry
H—1135	S.F.	128	Struyk of Pottawattamie
H—1136	H.F.	158	Alons of Sioux
H—1137	H.F.	617	Alons of Sioux
Kaufmann of Cedar			Tymeson of Madison
Chambers of O'Brian			Watts of Dallas
Worthan of Buena Vista			Van Engelenhoven of Marion
H—1138	S.F.	128	Heaton of Henry
H—1139	H.F.	648	Bailey of Hamilton
H—1140	S.F.	128	Kaufmann of Cedar
			Worthan of Buena Vista
H—1142	H.F.	320	R. Olson of Polk
H—1143	H.F.	555	Heaton of Henry
H—1144	H.F.	749	Huser of Polk
H—1145	S.F.	128	Rants of Woodbury
H—1146	H.F.	653	Jacobs of Polk

On motion by McCarthy of Polk the House adjourned at 12:56 a.m., until 9:00 a.m., Tuesday, March 13, 2007.

JOURNAL OF THE HOUSE

Sixty-fifth Calendar Day - Forty-fifth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, March 13, 2007

The House met pursuant to adjournment at 9:13 a.m., Speaker Murphy in the chair.

Prayer was offered by Reverend Dale Batcheler, pastor of the First United Methodist Church, Marshalltown. He was the guest of Representative Polly Granzow of Hardin County and Representative Mark Smith of Marshall County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by students from the Service Learners from Mid-Iowa Community Action Incorporated and Woodbury School of Marshalltown. They were the guests of Representative Polly Granzow of Hardin County and Representative Mark Smith of Marshall County.

The Journal of Monday, March 12, 2007 was approved.

INTRODUCTION OF BILLS

House File 756, by committee on public safety, a bill for an act restricting the presence of a registered sex offender on the real property comprising a school or child care facility and providing a penalty.

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

House File 757, by committee on state government, a bill for an act relating to the publication of certain false statements of fact concerning candidates and providing remedies.

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

House File 758, by committee on state government, a bill for an act relating to the racing and gaming commission by modifying

provisions regulating horses involved in horse racing and providing an effective date.

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

House File 759, by committee on public safety, a bill for an act specifying the functions of the Clarinda correctional facility.

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

House File 760, by committee on public safety, a bill for an act relating to the issuance of a protective order on behalf of a person who is the alleged victim of a sexual offense and providing a penalty.

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

House File 761, by committee on public safety, a bill for an act eliminating provisions relating to the contents of the uniform citation and complaint.

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

House File 762, by committee on public safety, a bill for an act relating to criminal offenses against minors including sexual abuse, enticing a minor away, and indecent exposure through a webcam, and providing penalties.

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

House File 763, by committee on economic growth, a bill for an act relating to certain distress criteria under the enterprise zone program.

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

House File 764, by committee on economic growth, a bill for an act relating to programs, funds, authority, and duties of the Iowa finance authority.

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

House File 765, by committee on agriculture, a bill for an act relating to animal feeding operations, by providing for the enforcement of regulatory provisions.

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

House File 766, by committee on environmental protection, a bill for an act providing for the establishment of an energy-efficient appliance assistance grant program and fund, and making an appropriation.

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

House File 767, by committee on veterans affairs, a bill for an act relating to eligible veterans for purposes of the injured veterans grant program.

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

House File 768, by committee on economic growth, a bill for an act creating an insurance industry new jobs tax credit.

Read first time and referred to committee on **ways and means**.

House File 769, by committee on human resources, a bill for an act requiring insurance coverage benefits for treatment of mental illness and substance abuse and providing an effective date.

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

House File 770, by committee on public safety, a bill for an act relating to the implementation of an electronic monitoring system to track pseudoephedrine sales at pharmacies, and making an appropriation.

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

House File 771, by Boal, a bill for an act exempting the advisory services provided by licensed insurance producers from the sales and use taxes.

Read first time and referred to committee on **ways and means**.

House File 772, by committee on state government, a bill for an act making changes to the time frames and the duties of the legislative services agency concerning the process of congressional and legislative redistricting.

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

House File 773, by committee on environmental protection, a bill for an act establishing an energy city designation program.

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

House File 774, by committee on judiciary, a bill for an act relating to mechanics' liens.

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

House File 775, by committee on local government, a bill for an act relating to county general obligation bonds by modifying the definition of essential county purpose and by changing the requirements under which a county may issue general county purpose bonds without an election.

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

SENATE MESSAGES CONSIDERED

Senate File 199, by committee on state government, a bill for an act granting the civil rights commission additional subpoena power to investigate unfair or discriminatory practices and providing an effective date.

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

Senate File 202, by committee on state government, a bill for an act relating to the disposition of certain unclaimed property.

Read first time and **passed on file**.

Senate File 260, by committee on human resources, a bill for an act relating to dependent adult abuse.

Read first time and referred to committee on **human resources**.

Senate File 272, by committee on judiciary, a bill for an act relating to nonsubstantive Code corrections and including effective and retroactive applicability date provisions.

Read first time and **passed on file**.

Senate File 333, by committee on judiciary, a bill for an act relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and including effective and retroactive applicability date provisions.

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

Senate File 335, by committee on local government, a bill for an act relating to zoning provisions for the premises of home and community-based services waiver providers.

Read first time and referred to committee on **local government**.

Senate File 336, by committee on local government, a bill for an act allowing certain cities to appoint additional civil service commissioners.

Read first time and referred to committee on **local government**.

Senate File 337, by committee on local government, a bill for an act relating to information required to be indexed in the records of the county recorder.

Read first time and referred to committee on **local government**.

Senate File 400, by committee on economic growth, a bill for an act relating to mortgage release certificates issued by the Iowa finance authority.

Read first time and referred to committee on **economic growth**.

Senate File 403, by committee on appropriations, a bill for an act addressing financial and regulatory matters by making and revising appropriations, providing for properly related matters, and providing effective dates.

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

Senate File 421, by committee on labor and business relations, a bill for an act relating to workers' compensation laws by regulating insurance policy exclusions and debt collection practices.

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

CONSIDERATION OF BILLS

Regular Calendar

House File 283, a bill for an act relating to the enforcement of a restitution judgment against a person convicted of a criminal offense, was taken up for consideration.

Greiner of Washington offered amendment H-1054 filed by her as follows:

H-1054

- 1 Amend House File 283 as follows:
- 2 1. Page 1, by inserting after line 35 the
- 3 following:
- 4 "Sec. ____ Section 914.2, Code 2007, is amended to
- 5 read as follows:
- 6 914.2 RIGHT OF APPLICATION.
- 7 Except as otherwise provided in ~~section sections~~
- 8 902.2 and 914.2A, a person convicted of a criminal
- 9 offense ~~has the right to make application~~ may apply to
- 10 the board of parole for recommendation or to the
- 11 governor for a reprieve, pardon, commutation of
- 12 sentence, remission of fines or forfeitures, or
- 13 restoration of rights of citizenship at any time
- 14 following the conviction.
- 15 Sec. ____ NEW SECTION. 914.2A RESTORATION OF THE
- 16 RIGHT TO REGISTER AND TO VOTE – ELIGIBILITY.
- 17 A person convicted of a felony criminal offense is
- 18 not eligible for a restoration of rights of
- 19 citizenship in order to register to vote and vote
- 20 unless the person has been discharged from probation
- 21 under section 907.9, discharged from parole or work
- 22 release under section 906.15, or released from

23 confinement under section 902.6 because the person has
24 completed the person's term of confinement. In
25 addition, before being eligible for a restoration of
26 rights of citizenship in order to register to vote and
27 vote, such person shall have made full restitution,
28 including fulfilling any community service
29 requirement.

30 Sec. __. Section 914.3, Code 2007, is amended by
31 adding the following new subsection:

32 NEW SUBSECTION. 4. The board shall not make a
33 recommendation on the application of any person who
34 has applied for a restoration of rights of citizenship
35 in order to register to vote and vote who has not met
36 the eligibility requirements of section 914.2A.

37 Sec. __. Section 914.4, Code 2007, is amended by
38 adding the following new unnumbered paragraph:

39 NEW UNNUMBERED PARAGRAPH. The governor shall not
40 approve a recommendation, or otherwise restore the
41 rights of citizenship, on the application of any
42 person for a restoration of rights of citizenship in
43 order to register to vote and vote who has not met the
44 eligibility requirements of section 914.2A.

45 Sec. __. EFFECTIVE DATE. This Act, being deemed
46 of immediate importance, takes effect upon enactment."

47 2. Title page, line 2, by inserting after the
48 word "against" the following: "and restoring
49 citizenship rights for".

50 3. Title page, line 2, by inserting after the

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1 word "offense" the following: ", and providing an
2 effective date".

R. Olson of Polk rose on a point of order that amendment H-1054 was not germane.

The Speaker ruled the point well taken and amendment H-1054 not germane.

Greiner of Washington asked for unanimous consent to suspend the rules to consider amendment H-1054.

Objection was raised.

Greiner of Washington moved to suspend the rules to consider amendment H-1054.

Roll call was requested by Greiner of Washington and Paulsen of Linn.

Rule 75 was invoked.

On the question "Shall the rules be suspended to consider amendment H-1054?" (H.F. 283)

The ayes were, 43:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Granzow	Grassley	Greiner	Heaton
Hoffman	Horbach	Huseman	Jacobs
Kaufmann	Lukan	May	Miller, L.
Olson, S.	Paulsen	Rants	Rasmussen
Rayhons	Roberts	Sands	Schickel
Soderberg	Struyk	Tjepkes	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wiencek	Windschitl	Worthan	

The nays were, 51:

Abdul-Samad	Bailey	Bell	Bukta
Cohon	Dandekar	Davitt	Foege
Ford	Frevert	Gaskill	Gayman
Heddens	Hunter	Huser	Jochum
Kelley	Kressig	Kuhn	Lensing
Lykam	Mascher	McCarthy	Mertz
Miller, H.	Oldson	Olson, D.	Olson, R.
Olson, T.	Palmer	Pettengill	Quirk
Raecker	Reasoner	Schueller	Shomshor
Smith	Staed	Swaim	Taylor, D.
Taylor, T.	Thomas	Tomenga	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Winckler	Wise	Mr. Speaker	
		Murphy	

Absent or not voting, 6:

Berry	Gipp	Jacoby	Petersen
Reichert	Zirkelbach		

The motion to suspend the rules lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Gipp of Winneshiek and Raecker of Polk, on request of Kaufmann of Cedar.

R. Olson of Polk asked and received unanimous consent that House File 283 be deferred and that the bill retain its place on the calendar.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 13, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 264, a bill for an act relating to grandparent and great-grandparent visitation.

Also: that the Senate has on March 13, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 480, a bill for an act relating to children who are subject to a court order for a temporary or permanent out-of-home placement by providing for visitation or ongoing interaction between the children and siblings.

MICHAEL E. MARSHALL, Secretary

On motion by McCarthy of Polk, the House was recessed at 9:53 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened at 1:10 p.m., Speaker Murphy in the chair.

INTRODUCTION OF BILLS

House File 776, by committee on local government, a bill for an act relating to information required to be indexed in the records of the county recorder.

Read first time and placed on the calendar.

House File 777, by committee on judiciary, a bill for an act relating to judicial branch practices and procedures including but not limited to adoption petitions, clerk of the district court duties and recordkeeping affecting real estate, and the confidentiality of arrest warrants.

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

House File 778, by committee on local government, a bill for an act relating to local regulation of smoking.

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

House File 779, by committee on education, a bill for an act relating to the compulsory school attendance age and providing effective dates.

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

House File 780, by committee on judiciary, a bill for an act relating to the issuance of temporary orders modifying an order of child support.

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

House File 781, by committee on ways and means, a bill for an act relating to changes in the utility replacement tax law by redefining a new electric power generating plant, extending the life of the utility replacement tax task force, and requiring notification by the taxpayer to the department of revenue and local taxing district upon transfer of utility property.

Read first time and placed on the **ways and means calendar**.

House File 782, by Shomshor, a bill for an act directing the director of revenue to negotiate reciprocal income tax agreements with other states.

Read first time and referred to committee on **ways and means**.

House File 783, by committee on local government, a bill for an act relating to certain city utilities or city enterprises by making changes to procedures for notice and collection of delinquent charges and by making changes to billing notifications for water service and other services provided to certain residential rental property.

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

House File 784, by committee on human resources, a bill for an act relating to nursing facility financial assistance related to certain renovation and construction and regulatory compliance, providing for a standing appropriation, and providing an effective date.

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

House File 785, by committee on commerce, a bill for an act appropriating moneys to support the purchase of equipment to conduct testing of motor fuel and biofuel.

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

House File 786, by committee on judiciary, a bill for an act relating to a civil judgment, decree, or order of a court of a federally recognized Indian tribe and including an applicability provision.

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

House File 787, by committee on appropriations, a bill for an act appropriating federal funds made available from federal block grants and other federal grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated.

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

House File 788, by committee on commerce, a bill for an act relating to mortgage release certificates issued by the Iowa finance authority.

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

House File 789, by committee on commerce, a bill for an act requiring insurers offering certain individual or group health insurance contracts, policies, or plans to provide coverage for certain enteral formulas, audiological services and hearing aids for children, and vaccinations for human papilloma virus.

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

House File 790, by committee on commerce, a bill for an act allowing certain association group health care plans and wellness initiatives, and providing an effective date.

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

House File 791, by committee on commerce, a bill for an act requiring health care benefit coverage for certain prosthetic devices and providing an applicability date.

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

House File 792, by committee on environmental protection, a bill for an act relating to regulation of underground storage tanks by the department of natural resources, making appropriations, and providing contingent effective date provisions.

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

CONSIDERATION OF BILLS Regular Calendar

House File 516, a bill for an act relating to various conservation and recreation activities under the purview of the department of natural resources, modifying fees, making penalties applicable, and making an appropriation, was taken up for consideration.

Bukta of Clinton in the chair at 1:18 p.m.

Bell of Jasper offered the following amendment H-1101 filed by him and moved its adoption:

H-1101

1 Amend House File 516 as follows:

2 1. Page 6, by inserting after line 7 the
3 following:

4 "Sec. ____ **NEW SECTION. 462A.34B ELUDING OR**
5 **ATTEMPTING TO ELUDE PURSUING LAW ENFORCEMENT VESSEL.**

6 1. The operator of a vessel commits a serious
7 misdemeanor if the operator willfully fails to bring
8 the vessel to a stop or otherwise eludes or attempts
9 to elude an authorized marked law enforcement vessel
10 operated by a uniformed peace officer or by a water
11 patrol officer of the department of natural resources,
12 after being given a visual and audible signal to stop.
13 The signals given by the officer shall be by
14 displaying a blue light or flashing blue and red
15 lights and by sounding a horn or siren.

16 2. The operator of a vessel commits an aggravated
17 misdemeanor if the operator willfully fails to bring
18 the vessel to a stop or otherwise eludes or attempts
19 to elude an authorized marked law enforcement vessel
20 operated by a uniformed peace officer or by a water
21 patrol officer of the department of natural resources,
22 after being given a visual and audible signal to stop
23 as provided in this section and in doing so exceeds a
24 reasonable speed.

25 3. The operator of a vessel commits a class "D"
26 felony if the operator willfully fails to bring the
27 vessel to a stop or otherwise eludes or attempts to
28 elude an authorized marked law enforcement vessel
29 operated by a uniformed peace officer or by a water
30 patrol officer of the department of natural resources,
31 after being given a visual and audible signal to stop
32 as provided in this section, and in doing so exceeds a
33 reasonable speed, and if any of the following occurs:

34 a. The operator is participating in a public
35 offense, as defined in section 702.13, that is a
36 felony.

37 b. The operator is in violation of section 462A.14
38 or 124.401.

39 c. The offense results in bodily injury to a
40 person other than the operator."

41 2. Page 6, by inserting after line 23 the
42 following:

43 "Sec. ____ Section 462A.84, subsection 3, Code
44 2007, is amended by striking the subsection and
45 inserting in lieu thereof the following:

46 3. When a security interest is discharged, the
47 secured party shall note the cancellation of the
48 security interest on the face of the certificate of
49 title and send the title by first class mail to the
50 office of the county recorder where the title was

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- 1 issued, or the secured party shall send a notarized
- 2 letter by first class mail to the county recorder
- 3 where the title was issued notifying the county
- 4 recorder of the cancellation of the security interest.
- 5 The county recorder shall note the release of the
- 6 security interest in the county records as evidence of
- 7 the release of the security interest."
- 8 3. By renumbering as necessary.

Amendment H-1101 was adopted, placing out of order amendment H-1084 filed by Bell of Jasper on February 27, 2007 and amendment H-1118 filed by Alons of Sioux on March 12, 2007.

SENATE FILE 78 SUBSTITUTED FOR HOUSE FILE 516

Bell of Jasper asked and received unanimous consent to substitute Senate File 78 for House File 516.

Senate File 78, a bill for an act relating to various conservation and recreation activities under the purview of the department of natural resources, modifying fees, making penalties applicable, and making an appropriation, was taken up for consideration.

Bell of Jasper offered the following amendment H-1113 filed by him and moved its adoption:

H-1113

- 1 Amend Senate File 78, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 9, by inserting after line 29 the
- 4 following:
- 5 "Sec. ____ Section 481A.134, Code 2007, is amended
- 6 to read as follows:
- 7 481A.134 AUTHORITY TO CANCEL, SUSPEND, OR REVOKE
- 8 LICENSE - POINT SYSTEM.
- 9 The department shall establish rules pursuant to
- 10 chapter 17A providing for the suspension or revocation
- 11 of licenses issued by the department. The rules may
- 12 include procedures for summary cancellation of a
- 13 license based on documentation that the licensee
- 14 failed to pay the applicable fee for the license. For
- 15 purposes of determining when to suspend or revoke a
- 16 license issued by the department under this section,
- 17 the department shall adopt a point system pursuant to

18 chapter 17A for the purpose of weighing the
19 seriousness of violations of the provisions of this
20 chapter or chapter 481B, 482, 483A, 484A, or 484B, or
21 of committing trespass as defined in section 716.7
22 while hunting deer, other than farm deer as defined in
23 section 170.1 or preserve whitetail as defined in
24 section 484C.1. The weighted scale may be amended
25 from time to time as experience dictates.
26 Sec. _____. Section 481A.135, subsections 2, 3, and
27 4, Code 2007, are amended to read as follows:
28 2. A person who pleads guilty or is convicted of a
29 violation of any provision of this chapter or chapter
30 481B, 482, 483A, 484A, or 484B, or trespass as defined
31 in section 716.7 while hunting deer, other than farm
32 deer as defined in section 170.1 or preserve whitetail
33 as defined in section 484C.1, while the person's
34 license or licenses are suspended or revoked is guilty
35 of a simple misdemeanor if the person has no other
36 violations within the previous three years which
37 occurred while the person's license or licenses have
38 been suspended or revoked.
39 3. A person who pleads guilty or is convicted of a
40 violation of any provision of this chapter or chapter
41 481B, 482, 483A, 484A, or 484B, or trespass as defined
42 in section 716.7 while hunting deer, other than farm
43 deer as defined in section 170.1 or preserve whitetail
44 as defined in section 484C.1, while the person's
45 license or licenses are suspended or revoked is guilty
46 of a serious misdemeanor if the person has one other
47 violation within the previous three years which
48 occurred while the person's license or licenses have
49 been suspended or revoked.
50 4. A person who pleads guilty or is convicted of a

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1 violation of any provision of this chapter or chapter
2 481B, 482, 483A, 484A, or 484B, or trespass as defined
3 in section 716.7 while hunting deer, other than farm
4 deer as defined in section 170.1 or preserve whitetail
5 as defined in section 484C.1, while the person's
6 license or licenses are suspended or revoked is guilty
7 of an aggravated misdemeanor when the person has had
8 two or more convictions within the previous three
9 years which occurred while the person's license or
10 licenses have been suspended or revoked."
11 2. Page 10, by inserting after line 17, the
12 following:
13 "Sec. _____. Section 716.7, subsection 2, paragraph
14 a, Code 2007, is amended to read as follows:
15 a. Entering upon or in property without the
16 express permission of the owner, lessee, or person in

17 lawful possession with the intent to commit a public
 18 offense, to use, remove therefrom, alter, damage,
 19 harass, or place thereon or therein anything animate
 20 or inanimate, or to hunt, fish or trap on or in the
 21 property, including the act of taking or attempting to
 22 take a deer, other than a farm deer as defined in
 23 section 170.1 or preserve whitetail as defined in
 24 section 484C.1, which is on or in the property by a
 25 person who is outside the property. This paragraph
 26 does not prohibit the unarmed pursuit of game or
 27 ~~fur-bearing~~ fur-bearing animals by a person who
 28 lawfully injured or killed the game or fur-bearing
 29 animal which come comes to rest on or escape escapes
 30 to the property of another.

31 Sec. _____. Section 716.8, Code 2007, is amended by
 32 adding the following new subsection:

33 NEW SUBSECTION. 5. A person who commits a
 34 trespass as defined in section 716.7, subsection 2,
 35 paragraph "a", and takes a deer, other than a farm
 36 deer as defined in section 170.1 or preserve whitetail
 37 as defined in section 484C.1, shall also be subject to
 38 civil penalties as provided in sections 481A.130 and
 39 481A.131. A deer taken by a person while committing
 40 such a trespass shall be subject to seizure as
 41 provided in section 481A.12."

42 3. By renumbering as necessary.

Amendment H-1113 was adopted.

Raecker of Polk rose on a point of order and invoked Rule 32,
 relating to an appropriation to Senate File 78 and requested the bill
 be referred to the committee on appropriations.

The Speaker ruled the point not well taken.

Bell of Jasper moved that the bill be read a last time now and
 placed upon its passage which motion prevailed and the bill was read
 a last time.

On the question "Shall the bill pass?" (S.F. 78)

The ayes were, 91:

Abdul-Samad	Anderson	Arnold	Bailey
Baudler	Bell	Berry	Boal
Chambers	Clute	Cohoon	Dandekar
Davitt	De Boef	Deyoe	Dolecheck
Drake	Foegel	Ford	Forristall
Frevert	Gaskill	Gayman	Granzow

Grassley	Greiner	Heaton	Heddens
Hoffman	Horbach	Hunter	Huseman
Huser	Jacobs	Jacoby	Jochum
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	Mascher	May
McCarthy	Mertz	Miller, H.	Miller, L.
Murphy, Spkr.	Oldson	Olson, D.	Olson, R.
Olson, S.	Olson, T.	Palmer	Pettengill
Quirk	Rants	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Schickel
Schueller	Shomshor	Smith	Soderberg
Staed	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wiencek	Winckler	Windschitl
Wise	Worthan	Bukta,	
		Presiding	

The nays were, 6:

Alons	Kaufmann	Paulsen	Raecker
Sands	Van Fossen		

Absent or not voting, 3:

Gipp	Petersen	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 516 WITHDRAWN

Bell of Jasper asked and received unanimous consent to withdraw House File 516 from further consideration by the House.

House File 541, a bill for an act relating to the regulation and practice of pharmacy, including providing for the establishment of a limited drug and device distributor license, was taken up for consideration.

SENATE FILE 67 SUBSTITUTED FOR HOUSE FILE 541

Abdul-Samad of Polk asked and received unanimous consent to substitute Senate File 67 for House File 541.

Senate File 67, a bill for an act relating to the regulation and practice of pharmacy, including providing for the establishment of a limited drug and device distributor license, was taken up for consideration.

Abdul-Samad of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 67)

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Chambers	Clute	Cohoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Granzow	Grassley	Greiner	Heaton
Heddens	Hoffman	Horbach	Hunter
Huseman	Huser	Jacobs	Jacoby
Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Murphy, Spkr.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Pettengill	Quirk
Raecker	Rants	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Smith
Soderberg	Staed	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wiencek
Winckler	Windschitl	Wise	Worthan
Bukta,			
Presiding			

The nays were, none.

Absent or not voting and 3:

Gipp	Petersen	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 541 WITHDRAWN

Abdul-Samad of Polk asked and received unanimous consent to withdraw House File 541 from further consideration by the House.

House File 528, a bill for an act relating to the regulation of hospitals and health care facilities by the department of inspections and appeals, including investigations of complaints against health care facilities and rules relating to authentication of certain orders by practitioners, and providing an immediate effective date, was taken up for consideration.

Smith of Marshall moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 528)

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Chambers	Clute	Cohoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Granzow	Grassley	Greiner	Heaton
Heddens	Hoffman	Horbach	Hunter
Huseman	Huser	Jacobs	Jacoby
Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Murphy, Spkr.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Pettengill	Quirk
Raecker	Rants	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Smith
Soderberg	Staed	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wiencek
Winckler	Windschitl	Wise	Worthan
Bukta, Presiding			

The nays were, none.

Absent or not voting, 3:

Gipp Petersen Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 529, a bill for an act relating to cooperative associations, by providing for documentation, including certificates and statements, was taken up for consideration.

SENATE FILE 319 SUBSTITUTED FOR HOUSE FILE 529

Mertz of Kossuth asked and received unanimous consent to substitute Senate File 319 for House File 529.

Senate File 319, a bill for an act relating to cooperative associations, by providing for documentation, including certificates and statements, was taken up for consideration.

Mertz of Kossuth moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 319)

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Chambers	Clute	Cohoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Granzow	Grassley	Greiner	Heaton
Heddens	Hoffman	Horbach	Hunter
Huseman	Huser	Jacobs	Jacoby
Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Murphy, Spkr.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Pettengill	Quirk
Raecker	Rants	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands

Schickel	Schueller	Shomshor	Smith
Soderberg	Staed	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wienczek
Winckler	Windschitl	Wise	Worthan
Bukta, Presiding			

The nays were, none.

Absent or not voting, 3:

Gipp	Petersen	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 529 WITHDRAWN

Mertz of Kossuth asked and received unanimous consent to withdraw House File 529 from further consideration by the House.

House File 567, a bill for an act relating to nonsubstantive Code corrections and including effective and retroactive applicability date provisions, was taken up for consideration.

SENATE FILE 272 SUBSTITUTED FOR HOUSE FILE 567

Wessel-Kroeschell of Story asked and received unanimous consent to substitute Senate File 272 for House File 567.

Senate File 272, a bill for an act relating to nonsubstantive Code corrections and including effective and retroactive applicability date provisions, was taken up for consideration.

Wessel-Kroeschell of Story moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 272)

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Chambers	Clute	Cohoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Granzow	Grassley	Greiner	Heaton
Heddens	Hoffman	Horbach	Hunter
Huseman	Huser	Jacobs	Jacoby
Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Murphy, Spkr.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Pettengill	Quirk
Raecker	Rants	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Smith
Soderberg	Staed	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wiencek
Winckler	Windschitl	Wise	Worthan
Bukta, Presiding			

The nays were, none.

Absent or not voting, 3:

Gipp	Petersen	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 567 WITHDRAWN

Wessel-Kroeschell of Story asked and received unanimous consent to withdraw House File 567 from further consideration by the House.

House File 587, a bill for an act relating to advisory boards created pursuant to emergency services agreements and providing an effective date, was taken up for consideration.

Huser of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 587)

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Chambers	Clute	Cohoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Granzow	Grassley	Greiner	Heaton
Heddens	Hoffman	Horbach	Hunter
Huseman	Huser	Jacobs	Jacoby
Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Murphy, Spkr.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Pettengill	Quirk
Raecker	Rants	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Smith
Soderberg	Staed	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wiencsek
Winckler	Windschitl	Wise	Worthan
Bukta, Presiding			

The nays were, none.

Absent or not voting, 3:

Gipp	Petersen	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 528, 587 and Senate Files 67, 78, 272 and 319.**

House File 588, a bill for an act relating to requirements for persons seeking election to township office, was taken up for consideration.

Gaskill of Wapello moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 588)

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Chambers	Clute	Cohoon
Dandekar	Davitt	De Boef	Foeye
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Granzow	Grassley	Greiner	Heaton
Heddens	Hoffman	Horbach	Hunter
Huseman	Huser	Jacobs	Jacoby
Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Murphy, Spkr.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Pettengill	Quirk
Raecker	Rants	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Smith
Soderberg	Staed	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wiencek
Winckler	Windschitl	Wise	Worthan
Bukta,			
Presiding			

The nays were, none.

Absent or not voting, 3:

Gipp	Petersen	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

SPECIAL PRESENTATION

Roberts of Carroll introduced to the House the Honorable Dan Boddicker, former state representative from Cedar County.

The House rose and expressed its welcome.

House File 591, a bill for an act providing procedures to increase the number of city council members in certain cities, was taken up for consideration.

Kelley of Black Hawk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 591)

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Chambers	Clute	Cohoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Granzow	Grassley	Greiner	Heaton
Heddens	Hoffman	Horbach	Hunter
Huseman	Huser	Jacobs	Jacoby
Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Murphy, Spkr.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Pettengill	Quirk
Raecker	Rants	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Smith
Soderberg	Staed	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wiencek
Winckler	Windschitl	Wise	Worthan
Bukta,			
Presiding			

The nays were, none.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 62 WITHDRAWN

Huser of Polk asked and received unanimous consent to withdraw House File 62 from further consideration by the House.

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 588, 591 and 608.**

House File 555, a bill for an act increasing the taxes imposed on cigarettes and tobacco products and providing for deposit of the increased revenue generated in the healthy Iowans tobacco trust, and providing an effective date and an applicability provision, was taken up for consideration.

The House stood at ease at 2:43 p.m., until the fall of the gavel.

The House resumed session at 3:54 p.m., Speaker Murphy in the chair.

Van Fossen of Scott offered amendment H-1089 filed by him as follows:

H-1089

- 1 Amend House File 555 as follows:
- 2 1. By striking everything after the enacting
- 3 clause and inserting the following:
- 4 "Section 1. NEW SECTION. 453E.1 CIGARETTES -
- 5 PROHIBITIONS.
- 6 Beginning July 1, 2009:
- 7 1. A person shall not sell, give, or otherwise
- 8 supply cigarettes to any person in this state.
- 9 2. A person shall not smoke, use, possess,
- 10 purchase, or attempt to purchase cigarettes in this
- 11 state.
- 12 Sec. 2. CODE EDITOR DIRECTIVE. The Code editor,
- 13 in consultation with the department of revenue and the
- 14 department of public health, shall submit
- 15 recommendations to the general assembly for conforming

Lensing	Lykam	Mascher	McCarthy
Mertz	Miller, H.	Oldson	Olson, D.
Olson, T.	Palmer	Petersen	Quirk
Raecker	Rants	Rayhons	Reasoner
Reichert	Schueller	Shomshor	Smith
Staed	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tymeson	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Winckler	Windschitl	Wise	Mr. Speaker
			Murphy

Absent or not voting, 6:

Dolecheck	Gipp	Olson, R.	Pettengill
Tomenga	Zirkelbach		

The motion to suspend the rules lost.

Jochum of Dubuque offered amendment H-1116 filed by her as follows:

H-1116

1 Amend House File 555 as follows:

2 1. By striking everything after the enacting
3 clause and inserting the following:

4 "Section 1. Section 421B.2, subsection 3,
5 paragraph b, Code 2007, is amended to read as follows:

6 b. The cost of doing business by the retailer is
7 presumed to be ~~six~~ eight percent of the basic cost of
8 cigarettes in the absence of proof of a lesser or
9 higher cost plus the full face value of any stamps
10 which may be required by any cigarette tax act of this
11 state to the extent not already included in the basic
12 cost of cigarettes.

13 Sec. 2. Section 421B.2, subsection 4, paragraph b,
14 Code 2007, is amended to read as follows:

15 b. The cost of doing business by the wholesaler is
16 presumed to be ~~three~~ four percent of the basic cost of
17 cigarettes in the absence of proof of a lesser or
18 higher cost, which includes cartage to the retail
19 outlet, plus the full face value of any stamps which
20 may be required by any cigarette tax act of this state
21 to the extent not already included in the basic cost
22 of cigarettes.

23 Sec. 3. Section 453A.6, subsection 1, Code 2007,
24 is amended to read as follows:

25 1. There is imposed, and shall be collected and
26 paid to the department, ~~the following taxes a tax~~ on
27 all cigarettes used or otherwise disposed of in this
28 state for any purpose ~~whatsoever~~:

29 ~~CLASS A. On cigarettes weighing not more than~~
 30 ~~three pounds per thousand, eighteen mills on each such~~
 31 ~~cigarette.~~

32 ~~CLASS B. On cigarettes weighing more than three~~
 33 ~~pounds per thousand, eighteen mills equal to six and~~
 34 ~~eight-tenths cents on each such cigarette.~~

35 Sec. 4. Section 453A.6, Code 2007, is amended by
 36 adding the following new subsection:

37 NEW SUBSECTION. 7. Cigarettes shall be sold only
 38 in packages of twenty or more cigarettes.

39 Sec. 5. Section 453A.35, Code 2007, is amended to
 40 read as follows:

41 453A.35 TAX AND FEES PAID TO GENERAL FUND =
 42 STANDING APPROPRIATION TO HEALTH CARE TRUST FUND.

43 1. The proceeds derived from the sale of stamps
 44 and the payment of taxes, fees and penalties provided
 45 for under this chapter, and the permit fees received
 46 from all permits issued by the department, shall be
 47 credited to the general fund of the state. However,
 48 beginning July 1, 2007, of the revenues generated from
 49 the tax on cigarettes pursuant to section 453A.6,
 50 subsection 1, and from the tax on tobacco products as

Page 2

1 specified in section 453A.43, subsections 1, 2, 3, and
 2 4, and credited to the general fund of the state under
 3 this subsection, there is appropriated, annually, to
 4 the health care trust fund created in section
 5 453A.35A, the first one hundred twenty-seven million
 6 six hundred thousand dollars.

7 2. All permit fees provided for in this chapter
 8 and collected by cities in the issuance of permits
 9 granted by the cities shall be paid to the treasurer
 10 of the city where the permit is effective, or to
 11 another city officer as designated by the council, and
 12 credited to the general fund of the city. Permit fees
 13 so collected by counties shall be paid to the county
 14 treasurer.

15 Sec. 6. NEW SECTION. 453A.35A HEALTH CARE TRUST
 16 FUND.

17 A health care trust fund is created in the office
 18 of the treasurer of state. The fund consists of the
 19 revenues generated from the tax on cigarettes pursuant
 20 to section 453A.6, subsection 1, and from the tax on
 21 tobacco products as specified in section 453A.43,
 22 subsections 1, 2, 3, and 4, that are credited to the
 23 general fund of the state and appropriated to the
 24 health care trust fund, annually, pursuant to section
 25 453A.35. Moneys in the fund shall be separate from
 26 the general fund of the state and shall not be
 27 considered part of the general fund of the state.

28 However, the fund shall be considered a special
29 account for the purposes of section 8.53 relating to
30 generally accepted accounting principles. Moneys in
31 the fund shall be used only as specified in this
32 section and shall be appropriated only for the uses
33 specified. Moneys in the fund are not subject to
34 section 8.33 and shall not be transferred, used,
35 obligated, appropriated, or otherwise encumbered,
36 except as provided in this section. Notwithstanding
37 section 12C.7, subsection 2, interest or earnings on
38 moneys deposited in the fund shall be credited to the
39 fund.

40 Moneys in the fund shall be used only for purposes
41 related to health care, substance abuse treatment and
42 prevention, and tobacco use prevention, cessation, and
43 control.

44 Sec. 7. Section 453A.40, subsection 1, Code 2007,
45 is amended to read as follows:

46 1. All persons required to obtain a permit or to
47 be licensed under section 453A.13 as distributors or
48 section 453A.44 having in their possession and held
49 for resale on the effective date of an increase in the
50 tax rate cigarettes, ~~or~~ little cigars, or tobacco

Page 3

1 products upon which the tax under section 453A.6 or
2 453A.43 has been paid, unused cigarette tax stamps
3 which have been paid for under section 453A.8, ~~or~~
4 unused metered imprints which have been paid for under
5 section 453A.12, or tobacco products for which the tax
6 has not been paid under section 453A.46 shall be
7 subject to an inventory tax on the items as provided
8 in this section.

9 Sec. 8. Section 453A.42, Code 2007, is amended by
10 adding the following new subsection:

11 **NEW SUBSECTION.** 11A. "Snuff" means any finely
12 cut, ground, or powdered tobacco that is not intended
13 to be smoked.

14 Sec. 9. Section 453A.42, subsection 14, Code 2007,
15 is amended to read as follows:

16 14. "Tobacco products" means cigars; little cigars
17 as defined herein; cheroots; stogies; periques;
18 granulated, plug cut, crimp cut, ready rubbed, and
19 other smoking tobacco; snuff; ~~snuff flour~~; cavendish;
20 plug and twist tobacco; fine-cut and other chewing
21 tobaccos; shorts; refuse scraps, clippings, cuttings
22 and sweepings of tobacco, and other kinds and forms of
23 tobacco, prepared in such manner as to be suitable for
24 chewing or smoking in a pipe or otherwise, or both for
25 chewing and smoking; but shall not include cigarettes
26 as defined in section 453A.1, subsection 3.

27 Sec. 10. Section 453A.43, Code 2007, is amended to
28 read as follows:
29 453A.43 TAX ON TOBACCO PRODUCTS.
30 1. a. A tax is imposed upon all tobacco products
31 in this state and upon any person engaged in business
32 as a distributor of tobacco products, at the rate of
33 twenty-two percent of the wholesale sales price of the
34 tobacco products, except little cigars and snuff as
35 defined in section 453A.42.
36 b. In addition to the tax imposed under paragraph
37 "a", a tax is imposed upon all tobacco products in
38 this state and upon any person engaged in business as
39 a distributor of tobacco products, at the rate of
40 twenty-eight percent of the wholesale sales price of
41 the tobacco products, except little cigars and snuff
42 as defined in section 453A.42, with the limitation
43 that if the tobacco product is a cigar, the additional
44 tax shall not exceed fifty cents per cigar.
45 c. Little cigars shall be subject to the same rate
46 of tax imposed upon cigarettes in section 453A.6,
47 payable at the time and in the manner provided in
48 section 453A.6; and stamps shall be affixed as
49 provided in division I of this chapter. Snuff shall
50 be subject to the tax as provided in subsections 3 and

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1 4.
2 d. The ~~tax~~ taxes on tobacco products, excluding
3 little cigars and snuff, shall be imposed at the time
4 the distributor does any of the following:
5 a. (1) Brings, or causes to be brought, into this
6 state from ~~without~~ outside the state tobacco products
7 for sale.
8 b. (2) Makes, manufactures, or fabricates tobacco
9 products in this state for sale in this state.
10 e. (3) Ships or transports tobacco products to
11 retailers in this state, to be sold by those
12 retailers.
13 2. a. A tax is imposed upon the use or storage by
14 consumers of tobacco products in this state, and upon
15 the consumers, at the rate of twenty-two percent of
16 the cost of the tobacco products.
17 b. In addition to the tax imposed in paragraph
18 "a", a tax is imposed upon the use or storage by
19 consumers of tobacco products in this state, and upon
20 the consumers, at a rate of twenty-eight percent of
21 the cost of the tobacco products, with the limitation
22 that if the tobacco product is a cigar, the additional
23 tax shall not exceed fifty cents per cigar.
24 c. The ~~tax~~ taxes imposed by this subsection shall
25 not apply if the ~~tax~~ taxes imposed by subsection 1 on

26 the tobacco products ~~has have~~ been paid.

27 d. This tax The taxes imposed under this
 28 subsection shall not apply to the use or storage of
 29 tobacco products in quantities of:

30 a. (1) Less than 25 twenty-five cigars.

31 b. Less than 10 oz. snuff or snuff powder.

32 e. (2) Less than 1 lb. one pound smoking or.
 33 chewing tobacco or other tobacco products not
 34 specifically mentioned herein, in the possession of
 35 any one consumer.

36 3. A tax is imposed upon all snuff in this state
 37 and upon any person engaged in business as a
 38 distributor of snuff at the rate of one dollar and
 39 nineteen cents per ounce, with a proportionate tax at
 40 the same rate on all fractional parts of an ounce of
 41 snuff. The tax shall be computed based on the net
 42 weight listed by the manufacturer. The tax on snuff
 43 shall be imposed at the time the distributor does any
 44 of the following:

45 a. Brings or causes to be brought into this state
 46 from outside the state, snuff for sale.

47 b. Makes, manufactures, or fabricates snuff in
 48 this state for sale in this state.

49 c. Ships or transports snuff to retailers in this
 50 state, to be sold by those retailers.

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1 4. A tax is imposed upon the use or storage by
 2 consumers of snuff in this state, and upon the
 3 consumers, at the rate of one dollar and nineteen
 4 cents per ounce with a proportionate tax at the same
 5 rate on all fractional parts of an ounce of snuff.
 6 The tax shall be computed based on the net weight as
 7 listed by the manufacturer.

8 The tax imposed by this subsection shall not apply
 9 if the tax imposed by subsection 3 on snuff has been
 10 paid.

11 The tax shall not apply to the use or storage of
 12 snuff in quantities of less than ten ounces.

13 ~~3. 5.~~ Any tobacco product with respect to which a
 14 tax has once been imposed under this division shall
 15 not again be subject to tax under ~~and~~ this division,
 16 except as provided in section 453A.40.

17 ~~4. 6.~~ The tax imposed by this section shall not
 18 apply with respect to any tobacco product which under
 19 the Constitution and laws of the United States may not
 20 be made the subject of taxation by this state.

21 ~~5. 7.~~ The tax imposed by this section shall be in
 22 addition to all other occupation or privilege taxes or
 23 license fees now or hereafter imposed by any city or
 24 county.

25 6. ~~8.~~ All excise taxes collected under this
 26 chapter by a distributor or any individual are deemed
 27 to be held in trust for the state of Iowa.
 28 Sec. 11. APPLICABILITY. Notwithstanding section
 29 453A.40 as amended in this Act, persons required to
 30 obtain a permit or license as specified in that
 31 section shall not be subject to an inventory tax on
 32 the items as provided in that section as a result of
 33 the tax increases provided in this Act.
 34 Sec. 12. EFFECTIVE DATE. This Act, being deemed
 35 of immediate importance, takes effect upon enactment."
 36 2. Title page, by striking lines 1 through 4 and
 37 inserting the following: "An Act relating to an
 38 increase in the taxes on cigarettes and tobacco
 39 products, imposing an inventory tax on tobacco
 40 products, creating a health care trust fund, providing
 41 for a standing appropriation, and providing an
 42 effective date and providing an applicability
 43 provision."

Van Fossen of Scott asked and received unanimous consent to withdraw amendment H-1159, to amendment H-1116, filed by him from the floor.

Lukan of Dubuque offered amendment H-1156, to amendment H-1116, filed by him from the floor as follows:

H-1156

1 Amend the amendment, H-1116, to House File 555, as
 2 follows:
 3 1. Page 1, by inserting after line 22 the
 4 following:
 5 "Sec. ____ Section 453A.2, subsections 1, 2, and
 6 3, Code 2007, are amended to read as follows:
 7 1. A person shall not sell, give, or otherwise
 8 supply any tobacco, tobacco products, or cigarettes to
 9 any person under ~~eighteen~~ twenty-one years of age.
 10 2. A person under ~~eighteen~~ twenty-one years of age
 11 shall not smoke, use, possess, purchase, or attempt to
 12 purchase any tobacco, tobacco products, or cigarettes.
 13 3. Possession of cigarettes or tobacco products by
 14 an individual under ~~eighteen~~ twenty-one years of age
 15 does not constitute a violation under this section if
 16 the individual under ~~eighteen~~ twenty-one years of age
 17 possesses the cigarettes or tobacco products as part
 18 of the individual's employment and the individual is
 19 employed by a person who holds a valid permit under
 20 this chapter or who lawfully offers for sale or sells
 21 cigarettes or tobacco products.

22 Sec. ____ Section 453A.2, subsection 8, paragraph
23 b, Code 2007, is amended to read as follows:

24 b. The compliance effort is conducted with the
25 advance knowledge of law enforcement officers and
26 reasonable measures are adopted by those conducting
27 the effort to ensure that use of cigarettes or tobacco
28 products by individuals under ~~eighteen~~ twenty-one
29 years of age does not result from participation by any
30 individual under ~~eighteen~~ twenty-one years of age in
31 the compliance effort.

32 Sec. ____ Section 453A.5, subsection 1, Code 2007,
33 is amended to read as follows:

34 1. The alcoholic beverages division of the
35 department of commerce shall develop a tobacco
36 compliance employee training program not to exceed two
37 hours in length for employees and prospective
38 employees of retailers, as defined in sections 453A.1
39 and 453A.42, to inform the employees about state and
40 federal laws and regulations regarding the sale of
41 cigarettes and tobacco products to persons under
42 ~~eighteen~~ twenty-one years of age and compliance with
43 and the importance of laws regarding the sale of
44 cigarettes and tobacco products to persons under
45 ~~eighteen~~ twenty-one years of age."

46 2. Page 2, by inserting after line 43 the
47 following:

48 "Sec. ____ Section 453A.36, subsection 6, Code
49 2007, is amended to read as follows:

50 6. Any sales of cigarettes or tobacco products

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1 made through a cigarette vending machine are subject
2 to rules and penalties relative to retail sales of
3 cigarettes and tobacco products provided for in this
4 chapter. No cigarettes shall be sold through any
5 cigarette vending machine unless the cigarettes have
6 been properly stamped or metered as provided by this
7 division, and in case of violation of this provision,
8 the permit of the dealer authorizing retail sales of
9 cigarettes shall be canceled. Payment of the license
10 fee as provided in section 453A.13 authorizes a
11 cigarette vendor to sell cigarettes or tobacco
12 products through vending machines. However,
13 cigarettes or tobacco products shall not be sold
14 through a vending machine unless the vending machine
15 is located in a place where the retailer ensures that
16 no person younger than ~~eighteen~~ twenty-one years of
17 age is present or permitted to enter at any time.
18 This section does not require a retail licensee to buy
19 a cigarette vendor's permit if the retail licensee is
20 in fact the owner of the cigarette vending machines

21 and the machines are operated in the location
 22 described in the retail permit.
 23 Sec. ____ Section 453A.39, subsection 2,
 24 paragraphs b and c, Code 2007, are amended to read as
 25 follows:
 26 b. A manufacturer, distributor, wholesaler,
 27 retailer, or distributing agent or agent thereof shall
 28 not give away any cigarettes or tobacco products to
 29 any person under ~~eighteen~~ twenty-one years of age, or
 30 within five hundred feet of any playground, school,
 31 high school, or other facility when such facility is
 32 being used primarily by persons under age ~~eighteen~~
 33 twenty-one for recreational, educational, or other
 34 purposes.
 35 c. Proof of age shall be required if a reasonable
 36 person could conclude on the basis of outward
 37 appearance that a prospective recipient of a sample
 38 may be under ~~eighteen~~ twenty-one years of age."
 39 3. Page 5, line 40, by inserting after the word
 40 "fund," the following: "providing for an increase in
 41 the legal age relating to cigarettes and tobacco
 42 products,".

Jochum of Dubuque rose on a point of order that amendment H-1156 was not germane, to amendment H-1116.

The Speaker ruled the point well taken and amendment H-1156 not germane, to amendment H-1116.

Lukan of Dubuque asked for unanimous consent to suspend the rules to consider amendment H-1156.

Objection was raised.

Lukan of Dubuque moved to suspend the rules to consider amendment H-1156.

Roll call was requested by Lukan of Dubuque and Rants of Woodbury.

On the question "Shall the rules be suspended to consider amendment H-1156?" (H.F. 555)

The ayes were, 40:

Anderson
De Boef

Arnold
Deyoe

Boal
Drake

Clute
Ford

Forristall	Granzow	Grassley	Greiner
Heaton	Hoffman	Horbach	Huseman
Jacobs	Kaufmann	Lukan	May
Miller, L.	Olson, S.	Paulsen	Raecker
Rants	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wienczek	Windschitl	Worthan

The nays were, 55:

Abdul-Samad	Bailey	Baudler	Bell
Berry	Bukta	Chambers	Cohoon
Dandekar	Davitt	Foege	Frevort
Gaskill	Gayman	Heddens	Hunter
Huser	Jacoby	Jochum	Kelley
Kressig	Kuhn	Lensing	Lykam
Mascher	McCarthy	Mertz	Miller, H.
Oldson	Olson, D.	Olson, R.	Olson, T.
Palmer	Pettengill	Quirk	Reasoner
Reichert	Schueller	Shomshor	Smith
Staed	Swaim	Taylor, D.	Taylor, T.
Thomas	Tomenga	Tymeson	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Winckler	Wise	Mr. Speaker	
		Murphy	

Absent or not voting, 5:

Alons	Dolecheck	Gipp	Petersen
Zirkelbach			

The motion to suspend the rules lost.

Struyk of Pottawattamie offered amendment H-1157, to amendment H-1116, filed by him from the floor as follows:

H-1157

- 1 Amend the amendment, H-1116, to House File 555, as
- 2 follows:
- 3 1. Page 1, by inserting after line 22 the
- 4 following:
- 5 "Sec. ____ Section 423.3, Code 2007, is amended by
- 6 adding the following new subsection:
- 7 NEW SUBSECTION. 92. The sales price from the sale
- 8 of any over-the-counter smoking cessation product used
- 9 for the purpose of smoking cessation or nicotine
- 10 replacement."
- 11 2. Page 5, line 40, by inserting after the word

- 12 "products," the following: "providing a sales tax
13 exemption for certain smoking cessation products,".

Jochum of Dubuque rose on a point of order that amendment H-1157 was not germane, to amendment H-1116.

The Speaker ruled the point well taken and amendment H-1157 not germane, to amendment H-1116.

Struyk of Pottawattamie asked for unanimous consent to suspend the rules to consider amendment H-1157.

Objection was raised.

Struyk of Pottawattamie moved to suspend the rules to consider amendment H-1157.

Roll call was requested by Struyk of Pottawattamie and Rants of Woodbury.

On the question "Shall the rules be suspended to consider amendment H-1157?" (H.F. 555)

The ayes were, 42:

Anderson	Arnold	Baudler	Boal
Chambers	Clute	De Boef	Deyoe
Drake	Forristall	Granzow	Grassley
Greiner	Heaton	Hoffman	Horbach
Huseman	Jacobs	Kaufmann	Lukan
May	Miller, L.	Olson, S.	Paulsen
Raecker	Rants	Rasmussen	Rayhons
Roberts	Sands	Schickel	Soderberg
Struyk	Tjepkes	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wienczek
Windschitl	Worthan		

The nays were, 53:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevrt	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer

Pettengill	Quirk	Reasoner	Reichert
Schueller	Shomshor	Smith	Staed
Swaim	Taylor, D.	Taylor, T.	Thomas
Tomenga	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise
Mr. Speaker			
Murphy			

Absent or not voting, 5:

Alons	Dolecheck	Gipp	Petersen
Zirkelbach			

The motion to suspend the rules lost.

Rants of Woodbury offered the following amendment H-1165, to amendment H-1116, filed by him from the floor and moved its adoption:

H-1165

- 1 Amend the amendment, H-1116, to House File 555, as
- 2 follows:
- 3 1. Page 1, by striking lines 33 and 34 and
- 4 inserting the following: "~~pounds per thousand,~~
- 5 eighteen mills equal to four and nine-tenths cents on
- 6 each such cigarette."

A non-record roll call was requested.

The ayes were 47, nays 49.

Amendment H-1165 lost.

Heaton of Henry offered amendment H-1143, to amendment H-1116, filed by him as follows:

H-1143

- 1 Amend the amendment, H-1116, to House File 555, as
- 2 follows:
- 3 1. Page 1, by inserting after line 38, the
- 4 following:
- 5 "Sec. ____. NEW SECTION. 453A.13A LIMITATIONS ON
- 6 EXTENSION OF CREDIT.
- 7 A manufacturer, distributor, distributing agent,
- 8 wholesaler, or cigarette vendor shall not directly or
- 9 indirectly extend any credit for cigarettes to a

- 10 permittee authorized under this chapter to sell
 11 cigarettes at retail."
 12 2. Page 5, by inserting after line 27, the
 13 following:
 14 "Sec. . NEW SECTION. 453A.44A LIMITATIONS ON
 15 EXTENSION OF CREDIT.
 16 A manufacturer, distributor, or subjobber shall not
 17 directly or indirectly extend credit for tobacco
 18 products to a permittee authorized under this chapter
 19 to sell tobacco products at retail."
 20 3. By renumbering as necessary.

Jochum of Dubuque rose on a point of order that amendment H-1143 was not germane, to amendment H-1116.

The Speaker ruled the point well taken and amendment H-1143 not germane, to amendment H-1116.

Rants of Woodbury offered the following amendment H-1147, to amendment H-1116, filed by him from the floor and moved its adoption:

H-1147

- 1 Amend the amendment, H-1116, to House File 555, as
 2 follows:
 3 1. Page 1, line 41, by striking the word "FUND
 4 =" and inserting the following: "FUND".
 5 2. Page 1, line 42, by striking the words
 6 "STANDING APPROPRIATION TO" and inserting the
 7 following: "AND".
 8 3. Page 1, line 48, by striking the word "of".
 9 4. Page 2, by striking lines 2 through 6, and
 10 inserting the following: "4, shall be credited to the
 11 health care trust fund created in section 453A.35A."
 12 5. Page 2, by striking line 23.
 13 6. Page 2, line 24, by striking the word "
 14 annually,".
 15 7. Page 5, lines 40 and 41, by striking the words
 16 ", providing for a standing appropriation,".

Bukta of Clinton in the chair at 5:22 p.m.

Speaker Murphy in the chair at 5:29 p.m.

Roll call was requested by Rants of Woodbury and Paulsen of Linn.

On the question "Shall amendment H-1147 be adopted?" (H.F. 555)

The ayes were, 44:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Granzow	Grassley	Greiner	Heaton
Hoffman	Horbach	Huseman	Jacobs
Kaufmann	Lukan	May	Miller, L.
Olson, S.	Paulsen	Raecker	Rants
Rasmussen	Rayhons	Roberts	Sands
Schickel	Soderberg	Struyk	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wiencek	Windschitl	Worthan

The nays were, 53:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Quirk	Reasoner	Reichert
Schueller	Shomshor	Smith	Staed
Swaim	Taylor, D.	Taylor, T.	Thomas
Tomenga	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise
Mr. Speaker			
Murphy			

Absent or not voting, 3:

Gipp	Pettengill	Zirkelbach
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Amendment H-1147 lost.

Raecker of Polk offered the following amendment H-1152, to amendment H-1116, filed by him from the floor and moved its adoption:

H-1152

- 1 Amend the amendment, H-1116, to House File 555, as
- 2 follows:
- 3 1. Page 1, line 41, by striking the word "FUND"

4 "-" and inserting the following: "FUND".

5 2. Page 1, by striking line 42 and inserting the
6 following: "AND TOBACCO USE PREVENTION AND CONTROL
7 ACCOUNT."

8 3. Page 1, by striking lines 46 and 47, and
9 inserting the following: "from all permits issued by
10 the department, with the exception of the proceeds
11 derived from payment of taxes pursuant to section
12 453A.6, subsection 1, and section 453A.43, subsections
13 1, 2, 3, and 4, which shall be credited to the tobacco
14 use prevention and control account created in section
15 453A.35A, shall be credited to the general fund of the
16 state."

17 4. By striking page 1, line 48, through page 2,
18 line 6.

19 5. Page 2, by striking lines 15 through 43 and
20 inserting the following:

21 "Sec. ____ NEW SECTION. 453A.35A TOBACCO USE
22 PREVENTION AND CONTROL ACCOUNT.

23 1. A tobacco use prevention and control account is
24 created in the office of the treasurer of state. The
25 account consists of the revenue generated from the
26 taxes imposed on cigarettes and tobacco products
27 pursuant to section 453A.6, subsection 1, and section
28 453A.43, subsections 1, 2, 3, and 4. Moneys in the
29 account shall be separate from the general fund of the
30 state and shall be considered a special account for
31 the purposes of section 8.53 relating to generally
32 accepted accounting principles. Moneys in the account
33 shall be used only as specified in this section and
34 shall be appropriated only for the uses specified.
35 Moneys in the account are not subject to section 8.33
36 and shall not be transferred, used, obligated,
37 appropriated, or otherwise encumbered, except as
38 provided in this section. Notwithstanding section
39 12C.7, subsection 2, interest or earnings on moneys
40 deposited in the account shall be credited to the
41 account.

42 2. Moneys in the account are allocated, subject to
43 their appropriation by the general assembly, as
44 follows for the fiscal year beginning July 1, 2007,
45 and for each fiscal year thereafter, for the
46 following:

47 a. An amount that is the current annual amount
48 recommended by the centers for disease control and
49 prevention of the United States department of health
50 and human services for tobacco use prevention and

Page 2

1 control.

2 b. Ten million dollars for youth programs,

- 3 designed to achieve the desired results of the
 4 comprehensive tobacco use prevention and control
 5 initiative pursuant to section 142A.9, that are
 6 directed by youth participants for youth.
 7 c. Five million dollars for enforcement of tobacco
 8 laws and regulations, including through grants to
 9 community partnerships as provided in section 142A.10.
 10 d. An amount, to be determined annually, for
 11 smoking cessation programs.
 12 3. In addition to the allocations specified in
 13 subsection 2, moneys in the fund may be used only for
 14 other activities related to tobacco use prevention,
 15 cessation, and control."
 16 6. Page 5, by striking lines 40 and 41, and
 17 inserting the following: "products, creating a
 18 tobacco use prevention and control account, providing
 19 for standing appropriations from the account, and
 20 providing an".

Roll call was requested by Raecker of Polk and Heaton of Henry.

On the question "Shall amendment H-1152 be adopted?" (H.F. 555)

The ayes were, 44:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Granzow	Grassley	Greiner	Heaton
Hoffman	Horbach	Huseman	Jacobs
Kaufmann	Lukan	May	Miller, L.
Olson, S.	Paulsen	Raecker	Rants
Rasmussen	Rayhons	Roberts	Sands
Schickel	Soderberg	Struyk	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wiencck	Windschitl	Worthan

The nays were, 52:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Quirk	Reasoner	Reichert	Schueller
Shomshor	Smith	Staed	Swaim

Taylor, D.	Taylor, T.	Thomas	Tomenga
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	Mr. Speaker Murphy

Absent or not voting, 4:

Gipp	Petersen	Pettengill	Zirkelbach
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Amendment H-1152 lost.

Jacobs of Polk offered amendment H-1149, to amendment H-1116, filed by her and Clute of Polk, from the floor as follows:

H-1149

1 Amend the amendment, H-1116, to House File 555, as
2 follows:

3 1. Page 2, by striking lines 3 through 6, and
4 inserting the following: "this subsection, there is
5 appropriated, annually, to the property tax relief
6 fund created in section 426B.1, the first twenty-five
7 million dollars to be annually distributed in
8 accordance with law allocating mental health, mental
9 retardation and developmental disabilities allowed
10 growth factor adjustment funding to counties, and
11 there is appropriated, annually, to the health care
12 trust fund created in section 453A.35A, the next one
13 hundred two million six hundred thousand dollars."

Jochum of Dubuque rose on a point of order that amendment H-1149 was not germane, to amendment H-1116.

The Speaker ruled the point not well taken and amendment H-1149 germane, to amendment H-1116.

Bukta of Clinton in the chair at 6:10 p.m.

Jacobs of Polk moved the adoption of amendment H-1149 to amendment H-1116.

Rule 75 was invoked.

Roll call was requested by Jacobs of Polk and Van Fossen of Scott.

On the question "Shall amendment H-1149 be adopted?" (H.F. 555)

The ayes were, 44:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Granzow	Grassley	Heaton	Heaton
Hoffman	Horbach	Huseman	Jacobs
Kaufmann	Lukan	May	Miller, L.
Olson, S.	Paulsen	Raecker	Rants
Rasmussen	Rayhons	Roberts	Sands
Schickel	Soderberg	Struyk	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wienczek	Windschitl	Worthan

The nays were, 52:

Abdul-Samad	Bailey	Bell	Berry
Cohoon	Dandekar	Davitt	Foege
Ford	Frevert	Gaskill	Gayman
Heddens	Hunter	Huser	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Mertz	Miller, H.	Murphy, Spkr.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Quirk	Reasoner	Reichert	Schueller
Shomshor	Smith	Staed	Swaim
Taylor, D.	Taylor, T.	Thomas	Tomenga
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	Bukta, Presiding

Absent or not voting, 4:

Gipp	Petersen	Pettengill	Zirkelbach
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Amendment H-1149 lost.

Worthan of Buena Vista asked and received unanimous consent to withdraw amendment H-1162, to amendment H-1116, filed by Kaufmann of Cedar and Alons of Sioux, from the floor.

Sands of Louisa offered the following amendment H-1150, to amendment H-1116, filed by him from the floor and moved its adoption:

H-1150

- 1 Amend the amendment, H-1116, to House File 555, as
- 2 follows:

- 3 1. Page 2, line 17, by striking the word "A" and
4 inserting the following: "1. A".
5 2. Page 2, by striking lines 40 through 43 and
6 inserting the following:
7 "2. Moneys deposited in the fund shall be used
8 only in accordance with appropriations from the fund,
9 shall not be appropriated for any purpose prior to
10 July 1, 2008, and if appropriated shall only be
11 appropriated for the following purposes:
12 a. Tobacco use prevention and control.
13 b. Substance abuse prevention and treatment
14 including substance abuse prevention and treatment for
15 children.
16 c. Smoking cessation products.
17 d. Phenylketonuria assistance.
18 e. The AIDS drug assistance program.
19 f. The birth defects institute.
20 g. Medical assistance supplemental funding.
21 h. Medical assistance reimbursement for physicians
22 and other medical providers, dental providers,
23 hospital providers, home health care providers,
24 critical access hospitals, home health and
25 habilitative day care providers, respite care
26 providers, and breast and cervical cancer treatment.
27 i. The state children's health insurance expansion
28 program under the medical assistance program.
29 j. Child and family services."

A non-record roll call was requested.

The ayes were 43, nays 49.

Amendment H-1150 lost.

Struyk of Pottawattamie offered the following amendment H-1158, to amendment H-1116, filed by him from the floor and moved its adoption:

H-1158

- 1 Amend the amendment, H-1116, to House File 555, as
2 follows:
3 1. Page 2, line 17, by striking the word "A" and
4 inserting the following: "1. A".
5 2. Page 2, by striking lines 40 through 43 and
6 inserting the following:
7 "2. a. Moneys deposited in the health care trust
8 fund which constitute proceeds derived from payment of
9 taxes pursuant to section 453A.6, subsection 1, and

10 section 453A.43, subsections 1, 2, 3, and 4, shall be
11 used only in accordance with appropriations from the
12 fund for the following purposes:
13 (1) Tobacco use prevention and control.
14 (2) Substance abuse prevention and treatment
15 including substance abuse prevention and treatment for
16 children.
17 (3) Smoking cessation products.
18 (4) Phenylketonuria assistance.
19 (5) The AIDS drug assistance program.
20 (6) The birth defects institute.
21 (7) Medical assistance supplemental funding.
22 (8) Medical assistance reimbursement for
23 physicians and other medical providers, dental
24 providers, hospital providers, critical access
25 hospitals, home health and rehabilitative day care
26 providers, respite care providers, and breast and
27 cervical cancer treatment.
28 (9) The state children's health insurance
29 expansion program under the medical assistance
30 program.
31 (10) Child and family services.
32 b. Beginning July 1, 2008, and thereafter, moneys
33 deposited in the health care trust fund which
34 constitute proceeds derived from payment of taxes
35 pursuant to section 453A.6, subsection 1, and section
36 453A.43, subsections 1, 2, 3, and 4, shall be
37 appropriated for the purposes described in paragraph
38 "a", annually, in amounts such that the amounts
39 appropriated for such purposes in the fiscal year
40 beginning July 1, 2006, are increased by an amount
41 which is the difference between the amount of revenue
42 generated from the sources described in this
43 subsection for the fiscal year beginning July 1, 2006,
44 and the amount of revenue generated from those sources
45 in the fiscal year beginning July 1, 2007, multiplied
46 by one hundred and fifteen percent.
47 c. Notwithstanding any provision of law to the
48 contrary, moneys derived from the sources described in
49 this subsection and deposited in the health care trust
50 fund which are obligated or unexpended for the

Page 2

1 purposes designated at the end of any fiscal year
2 shall be transferred to the senior living trust fund
3 created in section 249H.4."

Roll call was requested by Struyk of Pottawattamie and Raecker of Polk.

On the question "Shall amendment H-1158 be adopted?" (H.F. 555)

The ayes were, 44:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Granzow	Grassley	Greiner	Heaton
Hoffman	Horbach	Huseman	Jacobs
Kaufmann	Lukan	May	Miller, L.
Olson, S.	Paulsen	Raecker	Rants
Rasmussen	Rayhons	Roberts	Sands
Schickel	Soderberg	Struyk	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wienczek	Windschitl	Worthan

The nays were, 51:

Abdul-Samad	Bailey	Bell	Berry
Cohoon	Dandekar	Davitt	Foege
Ford	Frevert	Gaskill	Gayman
Heddens	Hunter	Huser	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Mertz	Miller, H.	Murphy, Spkr.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Quirk	Reasoner	Reichert	Schueller
Shomshor	Smith	Staed	Swaim
Taylor, D.	Taylor, T.	Thomas	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Winckler	Wise	Bukta,	
		Presiding	

Absent or not voting, 5:

Gipp	Petersen	Pettengill	Tomenga
Zirkelbach			

Amendment H-1158 lost.

Struyk of Pottawattamie asked and received unanimous consent to withdraw amendment H-1163, to amendment H-1116, filed by him from the floor.

Upmeyer of Hancock offered amendment H-1151, to amendment H-1116, filed by her from the floor as follows:

H-1151

1 Amend the amendment, H-1116, to House File 555, as
2 follows:

3 1. Page 2, by striking lines 40 through 43 and
4 inserting the following:

5 "Moneys in the fund shall be used only for the
6 purposes of the medical assistance program, including
7 provider reimbursements. There is appropriated from
8 the health care trust fund, annually, an amount
9 specified in an appropriation by the general assembly
10 from the health care trust fund for reimbursement to
11 specified providers and for specified services under
12 the medical assistance program."

13 2. Page 5, by inserting after line 27 the
14 following:

15 "Sec. ____ MEDICAL ASSISTANCE PROVIDER
16 REIMBURSEMENTS - APPROPRIATION. There is
17 appropriated from the health care trust fund created
18 in section 453A.35A, as enacted in this Act, to the
19 department of human services for the fiscal year
20 beginning July 1, 2007, and ending June 30, 2008, the
21 following amount, or so much thereof as is necessary,
22 to be used for the purpose designated:

23 To provide reimbursement in an amount that is three
24 percent greater than the reimbursement amount provided
25 for the fiscal period beginning June 30, 2006, to the
26 following providers and for the following services:

- 27 Inpatient and outpatient hospital services;
- 28 disproportionate share hospitals, indirect medical
- 29 education and direct medical education; home health
- 30 services; physician services; psychiatric services;
- 31 family planning services; early periodic screening,
- 32 diagnosis, and treatment; dental services; optometric
- 33 services; supplies; ambulance services; practitioner
- 34 services; podiatric services; chiropractic services;
- 35 clinic services; community mental health centers; home
- 36 and community-based waiver services; the Iowa plan for
- 37 behavioral health; health maintenance organizations;
- 38 nursing facilities; case management services;
- 39 rehabilitative treatment services; adult
- 40 rehabilitative option services; and pharmacy
- 41 dispensing fees:

42 \$ 19,777,329"

43 3. Page 5, line 41, by inserting after the word
44 "appropriation," the following: "providing a
45 limitation on the purposes of the fund to those
46 purposes related to the medical assistance program
47 including an appropriation for provider
48 reimbursements,".

49 4. By renumbering as necessary.

Jochum of Dubuque rose on a point of order that amendment H-1151 was not germane, to amendment H-1116.

The Speaker ruled the point well taken and amendment H-1151 not germane, to amendment H-1116.

Upmeyer of Hancock asked for unanimous consent to suspend the rules to consider amendment H-1151.

Objection was raised.

Upmeyer of Hancock moved to suspend the rules to consider amendment H-1151.

Roll call was requested by Upmeyer of Hancock and Tjepkes of Webster.

On the question "Shall the rules be suspended to consider amendment H-1151?" (H.F. 555)

The ayes were, 44:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Granzow	Grassley	Greiner	Heaton
Hoffman	Horbach	Huseman	Jacobs
Kaufmann	Lukan	May	Miller, L.
Olson, S.	Paulsen	Raecker	Rants
Rasmussen	Rayhons	Roberts	Sands
Schickel	Soderberg	Struyk	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wienczek	Windschitl	Worthan

The nays were, 52:

Abdul-Samad	Bailey	Bell	Berry
Cohoon	Dandekar	Davitt	Foege
Ford	Frevert	Gaskill	Gayman
Heddens	Hunter	Huser	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Mertz	Miller, H.	Murphy, Spkr.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Quirk	Reasoner	Reichert	Schueller
Shomshor	Smith	Staed	Swaim
Taylor, D.	Taylor, T.	Thomas	Tomenga

Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	Bukta, Presiding

Absent or not voting, 4:

Gipp	Petersen	Pettengill	Zirkelbach
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The motion to suspend the rules lost.

Struyk of Pottawattamie offered the following amendment H-1160, to amendment H-1116, filed by him from the floor and moved its adoption:

H-1160

1 Amend the amendment, H-1116, to House File 555, as
 2 follows:
 3 1. Page 2, by striking lines 40 through 43 and
 4 inserting the following:
 5 "Moneys deposited in the health care trust fund
 6 which constitute proceeds derived from payment of
 7 taxes pursuant to section 453A.6, subsection 1, and
 8 section 453A.43, subsections 1, 2, 3, and 4, shall be
 9 used only in accordance with appropriations from the
 10 fund for programs or services existing before July 1,
 11 2007, that are directly related to health care."

Roll call was requested by Struyk of Pottawattamie and Watts of Dallas.

On the question "Shall amendment H-1160 be adopted?" (H.F. 555)

The ayes were, 44:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Granzow	Grassley	Greiner	Heaton
Hoffman	Horbach	Huseman	Jacobs
Kaufmann	Lukan	May	Miller, L.
Olson, S.	Paulsen	Raecker	Rants
Rasmussen	Rayhons	Roberts	Sands
Schickel	Soderberg	Struyk	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wienczek	Windschitl	Worthan

The nays were, 52:

Abdul-Samad	Bailey	Bell	Berry
Cohoon	Dandekar	Davitt	Foege
Ford	Frevert	Gaskill	Gayman
Heddens	Hunter	Huser	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Mertz	Miller, H.	Murphy, Spkr.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Quirk	Reasoner	Reichert	Schueller
Shomshor	Smith	Staed	Swaim
Taylor, D.	Taylor, T.	Thomas	Tomenga
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	Bukta, Presiding

Absent or not voting, 4:

Gipp	Petersen	Pettengill	Zirkelbach
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Amendment H-1160 lost.

Speaker Murphy in the chair at 7:20 p.m.

Upmeyer of Hancock offered the following amendment H-1173, to amendment H-1116, filed by her from the floor and moved its adoption:

H-1173

- 1 Amend the amendment, H-1116, to House File 555, as
- 2 follows:
- 3 1. Page 2, line 43, by inserting after the word
- 4 "control." the following: "There is appropriated from
- 5 the health care trust fund to the department of public
- 6 health, annually, eight million dollars for the
- 7 purpose of substance abuse treatment services and five
- 8 million dollars for the purpose of substance abuse
- 9 prevention services."

Roll call was requested by Upmeyer of Hancock and Van Fossen of Scott.

On the question "Shall amendment H-1173 be adopted?" (H.F. 555)

The ayes were, 44:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Granzow	Grassley	Greiner	Heaton
Hoffman	Horbach	Huseman	Jacobs
Kaufmann	Lukan	May	Miller, L.
Olson, S.	Paulsen	Raecker	Rants
Rasmussen	Rayhons	Roberts	Sands
Schickel	Soderberg	Struyk	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wienczek	Windschitl	Worthan

The nays were, 50:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Huser	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Mertz	Miller, H.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Quirk
Reasoner	Reichert	Schueller	Shomshor
Smith	Staed	Swaim	Taylor, D.
Taylor, T.	Thomas	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Winckler
Wise		Mr. Speaker	
		Murphy	

Absent or not voting, 6:

Gipp	Hunter	Petersen	Pettengill
Tomenga	Zirkelbach		

Amendment H-1173 lost.

Rants of Woodbury asked and received unanimous consent to withdraw amendment H-1148, to amendment H-1116, filed by him from the floor.

Upmeyer of Hancock offered the following amendment H-1270 filed by her from the floor as follows:

H-1270

- 1 Amend the amendment, H-1116, to House File 555, as
- 2 follows:

3 1. Page 1, by inserting after line 3, the
4 following:

5 "Sec. . NEW SECTION. 249A.19A HOSPITAL
6 REIMBURSEMENT.

7 Beginning July 1, 2007, the department shall
8 reimburse hospitals as defined in section 135B.1 for
9 provision of services under the medical assistance
10 program at the reimbursement level allowed under the
11 Medicare program, subject to the medical assistance
12 program upper payment limit. The reimbursement level
13 shall be adjusted annually, on July 1, in accordance
14 with the requirements of this section and shall
15 provide for reimbursement that is not less than the
16 reimbursement provided under the Medicare program,
17 subject to the medical assistance program upper
18 payment limit."

19 2. Page 5, by inserting after line 27, the
20 following:

21 "Sec. . HOSPITAL AND NONINSTITUTIONAL MEDICAL
22 ASSISTANCE PROVIDER REIMBURSEMENT – APPROPRIATION.

23 There is appropriated from the health care trust fund
24 created in section 453A.35A, to the department of
25 human services for the fiscal year beginning July 1,
26 2007, and ending June 30, 2008, the following amount
27 or so much thereof as is necessary, for the purposes
28 designated:

29 For reimbursement of hospitals pursuant to section
30 249A.19A and noninstitutional health providers
31 pursuant to section 249A.20 in a manner that provides
32 for reimbursement at the level allowed under the
33 Medicare program, subject to the medical assistance
34 program upper payment limit:

35 \$ 21,838,959"

36 3. Page 5, line 41, by inserting after the word
37 "appropriation," the following: "providing an
38 appropriation for certain medical assistance
39 providers,".

Jochum of Dubuque rose on a point of order that amendment H-1270 was not germane, to amendment H-1116.

The Speaker ruled the point well taken and amendment H-1270 not germane, to amendment H-1116.

Upmeyer of Hancock asked for unanimous consent to suspend the rules to consider amendment H-1270.

Objection was raised.

Upmeyer of Hancock moved to suspend the rules to consider amendment H-1270.

Roll call was requested by Upmeyer of Hancock and Struyk of Pottawattamie.

On the question "Shall the rules be suspended to consider amendment H-1270?" (H.F. 555)

The ayes were, 44:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Granzow	Grassley	Greiner	Heaton
Hoffman	Horbach	Huseman	Jacobs
Kaufmann	Lukan	May	Miller, L.
Olson, S.	Paulsen	Raecker	Rants
Rasmussen	Rayhons	Roberts	Sands
Schickel	Soderberg	Struyk	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wiencek	Windschitl	Worthan

The nays were, 53:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Quirk	Reasoner	Reichert
Schueller	Shomshor	Smith	Staed
Swaim	Taylor, D.	Taylor, T.	Thomas
Tomenga	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise
Mr. Speaker			
Murphy			

Absent or not voting, 3:

Gipp	Pettengill	Zirkelbach
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The motion to suspend the rules lost.

Rants of Woodbury rose on a point of order that amendment H-1116 was not germane.

The Speaker ruled the point not well taken and amendment H-1116 germane.

Jochum of Dubuque moved the adoption of amendment H-1116.

Roll call was requested by Paulsen of Linn and Rants of Woodbury.

On the question "Shall amendment H-1116 be adopted?" (H.F. 555)

The ayes were, 52:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Mertz	Miller, H.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Quirk	Reasoner	Reichert	Schueller
Shomshor	Smith	Staed	Swaim
Taylor, D.	Taylor, T.	Thomas	Tomenga
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	Mr. Speaker Murphy

The nays were, 45:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Granzow	Grassley	Greiner	Heaton
Hoffman	Horbach	Huseman	Huser
Jacobs	Kaufmann	Lukan	May
Miller, L.	Olson, S.	Paulsen	Raecker
Rants	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wienczek	Windschitl
Worthan			

Absent or not voting, 3:

Gipp	Pettengill	Zirkelbach
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Amendment H-1116 was adopted, placing the following amendments out of order:

Amendment H-1086 filed by Struyk of Pottawattamie on February 27, 2007.

Amendment H-1087 filed by Struyk of Pottawattamie on February 27, 2007.

Amendment H-1088 filed by Gipp of Winneshiek, et al., on February 28, 2007.

Amendment H-1090 filed by Van Fossen of Scott on February 28, 2007.

Amendment H-1092 filed by Gipp of Winneshiek on February 28, 2007.

Amendment H-1098 filed by Sands of Louisa on March 5, 2007.

Raecker of Polk rose on a point of order and invoked Rule 32, relating to an appropriation, to House File 555 and requested the bill be referred to the committee on appropriations.

The point was not well taken.

McCarthy of Polk asked and received unanimous consent to refer House File 555 to the committee on appropriations and to return the bill to the House at the time certain of 8:45 p.m.

The House stood at ease at 8:19 p.m., until the fall of the gavel.

The House resumed session at 8:51 p.m., and House File 555, Speaker Murphy in the chair.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed ninety-five members present, five absent.

SENATE FILE 128 SUBSTITUTED FOR HOUSE FILE 555

Jochum of Dubuque asked and received unanimous consent to substitute Senate File 128 for House File 555.

Senate File 128, a bill for an act relating to an increase in the taxes on cigarettes and tobacco products, imposing an inventory tax on tobacco products, creating a health care trust fund, providing for a

standing appropriation, and providing an effective date and providing an applicability provision, was taken up for consideration, placing the following amendments out of order:

Amendment H-1115 filed by Sands of Louisa on March 12, 2007.

Amendment H-1117 filed by Struyk of Pottawattamie on March 12, 2007.

Amendment H-1122 filed by Upmeyer of Hancock on March 12, 2007.

Amendment H-1123 filed by Rants of Woodbury on March 12, 2007.

Amendment H-1124 filed by Struyk of Pottawattamie on March 12, 2007.

Amendment H-1125 filed by Van Fossen of Scott on March 12, 2007.

Amendment H-1130 filed by Raecker of Polk on March 12, 2007.

Amendment H-1131 filed by Gipp of Winneshiek et al., on March 12, 2007.

Amendment H-1132 filed by Jacobs of Polk, et al., on March 12, 2007.

Amendment H-1133 filed by Lukan of Dubuque on March 12, 2007.

Amendment H-1134 filed by Heaton of Henry on March 12, 2007.

Amendment H-1135 filed by Struyk of Pottawattamie on March 12, 2007.

Amendment H-1145 filed by Rants of Woodbury on March 12, 2007.

Upmeyer of Hancock offered the following amendment H-1126 filed by her and moved its adoption:

H-1126

1 Amend Senate File 128, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 1, by inserting before line 1 the
4 following:

5 "Section 1. NEW SECTION. 249A.19A HOSPITAL
6 REIMBURSEMENT.

7 Beginning July 1, 2007, the department shall
8 reimburse hospitals as defined in section 135B.1 for
9 provision of services under the medical assistance
10 program at the reimbursement level allowed under the
11 Medicare program, subject to the medical assistance

12 program upper payment limit. The reimbursement level
 13 shall be adjusted annually, on July 1, in accordance
 14 with the requirements of this section and shall
 15 provide for reimbursement that is not less than the
 16 reimbursement provided under the Medicare program,
 17 subject to the medical assistance program upper
 18 payment limit."

19 2. Page 3, by striking lines 7 through 9 and
 20 inserting the following:

21 "Moneys in the fund shall be used only for the
 22 purposes of the medical assistance program.

23 There is appropriated, annually, from the health
 24 care trust fund to the department of human services,
 25 an amount necessary to provide for the reimbursement
 26 of hospitals for provision of services under the
 27 medical assistance program as provided in section
 28 249A.19A."

29 3. Title page, line 4, by inserting after the
 30 word "appropriation," the following: "providing for a
 31 limitation on the purposes of the fund for the medical
 32 assistance program including a standing appropriation
 33 for certain services provided under the medical
 34 assistance program,".

35 4. By renumbering, redesignating, and correcting
 36 internal references as necessary.

Amendment H-1126 lost.

Heaton of Henry offered the following amendment H-1138 filed by
 him and moved its adoption:

H-1138

1 Amend Senate File 128, as amended, passed, and
 2 reprinted by the Senate, as follows:

3 1. Page 1, line 35, by striking the word "—
 4 STANDING".

5 2. Page 2, by striking line 1 and inserting the
 6 following: "AND TOBACCO USE PREVENTION AND CONTROL
 7 FUND."

8 3. Page 2, by striking lines 5 through 13, and
 9 inserting the following: "by the department, with the
 10 exception of the proceeds derived from payment of
 11 taxes pursuant to section 453A.6, subsection 1, and
 12 section 453A.43, subsections 1, 2, 3, and 4, which
 13 shall be credited to the tobacco use prevention and
 14 control fund created in section 453A.35A, shall be
 15 credited to the general fund of the state."

16 4. By striking page 2, line 21, through page 3,
 17 line 9, and inserting the following:

18 "Sec. ____, NEW SECTION. 453A.35A TOBACCO USE
19 PREVENTION AND CONTROL FUND.

20 1. FUND CREATED. A tobacco use prevention and
21 control fund is created in the office of the treasurer
22 of state. The fund consists of the revenue generated
23 from the taxes imposed on cigarettes and tobacco
24 products pursuant to section 453A.6, subsection 1, and
25 section 453A.43, subsections 1, 2, 3, and 4. Moneys
26 in the fund shall be separate from the general fund of
27 the state and shall be considered a special account
28 for the purposes of section 8.53 relating to generally
29 accepted accounting principles. Moneys in the fund
30 shall be used only as specified in this section and
31 shall be appropriated only for the uses specified.
32 Moneys in the fund are not subject to section 8.33 and
33 shall not be transferred, used, obligated,
34 appropriated, or otherwise encumbered, except as
35 provided in this section. Notwithstanding section
36 12C.7, subsection 2, interest or earnings on moneys
37 deposited in the fund shall be credited to the
38 account.

39 2. ACCOUNTS CREATED. The fund shall consist of
40 the tobacco use prevention and control account and the
41 Iowa health care account. One half of the proceeds
42 described in subsection 1 shall be deposited in each
43 account, annually.

44 3. TOBACCO USE PREVENTION AND CONTROL ACCOUNT.

45 Moneys in the tobacco use prevention and control
46 account are allocated, subject to their appropriation
47 by the general assembly, as follows for the fiscal
48 year beginning July 1, 2007, and for each fiscal year
49 thereafter, for the following:

50 a. An amount that is the current annual amount

Page 2

1 recommended by the centers for disease control and
2 prevention of the United States department of health
3 and human services for tobacco use prevention and
4 control.

5 b. Ten million dollars for youth programs,
6 designed to achieve the desired results of the
7 comprehensive tobacco use prevention and control
8 initiative pursuant to section 142A.9, that are
9 directed by youth participants for youth.

10 c. Five million dollars for enforcement of tobacco
11 laws and regulations, including through grants to
12 community partnerships as provided in section 142A.10.

13 d. An amount, to be determined annually, for
14 smoking cessation programs.

15 4. IOWA HEALTH CARE ACCOUNT. Moneys in the Iowa
16 health care account shall be used to implement a

- 17 medical assistance state plan amendment to utilize the
 18 medical assistance program in providing health care
 19 coverage to low-income, uninsured Iowans, subject to
 20 approval of the state plan amendment by the centers
 21 for Medicare and Medicaid services of the United
 22 States department of health and human services. If
 23 such approval is not received, the moneys in the
 24 account shall be deposited in the senior living trust
 25 fund created in section 249H.4."
 26 5. Title page, by striking lines 3 and 4, and
 27 inserting the following: "products, creating a
 28 tobacco use prevention and control account and an Iowa
 29 health care account, providing for standing
 30 appropriations and uses of the accounts, providing an
 31 effective date and".

Roll call was requested by Heaton of Henry and Van Fossen of Scott.

On the question "Shall amendment H-1138 be adopted?" (S.F. 128)

The ayes were, 44:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Granzow	Grassley	Greiner	Heaton
Hoffman	Horbach	Huseman	Jacobs
Kaufmann	Lukan	May	Miller, L.
Olson, S.	Paulsen	Raecker	Rants
Rasmussen	Rayhons	Roberts	Sands
Schickel	Soderberg	Struyk	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wiencek	Windschitl	Worthan

The nays were, 50:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevrt	Gaskill
Gayman	Heddens	Hunter	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Mertz	Miller, H.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Quirk
Reasoner	Reichert	Schueller	Shomshor
Smith	Staed	Swaim	Taylor, D.
Taylor, T.	Thomas	Tomenga	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Winckler	Mr. Speaker		
	Murphy		

The nays were, 40:

Alons	Anderson	Arnold	Boal
Chambers	De Boef	Deyoe	Dolecheck
Drake	Forristall	Granzow	Grassley
Greiner	Heaton	Hoffman	Horbach
Huseman	Huser	Kaufmann	Lukan
Mertz	Olson, S.	Paulsen	Pettengill
Raecker	Rants	Rasmussen	Rayhons
Roberts	Sands	Soderberg	Struyk
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wienczek	Windschitl	Worthan

Absent or not voting, 2:

Gipp Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **Senate File 128** be immediately messaged to the Senate.

MESSAGE FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 13, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 249, a bill for an act relating to the conference of eligibility on and conditions of eligibility for individuals for certain programs under the purview of the department of human services.

Also: That the Senate has on March 13, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 270, a bill for an act relating to the military code by amending the powers of the adjutant general and by allowing the armory board to enter into design-build contracts for the construction of certain national guard facilities.

Also: That the Senate has on March 13, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 304, a bill for an act relating to the exercise of regulatory authority by the department of natural resources and the natural resource commission within the

boundaries of the Sac and Fox tribe settlement in Tama county, and providing for applicability and effective dates.

Also: That the Senate has on March 13, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 308, a bill for an act authorizing the governor to designate April of each year as Aldo Leopold month.

Also: That the Senate has on March 13, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 310, a bill for an act relating to civil damages payable for unlawful taking of certain animals and fish.

Also: That the Senate has on March 13, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 340, a bill for an act relating to the consideration of inherited or gifted property in dissolution-of-marriage property division proceedings and including an effective date and an applicability provision.

Also: That the Senate has on March 13, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 354, a bill for an act relating to certain overpayments of moneys to a county.

Also: That the Senate has on March 13, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 358, a bill for an act establishing preclicensing and continuing education requirements for used motor vehicle dealers.

Also: That the Senate has on March 13, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 381, a bill for an act relating to judicial branch procedures, including appointments of court of appeals judges, district judges, district associate judges, associate juvenile judges, associate probate judges, magistrates, and patient advocates, and compensation to judges and other court personnel serving as fiduciaries.

Also: That the Senate has on March 13, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 405, a bill for an act relating to national pollutant discharge elimination system permits for disposal systems.

Also: That the Senate has on March 13, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 407, a bill for an act relating to the home ownership assistance program for Iowa residents who are eligible members of the armed forces of the United States.

Also: That the Senate has on March 13, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 450, a bill for an act relating to limitations of actions as applied to county collection of delinquent property taxes.

MICHAEL E. MARSHALL, Secretary

INTRODUCTION OF BILL

House File 793, by committee on ways and means, a bill for an act relating to administration of regional transportation by regional transit districts and of highways and regulation of motor vehicles by the state department of transportation, including provisions relating to the placement of advertising devices along primary highways, qualifications of property appraisers, state standards for land surveying, destruction of suspended or revoked driver's licenses, requirements for a temporary restricted driver's license, registration and titling of vehicles, special registration plates related to military service and allocation of fees, antique motor vehicle registration plates and fees, licensing of motor vehicle dealers, motor carrier registration and fuel tax liability, motor vehicle enforcement near construction areas, the maximum length limitation for single trucks, requirements for operation of certain self-propelled implements of husbandry on secondary roads, and disposition of regional transit district tax revenues collected by a county treasurer, and providing effective dates.

Read first time and placed on the **ways and means calendar**.

HOUSE FILE 555 WITHDRAWN

Jochum of Dubuque asked and received unanimous consent to withdraw House File 555 from further consideration by the House.

HOUSE FILE 712 REREFERRED

The Speaker announced that House File 712, previously placed on the **calendar** was rereferred to committee on **ways and means**.

SENATE FILE 25 REREFERRED

The Speaker announced that Senate File 25, previously referred to committee on **judiciary** was **passed on file**.

SENATE FILE 155 REREFERRED

The Speaker announced that Senate File 155, previously **passed on file** was rereferred to committee on **local government**.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows:

MARK W. BRANDSGARD
Chief Clerk of the House

- 2007\1916 Theone Hertema, Gladbrook – For celebrating her 90th birthday.
- 2007\1917 Kermit and Marlene Sandersfeld, Latimer – For celebrating 50th wedding anniversary.
- 2007\1918 Blanche McGrady, Mason City – For celebrating her 100th birthday.
- 2007\1919 Shirley Ingersoll, Clear Lake – For celebrating her 80th birthday.
- 2007\1920 Marcile Murphy, Rockwell – For celebrating her 80th birthday.
- 2007\1921 James Krabbe, Latimer – For celebrating his 98th birthday.
- 2007\1922 Richard and Beulah Fairbanks, Clear Lake – For celebrating their 60th wedding anniversary.
- 2007\1923 Harry and Lois Hockenson, Plymouth – For celebrating their 65th wedding anniversary.
- 2007\1924 Eleanor Engebretson, Thornton – For celebrating her 80th birthday.
- 2007\1925 Kelly Dunkin, North Liberty – For attaining the Girl Scout Gold Award, the highest award in Girl Scouting.
- 2007\1926 Jamai Letcher, Keokuk – For being named to the Des Moines Register's All-State Class 3-A Girls Basketball Third-Team.
- 2007\1927 Vi Pearce, Fairfield – For celebrating her 88th birthday.

- 2007\1928 Troy Seeley, Fairfield – For being named the 2007 Iowa Wrestling Coaches and Officials Association State Official of the Year.
- 2007\1929 Erika Harlan, Fairfield – For being selected as Miss Rodeo Iowa 2006, and for receiving the Central Regional Scholarship Award.
- 2007\1930 Andrea Clark, Guthrie Center – For being named to the Des Moines Register's All-State Class 1-A Girls Basketball Team.
- 2007\1931 Amber Kirschbaum, Spirit Lake – For bring named Captain of the Des Moines Register's All-State Class 3-A Girls Basketball All Tournament Team, and for being named to the Class 3-A All-State Second Team.
- 2007\1932 Megan Torkelson, Graettinger-Terril High School – For being named to the Des Moines Register's All-State Class 1-A Girls Basketball All Tournament Team.
- 2007\1933 Theresa Petersen, Graettinger-Terril High School – For bring named to the Des Moines Register's All-State Class 1-A Girls Basketball All Tournament Team.
- 2007\1934 Graettinger-Terril High School – For receiving the Team Sportsmanship Award at the 2007 Girls State Basketball Tournament.
- 2007\1935 Jordi Gerking, Spirit Lake – For being named to the Des Moines Register's All-State Class 3-A Girls Basketball Team, and for being named to the Class 3-A All-State First Team.
- 2007\1936 Marni Jacobsen, Spencer – For being named to the Des Moines Register's Class 3-A Girls Basketball All-State Second Team.
- 2007\1937 Teegan Hunziker, Milford – For being named to the Class 2-A All-State First Team.
- 2007\1938 Jacquil Kalin, Sioux City North Stars Girls Basketball Team – For being named to the Des Moines Register's All-State Class 4-A Girls Basketball First Team.
- 2007\1939 Tanaeya Worden, Sioux City North Stars Girls Basketball Team – For being named to the Des Moines Register's All-State Class 4-A Girls Basketball Second Team.
- 2007\1940 Kyle Woltzen, West Union – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\1941 Delbert and Norma Glew, Oelwein – For celebrating their 60th wedding anniversary.
- 2007\1942 Harold Harryman, Douds – For celebrating his 100th birthday.

- 2007\1943 Lula B. Walker, Cedar Rapids – For celebrating her 75th birthday.
- 2007\1944 Vera A. Grow, Hiawatha – For celebrating her 75th birthday.
- 2007\1945 Nancy H. Gable, Cedar Rapids – For celebrating her 75th birthday.
- 2007\1946 Marjorie Daft, Cedar Rapids – For celebrating her 75th birthday.
- 2007\1947 Keith F. Roth, Cedar Rapids – For celebrating his 80th birthday.
- 2007\1948 M.J. Tanner, Cedar Rapids – For celebrating her 80th birthday.
- 2007\1949 Helen M. Unzeitig, Cedar Rapids – For celebrating her 80th birthday.
- 2007\1950 Marjorie E. Pace, Cedar Rapids – For celebrating her 85th birthday.
- 2007\1951 Betty E. Bowers, Cedar Rapids – For celebrating her 85th birthday.
- 2007\1952 Ronald O. Saeugling, Cedar Rapids – For celebrating his 75th birthday.
- 2007\1953 Dean W. Tosh, Cedar Rapids – For celebrating his 85th birthday.
- 2007\1954 Thomas E. Meek, Cedar Rapids – For celebrating his 80th birthday.
- 2007\1955 Sherlene A. Vanfossen, Cedar Rapids – For celebrating her 75th birthday.
- 2007\1956 Mary P. Mullen, Cedar Rapids – For celebrating her 85th birthday.
- 2007\1957 Regina M. Hofferd, Cedar Rapids – For celebrating her 85th birthday.
- 2007\1958 Gerald E. Rule, Cedar Rapids – For celebrating his 80th birthday.
- 2007\1959 Joseph L. Shimek, Cedar Rapids – For celebrating his 85th birthday.
- 2007\1960 Barbara A. Walser, Cedar Rapids – For celebrating her 80th birthday.
- 2007\1961 Genevieve O. Dobson, Cedar Rapids – For celebrating her 90th birthday.
- 2007\1962 Mary V. Flanders, Cedar Rapids – For celebrating her 80th birthday.
- 2007\1963 Betty A. Stoklasa, Cedar Rapids – For celebrating her 85th birthday.
- 2007\1964 Donald L. Pruess, Cedar Rapids – For celebrating his 80th birthday.

- 2007\1965 Virginia D. Valliere, Cedar Rapids - For celebrating her 85th birthday.
- 2007\1966 Meriam C. Nicklas, Cedar Rapids - For celebrating her 75th birthday.
- 2007\1967 Mabel M. Schmidt, Cedar Rapids - For celebrating her 75th birthday.
- 2007\1968 Dorothy M. Schuller, Cedar Rapids - For celebrating her 75th birthday.
- 2007\1969 Dora M. Mueller, Cedar Rapids - For celebrating her 90th birthday.
- 2007\1970 Stella M. Beiber, Cedar Rapids - For celebrating her 90th birthday.
- 2007\1971 Theda G. Hurn, Cedar Rapids - For celebrating her 75th birthday.
- 2007\1972 Robert C. Hofferd, Cedar Rapids - For celebrating his 85th birthday.
- 2007\1973 Janice A. Peterson, Cedar Rapids - For celebrating her 75th birthday.
- 2007\1974 Jack I. Kim, Cedar Rapids - For celebrating his 75th birthday.
- 2007\1975 Gladys J. Klett, Cedar Rapids - For celebrating her 75th birthday.
- 2007\1976 Richard P. Louvar, Cedar Rapids - For celebrating his 90th birthday.
- 2007\1977 Howard and Muriel Bro, Montour - For celebrating their 65th wedding anniversary.
- 2007\1978 Bonnie Linder, Hartley - For celebrating her 80th birthday.
- 2007\1979 Mary Williams, Sheldon - For celebrating her 80th birthday.
- 2007\1980 Mary Lou Schmidt, Ocheyedon - For celebrating her 80th birthday.
- 2007\1981 Collette Moser, Edgewood - For celebrating her 80th birthday.
- 2007\1982 Kenny Hubbard, Elkader - For celebrating his 80th birthday.
- 2007\1983 Vern Jacobs, Clarksville - For celebrating his 80th birthday.
- 2007\1984 Helen Tietje, Shell Rock - For celebrating her 85th birthday.
- 2007\1985 Betty Deneui, Waverly - For celebrating her 80th birthday.
- 2007\1986 Jennie Schipper, Aplington - For celebrating her 90th birthday.
- 2007\1987 Edna Schilling, Clarksville - For celebrating her 90th birthday.

SUBCOMMITTEE ASSIGNMENTS

House File 125

Appropriations: Foegen, Chair; Heaton and Oldson.

House File 146

Appropriations: Foegen, Chair; Gayman and Heaton.

House File 622

Government Oversight: Ford, Chair; Swaim and Watts.

House File 623

Appropriations: Cohoon, Chair; Berry and Huseman.

House File 624

Appropriations: Winckler, Chair; Chambers and Wenthe.

House File 625

Education: Wendt, Chair; Chambers and Kelley.

House File 627

Appropriations: Kuhn, Chair; De Boef and Reichert.

House File 633

Education: Cohoon, Chair; Foegen and Wienczek.

House File 636

Education: Cohoon, Chair; Foegen and Kaufmann.

House File 637

Appropriations: Cohoon, Chair; Huseman and Wenthe.

House File 640

Appropriations: Winckler, Chair; Chambers and Wenthe.

House File 656

Appropriations: Foegen, Chair; Dandekar and Heaton.

House File 661

Appropriations: Foege, Chair; Gayman and Heaton.

House File 668

Education: Mascher, Chair; Cohoon and Forristall.

House File 670

Appropriations: Winckler, Chair; Chambers and Wenthe.

House File 672

Appropriations: Kuhn, Chair; De Boef and Wenthe.

House File 682

State Government: Wendt, Chair; Boal and Whitead.

House File 685

Education: Gayman, Chair; May and Palmer.

House File 690

Appropriations: Winckler, Chair; Chambers and Wenthe.

House File 691

Appropriations: Foege, Chair; Gayman and Heaton.

House File 693

Appropriations: Foege, Chair; Gayman and Heaton.

House File 695

Appropriations: Dandekar, Chair; Berry and Schickel.

House File 700

Appropriations: Foege, Chair; Gayman and Heaton.

House File 701

State Government: T. Taylor, Chair; Kaufmann and Quirk.

House File 704

Appropriations: Foege, Chair; Gayman and Heaton.

House File 708

Education: Cohoon, Chair; Foege and Tymeson.

House File 709

Appropriations: Foege, Chair; Gayman and Heaton.

House File 710

Education: Wise, Chair; Boal and Winckler.

House File 713

Appropriations: Foege, Chair; Gayman and Heaton.

House File 715

State Government: Wessel-Kroeschell, Chair; Kaufmann and Lensing.

House File 717

Appropriations: Foege, Chair; Gayman and Heaton.

House File 721

Transportation: Tjepkes, Chair; Huser and Lykam.

House File 722

Appropriations: Foege, Chair; Gayman and Heaton.

House File 727

Appropriations: Dandekar, Chair; Cohoon and Schickel.

House File 728

Appropriations: Dandekar, Chair; Cohoon and Schickel.

House File 729

Appropriations: Winckler, Chair; Chambers and Wenthe.

House File 731

Appropriations: Winckler, Chair; Chambers and Wenthe.

House File 738

Public Safety: Lukan, Chair; Gayman and Kuhn.

House File 739

Education: Abdul-Samad, Chair; L. Miller and Wendt.

House File 741

Appropriations: Dandekar, Chair; Cohoon and Schickel.

House File 745

Appropriations: Winckler, Chair; Chambers and Wenthe.

Senate File 7

State Government: Quirk, Chair; Greiner, Jacoby, Jochum, Raecker, Roberts and Shomshor.

Senate File 140

Public Safety: Tjepkes, Chair; Heddens and Kressig.

Senate File 208

Local Government: Lykam, Chair; Kressig and Van Engelenhoven.

Senate File 212

Local Government: D. Olson, Chair; Kaufmann and Whitead.

Senate File 232

State Government: T. Taylor, Chair; Jochum and Roberts.

Senate File 263

State Government: Quirk, Chair; Greiner, Jacoby, Jochum, Raecker, Roberts and Shomshor.

Senate File 277

Education: Winckler, Chair; Cohoon and May.

Senate File 335

Local Government: D. Olson, Chair; Deyoe and Schueller.

Senate File 336

Local Government: Whitead, Chair; Clute and Kelley.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

House Study Bill 276

State Government: Wendt, Chair; Gaskill and Roberts.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 284 Appropriations

Relating to and making appropriations to certain state departments, agencies, funds, and certain other entities and providing an effective date.

H.S.B. 285 Appropriations

Directing the department of education to develop an Iowa senior year plus program and making related appropriations.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON HUMAN RESOURCES

House File 416, a bill for an act relating to child care by requiring registration or licensing of child care providers regulated by the department of human services and making a penalty applicable.

Fiscal Note is required.

Recommended **Amend and Do Pass with Amendment H—1141** March 7, 2007.

COMMITTEE ON STATE GOVERNMENT

House File 256, a bill for an act restricting participation by legislative leaders in electioneering communications and making penalties applicable.

Fiscal Note is not required.

Recommended **Do Pass** March 8, 2007.

Committee Bill (Formerly House Study Bill 222), relating to expenditure approval requirements applicable to the purchase of telecommunications equipment or services by the Iowa communications network.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 2007.

AMENDMENTS FILED

H—1141	H.F.	416	Committee on Human Resources
H—1153	H.F.	653	Jacobs of Polk
H—1154	H.F.	653	Jacobs of Polk
H—1155	H.F.	671	Lukan of Dubuque
H—1164	H.F.	653	Jacobs of Polk
H—1166	S.F.	413	Rants of Woodbury Paulsen of Linn
H—1167	H.F.	579	Swaim of Davis
H—1168	S.F.	413	Rants of Woodbury Paulsen of Linn
H—1169	H.F.	609	Sands of Louisa
H—1171	H.F.	653	Wessel-Kroeschell of Story
H—1172	H.F.	616	Dandekar of Linn Hoffman of Crawford T. Olson of Linn Kressig of Black Hawk
H—1174	H.F.	589	Huser of Polk
H—1175	H.F.	650	Jacoby of Johnson
H—1176	H.F.	653	Jacobs of Polk
H—1177	H.F.	750	Heaton of Henry
H—1178	S.F.	413	Van Fossen of Scott
H—1179	S.F.	413	Horbach of Tama
H—1180	S.F.	413	Rants of Woodbury
H—1181	S.F.	413	Granzow of Hardin
H—1182	S.F.	413	Chambers of O'Brien
H—1183	S.F.	413	May of Dickinson
H—1184	S.F.	413	May of Dickinson
H—1185	S.F.	413	Rants of Woodbury
H—1186	S.F.	413	Rayhons of Hancock
H—1187	S.F.	413	Paulsen of Linn
H—1188	S.F.	413	Paulsen of Linn
H—1189	S.F.	413	Chambers of O'Brien

H—1190	S.F.	413	Chambers of O'Brien
H—1191	S.F.	413	Chambers of O'Brien
H—1192	S.F.	413	Worthan of Buena Vista
H—1193	S.F.	413	S. Olson of Clinton
H—1194	S.F.	413	Alons of Sioux
H—1195	S.F.	413	Alons of Sioux
H—1196	S.F.	413	Deyoe of Story
H—1197	S.F.	413	Windschitl of Harrison
H—1198	S.F.	413	Tymeson of Madison
H—1199	S.F.	413	Forristall of Pottawattamie
H—1200	S.F.	413	Lukan of Dubuque
H—1201	S.F.	413	Horbach of Tama
H—1202	S.F.	413	Horbach of Tama
H—1203	S.F.	413	Greiner of Washington
H—1204	S.F.	413	Greiner of Washington
H—1205	S.F.	413	Greiner of Washington
H—1206	S.F.	413	Greiner of Washington
H—1207	S.F.	413	Greiner of Washington
H—1208	S.F.	413	Boal of Polk
H—1209	S.F.	413	Soderberg of Plymouth
H—1210	S.F.	413	Hoffman of Crawford
H—1211	S.F.	413	Hoffman of Crawford
H—1212	S.F.	413	Windschitl of Harrison
H—1213	S.F.	413	Windschitl of Harrison
H—1214	S.F.	413	Windschitl of Harrison
H—1215	S.F.	413	Dolecheck of Ringgold
H—1216	S.F.	413	Dolecheck of Ringgold
H—1217	S.F.	413	Alons of Sioux
H—1218	S.F.	413	Soderberg of Plymouth
H—1219	S.F.	413	Hoffman of Crawford
H—1220	S.F.	413	Hoffman of Crawford
H—1221	S.F.	413	Hoffman of Crawford
H—1222	S.F.	413	Hoffman of Crawford
H—1223	S.F.	413	Hoffman of Crawford
H—1224	S.F.	413	Hoffman of Crawford
H—1225	S.F.	413	Worthan of Buena Vista
H—1226	S.F.	413	May of Dickinson
H—1227	S.F.	413	Sands of Louisa
H—1228	S.F.	413	Sands of Louisa
H—1229	S.F.	413	Tymeson of Madison
H—1230	S.F.	413	Tymeson of Madison

H—1231	S.F.	413	Tymeson of Madison
H—1232	S.F.	413	Forristall of Pottawattamie
H—1233	S.F.	413	Roberts of Carroll
H—1234	S.F.	413	Roberts of Carroll
H—1235	S.F.	413	Arnold of Lucas
H—1236	S.F.	413	Sands of Louisa
H—1237	S.F.	413	Forristall of Pottawattamie
H—1238	S.F.	413	Soderberg of Plymouth
H—1239	S.F.	413	May of Dickinson
H—1240	S.F.	413	De Boef of Keokuk
H—1241	S.F.	413	Worthan of Buena Vista
H—1242	S.F.	413	Grassley of Butler
H—1243	S.F.	413	Arnold of Lucas
H—1244	S.F.	413	Huseman of Cherokee
H—1245	S.F.	413	Huseman of Cherokee
H—1246	S.F.	413	Huseman of Cherokee
H—1247	S.F.	413	Boal of Polk
H—1248	S.F.	413	Deyoe of Story
H—1249	S.F.	413	Van Engelenhoven of Marion
H—1250	S.F.	413	Granzow of Hardin
H—1251	S.F.	413	Lukan of Dubuque
H—1252	S.F.	413	Tymeson of Madison
H—1253	S.F.	413	Tymeson of Madison
H—1254	S.F.	413	Tymeson of Madison
H—1255	S.F.	413	Watts of Dallas
H—1256	S.F.	413	Dolecheck of Ringgold
H—1257	S.F.	413	Dolecheck of Ringgold
H—1258	S.F.	413	Dolecheck of Ringgold
H—1259	S.F.	413	Horbach of Tama
H—1260	S.F.	413	Struyk of Pottawattamie
H—1261	S.F.	413	Struyk of Pottawattamie
H—1262	S.F.	413	Drake of Pottawattamie
H—1263	S.F.	413	Chambers of O'Brien
H—1264	S.F.	413	Chambers of O'Brien
H—1265	S.F.	413	Deyoe of Story
			Forristall of Pottawattamie
H—1266	S.F.	413	Paulsen of Linn
H—1267	S.F.	413	Van Engelenhoven of Marion
H—1268	S.F.	413	Van Engelenhoven of Marion
H—1269	S.F.	413	Rasmussen of Buchanan
H—1271	S.F.	413	Boal of Polk

H—1272	S.F.	413	May of Dickinson
H—1273	S.F.	413	Baudler of Adair
H—1274	S.F.	413	Lukan of Dubuque
H—1275	S.F.	413	Kaufmann of Cedar
H—1276	S.F.	413	Chambers of O'Brien
H—1277	S.F.	413	Watts of Dallas
H—1278	S.F.	413	Horbach of Tama
H—1279	S.F.	413	Horbach of Tama
H—1280	S.F.	413	Deyoe of Story
H—1281	S.F.	413	Worthan of Buena Vista
H—1282	S.F.	413	Baudler of Adair
H—1283	S.F.	413	Baudler of Adair
H—1284	S.F.	413	Worthan of Buena Vista
H—1285	S.F.	413	Upmeyer of Hancock
H—1286	S.F.	413	Watts of Dallas
H—1287	S.F.	413	Horbach of Tama
H—1288	S.F.	413	Rants of Woodbury
H—1289	S.F.	413	Boal of Polk
H—1290	S.F.	413	Paulsen of Linn
H—1291	S.F.	413	S. Olson of Clinton
H—1292	S.F.	413	Windschitl of Harrison
H—1293	S.F.	413	De Boef of Keokuk
H—1294	S.F.	413	Tymeson of Madison
H—1295	S.F.	413	Windschitl of Harrison
H—1296	S.F.	413	Tymeson of Madison
H—1297	S.F.	413	Boal of Polk
H—1298	H.F.	749	Huser of Polk
H—1299	H.F.	760	Alons of Sioux
			Baudler of Adair
H—1300	H.F.	611	Tymeson of Madison
H—1301	H.F.	611	Tymeson of Madison
H—1302	H.F.	611	Tymeson of Madison
H—1303	H.F.	767	Tymeson of Madison
H—1304	S.F.	413	Huseman of Cherokee
H—1305	S.F.	413	Horbach of Tama
H—1306	S.F.	413	Rasmussen of Buchanan
H—1307	S.F.	413	Arnold of Lucas
H—1308	S.F.	413	Upmeyer of Hancock
H—1309	S.F.	413	Sands of Louisa
H—1310	S.F.	413	Chambers of O'Brien
H—1311	S.F.	413	Deyoe of Story

H—1312	S.F.	413	S. Olson of Clinton
H—1313	H.F.	503	Heddens of Story
			Foege of Linn
			Heaton of Henry
			Grassley of Butler
H—1314	H.F.	653	Baudler of Adair
H—1315	H.F.	158	Petersen of Polk
			Upmeyer of Hancock

On motion by McCarthy of Polk the House adjourned at 10:57 p.m., until 9:00 a.m., Wednesday, March 14, 2007.

JOURNAL OF THE HOUSE

Sixty-sixth Calendar Day - Forty-sixth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, March 14, 2007

The House met pursuant to adjournment at 9:21 a.m., Speaker Murphy in the chair.

Prayer was offered by Reverend Clem Currans, priest of Emmetsburg Holy Family Parish, Emmetsburg. He was the guest of Representative Marci Frevert of Palo Alto County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Jordan Anderson, House Page from Washington.

The Journal of Tuesday, March 13, 2007 was approved.

INTRODUCTION OF BILLS

House File 794, by committee on economic growth, a bill for an act creating an endow Iowa planned gift tax credit and including a retroactive applicability date.

Read first time and referred to committee on **ways and means**.

House File 795, by committee on state government, a bill for an act establishing statewide licensure of electricians and installers, providing for inspections, establishing fees, and providing penalties.

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

House File 796, by committee on public safety, a bill for an act relating to possession or consumption of an alcoholic beverage by an under legal age person, and providing a penalty.

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

House File 797, by committee on labor, a bill for an act concerning successive disabilities and successor employers for purposes of workers' compensation laws.

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

House File 798, by committee on state government, a bill for an act relating to the regulation of pharmacy benefits managers and providing penalties.

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

House File 799, by committee on economic growth, a bill for an act relating to funding for a statewide labor shed study.

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

House File 800, by committee on environmental protection, a bill for an act relating to the beverage container control laws.

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

House File 801, by committee on agriculture, a bill for an act relating to the duties and powers of the state entomologist, and making penalties applicable.

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

House File 802, by committee on human resources, a bill for an act relating to regulation of children's services by the department of human services by increasing the age for certain children receiving child care regulated by the department and revising child welfare and juvenile justice service provisions.

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

House File 803, by committee on public safety, a bill for an act relating to civil service for deputy county sheriffs by allowing a county to appeal certain decisions of the civil service commission.

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

House File 804, by committee on education, a bill for an act relating to implementation of core content standards and a model core curriculum.

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

House File 805, by committee on state government, a bill for an act relating to campaign finance by requiring electronic filing of certain reports and by establishing a voter-owned Iowa clean elections Act, providing for funding of the Act, including an income tax checkoff, and providing an income tax exemption, penalties, and effective dates.

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

House File 806, by committee on state government, a bill for an act relating to political campaigns by limiting campaign contributions for statewide and legislative elections and making penalties applicable.

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

House File 807, by committee on state government, a bill for an act concerning investment of certain public funds in companies doing business in Sudan by the treasurer of state, public retirement systems in Iowa, and the state board of regents.

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

House File 808, by committee on local government, a bill for an act concerning accountability requirements for entities and boards created for joint exercise of governmental powers and providing an effective date.

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

SENATE MESSAGES CONSIDERED

Senate File 249, by committee on human resources, a bill for an act relating to the conference of eligibility on and conditions of eligibility for individuals for certain programs under the purview of the department of human services.

Read first time and referred to committee on **human resources**.

Senate File 264, by committee on human resources, a bill for an act relating to grandparent and great-grandparent visitation.

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

Senate File 270, by committee on state government, a bill for an act relating to the military code by amending the powers of the adjutant general and by allowing the armory board to enter into design-build contracts for the construction of certain national guard facilities.

Read first time and referred to committee on **state government**.

Senate File 304, by committee on natural resources and environment, a bill for an act relating to the exercise of regulatory authority by the department of natural resources and the natural resource commission within the boundaries of the Sac and Fox tribe settlement in Tama county, and providing for applicability and effective dates.

Read first time and referred to committee on **natural resources**.

Senate File 308, by committee on natural resources and environment, a bill for an act authorizing the governor to designate April of each year as Aldo Leopold month.

Read first time and referred to committee on **natural resources**.

Senate File 310, by committee on natural resources and environment, a bill for an act relating to civil damages payable for unlawful taking of certain animals and fish.

Read first time and **passed on file**.

Senate File 340, by committee on judiciary, a bill for an act relating to the consideration of inherited or gifted property in dissolution-of-marriage property division proceedings and including an effective date and an applicability provision.

Read first time and **passed on file**.

Senate File 354, by committee on local government, a bill for an act relating to certain overpayments of moneys to a county.

Read first time and referred to committee on **local government**.

Senate File 358, by committee on transportation, a bill for an act establishing preclicensing and continuing education requirements for used motor vehicle dealers.

Read first time and **passed on file**.

Senate File 381, by committee on judiciary, a bill for an act relating to judicial branch procedures, including appointments of court of appeals judges, district judges, district associate judges, associate juvenile judges, associate probate judges, magistrates, and patient advocates, and compensation to judges and other court personnel serving as fiduciaries.

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

Senate File 405, by committee on natural resources and environment, a bill for an act relating to national pollutant discharge elimination system permits for disposal systems.

Read first time and referred to committee on **environmental protection**.

Senate File 407, by committee on veterans affairs, a bill for an act relating to the home ownership assistance program for Iowa residents who are eligible members of the armed forces of the United States.

Read first time and referred to committee on **veterans affairs**.

Senate File 450, by committee on local government, a bill for an act relating to limitations of actions as applied to county collection of delinquent real property taxes.

Read first time and **passed on file**.

Senate File 480, by committee on human resources, a bill for an act relating to children who are subject to a court order for a

temporary or permanent out-of-home placement by providing for visitation or ongoing interaction between the children and siblings.

Read first time and referred to committee on **human resources**.

ST. PATRICK'S DAY CELEBRATION

Frevert of Palo Alto introduced to the House, Tony Dempsey an Irish Dignitary from the Parliament at Wexford Ireland, accompanied by his wife, Jenna. He briefly addressed the House regarding immigration and expressed appreciation for the hope and freedom of America and hoping Ireland can give the same for its' people and that he finds the Americans the most friendly in the world. Bailey of Hamilton, chair of the international relations committee gave a special welcome to Mr. Dempsey.

The House rose and expressed its welcome.

Frevert of Palo Alto introduced Miss Shamrock, Jerri Lynn Saddler.

Amanda Hynek, the clerk for Representative Todd Taylor of Linn, sang "Danny Boy."

The House rose and expressed its appreciation.

The Honorable Dolores Mertz from Kossuth and the Honorable John Connors, former state representative from Polk, danced the traditional Irish Jig.

The House rose and expressed its appreciation.

On motion by Reasoner of Union, the House was recessed at 9:51 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened at 1:14 p.m., Speaker Murphy in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Gipp of Winneshiek on request of Rants of Woodbury.

INTRODUCTION OF BILLS

House File 809, by committee on economic growth, a bill for an act establishing a tax credit certificate transfer program and including a retroactive applicability provision.

Read first time and referred to committee on **ways and means**.

House File 810, by committee on labor, a bill for an act requiring the payment of local prevailing wage rates to persons working on public improvements for public bodies, and providing penalties and an effective date.

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

House File 811, by committee on economic growth, a bill for an act creating a help infrastructure vitality and economic growth fund and making appropriations.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 14, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 236, a bill for an act relating to local regulation of smoking.

Also: That the Senate has on March 14, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 429, a bill for an act relating to conciliation proceedings in dissolution of marriage case and domestic abuse.

Also: That the Senate has on March 14, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 431, a bill for an act relating to programs, funds, authority, and duties of the Iowa finance authority.

Also: that the Senate has on March 14, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 437, a bill for an act providing for the placement of highway signs honoring members of the state patrol killed in the line of duty.

Also: that the Senate has on March 14, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 441, a bill for an act relating to elimination of certain duties of the department of elder affairs and the area agencies on aging.

Also: that the Senate has on March 14, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 463, a bill for an act concerning the licensing and operations of a manufacturer of ambulances, rescue vehicles, or fire vehicles.

MICHAEL E. MARSHALL, Secretary

SPECIAL PRESENTATIONS

Reasoner of Union, Tomenga of Polk, Smith of Marshall and T. Taylor of Linn, all alumni of Graceland College introduced to the House, Professor Bill Russell from Graceland College in Lamoni.

Horbach of Tama introduced to the House the Honorable former state representative Phil Tyrrell from Iowa County.

The House rose and expressed its welcome.

CONSIDERATION OF BILLS

Regular Calendar

House File 579, a bill for an act relating to judicial branch practices and procedures, including expanding the definition of a seal, eliminating duties of the clerk of the supreme court, and obtaining electronic signatures on citations, was taken up for consideration.

Lukan of Dubuque in the chair at 1:25 p.m.

Swaim of Davis offered the following amendment H-1167 filed by him and moved its adoption:

H-1167

- 1 Amend House File 579 as follows:
- 2 1. Page 1, by striking lines 13 through 24 and
- 3 inserting the following:

4 "2. The clerk of the supreme court shall have an
 5 office at the seat of government, shall keep a
 6 complete record of the proceedings of the court, and
 7 shall not allow an opinion filed in the office to be
 8 removed. Opinions shall be open to examination and,
 9 upon request, may be copied and certified. The clerk
 10 promptly shall announce by ordinary or electronic mail
 11 to one of the attorneys on each side any ruling made
 12 or decision rendered, shall record every opinion
 13 rendered as soon as filed, shall send by ordinary or
 14 electronic mail a copy of each opinion rendered to
 15 each attorney of record and to each party not
 16 represented by counsel, and shall perform all other
 17 duties pertaining to the office of clerk."
 18 2. Title page, line 2, by striking the word
 19 "eliminating" and inserting the following: "involving
 20 the".

Amendment H-1167 was adopted.

Swaim of Davis moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 579)

The ayes were, 94:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Boal
Bukta	Chambers	Clute	Cohoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Granzow	Grassley	Greiner	Heaton
Heddens	Hoffman	Horbach	Hunter
Huseman	Huser	Jacobs	Jacoby
Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
May	McCarthy	Mertz	Miller, H.
Miller, L.	Murphy, Sprk.	Oldson	Olson, D.
Olson, R.	Olson, S.	Olson, T.	Palmer
Paulsen	Pettengill	Raecker	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Smith	Soderberg	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkés	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead

Wiencek	Winckler	Windschitl	Wise
Worthan	Lukan, Presiding		

The nays were, none.

Absent or not voting, 6:

Berry	Gipp	Petersen	Quirk
Staed	Zirkelbach		

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

House File 716, a bill for an act relating to revising the uniform commercial code, by providing for warehouse receipts, bills of lading, and other documents of title, was taken up for consideration.

Palmer of Mahaska moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 716)

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Murphy, Spkr.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Pettengill	Raecker
Rants	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Smith	Soderberg
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker

Whitead	Wienczek	Winckler	Windschitl
Wise	Worthan	Lukan, Presiding	

The nays were, none.

Absent or not voting, 5:

Gipp	Petersen	Quirk	Staed
Zirkelbach			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 130, a bill for an act relating to commissions that oversee memorial buildings and monuments, with report of committee recommending passage, was taken up for consideration.

D. Taylor of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 130)

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Murphy, Spkr.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Pettengill	Raecker
Rants	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Smith	Soderberg
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker

Whitead	Wiencek	Winckler	Windschitl
Wise	Worthan	Lukan, Presiding	

The nays were, none.

Absent or not voting, 5:

Gipp	Petersen	Quirk	Staed
Zirkelbach			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 309, a bill for an act requiring development of a uniform cost report for certain services reimbursed through the department of human services and counties, was taken up for consideration.

Smith of Marshall moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 309)

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Murphy, Spkr.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Pettengill	Raecker
Rants	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Smith	Soderberg
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts

Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wienczek	Winckler	Windschitl
Wise	Worthan	Lukan,	
		Presiding	

The nays were, none.

Absent or not voting, 5:

Gipp	Petersen	Quirk	Staed
Zirkelbach			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

SPECIAL PRESENTATION

Whitaker of Van Buren introduced to the House the Honorable Jerry May, former state representative from Jefferson County.

The House rose and expressed its welcome.

House File 547, a bill for an act relating to animal pounds, by authorizing pounds to provide for temporary placement, to refer to themselves as animal shelters, and providing penalties, was taken up for consideration.

Pettengill of Benton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 547)

The ayes were, 94:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Huseman	Huser	Jacobs	Jacoby
Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
May	McCarthy	Mertz	Miller, H.

Miller, L.	Murphy, Spkr.	Oldson	Olson, D.
Olson, R.	Olson, S.	Olson, T.	Palmer
Paulsen	Pettengill	Raecker	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Smith	Soderberg	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Wienczek	Winckler	Windschitl	Wise
Worthan	Lukan, Presiding		

The nays were, 1:

Hunter.

Absent or not voting, 5:

Gipp	Petersen	Quirk	Staed
Zirkelbach			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Speaker Murphy in the chair at 1:54 p.m.

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 309, 547, 579, 716** and **Senate File 130**.

House File 617, a bill for an act creating a generation Iowa commission, was taken up for consideration.

Paulsen of Linn offered the following amendment H-1111 filed by him and moved its adoption:

H-1111

- 1 Amend House File 617 as follows:
- 2 1. Page 1, by striking lines 8 and 9 and
- 3 inserting the following: "members. Seven members
- 4 shall be appointed by the majority leader of the
- 5 senate, after consultation with the president of the
- 6 senate and the minority leader of the senate, and

7 seven members shall be appointed by the speaker of the
8 house, after consultation with the majority leader and
9 the minority leader of the house of representatives.
10 One member shall be appointed by the governor. At the
11 time of appointment or reappointment, a".
12 2. Page 1, line 31, by striking the words "by the
13 governor".

Amendment H-1111 lost.

Ford of Polk offered the following amendment H-1112 filed by
McCarthy of Polk and moved its adoption:

H-1112

1 Amend House File 617 as follows:
2 1. Page 1, by inserting after line 17 the
3 following:
4 "(5) Multicultural diversity."

Amendment H-1112 was adopted.

Alons of Sioux offered amendment H-1137 filed by Alons, et al., as
follows:

H-1137

1 Amend House File 617 as follows:
2 1. Page 2, line 5, by inserting after the word
3 "population" the following: ", including pregnant
4 women and the unborn child or children of a pregnant
5 woman beginning at conception,".
6 2. Page 2, line 20, by inserting after the word
7 "population" the following: ", including pregnant
8 women and the unborn child or children of a pregnant
9 woman beginning at conception".
10 3. Page 2, line 22, by inserting after the word
11 "employees" the following: ", including pregnant
12 women and the unborn child or children of a pregnant
13 woman beginning at conception,".

Wenthe of Fayette rose on a point of order that amendment
H-1137 was not germane.

The Speaker ruled the point well taken and amendment H-1137
not germane.

Alons of Sioux asked for unanimous consent to suspend the rules to consider amendment H-1137.

Objection was raised.

Alons of Sioux moved to suspend the rules to consider amendment H-1137.

A non-record roll call was requested.

The ayes were 33, nays 47.

The motion to suspend the rules lost.

Wenthe of Fayette moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 617)

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foegen
Ford	Forristall	Frevert	Gaskill
Gayman	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Smith	Soderberg
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wienczek	Winckler	Windschitl
Wise	Worthan	Mr. Speaker	
		Murphy	

The nays were, none.

Absent or not voting, 5:

Gipp
Zirkelbach

Petersen

Rants

Staed

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **House File 617** be immediately messaged to the Senate.

SPECIAL PRESENTATION

Roberts of Carroll introduced to the House the Honorable Jim Meyer, former state representative from Sac County.

The House rose and expressed its welcome.

The House stood at ease at 2:31 p.m., until the fall of the gavel.

The House resumed session at 5:00 p.m., Schueller of Jackson in the chair.

House File 451, a bill for an act relating to a single point of entry long-term living resources system, with report of committee recommending passage, was taken up for consideration.

Smith of Marshall offered the following amendment H-1100 filed by the committee on human resources and moved its adoption:

H-1100

- 1 Amend House File 451 as follows:
- 2 1. Page 2, by inserting after line 12 the
- 3 following:
- 4 "() A representative of the Iowa association of
- 5 homes and services for the aging.
- 6 () A representative of the Iowa association of
- 7 home care."
- 8 2. By renumbering as necessary.

The committee amendment H-1100 was adopted.

Upmeyer of Hancock moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 451)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cphoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Murphy, Spkr.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Palmer	Paulsen	Pettengill
Quirk	Raecker	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Shomshor	Smith
Soderberg	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Wiencek	Winckler
Windschitl	Wise	Worthan	Schueller, Presiding

The nays were, none.

Absent or not voting, 4:

Gipp	Petersen	Staed	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 585, a bill for an act relating to the selection of board members by area agencies on aging, with report of committee recommending passage, was taken up for consideration.

T. Olson of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 585)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Murphy Spkr.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Palmer	Paulsen	Pettengill
Quirk	Raecker	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Shomshor	Smith
Soderberg	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomonga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Wienczek	Winckler
Windschitl	Wise	Worthan	Schueller, Presiding

The nays were, none.

Absent or not voting, 4:

Gipp	Petersen	Staed	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 546, a bill for an act relating to membership on election boards, was taken up for consideration.

Jacobs of Polk offered amendment H-1107 filed by her as follows:

H-1107

- 1 Amend House File 546 as follows:
- 2 1. Page 1, line 19, by inserting after the word
- 3 "board." the following: "In order to be eligible as a '
- 4 person who is not a member of either of the political
- 5 parties, the person's registration form must have
- 6 affirmatively indicated no affiliation to either
- 7 political party for at least two-years or, if the
- 8 person has been registered in the state for less than
- 9 two years, for the period of time the person has been
- 10 registered."

Jacobs of Polk offered the following amendment H-1114, to amendment H-1107, filed by her and moved its adoption:

H-1114

- 1 Amend the amendment, H-1107, to House File 546, as
- 2 follows:
- 3 1. Page 1, line 7, by striking the words
- 4 "two-years" and inserting the following: "two years".

Amendment H-1114 was adopted.

Jacobs of Polk moved the adoption of amendment H-1107, as amended.

Amendment H-1107, as amended, lost.

Gaskill of Wapello moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 546)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Huser	Jacobs

Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Murphy, Spkr.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Palmer	Paulsen	Pettengill
Quirk	Raecker	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Shomshor	Smith
Soderberg	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Wiencek	Winckler
Windschitl	Wise	Worthan	Schueller, Presiding

The nays were, none.

Absent or not voting, 4:

Gipp	Petersen	Staed	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 542, a bill for an act relating to the registration of pharmacy technicians, was taken up for consideration.

Jochum of Dubuque in the chair at 5:28 p.m.

SENATE FILE 75 SUBSTITUTED FOR HOUSE FILE 542

Abdul-Samad of Polk asked and received unanimous consent to substitute Senate File 75 for House File 542.

Senate File 75, a bill for an act relating to the registration of pharmacy technicians, was taken up for consideration.

Abdul-Samad of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 75)

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Huser	Jacobs
Jacoby	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Murphy, Spkr.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Pettengill	Raecker
Rants	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Smith	Soderberg
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wiencck	Winckler	Windschitl
Wise	Worthan	Jochum, Presiding	

The nays were, none.

Absent or not voting, 5:

Gipp	Petersen	Quirk	Staed
Zirkelbach			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 542 WITHDRAWN

Abdul-Samad of Polk asked and received unanimous consent to withdraw House File 542 from further consideration by the House.

House File 229, a bill for an act relating to the number of signatures required on nomination papers for the office of mayor in certain cities, with report of committee recommending passage, was taken up for consideration.

SENATE FILE 58 SUBSTITUTED FOR HOUSE FILE 229

Whitead of Woodbury asked and received unanimous consent to substitute Senate File 58 for House File 229.

Senate File 58, a bill for an act relating to the number of signatures required on nomination papers for the office of mayor in certain cities, was taken up for consideration.

Whitead of Woodbury moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 58)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foegel
Ford	Forristall	Frevert	Gaskill
Gayman	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Huser	Jacobs
Jacoby	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Murphy, Spkr.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Pettengill	Quirk
Raecker	Rants	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Smith
Soderberg	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Wiencek	Winckler
Windschitl	Wise	Worthan	Jochum, Presiding

The nays were, none.

Absent or not voting, 4:

Gipp Petersen Staed Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 451, 546, 585** and **Senate Files 58 and 75**.

House File 648, a bill for an act relating to distress criteria for enterprise zones, was taken up for consideration.

Bailey of Hamilton offered the following amendment H-1139 filed by him and moved its adoption:

H-1139

- 1 Amend House File 648 as follows:
- 2 1. Page 1, by striking line 15 and inserting the
- 3 following: "means the".

Amendment H-1139 was adopted.

Bailey of Hamilton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 648)

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Huser	Jacobs
Jacoby	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam

Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Murphy, Spkr.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Pettengill	Quirk
Raecker	Rants	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Smith
Soderberg	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wienczek	Winckler	Windschitl
Wise	Worthan	Jochum, Presiding	

The nays were, 1:

Upmeyer

Absent or not voting, 4:

Gipp	Petersen	Staed	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 742, a bill for an act relating to the regulation of snowmobiles and all-terrain vehicles, and providing fees and penalties, was taken up for consideration.

Bailey of Hamilton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 742)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Huser	Jacobs
Jacoby	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz

Miller, H.	Miller, L.	Murphy, Spkr.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Pettengill	Quirk
Raecker	Rants	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Smith
Soderberg	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Wienczek	Winckler
Windschitl	Wise	Worthan	Jochum, Presiding

The nays were, none.

Absent or not voting, 4:

Gipp	Petersen	Staed	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 648 and 742.**

SENATE FILE 400 REREFERRED

The Speaker announced that Senate File 400, previously referred to committee on **economic growth** was **passed on file.**

SENATE FILE 405 REREFERRED

The Speaker announced that Senate File 405, previously referred to committee on **environmental protection** was **passed on file.**

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- 2007\1988 Dick and Betty Hazelwood, Eldora – For celebrating their 50th wedding anniversary.
- 2007\1989 Roman and Wilma Johnson, Alexander – For celebrating their 60th wedding anniversary.
- 2007\1990 Norman and Venita Merk, Audubon – For celebrating their 50th wedding anniversary.
- 2007\1991 Vivian Clausen, Audubon – For celebrating her 90th birthday.
- 2007\1992 Katherine Mitchell, Waterloo – For celebrating her 90th birthday.
- 2007\1993 Glenden Roberts, Waterloo – For celebrating his 90th birthday.
- 2007\1994 Cornell Elementary, Saydel Community School District, Des Moines – For receiving a 2007 Iowa School of Character Award.
- 2007\1995 Sioux City North Girls Basketball Team, Sioux City – For winning the 2007 Class 4-A Girls State Basketball Tournament.

SUBCOMMITTEE ASSIGNMENTS

House Joint Resolution 7

Human Resources: Smith, Chair; Grassley and Hunter.

House File 696

Human Resources: Smith, Chair; Hunter and L. Miller.

House File 711

Human Resources: Smith, Chair; Hunter and Tomenga.

House File 714

Appropriations: Winckler, Chair; Chambers and Wenthe.

House File 724

Human Resources: Smith, Chair; Granzow and Hunter.

House File 755

Appropriations: Winckler, Chair; Chambers and Wenthe.

House File 766

Appropriations: Foege, Chair; Kuhn and Watts.

House File 770

Appropriations: Hunter, Chair; Berry and Lukan.

House File 784

Appropriations: Cohoon, Chair; Foege and Huseman.

House File 785

Appropriations: Dandekar, Chair; Reichert and Schickel.

Senate File 155

Local Government: Kressig, Chair; Deyoe and Kelley.

Senate File 199

Judiciary: Lensing, Chair; Baudler and Winckler.

Senate File 248

Human Resources: Hunter, Chair; L. Miller and Smith.

Senate File 254

Human Resources: Lensing, Chair; Forristall and Wessel-Kroeschell.

Senate File 260

Human Resources: Hunter, Chair; Mascher and Upmeyer.

Senate File 277 Reassigned

Education: Winckler, Chair; Chambers, Cohoon, May and Wendt.

Senate File 311

Judiciary: Lensing, Chair; Horbach and Wessel-Kroeschell.

Senate File 354

Local Government: Thomas, Chair; Bukta and Van Fossen.

Senate File 403

Appropriations: Oldson, Chair; Jacoby and Watts.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

House Study Bill 285

Appropriations: Winckler, Chair; Chambers and Wenthe.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 286 State Government

Automatically restoring the right to vote and hold elective office for persons who have been discharged from probation, parole, or work release, or who have been released from confinement.

H.S.B. 287 State Government

Relating to campaign contributions, the filing of disclosure reports, the posting of statements, reports, and related correspondence on the internet, the posting of signs on private property, and the escheat of funds from an unknown or unidentifiable source.

H.S.B. 288 Appropriations

Relating to and making appropriations to the judicial branch.

H.S.B. 289 Appropriations

Relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, and providing effective dates.

H.S.B. 290 Appropriations

Relating to and making appropriations to the department of cultural affairs, the department of economic development, certain board of regents institutions, the department of workforce development, the Iowa finance authority, and the public employment relations board, and related matters.

AMENDMENTS FILED

H—1317	S.F.	413	Forristall of Pottawattamie
H—1318	H.F.	320	Paulsen of Linn
H—1319	H.F.	653	Jacobs of Polk
H—1320	H.F.	653	Anderson of Page
H—1321	H.F.	81	Paulsen of Linn
H—1322	S.F.	413	Pettengill of Benton
H—1323	S.F.	413	Horbach of Tama
H—1324	S.F.	413	Anderson of Page
H—1325	S.F.	413	Anderson of Page
H—1326	S.F.	413	Anderson of Page
H—1327	S.F.	413	May of Dickinson
H—1328	S.F.	413	Upmeyer of Hancock
H—1329	S.F.	413	Upmeyer of Hancock
H—1330	S.F.	413	Upmeyer of Hancock
H—1331	S.F.	413	Upmeyer of Hancock
H—1332	H.F.	611	Mascher of Johnson
H—1333	S.F.	413	Soderberg of Plymouth
H—1334	S.F.	413	Soderberg of Plymouth
H—1335	S.F.	413	Soderberg of Plymouth
H—1336	S.F.	413	Upmeyer of Hancock Jacobs of Polk
H—1337	S.F.	413	Rants of Woodbury
H—1338	S.F.	413	Struyk of Pottawattamie
H—1339	H.F.	786	Struyk of Pottawattamie
H—1340	S.F.	413	Paulsen of Linn
H—1341	S.F.	413	Paulsen of Linn
H—1342	H.F.	653	Anderson of Page
H—1343	H.F.	779	Tymeson of Madison
H—1344	S.F.	413	Struyk of Pottawattamie
H—1345	S.F.	413	Tymeson of Madison
H—1346	S.F.	413	Struyk of Pottawattamie
H—1347	S.F.	413	Van Fossen of Scott
H—1348	S.F.	413	Watts of Dallas
H—1349	H.F.	796	Alons of Sioux
H—1350	H.F.	749	May of Dickinson Heddens of Story
H—1351	H.F.	580	Struyk of Pottawattamie
H—1352	S.F.	413	Watts of Dallas
H—1353	H.F.	582	Huser of Polk
H—1354	H.F.	793	Alons of Sioux
H—1355	H.F.	793	Huser of Polk

H—1356	H.F.	793	Huser of Polk
H—1357	H.F.	790	Upmeyer of Hancock

On motion by McCarthy of Polk the House adjourned at 5:58 p.m., until 9:15 a.m., Thursday, March 15, 2007.

JOURNAL OF THE HOUSE

Sixty-seventh Calendar Day - Forty-seventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, March 15, 2007

The House met pursuant to adjournment at 9:33 a.m., Speaker Murphy in the chair.

Prayer was offered by Reverend Ron Burcham, pastor of the Gloria Dei Lutheran Church, Urbandale. He was the guest of Representative Scott Raecker of Polk County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Lena Mays, House Page from West Branch.

The Journal of Wednesday, March 14, 2007 was approved.

INTRODUCTION OF BILLS

House Joint Resolution 8, by Alons, Anderson, Arnold, Baudler, Boal, Chambers, Clute, De Boef, Deyoe, Dolecheck, Drake, Forristall, Granzow, Grassley, Greiner, Heaton, Horbach, Huseman, Jacobs, Kaufmann, Lukan, May, Mertz, L. Miller, S. Olson, Paulsen, Quirk, Rants, Rasmussen, Rayhons, Roberts, Sands, Soderberg, Struyk, Swaim, Tjepkes, Tomenga, Tymeson, Upmeyer, Van Engelenhoven, Van Fossen, Watts, Wiencek, Windschitl and Worthan, a joint resolution proposing an amendment to the Constitution of the State of Iowa validating and recognizing only certain marriages.

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

House File 812, by committee on economic growth, a bill for an act relating to income tax deductions for the sale or charitable contribution of art and including a retroactive applicability date provision.

Read first time and referred to committee on **ways and means**.

House File 813, by committee on economic growth, a bill for an act relating to funding for the shelter assistance fund.

Read first time and referred to committee on **ways and means**.

House File 814, by committee on economic growth, a bill for an act creating a film, television, and video project promotion program and fund and an Iowa film advisory board, providing tax credits and income exclusions, and including effective and retroactive applicability dates.

Read first time and referred to committee on **ways and means**.

House File 815, by committee on transportation, a bill for an act requiring the department of transportation to conduct a study concerning antenna structures affecting aviation safety.

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

House File 816, by committee on education, a bill for an act providing for a school attendance task force pilot program, and providing an appropriation.

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

House File 817, by committee on veterans affairs, a bill for an act concerning veterans by providing for a study of regional veterans affairs offices, providing for the duties of the department of veterans affairs and the commission on veterans affairs, and establishing a counseling program for veterans.

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

House File 818, by committee on judiciary, a bill for an act prohibiting a donation or contribution to an agency, organization, or political subdivision of the state in a criminal proceeding.

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

House File 819, by Ford, a bill for an act relating to the department of public health by appropriating funds for the childhood lead poisoning prevention program.

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

House File 820, by Ford, a bill for an act relating to selecting minority persons for jury service by the jury commissioner or jury manager.

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

SENATE MESSAGES CONSIDERED

Senate File 236, by committee on local government, a bill for an act relating to local regulation of smoking.

Read first time and **passed on file**.

Senate File 429, by committee on judiciary, a bill for an act relating to conciliation proceedings in dissolution of marriage case and domestic abuse.

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

Senate File 431, by committee on economic growth, a bill for an act relating to programs, funds, authority, and duties of the Iowa finance authority.

Read first time and **passed on file**.

Senate File 437, by committee on transportation, a bill for an act providing for the placement of highway signs honoring members of the state patrol killed in the line of duty.

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

Senate File 463, by committee on transportation, a bill for an act concerning the licensing and operations of a manufacturer of ambulances, rescue vehicles, or fire vehicles.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 14, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 199, a bill for an act relating to the payment of costs of reasonable attorney fees related to certain paternity proceedings.

Also: That the Senate has on March 14, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 588, a bill for an act relating to requirements for persons seeking election to township office.

Also: that the Senate has on March 14, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 716, a bill for an act relating to revising the uniform commercial code, by providing for warehouse receipts, bills of lading, and other documents of title.

Also: that the Senate has on March 14, 2007, adopted the following resolution in which the concurrence of the House is asked:

Senate Joint Resolution 2, a joint resolution designating the channel catfish as the official state fish for the State of Iowa.

Also: that the Senate has on March 14, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 200, a bill for an act providing for the liability of a landowner of land where livestock are kept or an owner of adjoining land for erecting and maintaining a fence, and providing for the assessment of property taxes.

Also: that the Senate has on March 14, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 339, a bill for an act relating to county general obligation bonds by modifying the definition of essential county purpose and by changing the requirements under which a county may issue general county purpose bonds without an election.

Also: that the Senate has on March 14, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 417, a bill for an act providing for the licensure of elevator contractors and elevator mechanics and providing penalties.

Also: that the Senate has on March 14, 2007, passed the following bill in which the concurrence of the house is asked:

Senate File 435, a bill for an act relating to youth deer hunting licenses.

Also: that the Senate has on March 14, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 442, a bill for an act relating to qualifications for licensure as a real estate broker or salesperson upon conviction of specified offenses.

Also: that the Senate has on March 14, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 444, a bill for an act relating to councils of governments by making technical changes and by designating a new council of governments area.

Also: that the Senate has on March 14, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 446, a bill for an act relating to certain elections regarding city utilities or combined utility systems.

Also: that the Senate has on March 14, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 448, a bill for an act relating to confidential information regarding unemployment insurance benefits and providing penalties.

Also: that the Senate has on March 14, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 466, a bill for an act allowing certain associations to qualify as self-insurers for purposes of Iowa's motor vehicle financial responsibility.

Also: that the Senate has on March 14, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 467, a bill for an act relating to emergency medical services training.

Also: that the Senate has on March 14, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 469, a bill for an act providing for the sale of motor homes by a manufacturer at a camping rally sponsored by the manufacturer.

MICHAEL E. MARSHALL, Secretary

On motion by McCarthy of Polk, the House was recessed at 9:43 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened at 4:32 p.m., Speaker Murphy in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 15, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 348, a bill for an act relating to conducting county gambling elections and including an effective date and applicability provision.

Also: That the Senate has on March 15, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 351, a bill for an act requiring a political committee expressly advocating the passage or defeat of a ballot issue to file five disclosure reports in an election year.

Also: That the Senate has on March 15, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 373, a bill for an act relating to the postsecondary education subsidy.

Also: That the Senate has on March 15, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 477, a bill for an act authorizing the issuance of additional special nonresident deer hunting licenses.

Also: That the Senate has on March 15, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 489, a bill for an act creating an Alzheimer's disease task force.

MICHAEL E. MARSHALL, Secretary

INTRODUCTION OF BILLS

House File 821, by Ford, a bill for an act establishing a targeted personal savings programs and task force within the office of the treasurer of state.

Read first time and referred to committee on **state government**.

House File 822, by Ford, a bill for an act making an appropriation to support the costs of maintaining the archives of a historic national bar association.

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

House File 823, by Wise, a bill for an act relating to local budgets and taxes by limiting the amount of reduction in the assessment of residential property, distributing state franchise tax revenues to cities and counties, providing for the creation of sales tax increment financing districts by cities, increasing the maximum rate for local hotel and motel taxes, setting a specific appropriation for the making an appropriation to the statewide fire and police retirement system, providing a basis for calculation and use of city franchise fees, and making certain city franchise fees legal, and including effective and retroactive applicability date provisions.

Read first time and referred to committee on **ways and means**.

House File 824, by committee on environmental protection, a bill for an act relating to national pollutant discharge elimination system permits for disposal systems.

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

House File 825, by committee on local government, a bill for an act relating to publication of property assessment equalization orders.

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

House File 826, by committee on human resources, a bill for an act establishing an Iowa Abraham Lincoln bicentennial commission and fund and providing for its prospective repeal.

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

House File 827, by committee on economic growth, a bill for an act relating to technical assistance for certain recipients of moneys from the grow Iowa values fund.

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

House File 828, by committee on economic growth, a bill for an act relating to the designation of enterprise zones located near modes of transportation and including effective date and retroactive applicability date provisions.

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

HOUSE FILE 750 REREFERRED

The Speaker announced that House File 750, previously on the **calendar** was referred to committee on **appropriations**.

SENATE FILE 337 REFERRED

The Speaker announced that Senate File 337, previously referred to committee on **local government** was **passed on file**.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 14, 2007, he approved and transmitted to the Secretary of State the following bills:

House File 258, an Act relating to the duties of directors of nonprofit corporations.

House File 369, an Act relating to elevator conveyance safety standards enforced by the division of labor services of the department of workforce development.

Senate File 39, an Act relating to campaign contributions, the filing of disclosure reports, the posting of statements and reports on the internet, the posting of signs on private property, and the escheat of funds from an unknown or unidentifiable source.

Senate File 128, an Act relating to an increase in the taxes on cigarettes and tobacco products, imposing an inventory tax on tobacco products, creating a health care trust fund, providing for a standing appropriation, and providing an effective date and providing an applicability provision.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- 2007\1996 Okoboji School District, Milford – For receiving a 2007 Iowa School of Character Award.
- 2007\1997 Daniel Brubaker, Sigourney – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\1998 Ed and Jane Pollak, Des Moines – For celebrating their 60th wedding anniversary.
- 2007\1999 Barney Rowald, Clarence – For celebrating his 80th birthday.
- 2007\2000 Edna Holling, Tipton – For celebrating her 100th birthday.
- 2007\2001 Joyce Kent, Tipton – For celebrating her 80th birthday.
- 2007\2002 Teresa Smith, Clarence – For her outstanding achievement in the Career and Technical Education.
- 2007\2003 Jim and Gloria Willms, Grundy Center – For celebrating their 50th wedding anniversary.
- 2007\2004 Leroy and Nadine Dew, Grundy Center – For celebrating their 65th wedding anniversary.
- 2007\2005 John and Barb Jensen, Cedar Rapids – For celebrating their 53rd wedding anniversary and John deserves recognition for celebrating his 75th birthday.
- 2007\2006 Margaret Gowin, Altoona – For celebrating her 80th birthday.
- 2007\2007 Rena Vos, Mitchellville – For celebrating her 101st birthday.
- 2007\2008 Don Jewell, Colfax – For celebrating his 80th birthday.
- 2007\2009 Robert Jennings, Prairie City – For celebrating his 75th birthday.
- 2007\2010 Frances Crouch, Prairie City – For celebrating her 85th birthday.
- 2007\2011 John Kane, Prairie City – For celebrating his 80th birthday.
- 2007\2012 Margaret Nielsen, Altoona – For celebrating her 80th birthday.
- 2007\2013 Eleanor Miller, Altoona – For celebrating her 85th birthday.
- 2007\2014 Charlotte Powell, Altoona – For celebrating her 75th birthday.
- 2007\2015 Ada Versteeg, Des Moines – For celebrating her 75th birthday.
- 2007\2016 Dorothy Bensley, Bondurant – For celebrating her 75th birthday.
- 2007\2017 Betty Wilson, Colfax – For celebrating her 80th birthday.

- 2007\2018 Marjorie Hall, Des Moines – For celebrating her 75th birthday.
- 2007\2019 Leo Dooley, Runnells – For celebrating his 80th birthday.
- 2007\2020 Charles Bailey, Altoona – For celebrating his 80th birthday.
- 2007\2021 Josephine Bates, Altoona – For celebrating her 95th birthday.
- 2007\2022 Marvin Degraff, Colfax – For celebrating his 80th birthday.
- 2007\2023 Sally Workman, Pleasant Hill – For celebrating her 75th birthday.
- 2007\2024 William McGinnis, Altoona – For celebrating his 75th birthday.
- 2007\2025 Laura Bailey, Mitchellville – For celebrating her 85th birthday.
- 2007\2026 Donna Mulbrook, Newton – For celebrating her 80th birthday.
- 2007\2027 Charles Provow, Dew Moines – For celebrating his 80th birthday.
- 2007\2028 Marvin Degraaf, Prairie City – For celebrating his 75th birthday.
- 2007\2029 Clara Hoy, Colfax – For celebrating her 90th birthday.
- 2007\2030 Harold Hackett, Des Moines – For celebrating his 75th birthday.
- 2007\2031 Charles Johnson, Des Moines – For celebrating his 80th birthday.
- 2007\2032 Darlene Gallaher, Des Moines – For celebrating her 90th birthday.

SUBCOMMITTEE ASSIGNMENT

Senate File 421

Labor: Palmer, Chair; Horbach and Staed.

RESOLUTION FILED

HR 27, by Wendt, a resolution honoring the Sioux City North High School Girls' Basketball Team.

Laid over under **Rule 25**.

AMENDMENTS FILED

H—1358	S.F.	413	Upmeyer of Hancock
H—1359	H.F.	793	Huser of Polk
H—1360	H.F.	793	Alons of Sioux
H—1361	H.F.	793	Alons of Sioux

H—1362	H.F.	774	Alons of Sioux
H—1363	H.F.	778	Tjepkes of Webster
H—1364	H.F.	778	Tjepkes of Webster

On motion by McCarthy of Polk, the House adjourned at 4:34 p.m., until 1:00 p.m., Monday, March 19, 2007.

JOURNAL OF THE HOUSE

Seventy-first Calendar Day - Forty-eighth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, March 19, 2007

The House met pursuant to adjournment at 1:09 p.m., Speaker pro tempore Bukta in the chair.

Prayer was offered by Reverend John Poe, pastor of the First United Methodist Church, Chariton. He was the guest of Representative Rich Arnold of Lucas County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by students of the Adult Orientation and Adjustment Center with the Iowa Department for the Blind. They were the guests of Representative Rich Arnold of Lucas County and Representative Mark Smith of Marshall County.

The Journal of Thursday, March 15, 2007 was approved.

INTRODUCTION OF BILLS

House File 829, by committee on economic growth, a bill for an act relating to the development and commercialization of businesses in the targeted industry areas of advanced manufacturing, bioscience, and information technology and including a contingent effective date provision.

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

House File 830, by committee on state government, a bill for an act relating to the construction bidding procedures Act by modifying procedures and requirements for letting public improvement contracts, and making corrections.

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

House File 831, by committee on judiciary, a bill for an act relating to a revised uniform anatomical gift Act, and providing penalties.

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

House File 832, by Shomshor, a bill for an act providing for individual and corporate income tax credits for the charitable conveyance of real property for conservation purposes and including a retroactive applicability date provision.

Read first time and referred to committee on **ways and means**.

House File 833, by Swaim, a bill for an act relating to coverage for certain diagnostic tests.

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

House File 834, by Swaim, a bill for an act relating to reimbursement for prescription drug expenses by certain providers of health benefit coverage.

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

House File 835, by Shomshor, a bill for an act exempting from inheritance taxation property, interest in property, or income passing to brothers, sisters, nieces, and nephews under certain conditions and including an applicability date provisions.

Read first time and referred to committee on **ways and means**.

House File 836, by committee on agriculture, a bill for an act providing for an equine industry promotional commission and related fund.

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

House File 837, by committee on human resources, a bill for an act creating a hemophilia advisory committee and providing a contingent effective date.

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

House File 838, by committee on state government, a bill for an act concerning horse racing, by providing for pari-mutuel wagering, minimum racing days and negotiations for resolving disputes on horse racing agreements among representatives of horse breeds, and county gambling elections, and including effective date and retroactive applicability provisions.

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

House File 839, by committee on state government, a bill for an act relating to the licensing and regulation of plumbers and mechanical professionals, and providing an appropriation and penalties.

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

House File 840, by committee on human resources, a bill for an act relating to children who are subject to a court order for a temporary or permanent out-of-home placement by providing for visitation or ongoing interaction between the children and siblings.

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

House File 841, by committee on education, a bill for an act relating to alignment of the kindergarten through postsecondary education systems and providing an effective date.

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

House File 842, by committee on judiciary, a bill for an act relating to the assessment of civil and criminal court fees and penalties.

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

House File 843, by committee on environmental protection, a bill for an act creating an unsewered community revolving loan program and fund.

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

House File 844, by committee on state government, a bill for an act relating to inspection of absentee ballot affidavit envelopes by the county commissioner of elections.

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

House File 845, by committee on state government, a bill for an act relating to voting machines and optical scan voting systems.

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

House File 846, by committee on agriculture, a bill for an act providing for an Iowa farmers' market nutrition program.

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

House File 847, by committee on transportation, a bill for an act relating to requirements for operation of a motor vehicle in merging traffic and providing a penalty.

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

House File 848, by committee on state government, a bill for an act relating to the conduct of elections and voter registration and including effective and applicability date provisions.

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

House File 849, by committee on state government, a bill for an act concerning the department of administrative services and providing an effective date.

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

House File 850, by committee on state government, a bill for an act concerning the training and certification of designated security personnel working at commercial establishments with a liquor control license or wine or beer permit.

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

House File 851, by committee on state government, a bill for an act relating to expenditure approval requirements applicable to the purchase of telecommunications equipment or services by the Iowa communications network.

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

House File 852, by committee on public safety, a bill for an act relating to the sale of a pseudoephedrine product by a pharmacy or retailer, and providing penalties and contingent applicability.

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

House File 853, by Ford, a bill for an act establishing a minority teacher loan forgiveness program to be administered by the college student aid commission, and making an appropriation.

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

House File 854, by committee on education, a bill for an act increasing the state sales and use tax rates and using revenues to replace the local option sales and services tax for school infrastructure purposes, providing a penalty and including an effective date.

Read first time and referred to committee on **ways and means**.

SENATE MESSAGES CONSIDERED

Senate Joint Resolution 2, by Courtney, a joint resolution designating the channel catfish as the official state fish for the State of Iowa.

Read first time and referred to committee on **natural resources**.

Senate File 200, by committee on judiciary, a bill for an act providing for the liability of a landowner of land where livestock are kept or an owner of adjoining land for erecting and maintaining a fence, and providing for the assessment of property taxes.

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

Senate File 339, by committee on local government, a bill for an act relating to county general obligation bonds by modifying the definition of essential county purpose and by changing the requirements under which a county may issue general county purpose bonds without an election.

Read first time and **passed on file**.

Senate File 348, by committee on state government, a bill for an act relating to conducting county gambling elections and including an effective date and applicability provision.

Read first time and referred to committee on **state government**.

Senate File 351, by committee on state government, a bill for an act requiring a political committee expressly advocating the passage or defeat of a ballot issue to file five disclosure reports in an election year.

Read first time and referred to committee on **state government**.

Senate File 373, by committee on judiciary, a bill for an act relating to the postsecondary education subsidy.

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

Senate File 417, by committee on labor and business relations, a bill for an act providing for the licensure of elevator contractors and elevator mechanics and providing penalties.

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

Senate File 435, by committee on natural resources and environment, a bill for an act relating to youth deer hunting licenses.

Read first time and referred to committee on **natural resources**.

Senate File 442, by committee on commerce, a bill for an act relating to qualifications for licensure as a real estate broker or salesperson upon conviction of specified offenses.

Read first time and **passed on file**.

Senate File 444, by committee on local government, a bill for an act relating to councils of governments by designating a new council of governments area.

Read first time and referred to committee on **local government**.

Senate File 446, by committee on state government, a bill for an act relating to certain elections regarding city utilities or combined utility systems.

Read first time and referred to committee on **state government**.

Senate File 448, by committee on labor and business relations, a bill, for an act relating to confidential information regarding unemployment insurance benefits and providing penalties.

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

Senate File 466, by committee on transportation, a bill for an act allowing certain associations to qualify as self-insurers for purposes of Iowa's motor vehicle financial responsibility laws.

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

Senate File 467, by committee on human resources, a bill for an act relating to emergency medical services training.

Read first time and referred to committee on **human resources**.

Senate File 469, by committee on transportation, a bill for an act providing for the sale of motor homes by a manufacturer at a camping rally sponsored by the manufacturer.

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

Senate File 477, by committee on natural resources and environment, a bill for an act authorizing the issuance of additional special nonresident deer hunting licenses.

Read first time and referred to committee on **natural resources**.

Senate File 489, by committee on human resources, a bill for an act creating an Alzheimer's disease task force.

Read first time and referred to committee on **human resources**.

On motion by McCarthy of Polk, the House was recessed at 1:31 p.m., until 4:30 p.m.

AFTERNOON SESSION

The House reconvened at 4:35 p.m., Speaker Murphy in the chair.

INTRODUCTION OF BILLS

House File 855, by committee on agriculture, a bill for an act providing for excise taxes imposed on the sale of motor fuel containing ethanol blended gasoline.

Read first time and referred to committee on **ways and means**.

House File 856, by Ford, a bill for an act relating to incremental revenues collected in an economic development urban renewal area and including an applicability date.

Read first time and referred to committee on **ways and means**.

House File 857, by Thomas, a bill for an act allowing belated claims for homestead and military service tax credits.

Read first time and referred to committee on **ways and means**.

House File 858, by committee on economic growth, a bill for an act relating to enterprise zones that include the site of a biodiesel or biodiesel blended fuel production facility.

Read first time and referred to committee on **ways and means**.

House File 859, by committee on agriculture, a bill for an act providing for an agricultural-biomanufacturing initiative and making an appropriation.

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

House File 860, by committee on agriculture, a bill for an act relating to environmental programs, and providing an effective date.

Read first time and referred to committee on **environmental protection**.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 19, 2007, concurred in the House amendment and passed the following bill in which the concurrence of the House is asked:

Senate File 78, a bill for an act relating to various conservation and recreation activities under the purview of the department of natural resources, modifying fees, making penalties applicable, and making an appropriation.

Also: That the Senate has on March 19, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 503, a bill for an act relating to regulation of children's services by the department of human services by increasing the age for certain children receiving child care regulated by the department and revising child welfare and juvenile justice service provisions.

Also: That the Senate has on March 19, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 529, a bill for an act expanding the criminal offense of possessing contraband in correctional institutions to include possessing contraband in a secure facility for the detention or custody of juveniles, a detention facility, or a jail, and providing a penalty.

Also: That the Senate has on March 19, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 537, a bill for an act requiring the department of administrative services to convert state-owned vehicles under the department's control to alternative fuel vehicles.

Also: That the Senate has on March 19, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 541, a bill for an act relating to consumer protection in specified home loans.

Also: That the Senate has on March 19, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 548, a bill for an act creating a hemophilia advisory committee and providing a contingent effective date.

Also: That the Senate has on March 19, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 557, a bill for an act relating to the regulation of credit unions by revising and reorganizing the Iowa credit union Act, making conforming changes, and providing for taxes, fees, and penalties.

MICHAEL E. MARSHALL, Secretary

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- | | |
|-----------|---|
| 2007\2033 | Bob and Shirley Swieter, Clarion – For celebrating their 55 th wedding anniversary. |
| 2007\2034 | Richard and Marilyn Howieson, Clarion – For celebrating their 50 th wedding anniversary. |
| 2007\2035 | Keith and Martha McCollough, Webster City – For celebrating their 50 th wedding anniversary. |
| 2007\2036 | Owen and Bee Bateson, Belmond – For celebrating their 60 th wedding anniversary. |
| 2007\2037 | Don and Lucille Harper, Webster – For celebrating their 60 th wedding anniversary. |
| 2007\2038 | Pansy Campbell, Ottumwa – For celebrating her 80 th birthday. |
| 2007\2039 | Helen Long, Ottumwa – For celebrating her 80 th birthday. |
| 2007\2040 | Sidney Poling, Ottumwa – For celebrating his 80 th birthday. |
| 2007\2041 | Fred Caster, Ottumwa – For celebrating his 85 th birthday. |
| 2007\2042 | Zelda Kuhns, Ottumwa – For celebrating her 90 th birthday. |
| 2007\2043 | Charles Poncy, Ottumwa – For celebrating his 85 th birthday. |

- 2007\2044 Joan McBee, Ottumwa – For celebrating her 80th birthday.
- 2007\2045 Patricia Schmidt, Ottumwa – For celebrating her 80th birthday.
- 2007\2046 Donna Caster, Ottumwa – For celebrating her 75th birthday.
- 2007\2047 Napoleon Nutter, Ottumwa – For celebrating his 80th birthday.
- 2007\2048 Dick Schlegel, Ottumwa – For celebrating his 85th birthday.
- 2007\2049 Frances Meyer, Ottumwa – For celebrating her 75th birthday.
- 2007\2050 Franklin Hancock, Ottumwa – For celebrating his 80th birthday.
- 2007\2051 Mary Heerdink, Ottumwa – For celebrating her 75th birthday.
- 2007\2052 Robert Barton, Ottumwa – For celebrating his 80th birthday.
- 2007\2053 Harley Hart, Ottumwa – For celebrating his 90th birthday.
- 2007\2054 Frank Sherman, Ottumwa – For celebrating his 75th birthday.
- 2007\2055 Clifford Foster, Ottumwa – For celebrating his 80th birthday.
- 2007\2056 Merrill Turner, Ottumwa – For celebrating his 80th birthday.
- 2007\2057 Lois McCullough, Ottumwa – For celebrating her 75th birthday.
- 2007\2058 Betty Goudy, Ottumwa – For celebrating her 80th birthday.
- 2007\2059 Barbra Merringer, Ottumwa – For celebrating her 80th birthday.
- 2007\2060 Mary Stoltz, Ottumwa – For celebrating her 85th birthday.
- 2007\2061 Hilda Wilson, Ottumwa – For celebrating her 95th birthday.
- 2007\2062 Helen Meier, Ottumwa – For celebrating her 85th birthday.
- 2007\2063 Dale Gottschalk, Ottumwa – For celebrating his 75th birthday.
- 2007\2064 Paul Riedel, Ottumwa – For celebrating his 85th birthday.
- 2007\2065 Leota Ritter, Ottumwa – For celebrating her 85th birthday.
- 2007\2066 Keith Hawk, Ottumwa – For celebrating his 75th birthday.
- 2007\2067 Dorothy Reynolds, Ottumwa – For celebrating her 85th birthday.
- 2007\2068 Raymond Stewart, Ottumwa – For celebrating his 80th birthday.
- 2007\2069 Dale Dekraai, Ottumwa – For celebrating his 75th birthday.

- 2007\2070 Pauline Hotek, Ottumwa – For celebrating her 80th birthday.
- 2007\2071 Betty McElroy, Ottumwa – For celebrating her 101st birthday.
- 2007\2072 Patricia Cudworth, Ottumwa – For celebrating her 75th birthday.
- 2007\2073 Hobart McClellan, Blakesburg – For celebrating his 80th birthday.
- 2007\2074 Richard Yousling, Ottumwa – For celebrating his 85th birthday.
- 2007\2075 Mildred Madden, Ottumwa – For celebrating her 95th birthday.
- 2007\2076 Dorothy Eakins, Ottumwa – For celebrating her 90th birthday.
- 2007\2077 Blanche Morford, Ottumwa – For celebrating her 90th birthday.
- 2007\2078 Helen Moriarty, Ottumwa – For celebrating her 90th birthday.
- 2007\2079 Susie Weir, Ottumwa – For celebrating her 100th birthday.
- 2007\2080 Harold Luthi, Ottumwa – For celebrating her 75th birthday.
- 2007\2081 Arlene Dooley, Ottumwa – For celebrating her 75th birthday.
- 2007\2082 Frances Pyle, Ottumwa – For celebrating her 75th birthday.
- 2007\2083 Mary Sandifer, Blakesburg – For celebrating her 75th birthday.
- 2007\2084 Ronald Venator, Ottumwa – For celebrating his 75th birthday.
- 2007\2085 Juanita Lapoint, Ottumwa – For celebrating her 90th birthday.
- 2007\2086 Irene Fidler, Ottumwa – For celebrating her 100th birthday.
- 2007\2087 Lillian Stanley, Ottumwa – For celebrating her 85th birthday.
- 2007\2088 Harold Mason, Ottumwa – For celebrating his 75th birthday.
- 2007\2089 Anna Laumeyer, Ottumwa – For celebrating her 80th birthday.
- 2007\2090 Paul Phillips, Ottumwa – For celebrating his 85th birthday.
- 2007\2091 Barney Long, Ottumwa – For celebrating his 75th birthday.
- 2007\2092 May Pulis, Ottumwa – For celebrating her 75th birthday.
- 2007\2093 Marcene Puder, Ottumwa – For celebrating her 80th birthday.
- 2007\2094 James Wilson, Blakesburg – For celebrating his 80th birthday.
- 2007\2095 Clarke Vandepol, Blakesburg – For celebrating his 85th birthday.

- 2007\2096 Donna Drummond, Ottumwa – For celebrating her 80th birthday.
- 2007\2097 Richard Malay, Ottumwa – For celebrating his 80th birthday.
- 2007\2098 Betty Davis, Blakesburg – For celebrating her 75th birthday.
- 2007\2099 Ella Stewart, Ottumwa – For celebrating her 75th birthday.
- 2007\2100 Earl Findley, Ottumwa – For celebrating his 80th birthday.
- 2007\2101 Earl Mabeus, Ottumwa – For celebrating his 85th birthday.
- 2007\2102 Richard Frost, Ottumwa – For celebrating his 90th birthday.
- 2007\2103 Steve and Angie Martens, Dexter – For receiving the Iowa Good Neighbor Award from the Iowa Department of Agriculture and Land Stewardship.
- 2007\2104 Charles and Evelyn Benda, West Branch – For celebrating their 50th wedding anniversary.
- 2007\2105 Ken and Marilyn Ruegsegger, West Liberty – For celebrating their 50th wedding anniversary.
- 2007\2106 Harry Jeffries, Altoona – For celebrating his 75th birthday.
- 2007\2107 Bernice Brubaker, Prairie City – For celebrating her 90th birthday.
- 2007\2108 Melvin Ghee, Altoona – For celebrating his 75th birthday.
- 2007\2109 Billy Williams, Altoona – For celebrating his 80th birthday.
- 2007\2110 Glen Britt, Colfax – For celebrating his 85th birthday.
- 2007\2111 Geraldine Angove, Altoona – For celebrating her 75th birthday.
- 2007\2112 Iona Ruckman, Colfax – For celebrating her 80th birthday.
- 2007\2113 Darlene Allen, Bondurant – For celebrating her 80th birthday.
- 2007\2114 Lee Waldorf, Mitchellville – For celebrating his 80th birthday.
- 2007\2115 Birdy Faidley, Colfax – For celebrating her 85th birthday.
- 2007\2116 Thomas Zike, Altoona – For celebrating his 85th birthday.
- 2007\2117 Louise Haines, Bondurant – For celebrating her 85th birthday.
- 2007\2118 David Harrison, Altoona – For celebrating his 75th birthday.
- 2007\2119 Dorothy Reed, Colfax – For celebrating his 85th birthday.

- 2007\2120 Eugene McMullin, Prairie City – For celebrating his 75th birthday.
- 2007\2121 Paul Navin, Des Moines – For celebrating his 80th birthday.
- 2007\2122 Ralph Silver, Altoona – For celebrating his 80th birthday.
- 2007\2123 Joseph Obraza, Colfax – For celebrating his 75th birthday.
- 2007\2124 Irma Mettler, Altoona – For celebrating her 80th birthday.
- 2007\2125 Robert Porter, Mitchellville – For celebrating his 80th birthday.
- 2007\2126 Maxine Reeser, Altoona – For celebrating her 75th birthday.
- 2007\2127 Lewis Edwards, Altoona – For celebrating his 90th birthday.
- 2007\2128 Glen Brantzel Martin, Ames – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\2129 Marilyn Sipe, Ottumwa – For celebrating her 75th birthday.
- 2007\2130 Wayne Bowen, Ottumwa – For celebrating his 80th birthday.
- 2007\2131 Paul Hagglund, Ottumwa – For celebrating his 80th birthday.
- 2007\2132 Patricia Prentis, Ottumwa – For celebrating her 75th birthday.
- 2007\2133 Fred Propp, Ottumwa – For celebrating his 80th birthday.
- 2007\2134 Betty Reaves, Ottumwa – For celebrating her 80th birthday.
- 2007\2135 Hazel Sandeen, Ottumwa – For celebrating his 85th birthday.
- 2007\2136 Wilferd Yndestad, Ottumwa – For celebrating his 75th birthday.
- 2007\2137 Edward Wilkerson, Ottumwa – For celebrating his 80th birthday.
- 2007\2138 Fern Headley, Ottumwa – For celebrating her 80th birthday.
- 2007\2139 Berniece McDannald, Ottumwa – For celebrating her 80th birthday.
- 2007\2140 Nellie Sowden, Ottumwa – For celebrating her 80th birthday.
- 2007\2141 Maxine Veerman, Ottumwa – For celebrating her 95th birthday.
- 2007\2142 Eleanor Johnson, Ottumwa – For celebrating her 80th birthday.
- 2007\2143 Thelma Stanbrough, Ottumwa – For celebrating her 95th birthday.
- 2007\2144 Howard Hartley, Ottumwa – For celebrating his 85th birthday.
- 2007\2145 Hazel Fisher, Ottumwa – For celebrating her 90th birthday.

- 2007\2146 William Frymoyer, Ottumwa – For celebrating his 85th birthday.
- 2007\2147 Corrine Helgerson, Ottumwa – For celebrating her 85th birthday.
- 2007\2148 Rena Lynch, Ottumwa – For celebrating her 75th birthday.
- 2007\2149 Nathan Paulos, Ottumwa – For celebrating his 85th birthday.
- 2007\2150 Willadene Hicks, Ottumwa – For celebrating her 75th birthday.
- 2007\2151 Margaret Robinson, Ottumwa – For celebrating her 80th birthday.
- 2007\2152 Verna Mirgon, Ottumwa – For celebrating her 90th birthday.
- 2007\2153 Erma Carr, Ottumwa – For celebrating her 75th birthday.
- 2007\2154 Emerson Welch, Ottumwa – For celebrating his 80th birthday.
- 2007\2155 Robert Williams, Ottumwa – For celebrating his 80th birthday.
- 2007\2156 Donna Carruthers, Ottumwa – For celebrating her 75th birthday.
- 2007\2157 Vesta Steele, Ottumwa – For celebrating her 104th birthday.
- 2007\2158 Peggy Amos, Ottumwa – For celebrating her 75th birthday.
- 2007\2159 Alta Thomas, Ottumwa – For celebrating her 75th birthday.
- 2007\2160 Lola Timmins, Ottumwa – For celebrating her 85th birthday.
- 2007\2161 Robert Pilcher, Ottumwa – For celebrating his 75th birthday.
- 2007\2162 Fern Mattox, Ottumwa – For celebrating her 80th birthday.

SUBCOMMITTEE ASSIGNMENTS

House File 805

Appropriations: Jacoby, Chair; Oldson and Roberts.

House File 811

Appropriations: Cohoon, Chair; Dandekar and Huseman.

House File 816

Appropriations: Winckler, Chair; Chambers and Wenthe.

House File 819

Appropriations: Foegen, Chair; Gayman and Heaton.

COMMITTEE RECOMMENDATION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON LABOR

Senate File 116, relating to the labor commissioner's regulation of fire fighter clothing and personal protection equipment.

Fiscal Note is not required.

Recommended **Do Pass** March 15, 2007.

RESOLUTION FILED

HR 28, by Whitead, a resolution requesting legislative oversight of private employment contracts at the Iowa veterans home.

Laid over under **Rule 25**.

AMENDMENTS FILED

H—1365	H.F.	757	D. Olson of Boone
H—1366	H.F.	804	Wendt of Woodbury
H—1367	H.F.	416	Heaton of Henry
H—1368	H.F.	416	Heaton of Henry
H—1369	H.F.	416	Forristall of Pottawattamie
H—1370	H.F.	618	T. Taylor of Linn
H—1371	H.F.	775	Gaskill of Wapello
H—1372	H.F.	653	Granzow of Hardin
H—1373	H.F.	618	Jacobs of Polk
H—1374	H.F.	618	Jacobs of Polk
H—1375	H.F.	618	Boal of Polk
H—1376	H.F.	416	Roberts of Carroll
H—1377	S.F.	358	Arnold of Lucas
H—1378	H.F.	759	Hunter of Polk
H—1379	H.F.	787	Watts of Dallas
H—1380	H.F.	793	Huser of Polk

H—1381	H.F.	653	Kaufmann of Cedar
H—1382	H.F.	779	Winckler of Scott
H—1383	H.F.	618	Jacobs of Polk
H—1384	H.F.	416	Granzow of Hardin
H—1385	H.F.	618	Jacobs of Polk
H—1386	S.F.	236	Heaton of Henry
H—1387	S.F.	236	Tjepkes of Webster
H—1388	H.F.	778	Heaton of Henry
H—1389	H.F.	843	Sands of Louisa
H—1390	H.F.	618	T. Taylor of Linn
H—1391	H.F.	829	Thomas of Clayton
H—1392	H.F.	779	Dolecheck of Ringgold
			Wise of Lee
H—1393	H.F.	416	Upmeyer of Hancock
H—1394	H.F.	500	Jacoby of Johnson
H—1395	S.F.	302	Dandekar of Linn
			Hoffman of Crawford
			T. Olson of Linn
			Kressig of Black Hawk
H—1396	H.F.	754	Rants of Woodbury
H—1397	H.F.	651	Schueller of Jackson

On motion by McCarthy of Polk the House adjourned at 4:37 p.m., until 9:00 a.m., Tuesday, March 20, 2007.

JOURNAL OF THE HOUSE

Seventy-second Calendar Day - Forty-ninth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, March 20, 2007

The House met pursuant to adjournment at 9:05 a.m., Speaker Murphy in the chair.

Prayer was offered by the Honorable Dwayne Alons, state representative from Sioux County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Eden Smith, daughter of Bruce and Lisa Smith and the niece of Representative Mark Smith of Marshall County.

The Journal of Monday, March 19, 2007 was approved.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 19, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 5, a bill for an act relating to the maximum finance charge allowed for consumer loans secured by a certificate of title to a motor vehicle and making penalties applicable.

Also: That the Senate has on March 19, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 344, a bill for an act relating to enforcement of certain solid waste disposal requirements and providing civil penalties.

Also: That the Senate has on March 19, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 482, a bill for an act relating to the regulation of contributions for a gubernatorial inauguration and providing a penalty.

Also: That the Senate has on March 19, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 493, a bill for an act relating to plans and financial assurance requirements for certain sanitary landfill projects.

Also: That the Senate has on March 19, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 505, a bill for an act relating to civil liability for damages relating to the use of an automated external defibrillator in sudden cardiac arrest emergencies.

Also: That the Senate has on March 19, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 527, a bill for an act relating to agreements to pay compensation to recover or assist in the recovery of certain unclaimed property.

Also: That the Senate has on March 19, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 528, a bill for an act prohibiting the department of corrections from entering into an agreement with a private sector for-profit entity for the purpose of housing inmates.

MICHAEL E. MARSHALL, Secretary

CONSIDERATION OF BILLS Regular Calendar

House File 749, a bill for an act crediting fees from the sale of certain special motor vehicle registration plates to the emergency medical services fund and the veterans license fee fund, and providing an effective date, was taken up for consideration.

Huser of Polk asked and received unanimous consent to withdraw amendment H-1144 filed by her on March 12, 2007.

Huser of Polk offered amendment H-1298 filed by her as follows:

H-1298

1 Amend House File 749 as follows:

2 1. Page 1, by inserting after line 27 the
3 following:

4 7. Distinguished service cross, navy cross, and
5 air force cross special plates issued pursuant to
6 section 321.34, subsection 20A.

7 8. Soldier's medal, navy and marine corps medal,
8 and airman's medal special plates issued pursuant to
9 section 321.34, subsection 20B.

9 proof of the award, order special registration plates
10 with a distinguished service cross, navy cross, or air
11 force cross processed emblem. The emblem shall be
12 designed by the department in consultation with the
13 adjutant general. The special plate fees collected by
14 the director under subsection 12, paragraph "a", from
15 the issuance and annual validation of letter-number
16 designated and personalized distinguished service
17 cross, navy cross, and air force cross plates shall be
18 paid monthly to the treasurer of state and credited to
19 the road use tax fund. Notwithstanding section
20 423.43, and prior to the crediting of revenues to the
21 road use tax fund under section 423.43, subsection 1,
22 paragraph "b", the treasurer of state shall transfer
23 monthly from those revenues to the veterans license
24 fee fund created in section 35A.11 the amount of the
25 special fees collected in the previous month for
26 distinguished service cross, navy cross, and air force
27 cross plates.

28 The surviving spouse of a person who was issued
29 special plates under this subsection may continue to
30 use or apply for and use the special plates subject to
31 registration of the special plates in the surviving
32 spouse's name and upon payment of the annual
33 five-dollar special plate fee and the regular annual
34 registration fee for the vehicle. If the surviving
35 spouse remarries, the surviving spouse shall return
36 the special plates to the department and the
37 department shall issue regular registration plates to
38 the surviving spouse.

39 **NEW SUBSECTION. 20B. SOLDIER'S, NAVY AND MARINE**
40 **CORPS, OR AIRMAN'S MEDAL PLATES.** An owner referred to
41 in subsection 12 who was awarded a soldier's medal, a
42 navy and marine corps medal, or an airman's medal by
43 the United States government may, upon written
44 application to the department and presentation of
45 satisfactory proof of the award, order special
46 registration plates with a soldier's medal, navy and
47 marine corps medal, or airman's medal processed
48 emblem. The emblem shall be designed by the
49 department in consultation with the adjutant general.
50 The special plate fees collected by the director under

Page 3

1 subsection 12, paragraph "a", from the issuance and
2 annual validation of letter-number designated and
3 personalized soldier's medal, navy and marine corps
4 medal, and airman's medal plates shall be paid monthly
5 to the treasurer of state and credited to the road use
6 tax fund. Notwithstanding section 423.43, and prior
7 to the crediting of revenues to the road use tax fund

8 under section 423.43, subsection 1, paragraph "b", the
9 treasurer of state shall transfer monthly from those
10 revenues to the veterans license fee fund created in
11 section 35A.11 the amount of the special fees
12 collected in the previous month for soldier's medal,
13 navy and marine corps medal, and airman's medal
14 plates.

15 The surviving spouse of a person who was issued
16 special plates under this subsection may continue to
17 use or apply for and use the special plates subject to
18 registration of the special plates in the surviving
19 spouse's name and upon payment of the annual
20 five-dollar special plate fee and the regular annual
21 registration fee for the vehicle. If the surviving
22 spouse remarries, the surviving spouse shall return
23 the special plates to the department and the
24 department shall issue regular registration plates to
25 the surviving spouse.

26 Sec. ____ Section 321.166, subsections 2 and 9,
27 Code 2007, are amended to read as follows:

28 2. Every registration plate or pair of plates
29 shall display a registration plate number which shall
30 consist of alphabetical or numerical characters or a
31 combination thereof and the name of this state, which
32 may be abbreviated. Every registration plate issued
33 by the county treasurer shall display the name of the
34 county, including any plate issued pursuant to section
35 321.34, except Pearl Harbor and purple heart
36 registration plates issued prior to January 1, 1997,
37 and collegiate, fire fighter, and ~~congressional~~ medal
38 of honor registration plates. Special truck
39 registration plates shall display the word "special".

40 9. Special registration plates issued pursuant to
41 section 321.34 beginning January 1, 1997, other than
42 ~~congressional~~ medal of honor, collegiate, fire
43 fighter, and natural resources registration plates,
44 shall be consistent with the design and color of
45 regular registration plates but shall provide a space
46 on a portion of the plate for the purpose of allowing
47 the placement of a distinguishing processed emblem.
48 Special registration plates shall also comply with the
49 requirements for regular registration plates as
50 provided in this section to the extent the

Page 4

1 requirements are consistent with the section
2 authorizing a particular special vehicle registration
3 plate."

4 4. Page 8, by striking lines 2 and 3 and
5 inserting the following:

6 "Sec. ____ EFFECTIVE DATES.

- 7 1. The following provisions of this Act take
 8 effect January 1, 2008:
- 9 a. The portion of the section of this Act amending
 10 section 35A.11 that enacts new subsections 7 and 8.
 11 b. The section of this Act amending section 321.34
 12 by adding new subsections 20A and 20B.
- 13 2. The remaining sections of this Act, being
 14 deemed of immediate importance, take effect upon
 15 enactment."
- 16 5. Title page, line 1, by inserting after the
 17 word "Act" the following: "concerning existing and
 18 new special motor vehicle registration plates
 19 associated with military service,".
- 20 6. Title page, lines 3 and 4, by striking the
 21 words "an effective date" and inserting the following:
 22 "effective dates".
- 23 7. By renumbering as necessary.

May of Dickinson asked and received unanimous consent to withdraw amendment H-1350, to amendment H-1298, filed by him on March 14, 2007.

On motion by Huser of Polk, amendment H-1298 was adopted.

Windschitl of Harrison moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 749)

The ayes were, 98:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Boal
Bukta	Chambers	Clute	Cohoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Roberts

Sands	Schickel	Schueller	Shomshor
Smith	Soderberg	Staed	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Wiencsek	Winckler	Windschitl	Wise
Worthan	Mr. Speaker Murphy		

The nays were, none.

Absent or not voting, 2:

Berry Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

Ways and Means Calendar

House File 793, a bill for an act relating to administration of regional transportation by regional transit districts and of highways and regulation of motor vehicles by the state department of transportation, including provisions relating to the placement of advertising devices along primary highways, qualifications of property appraisers, state standards for land surveying, destruction of suspended or revoked driver's licenses, requirements for a temporary restricted driver's license, registration and titling of vehicles, special registration plates related to military service and allocation of fees, antique motor vehicle registration plates and fees, licensing of motor vehicle dealers, motor carrier registration and fuel tax liability, motor vehicle enforcement near construction areas, the maximum length limitation for single trucks, requirements for operation of certain self-propelled implements of husbandry on secondary roads, and disposition of regional transit district tax revenues collected by a county treasurer, and providing effective dates, was taken up for consideration.

Huser of Polk offered the following amendment H-1356 filed by her and moved its adoption:

H-1356

- 1 Amend House File 793 as follows:
- 2 1. By striking page 2, line 9, through page 3,
- 3 line 6.
- 4 2. By striking page 4, line 25, through page 5,
- 5 line 28.
- 6 3. By striking page 6, line 13, through page 10,
- 7 line 28.
- 8 4. By striking page 13, line 18, through page 14,
- 9 line 7.
- 10 5. Title page, lines 9 and 10, by striking the
- 11 words "special registration plates related to military
- 12 service and allocation of fees" and inserting the
- 13 following: "legion of merit special registration
- 14 plates".
- 15 6. By renumbering as necessary.

Amendment H-1356 was adopted.

Huser of Polk asked and received unanimous consent that amendments H-1355 and H-1380 be deferred.

Alons of Sioux asked and received unanimous consent to withdraw amendment H-1354 filed by him on March 14, 2007, placing out of order amendment H-1360 filed by Alons of Sioux on March 15, 2007.

Alons of Sioux offered the following amendment H-1361 filed by him and moved its adoption:

H-1361

- 1 Amend House File 793 as follows:
- 2 1. Page 17, by inserting after line 14 the
- 3 following:
- 4 "Sec. ____ Section 321E:12, Code 2007, is amended
- 5 to read as follows:
- 6 **321E.12 REGISTRATION MUST BE CONSISTENT.**
- 7 A vehicle traveling under permit shall be properly
- 8 registered for the gross weight of the vehicle and
- 9 load. A trip permit issued according to section
- 10 326.23 shall not be used in lieu of the registration
- 11 provided for in this section. A person owning special
- 12 mobile equipment may use a transport vehicle
- 13 registered for the gross weight of the transport
- 14 without a load. Vehicles, while being used for the
- 15 transportation of buildings, except mobile homes and
- 16 factory-built structures, or for the transportation of
- 17 power grid equipment, including transformers used for

- 18 the bulk transfer of electrical power, may be
 19 registered for the combined gross weight of the
 20 vehicle and load on a single-trip basis. The fee is
 21 five cents per ton exceeding the weight registered
 22 under section 321.122 per mile of travel. Fees shall
 23 not be prorated for fractions of miles. This
 24 provision does not exempt these vehicles from any
 25 other provision of this chapter."
 26 2. Title page, line 12, by inserting after the
 27 word "liability," the following: "permits for the
 28 transportation of power grid equipment,".
 29 3. By renumbering as necessary.

Amendment H-1361 lost.

Huser of Polk asked and received unanimous consent to withdraw amendment H-1380, previously deferred, filed by her on March 19, 2007.

Huser of Polk offered amendment H-1355, previously deferred, filed by her as follows:

H-1355

- 1 Amend House File 793 as follows:
 2 1. Page 14, by striking lines 29 through 35.
 3 2. Title page, by striking line 13 and inserting
 4 the following: "the maximum".
 5 3. By renumbering as necessary.

Huser of Polk asked and received unanimous consent to withdraw amendment H-1359, to amendment H-1355, filed by her on March 15, 2007.

On motion by Huser of Polk, amendment H-1355 was adopted.

Huser of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 793)

The ayes were, 94:

Abdul-Samad
Baudler

Anderson
Bell

Arnold
Berry

Bailey
Boal

Bukta	Clute	Cohoon	Dandekar
Davitt	De Boef	Deyoe	Dolecheck
Drake	Foege	Ford	Forrinstall
Frevert	Gaskill	Gayman	Gipp
Granzow	Grassley	Greiner	Heaton
Heddens	Hoffman	Horbach	Hunter
Huser	Jacobs	Jacoby	Jochum
Kaufmann	Kelley	Kressig	Kuhn
Lensing	Lukan	Lykam	Mascher
May	McCarthy	Mertz	Miller, H.
Miller, L.	Oldson	Olson, D.	Olson, R.
Olson, S.	Olson, T.	Palmer	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rants	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Smith	Soderberg
Staed	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wiencek	Winckler	Windschitl
Wise	Mr. Speaker		
	Murphy		

The nays were, 5:

Alons	Chambers	Huseman	Van Engelenhoven
Worthan			

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 749 and 793.**

INTRODUCTION OF BILLS

House File 861, by committee on labor, a bill for an act concerning disclosures of information by health care workers and providing penalties.

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

House File 862, by Whitaker, a bill for an act providing an income tax credit for authorizing public access for recreational purposes to the owner's land and including an applicability date provision.

Read first time and referred to committee on **ways and means**.

House File 863, by committee on state government, a bill for an act regulating certain political telephone communications, applying a penalty, and providing an effective date.

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

House File 864, by committee on state government, a bill for an act providing for candidate physical ability tests for fire fighter applicants under the statewide fire and police retirement system and providing an effective date.

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

House File 865, by committee on judiciary, a bill for an act relating to trusts and estates including fiduciaries and beneficiaries and including applicability provisions.

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

House File 866, by committee on environmental protection, a bill for an act relating to reporting requirements for the watershed quality planning task force.

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

House File 867, by committee on economic growth, a bill for an act creating an Iowa community entrepreneurial program and fund and making appropriations.

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

SENATE MESSAGES CONSIDERED

Senate File 503, by committee on human resources, a bill for an act relating to regulation of children's services by the department of human services by increasing the age for certain children receiving child care regulated by the department and revising child welfare and juvenile justice service provisions.

Read first time and **passed on file**.

Senate File 529, by committee on judiciary, a bill for an act expanding the criminal offense of possessing contraband in correctional institutions to include possessing contraband in a secure facility for the detention or custody of juveniles, a detention facility, or a jail, and providing a penalty.

Read first time and referred to committee on **public safety**.

Senate File 537, by committee on transportation, a bill for an act requiring the department of administrative services to convert state-owned vehicles under the department's control to alternative fuel vehicles.

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

Senate File 541, by committee on commerce, a bill for an act relating to consumer protection in specified home loans.

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

Senate File 548, by committee on human resources, a bill for an act creating a hemophilia advisory committee and providing a contingent effective date.

Read first time and **passed on file**.

Senate File 557, by committee on ways and means, a bill for an act relating to the regulation of credit unions by revising and reorganizing the Iowa credit union Act, making conforming changes, and providing for taxes, fees, and penalties.

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

On motion by McCarthy of Polk, the House was recessed at 10:14 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened at 1:27 p.m., Speaker Murphy in the chair.

CONSIDERATION OF BILLS

Regular Calendar

House File 566, a bill for an act relating to the definition of a free clinic for the purposes of the volunteer health care provider program, with report of committee recommending passage, was taken up for consideration.

Smith of Marshall moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 566)

The ayes were, 99:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Gipp	Granzow	Grassley
Greiner	Heaton	Heddens	Hoffman
Horbach	Hunter	Huseman	Huser
Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	Mascher	May
McCarthy	Mertz	Miller, H.	Miller, L.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Palmer	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Smith	Soderberg	Staed
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wiencek	Winckler	Windschitl
Wise	Worthan	Mr. Speaker	
		Murphy	

The nays were, none.

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 353, a bill for an act relating to public safety communications by establishing an Iowa statewide interoperable communications system board, was taken up for consideration.

Kressig of Black Hawk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 353)

The ayes were, 99:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Gipp	Granzow	Grassley
Greiner	Heaton	Heddens	Hoffman
Horbach	Hunter	Huseman	Huser
Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	Mascher	May
McCarthy	Mertz	Miller, H.	Miller, L.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Palmer	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Smith	Soderberg	Staed
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wienczek	Winckler	Windschitl
Wise	Worthan	Mr. Speaker	
		Murphy	

The nays were, none.

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Appropriations Calendar

House File 752, a bill for an act relating to and making transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund, was taken up for consideration.

Cohoon of Des Moines moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 752)

The ayes were, 99:

Abdul-Samad	Alsons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Gipp	Granzow	Grassley
Greiner	Heaton	Heddens	Hoffman
Horbach	Hunter	Huseman	Huser
Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	Mascher	May
McCarthy	Mertz	Miller, H.	Miller, L.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Palmer	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Smith	Soderberg	Staed
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomonga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker

Whitead	Wienczek	Winckler	Windschitl
Wise	Worthan	Mr. Speaker	
		Murphy	

The nays were, none.

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 353, 566 and 752.**

Regular Calendar

House File 780, a bill for an act relating to the issuance of temporary orders modifying an order of child support, was taken up for consideration.

Huser of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 780)

The ayes were, 99:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Gipp	Granzow	Grassley
Greiner	Heaton	Heddens	Hoffman
Horbach	Hunter	Huseman	Huser
Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	Mascher	May
McCarthy	Mertz	Miller, H.	Miller, L.
Oldson	Olson, D.	Olson, R.	Olson, S.

Olson, T.	Palmer	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Smith	Soderberg	Staed
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wienczek	Winckler	Windschitl
Wise	Worthan	Mr. Speaker	
		Murphy	

The nays were, none.

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 615, a bill for an act relating to the membership of the board of educational examiners, was taken up for consideration.

L. Miller of Scott offered the following amendment H-1102 filed by her and moved its adoption:

H-1102

- 1 Amend House File 615 as follows:
- 2 1. Page 1, by striking lines 8 and 9 and
- 3 inserting the following: "served on a school board.
- 4 The public members shall never have held a
- 5 practitioner's license, but shall have a
- 6 demonstrated".

Amendment H-1102 was adopted.

Wendt of Woodbury moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 615)

The ayes were, 99:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Gipp	Granzow	Grassley
Greiner	Heaton	Heddens	Hoffman
Horbach	Hunter	Huseman	Huser
Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	Mascher	May
McCarthy	Mertz	Miller, H.	Miller, L.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Palmer	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Smith	Soderberg	Staed
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wienczek	Winckler	Windschitl
Wise	Worthan	Mr. Speaker	
		Murphy	

The nays were, none.

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 615 and 780.**

House File 653, a bill for an act allowing a voter to register to vote and to vote after regular registration and prior to voting in an election, was taken up for consideration.

Jacobs of Polk offered the following amendment H-1154 filed by her and moved its adoption:

H-1154

- 1 Amend House File 653 as follows:
- 2 1. Page 1, by inserting before line 1 the
- 3 following:
- 4 "Section 1. Section 39A.2, subsection 1, paragraph
- 5 a, Code 2007, is amended to read as follows:
- 6 a. REGISTRATION FRAUD.
- 7 (1) Produces, procures, submits, or accepts a
- 8 voter registration application that is known by the
- 9 person to be materially false, fictitious, forged, or
- 10 fraudulent.
- 11 (2) Falsely swears to an oath required pursuant to
- 12 section 48A.7A."
- 13 2. Title page, line 2, by inserting after the
- 14 word "election" the following: "and making a penalty
- 15 applicable".
- 16 3. By renumbering as necessary.

Amendment H-1154 was adopted.

Jacobs of Polk asked and received unanimous consent to withdraw amendment H-1146 filed by her on March 13, 2007, placing out of order amendment H-1176 filed by Jacobs of Polk on March 13, 2007.

Jacobs of Polk asked and received unanimous consent to withdraw amendment H-1164 filed by her on March 13, 2007.

Wessel-Kroeschell of Story offered amendment H-1171 filed by her as follows:

H-1171

- 1 Amend House File 653 as follows:
- 2 1. Page 1, line 9, by inserting after the word
- 3 "b." the following: "(1)".
- 4 2. Page 1, by striking lines 13 through 20 and
- 5 inserting the following: "presenting any of the
- 6 following current and valid forms of identification if
- 7 such identification contains the person's photograph
- 8 and a validity expiration date:
- 9 (a) An out-of-state driver's license or
- 10 nonoperator's identification card.
- 11 (b) A United States passport.
- 12 (c) A United States military identification card.

- 13 (d) An identification card issued by an employer.
- 14 (e) A student identification card issued by an
- 15 Iowa high school or an Iowa postsecondary educational
- 16 institution.
- 17 (2) If the photographic identification presented
- 18 does not contain the person's current address in the
- 19 precinct, the person shall also present one of the
- 20 following documents that shows the person's name and
- 21 address in the precinct:
- 22 (a) Residential lease.
- 23 (b) Property tax statement.
- 24 (c) Utility bill.
- 25 (d) Bank statement.
- 26 (e) Paycheck.
- 27 (f) Government check.
- 28 (g) Other government document."

29 3. Page 2, by striking lines 16 and 17 and
 30 inserting the following:

31 "4. a. The form of the written oath required of
 32 the person registering under this section shall read
 33 as follows:

34 I, (name of registrant), do solemnly swear or affirm all of
 35 the following:

36 I am a resident of the precinct, ward
 37 or township, city of, county of, Iowa.

38 I am the person named above.

39 I live at the address listed below.

40 I do not claim the right to vote anywhere else.

41 I have not voted and will not vote in any other
 42 precinct in this election.

43 I understand that any false statement in this oath
 44 is a class "D" felony punishable by no more than five
 45 years in confinement and a fine of at least seven
 46 hundred fifty dollars but not more than seven thousand
 47 five hundred dollars.

48
 49 Signature of Registrant
 50

Page 2

1 Address
 2
 3 Telephone (optional to provide)
 4 Subscribed and sworn before me on (date).
 5

6 Signature of Precinct Election Official
 7 b. The form of the written oath required of a
 8 person attesting to the identity and residency of the
 9 registrant shall read as follows:
 10 I, (name of registered voter), do solemnly swear or
 11 affirm all of the following:

12 I am a preregistered voter in this precinct or I
 13 registered to vote in this precinct today, and a
 14 registered voter did not sign an oath on my behalf.
 15 I am a resident of the precinct, ward
 16 or township, city of, county of, Iowa.
 17 I reside at in
 18 (street address) (city or township)
 19 I personally know, and I personally know
 20 (name or registrant)
 21 that is a resident of the precinct,
 22 (name of registrant)
 23 Ward or township, city of, county of
 24, Iowa.
 25 I understand that any false statement in this oath
 26 is a class "D" felony punishable by no more than five
 27 years in confinement and a fine of at least seven
 28 hundred fifty dollars but not more than seven thousand
 29 five hundred dollars.
 30
 31 Signature of Registered Voter
 32 Subscribed and sworn before me on (date).
 33
 34 Signature of Precinct Election Official".
 35 4. By renumbering, redesignating, and correcting
 36 internal references as necessary.

H. Miller of Webster in the chair at 2:08 p.m.

Jacobs of Polk offered the following amendment H-1319, to amendment H-1171, filed by her and moved its adoption:

H-1319

1 Amend the amendment, H-1171, to House File 653 as
 2 follows:
 3 1. Page 1, line 20, by inserting after the word
 4 "documents" the following: "dated within the previous
 5 thirty days".

Roll call was requested by Van Fossen of Scott and Jacobs of Polk.

On the question "Shall amendment H-1319 be adopted?" (H.F. 653)

The ayes were, 46:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall

Gipp	Granzow	Grassley	Greiner
Heaton	Hoffman	Horbach	Huseman
Jacobs	Kaufmann	Lukan	May
Miller, L.	Olson, S.	Paulsen	Raecker
Rants	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wienczek
Windschitl	Worthan		

The nays were, 52:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Murphy, Spkr.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Pettengill	Reasoner	Reichert
Schueller	Shomshor	Smith	Staed
Swaim	Taylor, D.	Taylor, T.	Thomas
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	Miller, H., Presiding

Absent or not voting, 2:

Quirk Zirkelbach

Amendment H-1319 lost.

Lukan of Dubuque offered amendment H-1399, to amendment H-1171, filed by him from the floor as follows:

H-1399

- 1 Amend the amendment, H-1171, to House File 653 as
- 2 follows:
- 3 1. Page 2, by inserting after line 34 the
- 4 following:
- 5 " ____ Page 2, by inserting before line 18 the
- 6 following:
- 7 " ____ The commissioner may request from all public
- 8 and private postsecondary institutions located in the
- 9 county a list of all students currently enrolled at
- 10 each institution and their current addresses. The
- 11 request shall be made no earlier than thirty days and
- 12 no later than ten days before the election. An
- 13 institution may decline to provide the list of

14 enrolled students and addresses. If an institution
 15 provides the list, the commissioner shall make the
 16 list available to the precinct election officials on
 17 election day, and the student may refer to such list
 18 to show proof of residency under subsection 1,
 19 paragraph "b"."

20 2. By renumbering, redesignating, and correcting
 21 internal references as necessary.

Wessel-Kroeschell of Story rose on a point of order that amendment H-1399 was not germane, to amendment H-1171.

The Speaker ruled the point well taken and amendment H-1399 not germane, to amendment H-1171.

On motion by Wessel-Kroeschell of Story, amendment H-1171 was adopted, placing out of order amendment H-1153 filed by Jacobs of Polk on March 13, 2007.

Jacobs of Polk offered amendment H-1128 filed by her as follows:

H-1128

1 Amend House File 653 as follows:

2 1. Page 2, by inserting after line 17 the
 3 following:

4 "Sec. ____ Section 48A.8, Code 2007, is amended by
 5 striking the section and inserting in lieu thereof the
 6 following:

7 48A.8 REGISTRATION BY MAIL.

8 An eligible elector may register to vote by
 9 completing a mail registration form. The completed
 10 form may be mailed or delivered by the registrant or
 11 the registrant's designee to the commissioner in the
 12 county where the person resides. A separate
 13 registration form shall be signed by each individual
 14 registrant."

15 2. Page 2, by inserting after line 27 the
 16 following:

17 "Sec. ____ Section 48A.26, subsection 2, Code
 18 2007, is amended to read as follows:

19 2. If the registration form appears on its face to
 20 be complete and proper, the acknowledgment shall state
 21 that the registrant is now a registered voter of the
 22 county. The acknowledgment shall also specify the
 23 name of the precinct and the usual polling place for
 24 the precinct in which the person is now registered.
 25 The acknowledgment shall include a statement informing
 26 the registered voter that the voter is required to

27 show valid and current identification before the
28 person will be allowed to vote, and that the
29 identification must contain a photograph of the voter,
30 the printed name of the voter, and a validity
31 expiration date. The acknowledgment may include the
32 political party affiliation most recently recorded by
33 the registrant."

34 3. Page 3, by inserting after line 8 the
35 following:

36 "Sec. ____ Section 48A.27, subsection 4, paragraph
37 c, unnumbered paragraph 2, Code 2007, is amended to
38 read as follows:

39 The notice shall be sent by forwardable mail, and
40 shall include a postage paid preaddressed return card
41 on which the registered voter may state the registered
42 voter's current address. The notice shall contain a
43 statement in substantially the following form:
44 "Information received from the United States postal
45 service indicates that you are no longer a resident
46 of, and therefore not eligible to vote in (name of
47 county) County, Iowa. If this information is not
48 correct, and you still live in (name of county)
49 County, please complete and mail the attached postage
50 paid card at least ten days before the primary or

Page 2

1 general election and at least eleven days before any
2 other election at which you wish to vote. If the
3 information is correct and you have moved, please
4 contact a local official in your new area for
5 assistance in registering there. If you do not mail
6 in the card, you may be required to show
7 identification to prove residency before being allowed
8 to vote in (name of county) County. If you do not
9 return the card, and you do not vote in an election in
10 (name of county) County, Iowa, on or before (date of
11 second general election following the date of the
12 notice) your name will be removed from the list of
13 voters in that county. To ensure you receive this
14 notice, it is being sent to both your most recent
15 registration address and to your new address as
16 reported by the postal service."

17 Sec. ____ Section 48A.29, subsection 1, unnumbered
18 paragraph 2, Code 2007, is amended to read as follows:

19 The notice shall be sent by forwardable mail, and
20 shall include a postage paid preaddressed return card
21 on which the registered voter may state the registered
22 voter's current address. The notice shall contain a
23 statement in substantially the following form:
24 "Information received from the United States postal
25 service indicates that you are no longer a resident of

26 (residence address) in (name of county) County, Iowa.
 27 If this information is not correct, and you still live
 28 in (name of county) County, please complete and mail
 29 the attached postage paid card at least ten days
 30 before the primary or general election and at least
 31 eleven days before any other election at which you
 32 wish to vote. If the information is correct, and you
 33 have moved, please contact a local official in your
 34 new area for assistance in registering there. If you
 35 do not mail in the card, you may be required to show
 36 identification to prove residency before being allowed
 37 to vote in (name of county) County. If you do not
 38 return the card, and you do not vote in some election
 39 in (name of county) County, Iowa, on or before (date
 40 of second general election following the date of the
 41 notice) your name will be removed from the list of
 42 voters in that county."
 43 Sec.____. Section 48A.29, subsection 3, unnumbered
 44 paragraph 2, Code 2007, is amended to read as follows:
 45 The notice shall be sent by forwardable mail, and
 46 shall include a postage paid preaddressed return card
 47 on which the registered voter may state the registered
 48 voter's current address. The notice shall contain a
 49 statement in substantially the following form:
 50 "Information received by this office indicates that

Page 3

1 you are no longer a resident of (residence address) in
 2 (name of county) County, Iowa. If the information is
 3 not correct, and you still live at that address,*
 4 please complete and mail the attached postage paid
 5 card at least ten days before the primary or general
 6 election and at least eleven days before any other
 7 election at which you wish to vote. If the
 8 information is correct, and you have moved within the
 9 county, you may update your registration by listing
 10 your new address on the card and mailing it back. If
 11 you have moved outside the county, please contact a
 12 local official in your new area for assistance in
 13 registering there. If you do not mail in the card,
 14 you may be required to show identification to prove
 15 residency before being allowed to vote in (name of
 16 county) County. If you do not return the card, and
 17 you do not vote in some election in (name of county)
 18 County, Iowa, on or before (date of second general
 19 election following the date of the notice) your name
 20 will be removed from the list of registered voters in
 21 that county.""
 22 4. Page 4, by inserting before line 1 the
 23 following:
 24 "Sec.____. Section 49.77, subsection 3, Code 2007,

25 is amended to read as follows:

26 ~~3. A precinct election official shall require any~~
27 ~~person whose name does not appear on the election~~
28 ~~register as an active voter to show identification.~~
29 ~~Specific documents which are acceptable forms of~~
30 ~~identification shall be prescribed by the state~~
31 ~~commissioner.~~

32 3. A precinct election official may shall require
33 of that the voter unknown to the official,
34 identification upon which the voter's signature or
35 mark appears produce for inspection valid and current
36 identification. The identification must contain a
37 photograph of the voter, the printed name of the
38 voter, and a validity expiration date. If
39 identification required under this subsection is
40 established to the satisfaction of the precinct
41 election officials, the person may then be allowed to
42 vote."

43 5. Page 4, line 3, by inserting before the words
44 "A person" the following: "A precinct election
45 official shall require any person whose name does not
46 appear on the election register as an active voter to
47 show identification to prove residency in the
48 precinct. Specific documents which are acceptable
49 forms of identification under this subsection shall be
50 prescribed by the state commissioner."

Page 4

1 6. Page 4, line 7, by striking the words "proof
2 of identity" and inserting the following: "proof of
3 identity identification to prove residency".

4 7. Page 4, by inserting after line 26 the
5 following:

6 "Sec. . Section 49.81, subsection 1, Code 2007,
7 is amended to read as follows:

8 1. A prospective voter who is prohibited under
9 section ~~48A.8, subsection 4, section 49.77, subsection~~
10 ~~4, or section 49.80~~ from voting except under this
11 section shall be notified by the appropriate precinct
12 election official that the voter may cast a
13 provisional ballot. If a booth meeting the
14 requirement of section 49.25 is not available at that
15 polling place, the precinct election officials shall
16 make alternative arrangements to insure the challenged
17 voter the opportunity to vote in secret. The marked
18 ballot, folded as required by section 49.84, shall be
19 delivered to a precinct election official who shall
20 immediately seal it in an envelope of the type
21 prescribed by subsection 4. The sealed envelope shall
22 be deposited in an envelope marked "provisional
23 ballots" and shall be considered as having been cast

- 24 in the special precinct established by section 53.20
 25 for purposes of the postelection canvass."
 26 8. Title page, line 2, by inserting after the
 27 word "election" the following: "and requiring voters
 28 to provide certain identification when voting in
 29 person at the polling place".
 30 9. By renumbering as necessary.

Wessel-Kroeschell of Story rose on a point of order that amendment H-1128 was not germane.

The Speaker ruled the point well taken and amendment H-1128 not germane.

Jacobs of Polk asked for unanimous consent to suspend the rules to consider amendment H-1128.

Objection was raised.

Jacobs of Polk moved to suspend the rules to consider amendment H-1128.

Roll call was requested by Jacobs of Polk and Watts of Dallas.

On the question "Shall the rules be suspended to consider amendment H-1128?" (H.F. 653)

The ayes were, 45:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Granzow	Grassley	Greiner
Heaton	Hoffman	Horbach	Huseman
Jacobs	Kaufmann	Lukan	May
Miller, L.	Olson, S.	Paulsen	Raecker
Rants	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wiencek	Windschitl
Worthan			

The nays were, 54:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill

Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Murphy, Spkr.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Pettengill	Quirk	Reasoner
Reichert	Schueller	Shomshor	Smith
Staed	Swaim	Taylor, D.	Taylor, T.
Thomas	Tomenga	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Winckler
Wise	Miller, H.		
	Presiding		

Absent or not voting, 1:

Zirkelbach

The motion to suspend the rules lost.

Anderson of Page offered the following amendment H-1342 filed by him and moved its adoption:

H-1342

- 1 Amend House File 653 as follows:
- 2 1. Page 2, by inserting after line 27 the
- 3 following:
- 4 "Sec. ____ Section 48A.9, subsection 2, Code 2007,
- 5 is amended to read as follows:
- 6 2. The commissioner's office shall be open from
- 7 eight a.m. until at least five p.m. on the day
- 8 registration closes before each regularly scheduled
- 9 election unless the day registration closes is a
- 10 Saturday. However, if the last day to register to
- 11 vote for a regularly scheduled election falls on the
- 12 day after Thanksgiving, the deadline shall be the
- 13 following Monday."
- 14 2. By renumbering as necessary.

Amendment H-1342 lost.

Baudler of Adair offered the following amendment H-1314 filed by him and moved its adoption:

H-1314

- 1 Amend House File 653 as follows:
- 2 1. Page 3, line 8, by inserting after the word
- 3 "attorney" the following: ", and the county attorney
- 4 shall issue a warrant for the arrest of the voter".

Roll call was requested by Paulsen of Linn and Rants of Woodbury.

On the question "Shall amendment H-1314 be adopted?" (H.F. 653)

The ayes were, 46:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Granzow	Grassley	Greiner
Heaton	Hoffman	Horbach	Huseman
Jacobs	Kaufmann	Lukan	May
Miller, L.	Olson, S.	Paulsen	Raecker
Rants	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wiencek
Windschitl	Worthan		

The nays were, 53:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Murphy, Spkr.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Pettengill	Quirk	Reasoner
Reichert	Schueller	Shomshor	Smith
Staed	Swaim	Taylor, D.	Taylor, T.
Thomas	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise
Miller, H.			
Presiding			

Absent or not voting, 1:

Zirkelbach

Amendment H-1314 lost.

Kaufmann of Cedar offered the following amendment H-1381 filed by him and moved its adoption:

H-1381

- 1 Amend House File 653 as follows:
 2 1. Page 3, by inserting after line 8 the
 3 following:
 4 "____. A county attorney who is notified by
 5 complaint of an alleged violation of section 48A.7A
 6 shall promptly investigate the allegation, unless the
 7 complaint is withdrawn. If probable cause exists for
 8 instituting a prosecution, the county attorney shall
 9 proceed by information or indictment. A county
 10 attorney who refuses or intentionally fails to
 11 investigate such an allegation, or to proceed by
 12 filing an information or pursuing an indictment after
 13 a determination has been made that probable cause
 14 exists, is guilty of a serious misdemeanor and, upon
 15 conviction, shall forfeit office."
 16 2. Title page, line 2, by inserting after the
 17 word "election" the following: "and providing a
 18 penalty".
 19 3. By renumbering, redesignating, and correcting
 20 internal references as necessary.

Amendment H-1381 lost.

Granzow of Hardin offered the following amendment H-1372 filed by her and moved its adoption:

H-1372

- 1 Amend House File 653 as follows:
 2 1. Page 4, by striking lines 18 through 22 and
 3 inserting the following: "48A.7A and cast a
 4 provisional ballot in the manner prescribed by section
 5 49.81."

Roll call was requested by Granzow of Hardin and Paulsen of Linn.

On the question "Shall amendment H-1372 be adopted?" (H.F. 653)

The ayes were, 47:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Granzow	Grassley	Greiner
Heaton	Hoffman	Horbach	Huseman
Huser	Jacobs	Kaufmann	Lukan

May	Miller, L.	Olson, S.	Paulsen
Raecker	Rants	Rasmussen	Rayhons
Roberts	Sands	Schickel	Soderberg
Struyk	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wiencek	Windschitl	Worthan	

The nays were, 52:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Mertz	Murphy, Spkr.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Pettengill	Quirk	Reasoner	Reichert
Schueller	Shomshor	Smith	Staed
Swaim	Taylor, D.	Taylor, T.	Thomas
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	Miller, H., Presiding

Absent or not voting, 1:

Zirkelbach

Amendment H-1372 lost.

Wessel-Kroeschell of Story offered amendment H-1119 filed by her as follows:

H-1119

- 1 Amend House File 653 as follows:
- 2 1. Page 4, by inserting after line 26 the
- 3 following:
- 4 "Sec. ____ APPLICABILITY DATE. This Act applies
- 5 to elections held on or after January 1, 2008."
- 6 2. Title page, line 2, by inserting after the
- 7 word "election" the following: "and providing an
- 8 applicability date".
- 9 3. By renumbering as necessary.

Anderson of Page offered the following amendment H-1320, to amendment H-1119, filed by him and moved its adoption:

H-1320

- 1 Amend the amendment, H-1119, to House File 653, as
- 2 follows:
- 3 1. Page 1, by inserting before line 2 the
- 4 following:
- 5 "___ Page 2, by inserting after line 27 the
- 6 following:
- 7 "Sec. ___ Section 48A.9, subsection 2, Code 2007,
- 8 is amended to read as follows:
- 9 2. The commissioner's office shall be open from
- 10 eight a.m. until at least five p.m. on the day
- 11 registration closes before each regularly scheduled
- 12 election unless the day registration closes is a
- 13 Saturday. However, if the last day to register to
- 14 vote for a regularly scheduled election falls on the
- 15 day after Thanksgiving, the deadline shall be the
- 16 following Monday.""
- 17 2. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 45, nays 50.

Amendment H-1320 lost.

On motion by Wessel-Kroeschell, amendment H-1119 was adopted.

Wessel-Kroeschell of Story moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 653)

The ayes were, 54:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Murphy, Spkr.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Pettengill	Quirk	Reasoner
Reichert	Schueller	Shomshor	Smith
Staed	Swaim	Taylor, D.	Taylor, T.

Thomas	Tomenga	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Winckler
Wise	Miller, H., Presiding		

The nays were, 45:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Granzow	Grassley	Greiner
Heaton	Hoffman	Horbach	Huseman
Jacobs	Kaufmann	Lukan	May
Miller, L.	Olson, S.	Paulsen	Raecker
Rants	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wiencek	Windschitl
Worthan			

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 20, 2007, adopted the following resolution in which the concurrence of the Senate was asked:

House Joint Resolution 3, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the qualification of electors.

Also: That the Senate has on March 20, 2007, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 70, a bill for an act relating to crime victim compensation.

Also: That the Senate has on March 20, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 534, a bill for an act relating to civil protective orders and criminal no-contact orders.

Also: That the Senate has on March 20, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 539, a bill for an act establishing uniform finance procedures for obligations issued by the state.

Also: That the Senate has on March 20, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 558, a bill for an act providing for an increase in the wildlife habitat fee, making an appropriation, and creating a game bird habitat development program.

MICHAEL E. MARSHALL, Secretary

Appropriations Calendar

House File 787, a bill for an act appropriating federal funds made available from federal block grants and other federal grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated, was taken up for consideration.

Watts of Dallas offered the following amendment H-1379 filed by him and moved its adoption:

H-1379

- 1 Amend House File 787 as follows:
- 2 1. Page 10, line 2 by inserting after the word
- 3 "expenses." the following: "Of the 15 percent amount
- 4 allocated in this subsection, up to \$1,000,000 may be
- 5 used for implementation of the energy utility
- 6 assessment and resolution program in accordance with
- 7 section 216A.104, if enacted by the Eighty-second
- 8 General Assembly, 2007 Session."

Amendment H-1379 lost.

Gayman of Scott moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 787)

The ayes were, 99:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Gipp	Granzow	Grassley
Greiner	Heaton	Heddens	Hoffman
Horbach	Hunter	Huseman	Huser
Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	Mascher	May
McCarthy	Mertz	Miller, L.	Murphy, Spkr.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Palmer	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Smith	Soderberg	Staed
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wiencek	Winckler	Windschitl
Wise	Worthan	Miller, H., Presiding	

The nays were, none.

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 653 and 787.**

HOUSE FILES 222, 335 and 604 WITHDRAWN

Huser of Polk asked and received unanimous consent to withdraw House Files 222, 335 and 604 from further consideration by the House.

REVISIONS TO HOUSE COMMITTEE MEMBERSHIP

The Speaker announced revisions to the following committees:

Commerce Committee Chair, Petersen of Polk
Commerce Committee Vice Chair, Jacoby of Polk
Economic Development Petersen of Polk
Human Resources Petersen of Polk
State Government Vice Chair, Wessel-Kroeschell of Story
State Government Reasoner of Union

HOUSE FILE 795 REFERRED

The Speaker announced that House File 795, previously placed on the **calendar** was referred to committee on **ways and means**.

HOUSE FILE 828 REFERRED

The Speaker announced that House File 828, previously placed on the **calendar** was referred to committee on **ways and means**.

HOUSE FILE 851 REREFERRED

The Speaker announced that House File 851, previously referred to committee on **appropriations** was placed on the **calendar**.

COMMUNICATION RECEIVED

The following communication was received and filed in the office of the Chief Clerk:

LEGISLATIVE SERVICE AGENCY

Low-income Home Energy Assistance Program (LIHEAP) and Weatherization Program Interim Study Committee report, pursuant to Chapter 216A, Code of Iowa.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- 2007\2163 Chris de Regnier, Winterset – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\2164 Roger “Chris” Stoltenberg, Mason City – For celebrating his 80th birthday.
- 2007\2165 Dale Hildebrand, Mason City – For celebrating his 85th birthday.
- 2007\2166 Charles and Audrey Warner, Mason City – For celebrating their 50th wedding anniversary.
- 2007\2167 Patrick L. Moore Sr., Iowa City – For celebrating his 80th birthday.
- 2007\2168 Tom and Marlene Arens, Le Mars – For celebrating their 50th wedding anniversary.
- 2007\2169 Lee and Mary Woudstra, Hospers – For celebrating their 50th wedding anniversary.
- 2007\2170 Ben and Henrietta Koele, Orange City – For celebrating their 60th wedding anniversary.
- 2007\2171 Cecil and Doris Windecker, Hubbard – For celebrating their 50th wedding anniversary.
- 2007\2172 Florence Klein, Alden – For celebrating her 89th birthday.
- 2007\2173 Wally and Sharon Diemer, Hampton – For celebrating their 50th wedding anniversary.
- 2007\2174 Dale and Zola Duffy, Iowa Falls – For celebrating their 60th wedding anniversary.
- 2007\2175 Willard and Darlene Neuman, Iowa Falls – For celebrating their 50th wedding anniversary.
- 2007\2176 Darlene Thompson, Arcadia – For celebrating her 80th birthday.
- 2007\2177 Mary Ann Lawler, Colo – For celebrating her 90th birthday.
- 2007\2178 Nelle Silver, Iowa Falls – For celebrating her 93rd birthday.
- 2007\2179 Edward and Viola Geerdes, Ackley – For celebrating their 60th wedding anniversary.
- 2007\2180 Marie Ruter, Thornton – For celebrating her 90th birthday.
- 2007\2181 John and Ardella Hanson, Klemme – For celebrating their 60th wedding anniversary.
- 2007\2182 Fern Carlson, Clear Lake – For celebrating her 99th birthday.

- 2007\2183 Matt Trees, Clear Lake – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\2184 Andy Thomes, Clear Lake – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\2185 Thomas Rich, Mason City – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\2186 Chris Phalen, Clear Lake – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\2187 Stanley and Charlene Lee, Clear Lake – For celebrating their 50th wedding anniversary.
- 2007\2188 Victor and Catherine Bochmann, Hampton – For celebrating their 60th wedding anniversary.
- 2007\2189 Alice Bridges, Dows – For celebrating her 90th birthday.
- 2007\2190 Ed and Sandy Ficken, Williamsburg – For celebrating their 50th wedding anniversary.
- 2007\2191 George and Kathryn McCallister, Williamsburg – For celebrating their 67th wedding anniversary.
- 2007\2192 Bill and Margaret Walser, Dubuque – For celebrating their 50th wedding anniversary.
- 2007\2193 Alfred and Mary Engling, Dubuque – For celebrating their 50th wedding anniversary.
- 2007\2194 Eugene and Gladys Simbro, Knoxville – For celebrating their 65th wedding anniversary.
- 2007\2195 Edna Edsall, Fontanelle – For celebrating her 80th birthday.
- 2007\2196 Esther Spangler, Adair – For celebrating her 95th birthday.
- 2007\2197 Jay Sheley, Guthrie Center – For celebrating his 80th birthday.
- 2007\2198 Melvin and Helen Clark, Yale – For celebrating their 59th wedding anniversary.
- 2007\2199 Kenny and Phyllis Bachus, Wheatland – For celebrating their 50th wedding anniversary.
- 2007\2200 Gladys Shulz, Danville – For celebrating her 95th birthday.
- 2007\2201 Jim Allen, Columbus Junction – For celebrating his 90th birthday.
- 2007\2202 Harriett Stevenson, Burlington – For celebrating her 90th birthday.

- 2007\2203 Glen and Pat Brown, Mount Union – For celebrating their 50th wedding anniversary.
- 2007\2204 Marvin and Doris Bates, Columbus Junction – For celebrating their 53rd wedding anniversary.
- 2007\2205 Garner-Hayfield High School Boys Basketball Team, Garner – For advancing to the 2007 Boys State Basketball Tournament and for receiving the 2007 Class 2-A Boys State Basketball Tournament Sportsmanship Award.
- 2007\2206 Northwood-Kensett High School Boys Basketball Team, Northwood – For winning the 2007 Class 1-A Boys State Basketball Championship.
- 2007\2207 Dan Bestal, Northwood – For being named to the Des Moines Register's Class 1-A All-State Boys Basketball Team.
- 2007\2208 Ethan Freeman, Urbandale – For being names to the Class 4-A All-Tournament Boys Basketball Team and to the Des Moines Register's All-CIML Boys Basketball First Team and the Class 4-A All-State First Team.
- 2007\2209 Bechter-Boies VFW Post 2440, Independence – For celebrating its 75th anniversary.
- 2007\2210 Leland and Betty Jesse, La Porte City – For celebrating their 50th wedding anniversary.
- 2007\2211 Earl Youngblut, La Porte City – For celebrating his 85th birthday.
- 2007\2212 Fred Pieper, Tama – For celebrating his 85th birthday.
- 2007\2213 Leonard and Dorothy Behounek, Tama/Chelsea – For celebrating their 72nd wedding anniversary.
- 2007\2214 Jessica Gage, Keokuk – For winning 1st place at the state level for her short story at the Iowa Reading Council writing competition.
- 2007\2215 Western Christian High School Boys Basketball Team, Coach Jim Eekhoff, Hull – For winning 1st place in the Class 2-A division of the 2007 Boys State Basketball Tournament.
- 2007\2216 Lyle and Loren Edsall, Fontanelle – For celebrating their 60th wedding anniversary.
- 2007\2217 Jordan Michael Becker, Avoca – For attaining Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\2218 Seth Jacobs, Atlantic – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.

- 2007\2219 Oran Nathanael Perkins, Atlantic – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\2220 Cody Hanson, Northwood – For being named Co-Captain of the Class 1-A All-Tournament Boys Basketball Team.
- 2007\2221 David and Jeanie Burt, Conrad – For celebrating their 50th wedding anniversary.

SUBCOMMITTEE ASSIGNMENTS

House Joint Resolution 8

Judiciary: R. Olson, Chair; Baudler and Lensing.

House File 558

Ways and Means: Thomas, Chair; Van Fossen and Wise.

House File 614

Ways and Means: Reasoner, Chair; Sands and Shomshor.

House File 638

Ways and Means: Reasoner, Chair; Sands and Shomshor.

House File 662

Ways and Means: Sands, Chair; Frevert and Wiencek.

House File 689

Ways and Means: Pettengill, Chair; Frevert and Windschitl.

House File 697

Ways and Means: Grassley, Chair; Reasoner and Shomshor.

House File 698

Ways and Means: Shomshor, Chair; Reasoner and Sands.

House File 703

Ways and Means: Wise, Chair; Deyoe, T. Olson, Quirk, Reasoner, Struyk and Van Fossen.

House File 705

Ways and Means: Quirk, Chair; Kaufmann and Pettengill.

House File 712

Ways and Means: Huser, Chair; Shomshor and Wiencek.

House File 720

Ways and Means: Huser, Chair; Kaufmann and T. Olson.

House File 723

Ways and Means: Frevert, Chair; Jacobs and Schueller.

House File 730

Ways and Means: Pettengill, Chair; Kaufmann and Wendt.

House File 732

Ways and Means: Van Fossen, Chair; Quirk and Windschitl.

House File 734

Ways and Means: Wise, Chair; Deyoe, T. Olson, Quirk, Reasoner, Struyk and Van Fossen.

House File 746

Ways and Means: Davitt, Chair; Jacobs and Wise.

House File 748

Ways and Means: T. Olson, Chair; Wendt and Windschitl.

House File 768

Ways and Means: Schueller, Chair; Soderberg and Thomas.

House File 771

Ways and Means: Reasoner, Chair; Sands and Shomshor.

House File 782

Ways and Means: Wendt, Chair; Forristall and Frevert.

House File 794

Ways and Means: Thomas, Chair; Schueller and Van Fossen.

House File 809

Ways and Means: Thomas, Chair; Schueller and Soderberg.

House File 812

Ways and Means: Thomas, Chair; Jacobs and Schueller.

House File 813

Ways and Means: Thomas, Chair; Grassley and Schueller.

House File 814

Ways and Means: T. Olson, Chair; Davitt, Jacobs, Thomas and Wiencek.

Senate File 264

Judiciary: Swaim, Chair; Jacobs and Lensing.

Senate File 373

Judiciary: Smith, Chair; Mertz and Struyk.

Senate File 381

Judiciary: Winckler, Chair; Boal and Mertz.

Senate File 429

Judiciary: Palmer, Chair; Horbach and Wendt.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 279

Ways and Means: T. Olson, Chair; Forristall and Kelley.

House Study Bill 280

Ways and Means: Wise, Chair; Deyoe, T. Olson, Quirk, Reasoner, Struyk and Van Fossen.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 292 Ways and Means

Relating to the repeal of the loan agencies tax.

H.S.B. 293 Ways and Means

Providing an individual income tax credit for fees paid for membership in physical exercise clubs and including a retroactive applicability date provision.

H.S.B. 294 Ways and Means

Providing a sales tax exemption for charges paid for membership in a physical exercise club.

H.S.B. 295 Ways and Means

Providing tax credits to businesses that pay membership dues for their employees to use the facilities and services of various health clubs and including effective and retroactive applicability date provisions.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Committee Bill (Formerly House File 224), establishing a sensitivity training program for heads of state agencies.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 20, 2007.

Committee Bill (Formerly House Study Bill 284), relating to and making appropriations to certain state departments, agencies, funds, and certain other entities and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 20, 2007.

RESOLUTIONS FILED

HCR 8, by Mertz and Drake, a concurrent resolution relating to recommendations proposed by the United States Department of Agriculture for the federal farm bill of 2007.

Laid over under **Rule 25**.

HR 29, by Swaim, a resolution honoring the Davis County Little League All-Star Team for winning the 2006 Iowa Little League State Championship.

Laid over under **Rule 25**.

AMENDMENTS FILED

H—1398	H.F.	740	Whitaker of Van Buren
H—1400	H.F.	641	Swaim of Davis
H—1401	H.F.	852	Heddens of Story Baudler of Adair
H—1402	H.F.	825	Paulsen of Linn
H—1403	H.F.	804	Wise of Lee Kelley of Black Hawk Boal of Polk Raecker of Polk
H—1404	S.F.	131	Paulsen of Linn
H—1405	H.F.	807	Van Fossen of Scott
H—1406	H.F.	774	Swaim of Davis
H—1407	S.F.	413	Paulsen of Linn
H—1408	H.F.	801	Struyk of Pottawattamie
H—1409	H.F.	459	Heddens of Story Forristall of Pottawattamie Palmer of Mahaska
H—1410	H.F.	807	Alons of Sioux
H—1411	S.F.	131	Huser of Polk
H—1412	S.F.	131	Huser of Polk Van Fossen of Scott
H—1413	H.F.	791	Jacobs of Polk Upmeyer of Hancock

H—1414	H.F.	790	Hoffman of Crawford
			Sands of Louisa
			De Boef of Keokuk
			Forristall of Pottawattamie
			Soderberg of Plymouth

On motion by McCarthy of Polk the House adjourned at 4:54 p.m., until 9:00 a.m., Wednesday, March 21, 2007.

JOURNAL OF THE HOUSE

Seventy-third Calendar Day - Fiftieth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, March 21, 2007

The House met pursuant to adjournment at 9:10 a.m., Speaker Murphy in the chair.

Prayer was offered by Reverend Ken Gehling, the Chaplain from Mercy Hospital in Mason City. He was the guest of Representative Bill Schickel from Cerro Gordo County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the West Des Moines Mariners Boys Baseball Club, including Jack Brandsgard, (son of the Chief Clerk, Mark Brandsgard), Grant Frey, Mason Whitham, Ben Olson, Connor Sorge and Jay Hrdlicka. They won the state AAU Championship in their age group for the past two seasons. They placed 13th among 57 teams nationally, and will be competing in the AAU National Tournament in Orlando, Florida this summer.

The Journal of Tuesday, March 20, 2007 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

De Boef of Keokuk, until her arrival, on request of Rants of Woodbury.

SENATE MESSAGES CONSIDERED

Senate File 344, by committee on natural resources and environment, a bill for an act relating to enforcement of certain solid waste disposal requirements and providing civil penalties.

Read first time and **passed on file**.

Senate File 482, by committee on state government, a bill for an act relating to the regulation of contributions for a gubernatorial inauguration and providing a penalty.

Read first time and referred to committee on **state government**.

Senate File 493, by committee on natural resources and environment, a bill for an act relating to plans and financial assurance requirements for certain sanitary landfill projects.

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

Senate File 505, by committee on judiciary, a bill for an act relating to civil liability for damages relating to the use of an automated external defibrillator in sudden cardiac arrest emergencies.

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

Senate File 527, by committee on commerce, a bill for an act relating to agreements to pay compensation to recover or assist in the recovery of certain unclaimed property.

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

Senate File 528, by committee on judiciary, a bill for an act prohibiting the department of corrections from entering into an agreement with a private sector for-profit entity for the purpose of housing inmates.

Read first time and **passed on file**.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 20, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 367, a bill for an act relating to wage payment collection of direct deposit wages as administered by the division of labor services of the department of workforce development.

Also: That the Senate has on March 20, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 138, a bill for an act relating to jury service compensation, reimbursement, and confidentiality and exempting certain governmental employees from jury service compensation.

Also: That the Senate has on March 20, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 347, a bill for an act relating to the authority of creditors and credit unions in consumer credit or credit union transactions.

Also: That the Senate has on March 20, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 360, a bill for an act relating to the regulatory duties of the division of banking of the department of commerce regarding banking, debt management, mortgage banking, industrial loan companies, and professional licensing.

Also: That the Senate has on March 20, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 479, a bill for an act making changes to the time frames and the duties of the legislative services agency concerning the process of congressional and legislative redistricting.

Also: That the Senate has on March 20, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 502, a bill for an act relating to the regulation of savings and loan associations by the division of banking of the department of commerce.

Also: That the Senate has on March 20, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 504, a bill for an act providing for the regulation of packers and the purchase of swine from producers, and providing for penalties.

Also: That the Senate has on March 20, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 515, a bill for an act permitting rate-regulated gas and electric utilities to aggregate energy efficiency program funding, administration, and delivery, and to utilize a third party for such administration and delivery secured through a competitive bidding process.

Also: That the Senate has on March, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 554, a bill for an act relating to franchises for the provision of cable service or video service including providing for fees and providing an effective date.

MICHAEL E. MARSHALL, Secretary

CONSIDERATION OF BILLS
Regular Calendar

House File 651, a bill for an act relating to business corporations, by providing for information required to be filed with the secretary of state and providing for shareholder voting, was taken up for consideration.

Schueller of Jackson offered the following amendment H-1397 filed by him and moved its adoption:

H-1397

- 1 Amend House File 651 as follows:
- 2 1. Page 10, line 35, by inserting after the word
- 3 "which" the following: "the action".
- 4 2. By renumbering as necessary.

Amendment H-1397 was adopted.

Schueller of Jackson moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 651)

The ayes were, 99:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevort	Gaskill
Gayman	Gipp	Granzow	Grassley
Greiner	Heaton	Heddens	Hoffman
Horbach	Hunter	Huseman	Huser
Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	Mascher	May
McCarthy	Mertz	Miller, H.	Miller, L.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Palmer	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Smith	Soderberg	Staed

Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wiencek	Winckler	Windschitl
Wise	Worthan	Mr. Speaker	
		Murphy	

The nays were, none.

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 641, a bill for an act relating to judicial branch practices and procedures, including distribution of court revenue to cities and counties, and reporting requirements in pending conservatorships, guardianships, estates, or trusts, and providing an effective date, was taken up for consideration.

Swaim of Davis offered the following amendment H-1400 filed by him and moved its adoption:

H-1400

- 1 Amend House File 641 as follows:
- 2 1. Page 1, by striking lines 18 through 24 and
- 3 inserting the following: "under section 602.8108, the
- 4 remainder shall be distributed as provided in
- 5 subsection 5. ~~The state court administrator shall~~
- 6 ~~notify the clerks that the threshold amount has been~~
- 7 ~~distributed under section 602.8108, and that the~~
- 8 ~~distribution of any additional moneys collected by the~~
- 9 ~~county attorney shall be as provided in subsection 5."~~
- 10 2. Page 1, by inserting after line 24 the
- 11 following:
- 12 "Sec. ____ Section 602.8107, subsection 5, Code
- 13 2007, is amended by striking the subsection and
- 14 inserting in lieu thereof the following:
- 15 5. Any additional moneys collected in excess of
- 16 the threshold amount under subsection 4 shall be
- 17 distributed by the state court administrator as
- 18 follows: thirty-five percent of any additional moneys
- 19 collected by the county attorney or the person
- 20 procured or designated by the county attorney shall be
- 21 deposited in the general fund of the county where the

22 moneys were collected; thirty-three percent of any
 23 additional moneys collected by the county attorney or
 24 the person procured or designated by the county
 25 attorney shall be deposited with the office of the
 26 county attorney that collected the moneys; and the
 27 remainder shall be paid to the clerk of the district
 28 court for distribution under section 602.8108 or the
 29 state court administrator may distribute the remainder
 30 under section 602.8108 if the additional moneys have
 31 already been received by the state court
 32 administrator."
 33 3. By renumbering as necessary.

Amendment H-1400 was adopted.

Swaim of Davis moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 641)

The ayes were, 99:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foegen
Ford	Forristall	Frevert	Gaskill
Gayman	Gipp	Granzow	Grassley
Greiner	Heaton	Heddens	Hoffman
Horbach	Hunter	Huseman	Huser
Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	Mascher	May
McCarthy	Mertz	Miller, H.	Miller, L.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Palmer	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Smith	Soderberg	Staed
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wienczek	Winckler	Windschitl
Wise	Worthan	Mr. Speaker	
		Murphy	

The nays were, none.

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 650, a bill for an act relating to the sales of beer kegs by requiring an identification number on each keg of beer, recording of the purchase of beer by the keg, and providing penalties, was taken up for consideration.

Jacoby of Johnson offered the following amendment H-1175 filed by him and moved its adoption:

H-1175

- 1 Amend House File 650 as follows:
 2 1. By striking page 2, line 33, through page 3,
 3 line 6, and inserting the following:
 4 "c. The provisions of this subsection shall be
 5 implemented uniformly throughout the state. The
 6 provisions of this subsection shall preempt any local
 7 county or municipal ordinance regarding keg
 8 registration or the sale of beer in kegs. In
 9 addition, a county or municipality shall not adopt or
 10 continue in effect an ordinance regarding keg
 11 registration or the sale of beer in kegs.
 12 d. The division shall establish by rule".
 13 2. By renumbering as necessary.

Amendment H-1175 was adopted.

Jacoby of Johnson moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 650)

The ayes were, 88:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef

Deyoe	Dolecheck	Drake	Foegel
Ford	Forristall	Frevort	Gaskill
Gayman	Grassley	Greiner	Heaton
Heddens	Hoffman	Hunter	Huseman
Huser	Jacobs	Jacoby	Jochum
Kaufmann	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	May
McCarthy	Mertz	Miller, H.	Miller, L.
Oldson	Olson, D.	Olson, S.	Olson, T.
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Schickel	Schueller
Shomshor	Smith	Soderberg	Staed
Struyk	Swaim	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Wienczek	Winckler
Windschitl	Wise	Worthan	Mr. Speaker Murphy

The nays were, 10:

Gipp	Horbach	Lukan	Olson, R.
Palmer	Rants	Sands	Taylor, D.
Van Fossen	Watts		

Absent or not voting, 2:

Granzow	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 641, 650 and 651.**

House File 774, a bill for an act relating to mechanics' liens, was taken up for consideration.

Alons of Sioux asked and received unanimous consent to withdraw amendment H-1362 filed by him on March 15, 2007.

Swaim of Davis offered the following amendment H-1406 filed by him and moved its adoption:

H-1406

- 1 Amend House File 774 as follows:
 2 1. Page 6, by striking lines 26 through 28 and
 3 inserting the following:
 4 "4. For purposes of this section, a lender who
 5 obtains an interest in the real estate by assignment
 6 of a mortgage shall be entitled to the same priority
 7 as the original mortgagee."
 8 2. By renumbering as necessary.

Amendment H-1406 was adopted.

Swaim of Davis moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 774)

The ayes were, 99:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Gipp	Granzow	Grassley
Greiner	Heaton	Heddens	Hoffman
Horbach	Hunter	Huseman	Huser
Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	Mascher	May
McCarthy	Mertz	Miller, H.	Miller, L.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Palmer	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Smith	Soderberg	Staed
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wiencck	Winckler	Windschitl
Wise	Worthan	Mr. Speaker	
		Murphy	

The nays were, none.

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 773, a bill for an act establishing an energy city designation program, was taken up for consideration.

T. Olson of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 773)

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Gipp	Granzow	Grassley
Greiner	Heaton	Heddens	Hoffman
Horbach	Hunter	Huseman	Huser
Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	Mascher	May
McCarthy	Mertz	Miller, H.	Miller, L.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Palmer	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Smith	Soderberg	Staed
Struyk	Swaim	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wiencek
Winckler	Windschitl	Wise	Worthan
Mr. Speaker			
Murphy			

The nays were, 2:

Taylor, D. Watts

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 773 and 774.**

On motion by McCarthy of Polk, the House was recessed at 10:49 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened at 1:07 p.m., Speaker Murphy in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 21, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 261, a bill for an act requiring certain private sewage disposal system-related inspections to be conducted when certain property is sold or transferred and including an effective date provision.

Also: that the Senate has on March 21, 2007, adopted the following resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 4, a concurrent resolution relating to recommendations proposed by the United States Department of Agriculture for the federal farm bill of 2007.

MICHAEL E. MARSHALL, Secretary

INTRODUCTION OF BILLS

House File 868, by May, a bill for an act relating to an infrastructure project tax credit program for certain county fairs and providing a retroactive applicability date.

Read first time and referred to committee on **ways and means.**

House File 869, by May, a bill for an act making an appropriation for county fair infrastructure improvements to certain qualified fairs which belong to the association of Iowa fairs.

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

SENATE MESSAGES CONSIDERED

Senate File 360, by committee on commerce, a bill for an act relating to the regulatory duties of the division of banking of the department of commerce regarding banking, debt management, mortgage banking, industrial loan companies, and professional licensing.

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

Senate File 441, by committee on human resources, a bill for an act relating to elimination of certain duties of the department of elder affairs and the area agencies on aging.

Read first time and referred to committee on **human resources**.

Senate File 479, by committee on state government, a bill for an act making changes to the time frames and the duties of the legislative services agency concerning the process of congressional and legislative redistricting.

Read first time and **passed on file**.

Senate File 502, by committee on commerce, a bill for an act relating to the regulation of savings and loan associations by the division of banking of the department of commerce.

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

Senate File 504, by committee on agriculture, a bill for an act providing for the regulation of packers and the purchase of swine from producers, and providing for penalties.

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

Senate File 515, by committee on commerce, a bill for an act permitting rate-regulated gas and electric utilities to aggregate energy efficiency program funding, administration, and delivery, and to utilize a third party for such administration and delivery secured through a competitive bidding process.

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

Senate File 534, by committee on judiciary, a bill for an act relating to civil protective orders and criminal no-contact orders.

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

Senate File 539, by committee on state government, a bill for an act establishing uniform finance procedures for obligations issued by the state.

Read first time and referred to committee on **state government**.

Senate File 554, by committee on ways and means, a bill for an act relating to franchises for the provision of cable service or video service including providing for fees and providing an effective date.

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

Senate File 558, by committee on ways and means, a bill for an act providing for an increase in the wildlife habitat fee, making an appropriation, and creating a game bird habitat development program.

Read first time and referred to committee on **natural resources**.

The House stood at ease at 1:11 p.m., until the fall of the gavel.

The House resumed session at 1:56 p.m., Speaker Murphy in the chair.

McCarthy of Polk asked and received unanimous consent for the immediate consideration of Senate Concurrent Resolution 4.

ADOPTION OF SENATE CONCURRENT RESOLUTION 4

Drake of Pottawattamie and Mertz of Kossuth called up for consideration **Senate Concurrent Resolution 4**, a concurrent resolution relating to recommendations proposed by the United States Department of Agriculture for the federal farm bill of 2007, and moved its adoption.

Reasoner of Union in the chair at 2:00 p.m.

The motion prevailed and the resolution was adopted.

CONSIDERATION OF BILLS
Regular Calendar

House File 803, a bill for an act relating to civil service for deputy county sheriffs by allowing a county to appeal certain decisions of the civil service commission, was taken up for consideration.

R. Olson of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 803)

The ayes were, 98:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Gipp	Granzow	Grassley
Greiner	Heaton	Heddens	Hoffman
Horbach	Hunter	Huseman	Huser
Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	Mascher	May
McCarthy	Mertz	Miller, H.	Miller, L.
Murphy, Spkr.	Oldson	Olson, D.	Olson, R.
Olson, S.	Olson, T.	Palmer	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rants	Rasmussen	Rayhons	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Smith	Soderberg	Staed

Struyk	Swaim	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Wienczek	Winckler	Windschitl	Wise
Worthan	Reasoner, Presiding		

The nays were, 1:

Taylor, D.

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 671, a bill for an act prohibiting remote control or internet hunting of wild animals and providing penalties, was taken up for consideration.

Lukan of Dubuque offered the following amendment H-1155 filed by him and moved its adoption:

H-1155

- 1 Amend House File 671 as follows:
- 2 1. Page 1, line 7, by inserting after the word
- 3 "animal" the following: ", a game bird or ungulate
- 4 kept on a hunting preserve under chapter 484B, or a
- 5 preserve whitetail kept on a hunting preserve under
- 6 chapter 484C".
- 7 2. Page 1, line 9, by inserting after the word
- 8 "animal" the following: ", a game bird or ungulate
- 9 kept on a hunting preserve under chapter 484B, or a
- 10 preserve whitetail kept on a hunting preserve under
- 11 chapter 484C".
- 12 3. Title page, line 2, by inserting after the
- 13 word "animals" the following: ", or game birds or
- 14 unulates or preserve whitetail kept on hunting
- 15 preserves,".

Amendment H-1155 was adopted.

Alons of Sioux asked and received unanimous consent to withdraw amendment H-1121 filed by him on March 12, 2007.

Lukan of Dubuque moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 671)

The ayes were, 99:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Gipp	Granzow	Grassley
Greiner	Heaton	Heddens	Hoffman
Horbach	Hunter	Huseman	Huser
Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	Mascher	May
McCarthy	Mertz	Miller, H.	Miller, L.
Murphy, Spkr.	Oldson	Olson, D.	Olson, R.
Olson, S.	Olson, T.	Palmer	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rants	Rasmussen	Rayhons	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Smith	Soderberg	Staed
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wiencek	Winckler	Windschitl
Wise	Worthan	Reasoner, Presiding	

The nays were, none.

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

House File 801, a bill for an act relating to the duties and powers of the state entomologist, and making penalties applicable, was taken up for consideration.

Struyk of Pottawattamie offered amendment H-1408 filed by him as follows:

H-1408

1 Amend House File 801 as follows:

2 1. Page 1, by striking lines 3 through 15 and
3 inserting the following:

4 "1. It shall be unlawful for any person to sell,
5 give away, carry, ship, or deliver for carriage or
6 shipment, within this state, any plants or plant
7 products listed in the rules unless such plants or
8 plant products have been officially inspected and a
9 certificate is issued by an inspector of the state
10 entomologist's office stating that such plants or
11 plant products have to the person as provided in this
12 section."

13 2. Page 2, by inserting after line 14 the
14 following:

15 "Sec. ____ EMERALD ASH BORER -- LIST OF INSECT
16 PESTS. The state entomologist shall amend 21 IAC
17 46.15, and any other related rules as necessary, to
18 add emerald ash borer (*agrilus planipennis*) to the
19 list of insect pests which the state entomologist
20 finds should be prevented from being introduced into
21 or disseminated within this state, in order to
22 safeguard the plants and plant products likely to
23 become infested or infected with such insect pests.

24 Sec. ____ EMERALD ASH BORER -- REDUCTION OF RISKS
25 OF INFESTATION. The state entomologist, in
26 cooperation with the department of natural resources,
27 shall adopt rules to reduce the risk of infestation by
28 the emerald ash borer (*agrilus planipennis*) present in
29 firewood from ash trees."

30 3. By renumbering as necessary.

Struyk of Pottawattamie offered the following amendment H-1417, to amendment H-1408, filed by him from the floor and moved its adoption:

H-1417

1 Amend the amendment, H-1408, to House File 801, as
2 follows:

3 1. Page 1, line 2, by striking the figure "15"
4 and inserting the following: "11".

5 2. Page 1, by inserting after line 12 the
6 following:

7 " ____ Page 1, line 13, by inserting after the word

8 "product" the following: "which is listed in the
9 rules".

Amendment H-1417 was adopted.

On motion by Struyk of Pottawattamie, amendment H-1408, as amended, was adopted.

Struyk of Pottawattamie moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 801)

The ayes were, 99:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Gipp	Granzow	Grassley
Greiner	Heaton	Heddens	Hoffman
Horbach	Hunter	Huseman	Huser
Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	Mascher	May
McCarthy	Mertz	Miller, H.	Miller, L.
Murphy, Spkr.	Oldson	Olson, D.	Olson, R.
Olson, S.	Olson, T.	Palmer	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rants	Rasmussen	Rayhons	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Smith	Soderberg	Staed
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wiencek	Winckler	Windschitl
Wise	Worthan	Reasoner, Presiding	

The nays were, none.

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 827, a bill for an act relating to technical assistance for certain recipients of moneys from the grow Iowa values fund, was taken up for consideration.

Staed of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 827)

The ayes were, 99:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Gipp	Granzow	Grassley
Greiner	Heaton	Heddens	Hoffman
Horbach	Hunter	Huseman	Huser
Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	Mascher	May
McCarthy	Mertz	Miller, H.	Miller, L.
Murphy, Spkr.	Oldson	Olson, D.	Olson, R.
Olson, S.	Olson, T.	Palmer	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rants	Rasmussen	Rayhons	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Smith	Soderberg	Staed
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wiencek	Winckler	Windschitl
Wise	Worthan	Reasoner, Presiding	

The nays were, none.

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 671, 801, 803 and 827 and Senate Concurrent Resolution 4.**

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Several students from Hartley-Melvin-Sanborn Community High School, Hartley, Iowa, accompanied by Jim Thomas. By Chambers of O'Brien.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- | | |
|-----------|--|
| 2007\2222 | Esther Kajewski, Waterloo – For celebrating her 80 th birthday. |
| 2007\2223 | Winnie Halupnik, Waterloo – For celebrating her 85 th birthday. |
| 2007\2224 | Josephine Yang, Waterloo – For celebrating her 85 th birthday. |
| 2007\2225 | Dennis and Bobbi Truckenmiller – For celebrating their 50 th wedding anniversary. |
| 2007\2226 | Lawrence Dirks, Ocheyedan – For celebrating his 80 th birthday. |
| 2007\2227 | Violet Schmidt, Ocheyedan – For celebrating her 85 th birthday. |
| 2007\2228 | David and Alice Kramer, Clarksville – For celebrating their 50 th wedding anniversary. |
| 2007\2229 | George and Bernice Seehusen, Allison – For celebrating their 60 th wedding anniversary. |

- 2007\2230 Isabelle Bruhl Martin, Clarksville – For celebrating her 80th birthday.
- 2007\2231 Dolores Birkholz, Davenport – For celebrating her 75th birthday.
- 2007\2232 Paul Sanden, Davenport – For celebrating his 75th birthday.
- 2007\2233 William Lafrenz, Davenport – For celebrating his 75th birthday.
- 2007\2234 Marie Miller, Davenport – For celebrating her 80th birthday.
- 2007\2235 Alta Berger, Davenport – For celebrating her 95th birthday.
- 2007\2236 Howard Stahl, Davenport – For celebrating his 80th birthday.
- 2007\2237 Ernest Little, Davenport – For celebrating his 90th birthday.
- 2007\2238 Naola Craft, Davenport – For celebrating her 75th birthday.
- 2007\2239 Margaret Paul, Davenport – For celebrating her 90th birthday.
- 2007\2240 Ruth Felton, Davenport – For celebrating her 75th birthday.
- 2007\2241 Lawrence Peinert, Davenport – For celebrating his 75th birthday.
- 2007\2242 Catherine Thoensen, Davenport – For celebrating her 80th birthday.
- 2007\2243 William Oberhaus Jr., Davenport – For celebrating his 85th birthday.
- 2007\2244 Isabelle Lapsey, Davenport – For celebrating her 75th birthday.
- 2007\2245 Cherie Collins, Davenport – For celebrating her 80th birthday.
- 2007\2246 Allen Miller, Davenport – For celebrating his 90th birthday.
- 2007\2247 Fred Lown, Davenport – For celebrating his 80th birthday.
- 2007\2248 Fred Wallace, Davenport – For celebrating his 75th birthday.
- 2007\2249 Wilma Baxter, Davenport – For celebrating her 85th birthday.
- 2007\2250 Mae Sprosty, Davenport – For celebrating her 85th birthday.
- 2007\2251 Catherine Rettenmaier, Davenport – For celebrating her 80th birthday.
- 2007\2252 Ildefonso Sierra, Davenport – For celebrating his 75th birthday.
- 2007\2253 Robert Berger, Davenport – For celebrating his 75th birthday.
- 2007\2254 Evelyn Westlund, Davenport – For celebrating her 95th birthday.

- 2007\2255 Elmer Heims, Davenport – For celebrating his 85th birthday.
- 2007\2256 Eugene Burlingame, Davenport – For celebrating his 80th birthday.
- 2007\2257 Virginia Brown, Davenport – For celebrating her 85th birthday.
- 2007\2258 Frances Miller, Davenport – For celebrating her 101st birthday.
- 2007\2259 Lois Reed, Davenport – For celebrating her 75th birthday.
- 2007\2260 Doa Pham, Davenport – For celebrating her 75th birthday.
- 2007\2261 Marilyn Westerhof, Davenport – For celebrating her 75th birthday.
- 2007\2262 Richard Vanderhorn, Davenport – For celebrating his 75th birthday.
- 2007\2263 Richard Kurtz, Davenport – For celebrating his 80th birthday.
- 2007\2264 Ann Edwards, Davenport – For celebrating her 90th birthday.
- 2007\2265 Wendell Cox, Davenport – For celebrating his 75th birthday.
- 2007\2266 Dorothy Edelen, Davenport – For celebrating her 80th birthday.
- 2007\2267 Ray Novak, Davenport – For celebrating his 85th birthday.
- 2007\2268 Sue Wiele, Davenport – For celebrating her 80th birthday.
- 2007\2269 Beatrice Pamperin, Davenport – For celebrating her 80th birthday.
- 2007\2270 James Nelson, Davenport – For celebrating his 80th birthday.
- 2007\2271 Floyd Seaba, North English – For celebrating his 80th birthday.
- 2007\2272 Jack and Helen James, Keswick – For celebrating their 60th wedding anniversary.
- 2007\2273 Russ McLaughlin, Audubon – For celebrating his 80th birthday.
- 2007\2274 Eugene and Janice Kaisand, Pella – For celebrating their 50th wedding anniversary.
- 2007\2275 Mearl Luvass, Denison – For celebrating his 85th birthday.
- 2007\2276 Elsie Eckhoff, Battle Creek – For celebrating her 95th birthday.
- 2007\2277 Hildegard Ullrich, Mapleton – For celebrating her 95th birthday.
- 2007\2278 Vernon and Marlene Zobel, Ida Grove – For celebrating their 50th wedding anniversary.

- 2007\2279 Darrel and Elvera Todd, Holstein – For celebrating their 50th wedding anniversary.
- 2007\2280 Everett and Doris Still, Cushing – For celebrating their 60th wedding anniversary.
- 2007\2281 Colton Clausen, Schleswig – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\2282 Paul Nahnsen, Schleswig – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\2283 Aaron Baughman, Schleswig – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\2284 Kenneth and Marcille Kent, Hawkeye – For celebrating their 60th wedding anniversary.
- 2007\2285 Merlin and Donna Schult, Oelwein – For celebrating their 50th wedding anniversary.

SUBCOMMITTEE ASSIGNMENTS

House File 142

Education: Cohoon, Chair; Foege and Chambers.

House File 327

Education: Wendt, Chair; Cohoon and Tymeson.

House File 364

Education: Abdul-Samad, Chair; Forristall and Mascher.

House File 750

Appropriations: Foege, Chair; Gayman and Heaton.

House File 821

State Government: Abdul-Samad, Chair; Roberts and Whitead.

House File 822

Appropriations: Dandekar, Chair; Oldson and Schickel.

House File 823

Ways and Means: Wise, Chair; Deyoe, T. Olson, Quirk, Reasoner, Struyk, and Van Fossen.

House File 832

Ways and Means: Frevert, Chair; Forristall and T. Olson.

House File 835

Ways and Means: Shomshor, Chair; Reasoner and Sands.

House File 853

Appropriations: Winckler, Chair; Chambers and Wenthe.

House File 854

Ways and Means: Wendt, Chair; Davitt, Frevert, Sands and Van Fossen.

House File 855

Ways and Means: Frevert, Chair; Davitt and Struyk.

House File 856

Ways and Means: Reasoner, Chair; Sands and Shomshor.

House File 857

Ways and Means: Thomas, Chair; Schueller and Windschitl.

House File 858

Ways and Means: Schueller, Chair; Grassley and Thomas.

House File 859

Appropriations: Winckler, Chair; Chambers and Wenthe.

House File 867

Appropriations: Dandekar, Chair; Jacoby and Schickel.

Senate Joint Resolution 2

Natural Resources: Reichert, Chair; Mertz and Van Engelenhoven.

Senate File 200

Agriculture: Dolecheck, Chair; Pettengill and Wenthe.

Senate File 249

Human Resources: Heddens, Chair; Heaton and Palmer.

Senate File 270

State Government: Jacoby, Chair; L. Miller and Whitead.

Senate File 304

Natural Resources: Wenthe, Chair; Baudler and Whitaker.

Senate File 308

Natural Resources: Davitt, Chair; Arnold and T. Taylor.

Senate File 348

State Government: Quirk, Chair; Greiner, Jacoby, Jochum, Raecker, Roberts and Shomshor.

Senate File 351

State Government: Lensing, Chair; Gipp and Jochum.

Senate File 407

Veterans Affairs: Bukta, Chair; Bailey and Windschitl.

Senate File 417

Labor: T. Taylor, Chair; Chambers and Staed.

Senate File 435

Natural Resources: Wenthe, Chair; Rayhons and Whitaker.

Senate File 444

Local Government: Gaskill, Chair; Arnold and Kressig.

Senate File 446

State Government: Abdul-Samad, Chair; Gaskill and Jacobs.

Senate File 448

Labor: T. Taylor, Chair; Tymeson and Winckler.

Senate File 467

Human Resources: Smith, Chair; Ford and Forristall.

Senate File 477

Natural Resources: Bell, Chair; Lykam and Rasmussen.

Senate File 480

Human Resources: T. Olson, Chair; Mascher and Tomenga.

Senate File 489

Human Resources: T. Olson, Chair; Foegen and L. Miller.

Senate File 505

Judiciary: Swaim, Chair; Struyk and Winckler.

Senate File 529

Public Safety: Hunter, Chair; Kuhn and Tjepkes.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS**House Study Bill 286**

State Government: Lensing, Chair; Raecker and Wessel-Kroeschell.

House Study Bill 287

State Government: Wessel-Kroeschell, Chair; Boal and Jochum.

House Study Bill 292

Ways and Means: Sands, Chair; Forristall and Schueller.

House Study Bill 293

Ways and Means: Huser, Chair; Kaufmann and T. Olson.

House Study Bill 294

Ways and Means: Huser, Chair; Kaufmann and T. Olson.

House Study Bill 295

Ways and Means: Huser, Chair; Kaufmann and T. Olson.

HOUSE STUDY BILL COMMITTEE ASSIGNMENT**H.S.B. 296 Appropriations**

Relating to mental health, mental retardation, developmental disabilities, and brain injury services by revising and making appropriations, addressing county and state responsibilities for such

services, revising property tax relief payment provisions, allowed growth, and other funding distribution requirements, revising county levy authority provisions for such services, and providing effective and applicability dates.

RESOLUTION FILED

HR 30, by Alons, Baudler, Boal, Chambers, Deyoe, Dolecheck, Gipp, Grassley, Heaton, Jacobs, Kaufmann, Lukan, May, Paulsen, Rasmussen, Rayhons, Roberts, Sands, Soderberg, Upmeyer, Van Engelenhoven, Watts and Worthan, a resolution honoring the 132nd Fighter Wing of the Iowa Air National Guard.

Laid over under **Rule 25**.

AMENDMENTS FILED

H—1415	H.F.	611	Tymeson of Madison
H—1416	S.F.	131	Huser of Polk
H—1418	H.F.	791	Jacobs of Polk Upmeyer of Hancock
H—1419	H.F.	718	Hunter of Polk
H—1420	H.C.R.	8	Mertz of Kossuth
H—1421	H.F.	863	Wessel-Kroeschell of Story
H—1422	H.F.	807	Pettengill of Benton
H—1423	H.F.	790	Pettengill of Benton
H—1424	H.F.	804	Boal of Polk Raecker of Polk
H—1425	H.F.	459	Raecker of Polk
H—1426	H.F.	469	Raecker of Polk
H—1427	H.F.	830	Abdul-Samad of Polk
H—1428	H.F.	831	Smith of Marshall

On motion by McCarthy of Polk the House adjourned at 2:38 p.m., until 9:00 a.m., Thursday, March 22, 2007.

JOURNAL OF THE HOUSE

Seventy-fourth Calendar Day - Fifty-first Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, March 22, 2007

The House met pursuant to adjournment at 9:12 a.m., Speaker Murphy in the chair.

Prayer was offered by Reverend Tom Vande Berg, pastor of the Adventure Life Church, Altoona. He was the guest of Representative Geri Huser of Polk County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Angela Tweedy, House Page from Fort Madison.

The Journal of Wednesday, March 21, 2007 was approved.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 21, 2007, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 368, a bill for an act relating to the boiler and pressure vessel safety program enforced by the division of labor services of the department of workforce development.

Also: That the Senate has on March 21, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 361, a bill for an act concerning investment of certain public funds in companies doing business in Sudan by the treasurer of state, public retirement systems in Iowa, and the state board of regents.

Also: That the Senate has on March 21, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 384, a bill for an act relating to statute of limitations provisions relating to minors and persons with mental illness and tort claims against a municipality and providing an applicability date.

Also: That the Senate has on March 21, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 406, a bill for an act relating to dogs, including the right to kill a tagged dog and the liability of a dog's owner for damages caused by the dog.

Also: That the Senate has on March 21, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 465, a bill for an act relating to leaves of absence for service in elective office.

Also: That the Senate has on March 21, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 517, a bill for an act relating to the state building code by providing for training, administration, and enforcement of energy conservation requirements.

Also: That the Senate has on March 21, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 530, a bill for an act relating to prohibited business practices by a real estate broker or salesperson.

Also: That the Senate has on March 21, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 535, a bill for an act relating to general provisions of the uniform commercial code relating to the construction and application of its subject matter, and providing for a contingent effective date.

Also: That the Senate has on March 21, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 540, a bill for an act relating to trusts and estates including fiduciaries and beneficiaries and including applicability provisions.

MICHAEL E. MARSHALL, Secretary

INTRODUCTION OF BILLS

House File 870, by May, a bill for an act providing for environmental quality initiatives, providing for fees, and making appropriations.

Read first time and referred to committee on **environmental protection**.

House File 871, by May, a bill for an act relating to funding to market projects receiving moneys from the community attraction and tourism fund.

Read first time and referred to committee on **economic growth**.

House File 872, by committee on state government, a bill for an act relating to the licensing and inspection of hotels, home food establishments, and food establishments and processing plants, providing and increasing fees, making penalties applicable, making an appropriation, and providing an effective date.

Read first time and referred to committee on **ways and means**.

House File 873, by committee on environmental protection, a bill for an act providing for environmental protection of facilities and practices related to the production of livestock, including animal feeding operations, providing for fees and tax exemptions, making penalties applicable, and providing effective and applicability dates.

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

House File 874, by committee on appropriations, a bill for an act relating to and making appropriations to certain state departments, agencies, funds, and certain other entities and providing an effective date.

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

House File 875, by committee on judiciary, a bill for an act relating to general provisions of the uniform commercial code relating to the construction and application of its subject matter, and providing for a contingent effective date.

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

SENATE MESSAGES CONSIDERED

Senate File 138, by committee on judiciary, a bill for an act relating to jury service compensation, reimbursement, and confidentiality.

Read first time and **passed on file**.

Senate File 261, by committee on natural resources and environment, a bill for an act requiring certain private sewage disposal system-related inspections to be conducted when certain property is sold or transferred and including an effective date provision.

Read first time and **passed on file**.

Senate File 347, by committee on commerce, a bill for an act relating to the authority of creditors and credit unions in consumer credit or credit union transactions.

Read first time and **passed on file**.

Senate File 535, by committee on judiciary, a bill for an act relating to general provisions of the uniform commercial code relating to the construction and application of its subject matter, and providing for a contingent effective date.

Read first time and **passed on file**.

Senate File 540, by committee on judiciary, a bill for an act relating to trusts and estates including fiduciaries and beneficiaries and including applicability provisions.

Read first time and **passed on file**.

CONSIDERATION OF BILLS

Regular Calendar

House File 767, a bill for an act relating to eligible veterans for purposes of the injured veterans grant program, was taken up for consideration.

Tymeson of Madison offered the following amendment H-1303 filed by her and moved its adoption:

H-1303

- 1 Amend House File 767 as follows:
- 2 1. Page 1, line 11, by inserting after the word
- 3 "state" the following: "prior to alert for
- 4 mobilization".

Amendment H-1303 was adopted.

Bukta of Clinton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 767)

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Gipp	Granzow	Grassley
Greiner	Heaton	Heddens	Hoffman
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill
Raecker	Rants	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Smith
Soderberg	Staed	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wienczek
Winckler	Windschitl	Wise	Worthan
Mr. Speaker			
Murphy			

The nays were, none.

Absent or not voting, 3:

Horbach	Quirk	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 556, a bill for an act establishing the Iowa propane education and research council, providing for the development of

programs and projects related to propane, providing for an assessment on the sale of odorized propane, providing criminal penalties, and providing for effective dates, was taken up for consideration.

Rants of Woodbury rose on a point of order and invoked Rule 32, relating to an assessment on House File 556.

The Speaker ruled the point not well taken.

Reichert of Muscatine moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 556)

The ayes were, 69:

Abdul-Samad	Anderson	Bailey	Bell
Berry	Bukta	Clute	Cohoon
Dandekar	Davitt	Dolecheck	Drake
Foege	Ford	Frevert	Gaskill
Gayman	Heaton	Heddens	Hoffman
Hunter	Huser	Jacobs	Jacoby
Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	McCarthy	Mertz	Miller, H.
Oldson	Olson, D.	Olson, R.	Olson, T.
Palmer	Petersen	Pettengill	Quirk
Reasoner	Reichert	Sands	Schueller
Shomshor	Smith	Soderberg	Staed
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tomenga	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wiencek	Winckler	Wise
Mr. Speaker			
Murphy			

The nays were, 29:

Alons	Arnold	Baudler	Boal
Chambers	De Boef	Deyoe	Forristall
Gipp	Granzow	Grassley	Greiner
Huseman	May	Miller, L.	Olson, S.
Paulsen	Raecker	Rants	Rasmussen
Rayhons	Roberts	Schickel	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Windschitl
Worthan			

Absent or not voting, 2:

Horbach

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 556 and 767.**

SPECIAL PRESENTATION

Roberts of Carroll introduced to the House, professor Tom Rice and students from the University of Iowa and explained that the students from ICAN are an organization that does policy research for the legislature.

The House rose and expressed its welcome.

On motion by McCarthy of Polk, the House was recessed at 10:33 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened at 1:12 p.m., Speaker Murphy in the chair.

INTRODUCTION OF BILL

House File 876, by committee on appropriations, a bill for an act establishing a sensitivity training program for heads of state agencies.

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

SENATE MESSAGES CONSIDERED

Senate File 361, by committee on state government, a bill for an act concerning investment of certain public funds in companies doing

business in Sudan by the treasurer of state, public retirement systems in Iowa, and the state board of regents.

Read first time and **passed on file.**

Senate File 384, by committee on judiciary, a bill for an act relating to statute of limitations provisions relating to minors and persons with mental illness and tort claims against a municipality and providing an applicability date.

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

Senate File 406, by committee on judiciary, a bill for an act relating to dogs, including the right to kill a tagged dog and the liability of a dog's owner for damages caused by the dog.

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

Senate File 465, by committee on state government, a bill for an act relating to leaves of absence for service in elective office.

Read first time and referred to committee on **state government.**

Senate File 530, by committee on commerce, a bill for an act relating to prohibited business practices by a real estate broker or salesperson.

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

CONSIDERATION OF BILLS

Regular Calendar

House File 783, a bill for an act relating to certain city utilities or city enterprises by making changes to procedures for notice and collection of delinquent charges and by making changes to billing notifications for water service and other services provided to certain residential rental property, was taken up for consideration.

Schueller of Jackson moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 783)

The ayes were, 98:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Gipp	Granzow	Grassley
Greiner	Heaton	Heddens	Hoffman
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor
Smith	Soderberg	Staed	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Wienczek	Winckler	Windschitl	Wise
Worthan	Mr. Speaker Murphy		

The nays were, none.

Absent or not voting, 2:

Horbach Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

The House stood at ease at 1:27 p.m., until the fall of the gavel.

The House resumed session at 2:50 p.m., Speaker Murphy in the chair.

House File 836, a bill for an act providing for an equine industry promotional commission and related fund, was taken up for consideration.

Mertz of Kossuth moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

Whitaker of Van Buren in the chair at 2:54 p.m.

On the question "Shall the bill pass?" (H.F. 836)

The ayes were, 97:

Alons	Anderson	Arnold	Bailey
Baudler	Bell	Berry	Boal
Bukta	Chambers	Clute	Cphoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford
Forristall	Frevrt	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Hunter
Huseman	Huser	Jacobs	Jacoby
Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Murphy, Spkr.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor
Smith	Soderberg	Staed	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wendt
Wenthe	Wessel-Kroeschell	Whitead	Wienczek
Winckler	Windschitl	Wise	Worthan
Whitaker, Presiding			

The nays were, none.

Absent or not voting, 3:

Abdul-Samad	Horbach	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 846, a bill for an act providing for an Iowa farmers' market nutrition program, was taken up for consideration.

Gayman of Scott moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 846)

The ayes were, 97:

Alons	Anderson	Arnold	Bailey
Baudler	Bell	Berry	Boal
Bukta	Chambers	Clute	Cohoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Hunter
Huseman	Huser	Jacobs	Jacoby
Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Murphy, Spkr.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor
Smith	Soderberg	Staed	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wendt
Wenthe	Wessel-Kroeschell	Whitead	Wiencsek
Winckler	Windschitl	Wise	Worthan
Whitaker, Presiding			

The nays were, none.

Absent or not voting, 3:

Abdul-Samad	Horbach	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 849, a bill for an act concerning the department of administrative services and providing an effective date, was taken up for consideration.

Lensing of Johnson moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 849)

The ayes were, 97:

Alons	Anderson	Arnold	Bailey
Baudler	Bell	Berry	Boal
Bukta	Chambers	Clute	Cohoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Hunter
Huseman	Huser	Jacobs	Jacoby
Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Murphy, Spkr.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor
Smith	Soderberg	Staed	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wendt
Wenthe	Wessel-Kroeschell	Whitead	Wiencsek
Winckler	Windschitl	Wise	Worthan
Whitaker, Presiding			

The nays were, none.

Absent or not voting, 3:

Abdul-Samad	Horbach	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 413, a bill for an act relating to electronic filing of campaign finance organizational statements, dissolution reports, and disclosure reports by candidates for statewide office or for the general assembly, establishing a filing deadline for all statements and

reports, providing a penalty, and providing applicability dates, was taken up for consideration.

Gipp of Winneshiek asked and received unanimous consent to withdraw amendment H-1079 filed by him on February 22, 2007.

Lensing of Johnson moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 413)

The ayes were, 71:

Alons	Anderson	Arnold	Bailey
Baudler	Berry	Boal	Clute
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Foege	Ford	Frevert
Gayman	Gipp	Granzow	Heaton
Heddens	Hoffman	Hunter	Huseman
Huser	Jacobs	Jacoby	Jochum
Kaufmann	Kelley	Kressig	Kuhn
Lensing	Mascher	May	Miller, L.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Palmer	Paulsen	Pettengill
Raecker	Rants	Reasoner	Roberts
Sands	Schickel	Shomshor	Soderberg
Staed	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Watts	Wendt
Wenthe	Wessel-Kroeschell	Whitead	Wiencek
Winckler	Worthan	Whitaker,	
		Presiding	

The nays were, 26:

Bell	Bukta	Chambers	Cphoon
Drake	Forristall	Gaskill	Grassley
Greiner	Lukan	Lykam	McCarthy
Mertz	Miller, H.	Murphy, Spkr.	Petersen
Quirk	Rasmussen	Rayhons	Reichert
Schueller	Smith	Struyk	Van Fossen
Windschitl	Wise		

Absent or not voting, 3:

Abdul-Samad	Horbach	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 413, 783, 836, 846 and 849.**

House File 790, a bill for an act allowing certain association group health care plans and wellness initiatives, and providing an effective date, was taken up for consideration.

Pettengill of Benton offered the following amendment H-1423 filed by her and moved its adoption:

H-1423

- 1 Amend House File 790 as follows:
- 2 1. Page 4, by striking line 11, and inserting the
- 3 following: "programs, and economies of acquisition or
- 4 administration."

Amendment H-1423 was adopted.

Upmeyer of Hancock asked and received unanimous consent that amendment H-1357 be deferred.

Hoffman of Crawford offered amendment H-1414 filed by him as follows:

H-1414

- 1 Amend House File 790 as follows:
- 2 1. Page 4, by inserting after line 11, the
- 3 following:
- 4 "Sec. . **NEW SECTION. 514C.23 MORATORIUM ON**
- 5 **MANDATED HEALTH OR MEDICAL EXPENSE COVERAGES.**
- 6 1. A policy or contract providing for third-party
- 7 payment or prepayment of health or medical expenses
- 8 shall not be required to include coverage for specific
- 9 health or medical expense benefits other than those
- 10 required under Code 2007 or Code Supplement 2007, or
- 11 pursuant to other provisions of law in effect on June
- 12 30, 2007.
- 13 2. This section shall not be construed to prohibit

14 any policy or contract providing for third-party
15 payment or prepayment of health or medical expenses
16 from including expanded coverage for specific health
17 or medical expense benefits in addition to the
18 coverage that is required by law or to prohibit an
19 individual or employer from electing to receive
20 expanded coverage in addition to the coverage that is
21 required by law.

22 3. This section shall not be construed to require
23 a purchaser of a policy or contract providing for
24 third-party payment or prepayment of health or medical
25 expenses to purchase a health benefit plan that
26 contains coverage for all specific health or medical
27 expense benefits required by law.

28 4. A policy or contract providing for third-party
29 payment or prepayment of health or medical expenses
30 shall not require, as a condition of the sale of the
31 policy or contract, that the purchaser choose coverage
32 that does not include coverage for all specific health
33 or medical expense benefits required by law.

34 5. This section applies to any policy or contract
35 providing for third-party payment or prepayment of
36 health or medical expenses that is delivered, issued
37 for delivery, continued, or renewed in this state on
38 or after July 1, 2007.

39 6. This section is repealed on June 30, 2012."

40 2. Title page, line 2, by inserting after the
41 word "initiatives," the following: "providing for a
42 five-year moratorium on mandated health or medical
43 expense benefits coverage,".

Pettengill of Benton rose on a point of order that amendment H-1414 was not germane.

The Speaker ruled the point well taken and amendment H-1414 not germane.

Upmeyer of Hancock asked and received unanimous consent to withdraw amendment H-1357, previously deferred, filed by her on March 14, 2007.

Pettengill of Benton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 790)

The ayes were, 97:

Alons	Anderson	Arnold	Bailey
Baudler	Bell	Berry	Boal
Bukta	Chambers	Clute	Cohoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Hunter
Huseman	Huser	Jacobs	Jacoby
Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Murphy, Spkr.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor
Smith	Soderberg	Staed	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wendt
Wenthe	Wessel-Kroeschell	Whitead	Wiencek
Winckler	Windschitl	Wise	Worthan
Whitaker, Presiding			

The nays were, none.

Absent or not voting, 3:

Abdul-Samad	Horbach	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 580, a bill for an act regulating electioneering communications for campaign finance and disclosure purposes and making civil remedies applicable, was taken up for consideration.

Struyk of Pottawattamie asked and received unanimous consent to withdraw amendment H-1351 filed by him on March 14, 2007.

Wessel-Kroeschell of Story moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 580)

The ayes were, 83:

Abdul-Samad	Anderson	Arnold	Bailey
Bell	Berry	Boal	Bukta
Cohoon	Dandekar	Davitt	Deyoe
Dolecheck	Drake	Foege	Ford
Frevert	Gaskill	Gayman	Gipp
Granzow	Grassley	Heaton	Heddens
Hoffman	Hunter	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Murphy, Spkr.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Palmer	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rasmussen
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Smith
Soderberg	Staed	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tomenga
Tymeson	Upmeyer	Van Fossen	Wendt
Wenthe	Wessel-Kroeschell	Whitead	Wiencek
Winckler	Wise	Whitaker, Presiding	

The nays were, 15:

Alons	Baudler	Chambers	Clute
De Boef	Forristall	Greiner	Huseman
Rants	Rayhons	Tjepkes	Van Engelenhoven
Watts	Windschitl	Worthan	

Absent or not voting, 2:

Horbach	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

MOTION TO RECONSIDER LOST (House File 580)

Wessel-Kroeschell of Story moved to reconsider the vote by which House File 580 passed the House.

A non-record roll call was requested.

The ayes were 46, nays 50.

The motion to reconsider lost.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **House File 790** be immediately messaged to the Senate.

INTRODUCTION OF BILL

House File 877, by committee on appropriations, a bill for an act creating a statewide voluntary preschool program for four-year-old children and making appropriations.

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

HOUSE FILE 792 REFERRED

The Speaker announced that House File 792, previously placed on **calendar** was referred to committee on **appropriations**.

SENATE FILE 493 REFERRED

The Speaker announced that Senate File 493, previously **passed on file** was referred to committee on **environmental protection**.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- | | |
|-----------|--|
| 2007\2286 | Stephaney Parks, Mt. Pleasant – For being appointed to the United States Military Academy at West Point. |
| 2007\2287 | Joneane Parker, Libertyville – For being named one of 100 Great Iowa Nurses. |
| 2007\2288 | Wayne and Faith Keller, Fairfield – For celebrating their 60 th wedding anniversary. |

- 2007\2289 Mary Ebelsheiser, Hedrick – For celebrating her 80th birthday.
- 2007\2290 Nadine Mason, Sigourney – For celebrating her 90th birthday.
- 2007\2291 Carmelita Flickinger, Greenfield – For celebrating her 90th birthday.

SUBCOMMITTEE ASSIGNMENTS

House File 75 Reassigned

Ways and Means: Jochum, Chair; Jacobs and Schueller.

House File 538 Reassigned

State Government: Whitead, Chair; Greiner, Jacoby, Jochum, Raecker, Roberts and Shomshor.

House File 645

Commerce: Pettengill, Chair; Hoffman, Jacobs, Quirk and Wise.

House File 659

Commerce: Pettengill, Chair; Hoffman, Jacobs, Quirk and Wise.

House File 751

Environmental Protection: Anderson, Chair; R. Olson and Smith.

House File 828

Ways and Means: Reasoner, Chair; Sands and Shomshor.

House File 860

Environmental Protection: Frevert, Chair; Drake, Greiner, Kuhn, H. Miller, D. Olson and S. Olson.

House File 862

Ways and Means: Shomshor, Chair; Reasoner and Sands.

House File 870

Environmental Protection: Frevert, Chair; Drake, Greiner, Kuhn, H. Miller, D. Olson and S. Olson.

Senate File 254 Reassigned

Human Resources: Petersen, Chair; Forristall and Wessel-Kroeschell.

Senate File 265

Labor: Staed, Chair; Hunter and Watts.

Senate File 360

Commerce: Jacoby, Chair; Jacobs, Kelley, Kressig, Lukan, Quirk and Van Fossen.

Senate File 437

Transportation: Bell, Chair; Cohoon and Tjepkes.

Senate File 463

Transportation: Cohoon, Chair; Bukta and May.

Senate File 466

Commerce: Jacoby, Chair; Hoffman and Petersen.

Senate File 482

State Government: Lensing, Chair; Gipp and Wessel-Kroeschell.

Senate File 493

Environmental Protection: Lensing, Chair; Jochum and Watts.

Senate File 502

Commerce: Jacoby, Chair; Jacobs, Kelley, Kressig, Lukan, Quirk and Van Fossen.

Senate File 515

Commerce: Reichert, Chair; Hoffman, Kelley, Soderberg, D. Taylor, Van Fossen and Wise.

Senate File 527

Commerce: Shomshor, Chair; Bailey and Lukan.

Senate File 539

State Government: Wendt, Chair; Roberts and T. Taylor.

Senate File 541

Commerce: Jacoby, Chair; Clute, Jacobs, Kelley, Kressig, Quirk and Sands.

Senate File 554

Commerce: Wise, Chair; Hoffman, Jacobs, Kelley, Petersen, Quirk and Struyk.

Senate File 557

Commerce: Jacoby, Chair; Clute, Jacobs, Kelley, Kressig, Lukan and Quirk.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

House Study Bill 296

Appropriations: Foege, Chair; Heaton and Oldson.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Senate File 403, a bill for an act addressing financial and regulatory matters by making and revising appropriations, providing for properly related matters, and providing effective dates.

Fiscal Note is not required.

Recommended **Amend and Do Pass with Amendment H—1433** March 21, 2007.

Committee Bill (Formerly House File 527), creating a statewide preschool program for four-year-old children and making appropriations.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 21, 2007.

COMMITTEE ON PUBLIC SAFETY

Senate File 140, a bill for an act relating to the time period for which peace officers' investigative reports and specific portions of electronic mail and telephone billing records are to be kept confidential.

Fiscal Note is not required.

Recommended **Do Pass** March 21, 2007.

COMMITTEE ON STATE GOVERNMENT

Senate File 42, a bill for an act relating to campaign finance by revising the requirements for filing reports and for the use of certain resources for political purposes.

Fiscal Note is not required.

Recommended **Do Pass** March 21, 2007.

RESOLUTION FILED

HR 31, by Lykam, Abdul-Samad, Alons, Anderson, Arnold, Bailey, Baudler, Bell, Berry, Boal, Bukta, Chambers, Clute, Cohoon, Dandekar, Davitt, De Boef, Deyoe, Dolecheck, Drake, Foege, Ford, Forristall, Frevert, Gaskill, Gayman, Gipp, Granzow, Grassley, Greiner, Heaton, Heddens, Hoffman, Horbach, Hunter, Huseman, Huser, Jacobs, Jacoby, Jochum, Kaufmann, Kelley, Kressig, Kuhn, Lensing, Lukan, Mascher, May, Mertz, H. Miller, L. Miller, Oldson, D. Olson, R. Olson, S. Olson, T. Olson, Palmer, Paulsen, Petersen, Pettengill, Quirk, Raecker, Rants, Rasmussen, Rayhons, Reasoner, Reichert, Roberts, Sands, Schickel, Schueller, Shomshor, Smith, Soderberg, Staed, Struyk, Swaim, D. Taylor, T. Taylor, Thomas, Tjepkes, Tomenga, Tymeson, Upmeyer, Van Engelenhoven, Van Fossen, Watts, Wendt, Wenthe, Wessel-Kroeschell, Whitaker, Whitead, Wiencek, Winckler, Windschitl, Wise and Worthan, a resolution honoring Iowan Eugene Ely, a pioneer in Naval aviation.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-1429	H.F.	368	Senate Amendment
H-1430	H.F.	818	Paulsen of Linn
H-1431	S.F.	361	Van Fossen of Scott
H-1432	H.F.	791	Pettengill of Benton
H-1433	S.F.	403	Committee on Appropriations
H-1434	S.F.	361	Alons of Sioux
H-1435	H.F.	618	Jacobs of Polk T. Taylor of Linn
H-1437	H.F.	875	Swaim of Davis
H-1438	H.F.	817	Bailey of Hamilton Tymeson of Madison
H-1439	H.F.	777	Palmer of Mahaska

H—1440	H.F.	804	Tymeson of Madison
H—1441	H.F.	865	Huser of Polk

On motion by McCarthy of Polk the House adjourned at 4:50 p.m., until 9:00 a.m., Friday, March 23, 2007.

JOURNAL OF THE HOUSE

Seventy-fifth Calendar Day - Fifty-second Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, March 23, 2007

The House met pursuant to adjournment at 9:18 a.m., Speaker Murphy in the chair.

Prayer was offered by Speaker Murphy.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Murphy.

The Journal of Thursday, March 22, 2007 was approved.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 20th day of March, 2007: House Files 199 and 588.

MARK W. BRANDSGARD
Chief Clerk of the House

Report adopted.

SUBCOMMITTEE ASSIGNMENTS

House File 795

Ways and Means: Quirk, Chair; Schueller and Van Fossen.

House File 872

Ways and Means: Jochum, Chair; Kaufmann and Shomshor.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly House File 293), relating to the state earned income tax credit by making the tax credit refundable and including effective and retroactive applicability date provisions.

Fiscal Note is required.

Recommended **Amend and Do Pass** March 22, 2007.

Committee Bill (Formerly House File 376), modifying and extending state tax benefits for use of soy-based transformer fluid by electric utilities and including effective and applicability date provisions.

Fiscal note is required.

Recommended **Do Pass** March 22, 2007.

Committee Bill (Formerly House File 809), establishing a tax credit certificate transfer program and including a retroactive applicability provision.

Fiscal Note is required.

Recommended **Amend and Do Pass** March 22, 2007.

On motion by McCarthy of Polk the House adjourned at 9:20 a.m., until 1:00 p.m., Monday, March 26, 2007.

JOURNAL OF THE HOUSE

Seventy-eighth Calendar Day - Fifty-third Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, March 26, 2007

The House met pursuant to adjournment at 1:07 p.m., Speaker Murphy in the chair.

Prayer was offered by Reverend Horn, pastor of the Trinity Lutheran Church, Hawkeye. He was the guest of Representative Andrew Wenthe of Fayette County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Price Laboratory School Choir, the recipient of the 2007 State School of Character Award and will advance to the national schools of character competition.

The Journal of Friday, March 23, 2007 was approved.

INTRODUCTION OF BILLS

House File 878, by committee on economic growth, a bill for an act providing for agricultural and industrial development, including by providing for research into initiatives relating to renewable energy, and providing for applicability and effective dates.

Read first time and referred to committee on **ways and means**.

House File 879, by Tymeson, a bill for an act directing the department of education to conduct a study of high school equivalency diploma options, requirements, and fees.

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

House File 880, by Tymeson, Quirk, Alons and Bailey, a bill for an act relating to state purchasing by establishing a preference for certain Iowa-based businesses that support employees serving in the national guard and reserves.

Read first time and referred to committee on **state government**.

SENATE MESSAGE CONSIDERED

Senate File 517, by committee on judiciary, a bill for an act relating to the state building code by providing for training, administration, and enforcement of energy conservation requirements.

Read first time and referred to committee on **commerce**

The House stood at ease at 1:14 p.m., until the fall of the gavel.

The House resumed session at 1:27 p.m., Speaker Murphy in the chair.

CONSIDERATION OF BILLS

Regular Calendar

House File 851, a bill for an act relating to expenditure approval requirements applicable to the purchase of telecommunications equipment or services by the Iowa communications network, was taken up for consideration.

Lensing of Johnson moved that the bill be read a last time now and placed upon its passage, which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 851)

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill

Quirk	Raecker	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor
Smith	Soderberg	Staed	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Watts	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wienczek
Winckler	Windschitl	Wise	Worthan
Mr. Speaker Murphy			

The nays were, 2:

Forristall Van Fossen

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 618, a bill for an act allowing a county commissioner of elections to appoint certain high school students to serve as precinct election board members, was taken up for consideration.

Boal of Polk offered the following amendment H-1375 filed by her and moved its adoption:

H-1375

- 1 Amend House File 618 as follows:
- 2 1. Page 1, line 9, by striking the words "a
- 3 junior or" and inserting the following: "at least
- 4 seventeen years of age and a".

Amendment H-1375 lost.

T. Taylor of Linn offered the following amendment H-1390 filed by him and moved its adoption:

H-1390

- 1 Amend House File 618 as follows:
- 2 1. Page 1, line 9, by striking the words "a
- 3 junior or senior" and inserting the following: "at
- 4 least seventeen years of age and a student".
- 5 2. Page 1, line 27, by striking the words

6 "election precinct" and inserting the following:
7 "precinct election".

Amendment H-1390 was adopted, placing out of order amendment H-1370 filed by T. Taylor of Linn on March 19, 2007.

Jacobs of Polk offered the following amendment H-1385 filed by her and moved its adoption:

H-1385

1 Amend House File 618 as follows:

2 1. Page 1, by striking lines 11 and 12 and
3 inserting the following:
4 "() Receive credit in at least four subjects,
5 each of one period or hour, or the equivalent thereof,
6 at all times. The eligible subjects are language
7 arts, social studies, mathematics, science, health,
8 physical education, fine arts, foreign language, and
9 vocational education. Coursework taken as a
10 postsecondary enrollment option for which a school
11 district or accredited nonpublic school grants
12 academic credit toward high school graduation shall be
13 used in determining eligibility. A student shall not
14 be denied eligibility if the student's school program
15 deviates from the traditional two-semester school
16 year. Each student wishing to participate under this
17 subsection shall be passing all coursework for which
18 credit is given and shall be making adequate progress
19 toward graduation requirements at the end of each
20 grading period. At the end of a grading period that
21 is the final grading period in a school year, a
22 student who receives a failing grade in any course for
23 which credit is awarded is ineligible to participate
24 under this subsection. A student who is eligible at
25 the close of a semester is academically eligible to
26 participate under this subsection until the beginning
27 of the subsequent semester. A student with a
28 disability who has an individualized education program
29 shall not be denied eligibility to participate under
30 this subsection on the basis of scholarship if the
31 student is making adequate progress, as determined by
32 school officials, towards the goals and objectives on
33 the student's individualized education program."
34 2. By renumbering, redesignating, and correcting
35 internal references as necessary.

Amendment H-1385 was adopted.

Jacobs of Polk offered the following amendment H-1374 filed by her and moved its adoption:

H-1374

- 1 Amend House File 618 as follows:
- 2 1. Page 1, by striking lines 30 through 32.
- 3 2. By renumbering, redesignating, and correcting
- 4 internal references as necessary.

Amendment H-1374 was adopted.

Jacobs of Polk offered the following amendment H-1373 filed by her and moved its adoption:

H-1373

- 1 Amend House File 618 as follows:
- 2 1. Page 1, by inserting after line 35 the
- 3 following:
- 4 "___ . A student who serves on a precinct election
- 5 board is not eligible to receive class credit for such
- 6 service unless such service qualifies as meeting the
- 7 requirements of a class assignment imposed on all
- 8 students in the class."
- 9 2. By renumbering as necessary.

Amendment H-1373 was adopted.

Jacobs of Polk asked and received unanimous consent to withdraw amendment H-1383 filed by her on March 19, 2007.

Jacobs of Polk offered the following amendment H-1435 filed by her and T. Taylor of Linn and moved its adoption:

H-1435

- 1 Amend House File 618 as follows:
- 2 1. Page 1, by inserting after line 35 the
- 3 following:
- 4 "___ . No later than fourteen days after the date
- 5 of the election, the commissioner shall report to the
- 6 appropriate secondary school the following
- 7 information:
- 8 () The name of each student attending the
- 9 school who served as a precinct election board member
- 10 on election day.
- 11 () The number of hours the student served as a

- 12 precinct election board member.
 13 () The precinct number and polling place
 14 location where the student served as a precinct
 15 election board member.
 16 () Any other information the commissioner deems
 17 appropriate or that is requested by the school."
 18 2. By renumbering, redesignating, and correcting
 19 internal references as necessary.

Amendment H-1435 was adopted.

T. Taylor of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 618)

The ayes were, 85:

Abdul-Samad	Anderson	Arnold	Bailey
Bell	Berry	Bukta	Chambers
Clute	Cohoon	Dandekar	Davitt
De Boef	Deyoe	Dolecheck	Drake
Foegel	Ford	Forristall	Frevert
Gaskill	Gayman	Gipp	Granzow
Grassley	Heaton	Heddens	Hoffman
Horbach	Hunter	Huseman	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Oldson	Olson, D.
Olson, R.	Olson, S.	Olson, T.	Palmer
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rants	Rasmussen	Reasoner
Reichert	Schickel	Schueller	Shomshor
Smith	Soderberg	Staed	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Van Engelenhoven	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Wiencek	Winckler	Windschitl	Wise
Mr. Speaker			
Murphy			

The nays were, 14:

Alons	Baudler	Boal	Greiner
Jacobs	Kaufmann	Rayhons	Roberts
Sands	Tymeson	Upmeyer	Van Fossen
Watts	Worthan		

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 837, a bill for an act creating a hemophilia advisory committee and providing a contingent effective date, was taken up for consideration.

SENATE FILE 548 SUBSTITUTED FOR HOUSE FILE 837

Hunter of Polk asked and received unanimous consent to substitute Senate File 548 for House File 837.

Senate File 548, a bill for an act creating a hemophilia advisory committee and providing a contingent effective date, was taken up for consideration.

Hunter of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 548)

The ayes were, 98:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Gipp	Granzow	Grassley
Greiner	Heaton	Heddens	Hoffman
Horbach	Hunter	Huseman	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor

Smith	Soderberg	Staed	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Wiencek	Winckler	Windschitl	Wise
Worthan	Mr. Speaker		
	Murphy		

The nays were, 1:
Huser

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 837 WITHDRAWN

Hunter of Polk asked and received unanimous consent to withdraw House File 837 from further consideration by the House.

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 618, 851 and Senate File 548.**

House File 848, a bill for an act relating to the conduct of elections and voter registration and including effective and applicability date provisions, was taken up for consideration.

Gaskill of Wapello moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 848)

The ayes were, 99:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege

Ford	Forristall	Frevert	Gaskill
Gayman	Gipp	Granzow	Grassley
Greiner	Heaton	Heddens	Hoffman
Horbach	Hunter	Huseman	Huser
Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	Mascher	May
McCarthy	Mertz	Miller, H.	Miller, L.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Palmer	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Smith	Soderberg	Staed
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wienczek	Winckler	Windschitl
Wise	Worthan	Mr. Speaker	
		Murphy	

The nays were, none.

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 844, a bill for an act relating to inspection of absentee ballot affidavit envelopes by the county commissioner of elections, was taken up for consideration.

Gaskill of Wapello moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

Berry of Black Hawk in the chair at 3:10 p.m.

On the question "Shall the bill pass?" (H.F. 844)

The ayes were, 99:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Boal
Bukta	Chambers	Clute	Cohoon

Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Murphy, Spkr.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Palmer	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Smith	Soderberg	Staed
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wiencek	Winckler	Windschitl
Wise	Worthan	Berry, Presiding	

The nays were, none.

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 844 and 848.**

On motion by McCarthy of Polk, the House was recessed at 3:15 p.m., until the conclusion of the previously scheduled 3:00 p.m. committee meetings.

EVENING SESSION

The House reconvened at 5:59 p.m., Speaker Murphy in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 26, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 579, a bill for an act relating to judicial branch practices and procedures, including expanding the definition of a seal, involving duties of the clerk of the supreme court, and obtaining electronic signatures on citations.

Also: That the Senate has on March 26, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 650, a bill for an act relating to the sales of beer kegs by requiring an identification number on each keg of beer, recording of the purchase of beer by the keg, and providing penalties.

Also: That the Senate has on March 26, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 487, a bill for an act requiring the state fire marshal to assess the practice and impact of selling novelty lighters.

Also: That the Senate has on March 26, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 518, a bill for an act reorganizing Code chapter provisions relating to the authority to engage in the business of insurance other than life insurance by transferring provisions, eliminating outdated provisions, and amending corresponding provisions, as necessary.

Also: That the Senate has on March 26, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 546, a bill for an act relating to a hospital lien and providing an effective date.

Also: That the Senate has on March 26, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 563, a bill for an act relating to and making appropriations to the judicial branch.

MICHAEL E. MARSHALL, Secretary

HOUSE FILE 497 REFERRED

The Speaker announced that House File 497, previously placed on the **calendar** was referred to committee on **ways and means**.

SENATE FILE 480 REREFERRED

The Speaker announced that Senate File 480, previously referred to committee on **human resources** was **passed on file**.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 23, 2007, he approved and transmitted to the Secretary of State the following bills:

House File 199, an Act relating to the payment of costs of reasonable attorney fees related to certain paternity proceedings.

House File 588, an Act relating to requirements for persons seeking election to township office.

Senate File 58, an Act relating to the number of signatures required on nomination papers for the office of mayor in certain cities.

Senate File 67, an Act relating to the regulation and practice of pharmacy, including providing for the establishment of a limited drug and device distributor license.

Senate File 75, an Act relating to the registration of pharmacy technicians.

Senate File 130, an Act relating to commissions that oversee memorial buildings and monuments.

Senate File 272, an Act relating to nonsubstantive Code corrections and including effective and retroactive applicability date provisions.

Senate File 319, an Act relating to cooperative associations, by providing for documentation, including certificates and statements.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- 2007\2292 William and Inez Fitzgerald, Altoona – For celebrating their 50th wedding anniversary.
- 2007\2293 Sarah Keys, Waterloo – For her 27 years of dedicated service with Regions Bank.
- 2007\2294 Cub Scout Pack 4203 and their Cubmaster Robert A. Welper, Clear Lake and Ventura – For celebrating their 50th anniversary.
- 2007\2295 Grover Walker, Jewell – For his 61 years of dedicated service with the Veterans Affairs Commission.
- 2007\2296 Steve Haberman, Principal, Clarion-Goldfield Middle School – For being named 2007 Iowa Middle Level Principal of the Year by the School Administrators of Iowa.
- 2007\2297 Ankeny High School Visual Adrenaline Show Choir, Brandon Dean, Director of Choral Activities, Ankeny – For being awarded 1st Runner-Up, Best Vocal Performance, Best Horns and Best Female Soloist at the Fame Orlando National Show Choir Invitational.
- 2007\2298 Robert and Mary Even, Dubuque – For celebrating their 50th wedding anniversary.
- 2007\2299 Tyler Mitchell, Dubuque – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\2300 Norman Rekemeyer, Bennett – For celebrating his 90th birthday.
- 2007\2301 Viola Roeder, Cedar Rapids – For celebrating her 95th birthday.
- 2007\2302 Josh Chappell, Lowden – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\2303 Tipton VFW Post 2537, Tipton – For celebrating its 75th anniversary.
- 2007\2304 Roger Lande, Muscatine – For his appointment as Honorary Consul for Canada in the State of Iowa.
- 2007\2305 Kathryn Paul, Sioux City – For celebrating her 80th birthday.
- 2007\2306 Paul Whitbeck, Davenport – For celebrating his 80th birthday.
- 2007\2307 Mr. and Mrs. Hobert Henry, Altoona – For celebrating their 50th wedding anniversary.
- 2007\2308 Lyle and Colleen Jeppesen, Brayton – For celebrating their 50th wedding anniversary.
- 2007\2309 Andrew Meier, Guthrie Center – For being named to the Des Moines Register's Class 1-A All-State Boys Basketball First Team.

- 2007\2310 Gladys Peterson, Cedar Rapids – For celebrating her 90th birthday.
- 2007\2311 Tom Estes, Sioux Center – For being inducted into the Iowa Coaching Hall of Fame.
- 2007\2312 Veronica Stoneall, West Lyon Elementary School – For her 34 years of dedication serving students as an elementary art instructor.
- 2007\2313 Muriel Gayer, West Lyon Elementary School – For her 36 years of dedication serving students as an elementary music instructor.
- 2007\2314 Bud and Geneva Van Hill, Inwood – For celebrating their 60th wedding anniversary.
- 2007\2315 Agnes Kruse, George – For celebrating her 90th birthday.
- 2007\2316 Julia Mulder, Sioux Center – For celebrating her 100th birthday.
- 2007\2317 Lloyd and Eunice Nichols, Albia – For celebrating their 65th wedding anniversary.
- 2007\2318 Leona Barker, Cordova – For celebrating her 90th birthday.
- 2007\2319 Jean Smith, Cedar Rapids – For celebrating her 80th birthday.
- 2007\2320 Paul Martin, Cedar Rapids – For celebrating his 75th birthday.
- 2007\2321 Carolyn Smith, Cedar Rapids – For celebrating her 80th birthday.
- 2007\2322 Dorothy Thompson, Cedar Rapids – For celebrating her 85th birthday.
- 2007\2323 Dolores Hernandez, Cedar Rapids – For celebrating her 75th birthday.
- 2007\2324 Lydia Carron, Cedar Rapids – For celebrating her 80th birthday.
- 2007\2325 Margaret Dodge, Cedar Rapids – For celebrating her 80th birthday.
- 2007\2326 Robert Gehring, Cedar Rapids – For celebrating his 80th birthday.
- 2007\2327 Alice Patten, Cedar Rapids – For celebrating her 80th birthday.
- 2007\2328 Delpha Larson, Cedar Rapids – For celebrating her 85th birthday.
- 2007\2329 Doris Leclere, Cedar Rapids – For celebrating her 75th birthday.
- 2007\2330 Clarence Murphy, Cedar Rapids – For celebrating his 80th birthday.
- 2007\2331 Lucille Wheeler, Cedar Rapids – For celebrating her 85th birthday.
- 2007\2332 Ronald Lynch, Cedar Rapids – For celebrating his 75th birthday.

- 2007\2333 Elroy Hill, Cedar Rapids – For celebrating his 85th birthday.
- 2007\2334 Blanche Cuhel, Cedar Rapids – For celebrating her 90th birthday.
- 2007\2335 Lois Harris, Cedar Rapids – For celebrating her 75th birthday.
- 2007\2336 Phyllis Stoddard, Cedar Rapids – For celebrating her 75th birthday.
- 2007\2337 Darlene Schonfeldt, Cedar Rapids – For celebrating her 85th birthday.
- 2007\2338 Patricia Schnell, Cedar Rapids – For celebrating her 75th birthday.
- 2007\2339 Virgil Bowser, Cedar Rapids – For celebrating his 90th birthday.
- 2007\2340 Patsy Owara, Cedar Rapids – For celebrating her 75th birthday.
- 2007\2341 T. Parr, Cedar Rapids – For celebrating her 80th birthday.
- 2007\2342 Clarence Yock, Cedar Rapids – For celebrating his 85th birthday.
- 2007\2343 Kenneth Bump, Cedar Rapids – For celebrating his 75th birthday.
- 2007\2344 James Benedict, Cedar Rapids – For celebrating his 75th birthday.
- 2007\2345 Jumelie Cherif, Cedar Rapids – For celebrating her 75th birthday.
- 2007\2346 Marian Merritt, Cedar Rapids – For celebrating her 80th birthday.
- 2007\2347 Lod Nichols, Cedar Rapids – For celebrating his 85th birthday.
- 2007\2348 James Shaff, Cedar Rapids – For celebrating his 85th birthday.
- 2007\2349 Jacob Deboer, Cedar Rapids – For celebrating his 75th birthday.
- 2007\2350 Robert Mueller, Cedar Rapids – For celebrating his 85th birthday.
- 2007\2351 Myron Bisek, Cedar Rapids – For celebrating her 80th birthday.
- 2007\2352 Deloris Egger, Cedar Rapids – For celebrating her 85th birthday.
- 2007\2353 Donald Johnson, Cedar Rapids – For celebrating his 75th birthday.
- 2007\2354 Rose Rehberg, Cedar Rapids – For celebrating her 75th birthday.
- 2007\2355 Lowell Sisson, Cedar Rapids – For celebrating his 75th birthday.
- 2007\2356 Donald Crosby, Cedar Rapids – For celebrating his 80th birthday.
- 2007\2357 Earl Heitman, Cedar Rapids – For celebrating his 85th birthday.
- 2007\2358 Patricia Onstott, Cedar Rapids – For celebrating her 80th birthday.

- 2007\2359 Margaret Bradow, Cedar Rapids - For celebrating her 75th birthday.
- 2007\2360 Dan Hingtgen, Cedar Rapids - For celebrating his 75th birthday.
- 2007\2361 Glenn Smith, Cedar Rapids - For celebrating his 80th birthday.
- 2007\2362 Wilma Linkenback, Cedar Rapids - For celebrating her 90th birthday.

SUBCOMMITTEE ASSIGNMENT

Senate File 558

Natural Resources: Whitaker, Chair; Bailey and Baudler.

AMENDMENTS FILED

H—1442	S.F.	261	Sands of Louisa
H—1443	S.F.	62	Tymeson of Madison
H—1444	H.F.	877	Boal of Polk Tymeson of Madison
H—1445	H.F.	877	Heaton of Henry
H—1446	H.F.	877	Tymeson of Madison
H—1447	H.F.	877	Wiencek of Black Hawk Boal of Polk
H—1448	H.F.	877	Heaton of Henry
H—1449	H.F.	877	Dolecheck of Ringgold
H—1450	H.F.	877	Forristall of Pottawattamie
H—1451	H.F.	877	Tymeson of Madison
H—1452	H.F.	877	Dolecheck of Ringgold
H—1453	H.F.	877	L. Miller of Scott
H—1454	H.F.	877	Heaton of Henry
H—1455	H.F.	877	Heaton of Henry
H—1456	H.F.	877	L. Miller of Scott
H—1457	H.F.	877	Tymeson of Madison
H—1458	H.F.	877	Kaufmann of Cedar
H—1459	H.F.	877	Kaufmann of Cedar
H—1460	S.F.	403	Oldson of Polk
H—1461	H.F.	829	Thomas of Clayton
H—1462	H.F.	845	Jacobs of Polk
H—1463	H.F.	845	Jacobs of Polk
H—1464	H.F.	764	Thomas of Clayton
H—1465	H.F.	845	Jacobs of Polk
H—1466	H.F.	874	Alons of Sioux

H—1467	H.F.	874	Alons of Sioux
H—1468	H.F.	874	Alons of Sioux
H—1469	H.F.	874	Alons of Sioux
H—1470	H.F.	874	Alons of Sioux
H—1471	H.F.	874	Alons of Sioux
H—1472	H.F.	874	Alons of Sioux
H—1473	H.F.	808	Huser of Polk
H—1474	S.F.	403	Watts of Dallas
H—1475	S.F.	403	Watts of Dallas
H—1476	H.F.	796	Whitaker of Van Buren
H—1477	S.F.	403	Watts of Dallas
H—1478	S.F.	403	Watts of Dallas
H—1479	S.F.	403	Watts of Dallas
H—1480	H.F.	877	Heaton of Henry
H—1481	H.F.	877	Heaton of Henry
H—1482	H.F.	874	Hunter of Polk
H—1483	H.F.	874	Raecker of Polk Alons of Sioux
H—1484	H.F.	777	Palmer of Mahaska

On motion by McCarthy of Polk the House adjourned at 6:00 p.m., until 9:00 a.m., Tuesday, March 27, 2007.

JOURNAL OF THE HOUSE

Seventy-ninth Calendar Day - Fifty-fourth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, March 27, 2007

The House met pursuant to adjournment at 9:15 a.m., Speaker Murphy in the chair.

Prayer was offered by Rabbi David Kaufman with the Temple B'Nai Jeshurn. He was the guest of Representative Ako Abdul-Samad of Polk County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Kelsey Heino, House Page from Carroll.

The Journal of Monday, March 26, 2007 was approved.

INTRODUCTION OF BILLS

House File 881, by committee on ways and means, a bill for an act establishing a tax credit certificate transfer program and including a retroactive applicability provision.

Read first time and placed on the **ways and means calendar**.

House File 882, by committee on ways and means, a bill for an act modifying and extending state tax benefits for use of soy-based transformer fluid by electric utilities and including effective and applicability date provisions.

Read first time and placed on the **ways and means calendar**.

House File 883, by committee on ways and means, a bill for an act relating to the state earned income tax credit by increasing the amount of the tax credit and making the tax credit refundable and including effective and retroactive applicability date provisions.

Read first time and placed on the **ways and means calendar**.

SENATE MESSAGES CONSIDERED

Senate File 487, by committee on judiciary, a bill for an act requiring the state fire marshal to assess the practice and impact of selling novelty lighters.

Read first time and referred to committee on **state government**.

Senate File 518, by committee on commerce, a bill for an act reorganizing Code chapter provisions relating to the authority to engage in the business of insurance other than life insurance by transferring provisions, eliminating outdated provisions, and amending corresponding provisions, as necessary.

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

Senate File 546, by committee on judiciary, a bill for an act relating to a hospital lien.

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

Senate File 563, by committee on appropriations, a bill for an act relating to and making appropriations to the judicial branch.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 26, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 617, a bill for an act creating a generation Iowa commission.

Also: That the Senate has on March 26, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 90, a bill for an act concerning local emergency management commission communications.

Also: That the Senate has on March 26, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 427, a bill for an act relating to the Iowa civil rights Act and discrimination based upon a person's sexual orientation or gender identity.

Also: That the Senate has on March 26, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 445, a bill for an act increasing punitive damages that may be awarded for wrongful retention of certain rental deposits.

Also: That the Senate has on March 26, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 447, a bill for an act relating to incentives for school district reorganizations and shared operational functions, and making an appropriation.

MICHAEL E. MARSHALL, Secretary

ADOPTION OF HOUSE RESOLUTION 31

De Boef of Keokuk, Lykam of Scott, S. Olson of Clinton and Winckler of Scott called up for consideration **House Resolution 31**, a resolution honoring Iowan Eugene Ely, a pioneer in Naval aviation, and moved its adoption.

The motion prevailed and the resolution was adopted.

The House stood at ease at 9:30 a.m., until the fall of the gavel.

The House resumed session at 10:42 a.m., Speaker Murphy in the chair.

CONSIDERATION OF BILLS

Regular Calendar

House File 875, a bill for an act relating to general provisions of the uniform commercial code relating to the construction and application of its subject matter, and providing for a contingent effective date, was taken up for consideration.

Swaim of Davis offered the following amendment H-1437 filed by him and moved its adoption:

H-1437

1 Amend House File 875 as follows:

2 1. Page 30, by striking lines 5 through 9 and

- 3 inserting the following:
 4 "___ If 2007 Iowa Acts, House File 716 is
 5 enacted, notwithstanding section 4.1, all of the
 6 following apply:"
 7 2. Page 30, by striking lines 18 through 20 and
 8 inserting the following: "26, and 27, Code 2007, as
 9 enacted in 2007 Iowa Acts, House File 716."
 10 3. Page 30, by striking lines 25 and 26, and
 11 inserting the following: "enacted in 2007 Iowa Acts,
 12 House File 716."
 13 4. Page 30, by striking lines 27 through 31 and
 14 inserting the following:
 15 "___ If 2007 Iowa Acts, House File 716 is not
 16 enacted, notwithstanding section 4.8, the amendments
 17 to section 554.1201, subsections 5, 6, 14,".
 18 5. By renumbering as necessary.

Amendment H-1437 was adopted.

SENATE FILE 535 SUBSTITUTED FOR HOUSE FILE 875

Swaim of Davis asked and received unanimous consent to substitute Senate File 535 for House File 875.

Senate File 535, a bill for an act relating to general provisions of the uniform commercial code relating to the construction and application of its subject matter, and providing for a contingent effective date, was taken up for consideration.

Swaim of Davis moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 535)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Baudler	Bell	Berry	Boal
Bukta	Chambers	Clute	Cphoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Heddens	Horbach	Hunter
Huseman	Huser	Jacobs	Jacoby
Jochum	Kaufmann	Kelley	Kressig

Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Oldson	Olson, D.
Olson, R.	Olson, S.	Olson, T.	Palmer
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rants	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Smith
Staed	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Wiencsek	Winckler
Windschitl	Wise	Worthan	Mr. Speaker
			Murphy

The nays were, none.

Absent or not voting, 4:

Bailey	Hoffman	Soderberg	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 826, a bill for an act establishing an Iowa Abraham Lincoln bicentennial commission and fund and providing for its prospective repeal, was taken up for consideration.

Smith of Marshall moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 826)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Baudler	Bell	Berry	Boal
Bukta	Chambers	Clute	Cohoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foegel	Ford
Forristall	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Heddens	Horbach	Hunter
Huseman	Huser	Jacobs	Jacoby
Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam

Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Oldson	Olson, D.
Olson, R.	Olson, S.	Olson, T.	Palmer
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rants	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Smith
Staed	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Wiencek	Winckler
Windschitl	Wise	Worthan	Mr. Speaker Murphy

The nays were, none.

Absent or not voting, 4:

Bailey	Hoffman	Soderberg	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 765, a bill for an act relating to animal feeding operations, by providing for the enforcement of regulatory provisions, was taken up for consideration.

Frevert of Palo Alto moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 765)

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Arnold
Baudler	Bell	Berry	Boal
Bukta	Chambers	Clute	Cohoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Heddens	Horbach	Hunter
Huseman	Jacobs	Jacoby	Jochum
Kaufmann	Kelley	Kressig	Kuhn
Lensing	Lukan	Lykam	Mascher
May	McCarthy	Mertz	Miller, H.
Miller, L.	Oldson	Olson, D.	Olson, R.

Olson, S.	Olson, T.	Palmer	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rants	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Smith	Staed
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wiencek	Winckler	Windschitl
Wise	Worthan	Mr. Speaker	
		Murphy	

The nays were, none.

Absent or not voting, 5:

Bailey	Hoffman	Huser	Soderberg
Zirkelbach			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 759, a bill for an act specifying the functions of the Clarinda correctional facility, was taken up for consideration.

Hunter of Polk offered the following amendment H-1378 filed by him and moved its adoption:

H-1378

- 1 Amend House File 759 as follows:
- 2 1. Page 1, line 7, by striking the words "other
- 3 disabilities" and inserting the following: "mental
- 4 illness".

Amendment H-1378 was adopted.

Hunter of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 759)

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Arnold
Baudler	Bell	Berry	Boal

Bukta	Chambers	Clute	Cohon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Heddens	Horbach	Hunter
Huseman	Huser	Jacobs	Jacoby
Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Oldson	Olson, D.
Olson, R.	Olson, S.	Olson, T.	Palmer
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rants	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schueller	Shomshor	Smith	Staed
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wiencek	Winckler	Windschitl
Wise	Worthan	Mr. Speaker	
		Murphy	

The nays were, none.

Absent or not voting, 5:

Bailey	Hoffman	Schickel	Soderberg
Zirkelbach			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 559, a bill for an act relating to the midwest interstate passenger rail compact and providing an effective date, was taken up for consideration.

Bell of Jasper moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 559)

The ayes were, 87:

Abdul-Samad	Anderson	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohon	Dandekar	Davitt	De Boef

Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Gipp	Granzow	Grassley
Greiner	Heddens	Horbach	Hunter
Huseman	Huser	Jacobs	Jacoby
Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Oldson	Olson, D.
Olson, R.	Olson, S.	Olson, T.	Palmer
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Schueller	Shomshor
Smith	Staed	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Fossen
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wiencek	Winckler	Windschitl
Wise	Worthan	Mr. Speaker	
		Murphy	

The nays were, 8:

Alons	Arnold	Baudler	Heaton
Rants	Sands	Van Engelenhoven	Watts

Absent or not voting, 5:

Bailey	Hoffman	Schickel	Soderberg
Zirkelbach			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 875 WITHDRAWN

Swaim of Davis asked and received unanimous consent to withdraw House File 875 from further consideration by the House.

INTRODUCTION OF BILLS

House Joint Resolution 9, by McCarthy, a joint resolution authorizing the temporary use and consumption of wine in the State Capitol, and the temporary display of ceremonial banners, in conjunction with the awards ceremony of the World Food Prize Foundation.

Read first time and referred to committee on **administration and rules**.

House File 884, by Tymeson, a bill for an act relating to school district property taxes collected as incremental taxes and collected in urban revitalization areas and providing an applicability date.

Read first time and referred to committee on **ways and means**.

House File 885, by committee on agriculture, a bill for an act concerning horse racing by providing for purse agreements for races of standardbred horses at county fairs.

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

SENATE MESSAGES CONSIDERED

Senate File 90, by Wood, a bill for an act concerning local emergency management commission communications.

Read first time and referred to committee on **local government**.

Senate File 427, by committee on state government, a bill for an act relating to the Iowa civil rights Act and discrimination based upon a person's sexual orientation or gender identity.

Read first time and referred to committee on **human resources**.

Senate File 445, by committee on judiciary, a bill for an act increasing punitive damages that may be awarded for wrongful retention of certain rental deposits.

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

Senate File 447, by committee on education, a bill for an act relating to incentives for school district reorganizations and shared operational functions, and making an appropriation.

Read first time and **passed on file**.

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 559, 759, 765, 826** and **Senate File 535**.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 27, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 284, a bill for an act concerning employees subject to unannounced drug or alcohol testing.

Also: that the Senate has on March 27, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 484, a bill for an act relating to maximum size and weight requirements for vehicles hauling crops during the annual period of harvest.

MICHAEL E. MARSHALL, Secretary

On motion by McCarthy of Polk, the House was recessed at 11:13 a.m., until 1:20 p.m.

AFTERNOON SESSION

The House reconvened at 1:29 p.m., Speaker Murphy in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 27, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 468, a bill for an act requiring a study by the department of education relating to implementation of a statewide student information system.

Also: That the Senate has on March 27, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 369, a bill for an act relating to voting machines and optical scan voting systems.

Also: That the Senate has on March 27, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 411, a bill for an act relating to membership on election boards.

Also: That the Senate has on March 27, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 416, a bill for an act relating to city elections by providing procedures for filling a city council vacancy by special election and by providing satellite absentee voting at certain city elections.

Also: That the Senate has on March 27, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 559, a bill for an act relating to cemetery and funeral merchandise, funeral services, and cemeteries and providing fees and penalties.

MICHAEL E. MARSHALL, Secretary

The House stood at ease at 1:30 p.m., until the fall of the gavel.

The House resumed session at 3:15 p.m., Speaker Murphy in the chair.

CONSIDERATION OF BILLS Regular Calendar

House File 158, a bill for an act relating to a requirement that children receive a blood lead test by age six or prior to enrollment in an elementary school, with report of committee recommending amendment and passage, was taken up for consideration.

Ford of Polk offered amendment H-1097 filed by the committee on human resources as follows:

H-1097

1 Amend House File 158 as follows:

2 1. Page 1, by striking lines 6 through 8 and
3 inserting the following: "accordance with section
4 135.105D."

5 2. Page 1, by striking lines 11 through 15 and
6 inserting the following:

7 "NEW SUBSECTION. 1A. a. Except as provided in
8 paragraph "b" and subsection 1C, a parent or guardian
9 shall provide evidence to the school district
10 elementary attendance center or the accredited
11 nonpublic elementary school in which the parent's or
12 guardian's child is enrolled that the child was tested
13 for elevated blood lead levels by the age of six".

14 3. Page 1, by inserting after line 16 the
15 following:

16 "b. A child of compulsory attendance age may be
17 provisionally enrolled in an elementary school if the
18 child's parent or guardian consents to have the child
19 receive a blood lead test as rapidly as is feasible
20 but not later than sixty days after the school
21 calendar commences. The department shall adopt rules
22 relating to the provisional enrollment of children to
23 an elementary school in accordance with this
24 paragraph.

25 c. The board of directors of each school district
26 and the authorities in charge of each nonpublic school
27 shall give notice of the blood lead test requirement
28 to parents of students enrolled or to be enrolled in
29 the school at least ninety days before the start of
30 the school year in the manner prescribed by the
31 department."

32 4. Page 1, by striking lines 27 through 31 and
33 inserting the following: "levels, or if the child's
34 parent or legal guardian submits an affidavit, signed
35 by the parent or legal guardian, stating that the
36 blood lead testing conflicts with a genuine and
37 sincere religious belief."

38 5. Page 1, by inserting after line 35 the
39 following:

40 "Sec. ____ Section 135.105D, subsection 3, Code
41 2007, is amended to read as follows:

42 3. The department shall implement blood lead
43 testing for children under six years of age who are
44 not eligible for the testing services to be paid by a
45 third-party source. The department shall contract
46 with one or more public health laboratories to provide
47 blood lead analysis for such children. The department
48 shall establish by rule the procedures for health care
49 providers to submit samples to the contracted public
50 health laboratories for analysis. The department

Page 2

1 shall also establish by rule a method to reimburse
2 health care providers for drawing blood samples from
3 such children and the dollar amount that the
4 department will reimburse health care providers for
5 the service. The department shall also establish by
6 rule a method to reimburse health care providers for
7 analyzing blood lead samples using a portable blood
8 lead testing instrument and the dollar amount that the
9 department will reimburse health care providers for
10 the service. Payment for blood lead analysis and
11 drawing blood samples shall be limited to the amount
12 appropriated for the program in a fiscal year.
13 Sec. ____ Section 299.4, Code 2007, is amended to

14 read as follows:

15 299.4 REPORTS AS TO PRIVATE INSTRUCTION.

16 The parent, guardian, or legal custodian of a child
17 who is of compulsory attendance age, who places the
18 child under competent private instruction under either
19 section 299A.2 or 299A.3, not in an accredited school
20 or a home school assistance program operated by a
21 public or accredited nonpublic school, shall furnish a
22 report in duplicate on forms provided by the public
23 school district, to the district by the earliest
24 starting date specified in section 279.10, subsection
25 1. The secretary shall retain and file one copy and
26 forward the other copy to the district's area
27 education agency. The report shall state the name and
28 age of the child, the period of time during which the
29 child has been or will be under competent private
30 instruction for the year, an outline of the course of
31 study, texts used, and the name and address of the
32 instructor. The parent, guardian, or legal custodian
33 of a child, who is placing the child under competent
34 private instruction for the first time, shall also
35 provide the district with evidence that the child has
36 had the immunizations required under section 139A.8,
37 and, if the child is elementary school age, a blood
38 lead test in accordance with section 135.105D. The
39 term "outline of course of study" shall include
40 subjects covered, lesson plans, and time spent on the
41 areas of study."

42 6. By renumbering as necessary.

Heddens of Story in the chair at 3:20 p.m.

Petersen of Polk offered the following amendment H-1315, to the committee amendment H-1097, filed by her and Upmeyer of Hancock and moved its adoption:

H-1315

1 Amend the amendment, H-1097, to House File 158, as
2 follows:

3 1. Page 1, line 7, by inserting before the word
4 "Except" the following: "A parent or guardian of a
5 child under the age of two is strongly encouraged to
6 have the child tested for elevated blood lead levels
7 by the age of two."

Amendment H-1315 was adopted.

Alons of Sioux offered the following amendment H-1136, to the committee amendment H-1097, filed by him and moved its adoption: H-1136

- 1 Amend the amendment, H-1097, to House File 158, as
- 2 follows:
- 3 1. Page 1, by inserting after line 31 the
- 4 following:
- 5 "____. Page 1, line 24, by striking the word "may"
- 6 and inserting the following: "shall"."

Roll call was requested by Alons of Sioux and Van Engelenhoven of Marion.

On the question "Shall amendment H-1136 be adopted?" (H.F. 158)

The ayes were, 43:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Drake	Forristall	Gipp
Granzow	Grassley	Heaton	Hoffman
Horbach	Huseman	Jacobs	Kaufmann
Lukan	May	Miller, L.	Olson, S.
Paulsen	Raecker	Rants	Rasmussen
Rayhons	Roberts	Sands	Schickel
Soderberg	Struyk	Tjepkes	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wienczek	Windschitl	Worthan	

The nays were, 55:

Abdul-Samad	Bell	Berry	Bukta
Cohoon	Dandekar	Davitt	Dolecheck
Foege	Ford	Frevert	Gaskill
Gayman	Greiner	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Murphy, Spkr.
Oldson	Olson, D.	Olson, R.	Olson, T.
Palmer	Petersen	Pettengill	Quirk
Reasoner	Reichert	Schueller	Shomshor
Smith	Staed	Swaim	Taylor, D.
Taylor, T.	Thomas	Tomenga	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Winckler	Wise	Heddens,	
		Presiding	

Absent or not voting, 2:

Bailey

Zirkelbach

Amendment H-1136 lost.

On motion by Ford of Polk the committee amendment H-1097, as amended, was adopted.

Ford of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 158)

The ayes were, 93:

Abdul-Samad	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Chambers	Clute	Cohoon	Dandekar
Davitt	Deyoe	Dolecheck	Drake
Foege	Ford	Forristall	Frevort
Gaskill	Gayman	Gipp	Granzow
Grassley	Greiner	Heaton	Hoffman
Horbach	Hunter	Huseman	Huser
Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	Mascher	May
McCarthy	Mertz	Miller, H.	Miller, L.
Murphy, Spkr.	Oldson	Olson, D.	Olson, R.
Olson, S.	Olson, T.	Palmer	Petersen
Pettengill	Quirk	Raecker	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Schickel	Schueller	Shomshor
Smith	Soderberg	Staed	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Wiencek	Winckler	Wise	Worthan
Heddens, Presiding			

The nays were, 5:

Alons	De Boef	Paulsen	Sands
Windschitl			

Absent or not voting, 2:

Bailey	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 116, a bill for an act relating to the labor commissioner's regulation of fire fighter clothing and personal protection equipment, with report of committee recommending passage, was taken up for consideration.

Staed of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 116)

The ayes were, 98:

Abdul-Samad	Alons	Anderson	Arnold
Baudler	Bell	Berry	Boal
Bukta	Chambers	Clute	Cohoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Hoffman	Horbach	Hunter
Huseman	Huser	Jacobs	Jacoby
Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Murphy, Spkr.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor
Smith	Soderberg	Staed	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Wiencek	Winckler	Windschitl	Wise
Worthan	Heddens,		
	Presiding		

The nays were, none.

Absent or not voting, 2:

Bailey Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 344, a bill for an act relating to publishing notice of examination and testing of voting machines and voting system tabulating devices, was taken up for consideration.

Gaskill of Wapello moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 344)

The ayes were, 98:

Abdul-Samad	Alons	Anderson	Arnold
Baudler	Bell	Berry	Boal
Bukta	Chambers	Clute	Cohoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Hoffman	Horbach	Hunter
Huseman	Huser	Jacobs	Jacoby
Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Murphy, Spkr.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor
Smith	Soderberg	Staed	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Wiencek	Winckler	Windschitl	Wise
Worthan	Heddens, Presiding		

The nays were, none.

Absent or not voting, 2:

Bailey Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 454, a bill for an act relating to the disposition of certain unclaimed property, was taken up for consideration.

Shomshor of Pottawattamie offered the following amendment H-1104 filed by him and moved its adoption:

H-1104

- 1 Amend House File 454 as follows:
- 2 1. By striking page 1, line 10, through page 3,
- 3 line 2.
- 4 2. By renumbering as necessary.

Amendment H-1104 was adopted.

SENATE FILE 202 SUBSTITUTED FOR HOUSE FILE 454

Shomshor of Pottawattamie asked and received unanimous consent to substitute Senate File 202 for House File 454.

Senate File 202, a bill for an act relating to the disposition of certain unclaimed property, was taken up for consideration.

Shomshor of Pottawattamie moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 202)

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Baudler	Bell	Berry	Boal
Bukta	Chambers	Clute	Cohon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Hoffman	Horbach	Hunter
Huseman	Huser	Jacobs	Jacoby
Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam

Mascher	May	McCarthy	Mertz
Miller, L.	Murphy, Spkr.	Oldson	Olson, D.
Olson, R.	Olson, S.	Olson, T.	Palmer
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rants	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Smith
Soderberg	Staed	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wienczek
Winckler	Windschitl	Wise	Worthan
Heddens, Presiding			

The nays were, none.

Absent or not voting, 3:

Bailey	Miller, H.	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 840, a bill for an act relating to children who are subject to a court order for a temporary or permanent out-of-home placement by providing for visitation or ongoing interaction between the children and siblings, was taken up for consideration.

SENATE FILE 480 SUBSTITUTED FOR HOUSE FILE 840

T. Olson of Linn asked and received unanimous consent to substitute Senate File 480 for House File 840.

Senate File 480, a bill for an act relating to children who are subject to a court order for a temporary or permanent out-of-home placement by providing for visitation or ongoing interaction between the children and siblings, was taken up for consideration.

T. Olson of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 480)

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Baudler	Bell	Berry	Boal
Bukta	Chambers	Clute	Cohoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Hoffman	Horbach	Hunter
Huseman	Huser	Jacobs	Jacoby
Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller, L.	Murphy, Spkr.	Oldson	Olson, D.
Olson, R.	Olson, S.	Olson, T.	Palmer
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rants	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Smith
Soderberg	Staed	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wienczek
Winckler	Windschitl	Wise	Worthan
Heddens, Presiding			

The nays were, none.

Absent or not voting, 3:

Bailey	Miller, H.	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 807, an act concerning investment of certain public funds in companies doing business in Sudan by the treasurer of state, public retirement systems in Iowa, and the state board of regents, was taken up for consideration.

Alons of Sioux asked and received unanimous consent to withdraw amendment H-1410 filed by him on March 20, 2007.

Van Fossen of Scott asked and received unanimous consent to withdraw amendment H-1405 filed by him on March 20, 2007.

Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Murphy, Spkr.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill
Quirk	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Smith	Soderberg
Staed	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wiencek	Winckler	Windschitl
Wise	Worthan	Heddens, Presiding	

The nays were, 3:

Raecker Rants Tomenga

Absent or not voting and 2:

Bailey Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 840 WITHDRAWN

T. Olson of Linn asked and received unanimous consent to withdraw House File 840 from further consideration by the House.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **Senate File 361** be immediately messaged to the Senate.

House File 526, a bill for an act relating to the department of public safety practices and procedures, was taken up for consideration.

SENATE FILE 204 SUBSTITUTED FOR HOUSE FILE 526

Hunter of Polk asked and received unanimous consent to substitute Senate File 204 for House File 526.

Senate File 204, a bill for an act relating to the department of public safety practices and procedures, was taken up for consideration.

Hunter of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 204)

The ayes were, 98:

Abdul-Samad	Alons	Anderson	Arnold
Baudler	Bell	Berry	Boal
Bukta	Chambers	Clute	Cohoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Hoffman	Horbach	Hunter
Huseman	Huser	Jacobs	Jacoby
Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Murphy, Spkr.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor
Smith	Soderberg	Staed	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Wiencek	Winckler	Windschitl	Wise
Worthan	Heddens, Presiding		

The nays were, none.

Absent or not voting and 2:

Bailey Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 526 WITHDRAWN

Hunter of Polk asked and received unanimous consent to withdraw House File 526 from further consideration by the House.

HOUSE FILE 454 WITHDRAWN

Shomshor of Pottawattamie asked and received unanimous consent to withdraw House File 454 from further consideration by the House.

House File 589, a bill for an act relating to limitations of actions as applied to county collection of delinquent property taxes, was taken up for consideration.

Huser of Polk offered the following amendment H-1174 filed by her and moved its adoption:

H-1174

- 1 Amend House File 589 as follows:
- 2 1. Page 1, line 5, by inserting after the word
- 3 "delinquent" the following: "real property".
- 4 2. Title page, line 2, by inserting after the
- 5 word "delinquent" the following: "real".

Amendment H-1174 was adopted.

SENATE FILE 450 SUBSTITUTED FOR HOUSE FILE 589

Huser of Polk asked and received unanimous consent to substitute Senate File 450 for House File 589.

Senate File 450, a bill for an act relating to limitations of actions as applied to county collection of delinquent real property taxes, was taken up for consideration.

Huser of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 450)

The ayes were, 98:

Abdul-Samad	Alons	Anderson	Arnold
Baudler	Bell	Berry	Boal
Bukta	Chambers	Clute	Cphoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Hoffman	Horbach	Hunter
Huseman	Huser	Jacobs	Jacoby
Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Murphy, Spkr.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor
Smith	Soderberg	Staed	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Wienczek	Winckler	Windschitl	Wise
Worthan	Heddens, Presiding		

The nays were, none.

Absent or not voting, 2:

Bailey Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 589 WITHDRAWN

Huser of Polk asked and received unanimous consent to withdraw House File 589 from further consideration by the House.

House File 647, a bill for an act relating to the designation of Iowa great places and financial and technical assistance to projects in Iowa great places, was taken up for consideration.

Schueller of Jackson moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 647)

The ayes were, 98:

Abdul-Samad	Alons	Anderson	Arnold
Baudler	Bell	Berry	Boal
Bukta	Chambers	Clute	Cohoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Hoffman	Horbach	Hunter
Huseman	Huser	Jacobs	Jacoby
Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Murphy, Spkr.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor
Smith	Soderberg	Staed	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Wiencck	Winckler	Windschitl	Wise
Worthan	Heddens, Presiding		

The nays were, none.

Absent or not voting, 2:

Bailey Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House File 647**, and **Senate Files 204 and 450**.

House File 764, a bill for an act relating to programs, funds, authority, and duties of the Iowa finance authority, was taken up for consideration.

Thomas of Clayton offered the following amendment H-1464 filed by him and moved its adoption:

H-1464

- 1 Amend House File 764 as follows:
- 2 1. Page 23, line 5, by striking the word
- 3 "either".
- 4 2. Page 23, line 6, by striking the word "or" and
- 5 inserting the following: "and".

Amendment H-1464 was adopted.

SENATE FILE 431 SUBSTITUTED FOR HOUSE FILE 764

Thomas of Clayton asked and received unanimous consent to substitute Senate File 431 for House File 764.

Senate File 431, a bill for an act relating to programs, funds, authority, and duties of the Iowa finance authority, was taken up for consideration.

Bukta of Clinton in the chair at 4:54 p.m.

Thomas of Clayton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 431)

The ayes were, 98:

Abdul-Samad	Alons	Anderson	Arnold
Baudler	Bell	Berry	Boal
Chambers	Clute	Cohoon	Dandekar
Davitt	De Boef	Deyoe	Dolecheck
Drake	Foege	Ford	Forristall
Frevert	Gaskill	Gayman	Gipp
Granzow	Grassley	Greiner	Heaton
Heddens	Hoffman	Horbach	Hunter
Huseman	Huser	Jacobs	Jacoby

Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Murphy, Spkr.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor
Smith	Soderberg	Staed	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Wienczek	Winckler	Windschitl	Wise
Worthan	Bukta, Presiding		

The nays were, none.

Absent or not voting, 2:

Bailey Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 764 WITHDRAWN

Thomas of Clayton asked and received unanimous consent to withdraw House File 764 from further consideration by the House.

House File 775, a bill for an act relating to county general obligation bonds by modifying the definition of essential county purpose and by changing the requirements under which a county may issue general county purpose bonds without an election, was taken up for consideration.

Thomas of Clayton offered the following amendment H-1371 filed by Gaskill of Wapello and moved its adoption:

H-1371

- 1 Amend House File 775 as follows:
- 2 1. By striking everything after the enacting
- 3 clause and inserting the following:
- 4 "Section 1. Section 331.441, subsection 2,
- 5 paragraph b, subparagraph (5), subparagraph

6 subdivisions (a) through (e), Code 2007, are amended
7 to read as follows:

8 (a) ~~Four~~ Six hundred thousand dollars in a county
9 having a population of twenty-five thousand or less.

10 (b) ~~Five~~ Seven hundred fifty thousand dollars in a
11 county having a population of more than twenty-five
12 thousand but not more than fifty thousand.

13 (c) ~~Six~~ Nine hundred thousand dollars in a county
14 having a population of more than fifty thousand but
15 not more than one hundred thousand.

16 (d) ~~Eight~~ One million two hundred thousand dollars
17 in a county having a population of more than one
18 hundred thousand but not more than two hundred
19 thousand:

20 (e) One million five hundred thousand dollars in a
21 county having a population of more than two hundred
22 thousand.

23 Sec. 2. Section 331.441, subsection 2, paragraph
24 b, Code 2007, is amended by adding the following new
25 subparagraph:

26 NEW SUBPARAGRAPH. (16) Capital projects for the
27 construction, reconstruction, improvement, repair, or
28 equipping of bridges, roads, and culverts.

29 Sec. 3. Section 331.442, subsection 5, paragraph
30 a, subparagraphs (1) through (3), Code 2007, are
31 amended to read as follows:

32 (1) In counties having a population of twenty
33 thousand or less, in an amount of not more than fifty
34 one hundred thousand dollars.

35 (2) In counties having a population of over twenty
36 thousand and not over fifty thousand, in an amount of
37 not more than one two hundred thousand dollars.

38 (3) In counties having a population of over fifty
39 thousand, in an amount of not more than ~~one~~ three
40 hundred fifty thousand dollars."

Amendment H-1371 was adopted.

SENATE FILE 339 SUBSTITUTED FOR HOUSE FILE 775

Thomas of Clayton asked and received unanimous consent to substitute Senate File 339 for House File 775.

Senate File 339, a bill for an act relating to county general obligation bonds by modifying the definition of essential county purpose and by changing the requirements under which a county may issue general county purpose bonds without an election, was taken up for consideration.

Thomas of Clayton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 339)

The ayes were, 76:

Abdul-Samad	Anderson	Arnold	Baudler
Bell	Berry	Boal	Cohoon
Dandekar	Davitt	Dolecheck	Drake
Foege	Ford	Frevert	Gaskill
Gayman	Gipp	Granzow	Heaton
Heddens	Hoffman	Horbach	Hunter
Huseman	Huser	Jacobs	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	May
McCarthy	Mertz	Miller, H.	Miller, L.
Murphy, Spkr.	Oldson	Olson, D.	Olson, R.
Olson, S.	Olson, T.	Palmer	Petersen
Pettengill	Quirk	Raecker	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Schueller	Shomshor	Smith	Staed
Swaim	Taylor, D.	Taylor, T.	Thomas
Tomenga	Upmeyer	Van Engelenhoven	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Wiencek	Winckler	Wise	Bukta, Presiding

The nays were, 22:

Alons	Chambers	Clute	De Boef
Deyoe	Forristall	Grassley	Greiner
Kaufmann	Lukan	Paulsen	Rants
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tymeson	Van Fossen	Watts
Windschitl	Worthan		

Absent or not voting, 2:

Bailey	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 775 WITHDRAWN

Thomas of Clayton asked and received unanimous consent to withdraw House File 775 from further consideration by the House.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 27, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 317, a bill for an act relating to an on-site fiscal review to be conducted under phase II of the accreditation process upon recommendation by the school budget review committee.

Also: that the Senate has on March 27, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 653, a bill for an act allowing a voter to register to vote and to vote after regular registration and prior to voting in an election and making a penalty applicable and providing an applicability date.

Also: that the Senate has on March 27, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 848, a bill for an act relating to the conduct of elections and voter registration and including effective and applicability date provisions

MICHAEL E. MARSHALL, Secretary

House File 554, a bill for an act relating to a criminal defendant filing an application for postconviction relief, was taken up for consideration.

SENATE FILE 139 SUBSTITUTED FOR HOUSE FILE 554

R. Olson of Polk asked and received unanimous consent to substitute Senate File 139 for House File 554.

Senate File 139, a bill for an act relating to a criminal defendant filing an application for postconviction relief, was taken up for consideration.

R. Olson of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 139)

The ayes were, 98:

Abdul-Samad	Alons	Anderson	Arnold
Baudler	Bell	Berry	Boal
Chambers	Clute	Cohoon	Dandekar
Davitt	De Boef	Deyoe	Dolecheck
Drake	Fooge	Ford	Forristall
Frevert	Gaskill	Gayman	Gipp
Granzow	Grassley	Greiner	Heaton
Heddens	Hoffman	Horbach	Hunter
Huseman	Huser	Jacobs	Jacoby
Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Murphy, Spkr.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor
Smith	Soderberg	Staed	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Wiencek	Winckler	Windschitl	Wise
Worthan	Bukta, Presiding		

The nays were, none.

Absent or not voting, 2:

Bailey Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 554 WITHDRAWN

R. Olson of Polk asked and received unanimous consent to withdraw House File 554 from further consideration by the House.

House File 545, a bill for an act establishing prelicensing and continuing education requirements for used motor vehicle dealers, was taken up for consideration.

SENATE FILE 358 SUBSTITUTED FOR HOUSE FILE 545

Gaskill of Wapello asked and received unanimous consent to substitute Senate File 358 for House File 545, placing out of order amendment H-1129 filed by Arnold of Lucas on March 12, 2007.

Senate File 358, a bill for an act establishing preclicensing and continuing education requirements for used motor vehicle dealers, was taken up for consideration.

Arnold of Lucas asked and received unanimous consent to withdraw amendment H-1377 filed by him on March 19, 2007.

Gaskill of Wapello moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 358)

The ayes were, 79:

Abdul-Samad	Alons	Anderson	Baudler
Bell	Berry	Clute	Cohoon
Dandekar	Davitt	Deyoe	Dolecheck
Drake	Foege	Ford	Forristall
Frevert	Gaskill	Gayman	Gipp
Granzow	Grassley	Heaton	Heddens
Hoffman	Horbach	Hunter	Huseman
Huser	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	Mascher	May
McCarthy	Mertz	Miller, H.	Murphy, Spkr.
Oldson	Olson, D.	Olson, T.	Petersen
Pettengill	Quirk	Raecker	Rasmussen
Reasoner	Reichert	Roberts	Schickel
Schueller	Shomshor	Smith	Soderberg
Staed	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Upmeyer	Van Fossen
Watts	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Wiencek	Winckler
Wise	Worthan	Bukta,	
		Presiding	

The nays were, 19:

Arnold	Boal	Chambers	De Boef
Greiner	Jacobs	Miller, L.	Olson, R.

Olson, S.	Palmer	Paulsen	Rants
Rayhons	Sands	Struyk	Tomenga
Tymeson	Van Engelenhoven	Windschitl	

Absent or not voting, 2:

Bailey Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 545 WITHDRAWN

Gaskill of Wapello asked and received unanimous consent to withdraw House File 545 from further consideration by the House.

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 139, 358 and 431.**

HOUSE FILE 810 REFERRED

The Speaker announced that House File 810, previously placed on the **calendar** was referred to committee on **appropriations**.

SENATE FILE 340 REFERRED

The Speaker announced that Senate File 340, previously **passed on file** was referred to committee on **judiciary**.

MOTION TO RECONSIDER (Senate File 339)

I move to reconsider the vote by which Senate File 339 passed the House on March 27, 2007.

THOMAS of Clayton

**BILL ENROLLED, SIGNED
AND SENT TO SECRETARY OF STATE**

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bill has been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Secretary of State on this 26th day of March, 2007: House Joint Resolution 3.

MARK W. BRANDSGARD
Chief Clerk of the House

Report adopted.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 26th day of March, 2007: House Files 5 and 367.

MARK W. BRANDSGARD
Chief Clerk of the House

Report adopted.

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 27, 2007, he approved and transmitted to the Secretary of State the following bill:

House File 5, an Act relating to the maximum finance charge allowed for consumer loans secured by a certificate of title to a motor vehicle and making penalties applicable.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Several 4-H members from Taylor County, Iowa, accompanied by Kim Brantner, Extension Director. By Dolecheck of Ringgold.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- 2007\2363 Art and Carol Scherf, Garnavillo – For celebrating their 50th wedding anniversary.
- 2007\2364 Kathryn Howlett, Independence – For celebrating her 90th birthday.
- 2007\2365 Edna Kruse, Eldora – For celebrating her 90th birthday.
- 2007\2366 Etheleen Veren, State Center – For celebrating her 85th birthday.
- 2007\2367 Jennie Stevens, Alden – For celebrating her 90th birthday.
- 2007\2368 Dr. Margaret Fox, Coralville – For celebrating her 95th birthday.
- 2007\2369 Alex Renaud, Ballard – For being named the Youth Soccer Referee of the Year by the Iowa Referee Committee.
- 2007\2370 Ken and Carolyn Shaw, Nevada – For celebrating their 50th wedding anniversary.
- 2007\2371 Bill and Helen Tjernagel, Story City – For celebrating their 50th wedding anniversary.
- 2007\2372 John Patterson, Collins – For celebrating his 80th birthday.
- 2007\2373 Richard and LaZell VanDeventer, Mason City – For celebrating their 66th wedding anniversary.
- 2007\2374 Raymond and Wilma Swanson, Mt. Pleasant – For celebrating their 65th wedding anniversary.
- 2007\2375 Effie Johnson, Donnellson – For celebrating her 100th birthday.
- 2007\2376 Joe Otto, Everly – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\2377 Ralph and Joyce Moose, Sibley – For celebrating their 50th wedding anniversary.

- 2007\2378 Herman and Marge Gradert, Sibley – For celebrating their 50th wedding anniversary.
- 2007\2379 Bob and Mitzi Provin, Newton – For celebrating their 50th wedding anniversary.
- 2007\2380 Joanne Hemingway, Iowa City – For celebrating her 75th birthday.
- 2007\2381 Mary Kamerling, Lisbon – For celebrating her 75th birthday.
- 2007\2382 Peter Greiner, Lisbon – For celebrating his 75th birthday.
- 2007\2383 Leona McGurk, Iowa City – For celebrating her 75th birthday.
- 2007\2384 Richard Breza, Solon – For celebrating his 85th birthday.
- 2007\2385 Mary Viter, Mount Vernon – For celebrating her 80th birthday.
- 2007\2386 William Hartwig, Mount Vernon – For celebrating his 80th birthday.
- 2007\2387 Donald Spevacek, Iowa City – For celebrating his 80th birthday.
- 2007\2388 Helen Zeman, Cedar Rapids – For celebrating her 80th birthday.
- 2007\2389 Ruth Archibald, Marion – For celebrating her 85th birthday.
- 2007\2390 Evelyn Yaus, Ely – For celebrating her 75th birthday.
- 2007\2391 Louis Novak, Tiffin – For celebrating his 85th birthday.
- 2007\2392 Priscilla Schroeder, Marion – For celebrating her 75th birthday.
- 2007\2393 Glenn Klinsky, Ely – For celebrating his 80th birthday.
- 2007\2394 Alois Opatz, Lisbon – For celebrating his 80th birthday.
- 2007\2395 Dorothy Gaines, Mount Vernon – For celebrating her 80th birthday.
- 2007\2396 Mary Hattery, Cedar Rapids – For celebrating her 75th birthday.
- 2007\2397 Beulah Breza, Solon – For celebrating her 80th birthday.
- 2007\2398 Vilma Getz, Solon – For celebrating her 80th birthday.
- 2007\2399 Lowell Dibble, Solon – For celebrating his 85th birthday.
- 2007\2400 Donald Underwood,,Springville – For celebrating his 75th birthday.
- 2007\2401 Melvin Conley, Mount Vernon – For celebrating his 85th birthday.
- 2007\2402 Theresa Korte, Anamosa – For celebrating her 75th birthday.

- 2007\2403 Joan Shubatt, Iowa City – For celebrating her 75th birthday.
- 2007\2404 Sheldon Shapiro, Mount Vernon – For celebrating his 80th birthday.
- 2007\2405 Richard Swacka, Cedar Rapids – For celebrating his 75th birthday.
- 2007\2406 Dorothy Randall, Lisbon – For celebrating her 85th birthday.
- 2007\2407 James Telecky, Solon – For celebrating his 75th birthday.
- 2007\2408 Eleanor Kelley, Springville – For celebrating her 80th birthday.
- 2007\2409 William Morio, Lisbon – For celebrating his 80th birthday.
- 2007\2410 Irene Mounce, Mount Vernon – For celebrating her 85th birthday.
- 2007\2411 Arnold Brawner, Mount Vernon – For celebrating his 85th birthday.
- 2007\2412 Anna Prohaska, Ely – For celebrating her 85th birthday.
- 2007\2413 Donald Dvorak, Solon – For celebrating his 80th birthday.
- 2007\2414 Enid Cancilla, Solon – For celebrating her 75th birthday.
- 2007\2415 James Lewis, North Liberty – For celebrating his 80th birthday.
- 2007\2416 Mary Connell, Solon – For celebrating her 75th birthday.

SUBCOMMITTEE ASSIGNMENTS

Senate File 384

Judiciary: Swaim, Chair; Struyk and Wendt.

Senate File 406

Judiciary: Smith, Chair; Oldson and Tomenga.

Senate File 465

State Government: T. Taylor, Chair; Jacobs and Reasoner.

Senate File 534

Judiciary: Huser, Chair; Baudler and Lensing.

HOUSE STUDY BILL COMMITTEE ASSIGNMENT

H.S.B. 297 Appropriations

Relating to the compensation and benefits for public officials and employees, providing for related matters, and making appropriations.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Committee Bill (Formerly House File 518), to support the establishment of a George Washington Carver endowed chair at the Iowa state university of science and technology and making an appropriation.

Fiscal Note is not required.

Recommended **Do Pass** March 27, 2007.

COMMITTEE ON EDUCATION

Senate File 277, a bill for an act relating to the state's educational standards regarding teacher librarians and qualified guidance counselors, and to teacher and administrator quality, including the student achievement and teacher quality program and an administrator quality program, making appropriations, and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do pass with Amendment H—1486** March 26, 2007.

Pursuant to Rule 31.7, Senate File 277 was referred to the committee on appropriations.

COMMITTEE ON NATURAL RESOURCES

Senate File 48, a bill for an act concerning the limitation of actions for prosecution of violations under certain statutes administered by the natural resource commission.

Fiscal Note is not required.

Recommended **Do Pass** March 26, 2007.

Senate File 477, a bill for an act concerning the name and the membership of the Mississippi river parkway commission.

Fiscal Note is not required.

Recommended **Do Pass** March 26, 2007.

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly House File 712), regulating dangerous wild animals, including their ownership and possession, requiring registration, providing for fees and appropriations, and providing penalties.

Fiscal Note is required.

Recommended **Amend and Do Pass** March 27, 2007.

RESOLUTIONS FILED

HR 32, by Kuhn, a resolution commemorating the life and service of Command Sergeant Major Galen Kittleson of Toeterville, Iowa.

Laid over under **Rule 25**.

HR 33, by Berry, Raecker, Kressig, Wiencek and Kelley, a resolution honoring Jimmie Porter, founder of Afro-American Community Broadcast, Incorporated.

Laid over under **Rule 25**.

AMENDMENTS FILED

H—1486	S.F.	277	Committee on Education
H—1487	S.F.	403	Watts of Dallas
H—1488	S.F.	403	Reichert of Muscatine
			Pettengill of Benton
			Kelley of Black Hawk
			Wise of Lee
			Petersen of Polk
			Quirk of Chickasaw
H—1489	S.F.	403	Raecker of Polk
H—1490	H.F.	808	Huser of Polk
H—1491	H.F.	874	Alons of Sioux
H—1492	H.F.	815	Worthan of Buena Vista
H—1493	H.F.	611	Heaton of Henry
			Tymeson of Madison
H—1494	H.F.	874	Raecker of Polk
			Alons of Sioux

H—1495	H.F.	831	Smith of Marshall
H—1496	H.F.	611	Winckler of Scott
H—1497	H.F.	864	Jacoby of Johnson
H—1498	H.F.	845	Gaskill of Wapello
H—1499	H.F.	850	Shomshor of Pottawattamie
H—1500	H.F.	777	Palmer of Mahaska
H—1501	H.F.	808	Huser of Polk
H—1502	S.F.	48	Baudler of Adair
H—1503	H.F.	762	Berry of Black Hawk
H—1504	H.F.	864	Jacoby of Johnson
H—1505	H.F.	611	Alons of Sioux De Boef of Keokuk Mertz of Kossuth
H—1506	H.F.	611	Alons of Sioux De Boef of Keokuk Mertz of Kossuth
H—1507	H.F.	611	Alons of Sioux De Boef of Keokuk Mertz of Kossuth
H—1508	H.F.	611	Alons of Sioux De Boef of Keokuk Mertz of Kossuth
H—1509	H.F.	611	Alons of Sioux De Boef of Keokuk Mertz of Kossuth
H—1510	S.F.	369	Jacobs of Polk
H—1511	S.F.	369	Jacobs of Polk
H—1512	H.F.	611	Alons of Sioux De Boef of Keokuk
H—1513	S.F.	403	Raecker of Polk
H—1514	S.F.	369	Jacobs of Polk

On motion by McCarthy of Polk the House adjourned at 5:37 p.m., until 9:00 a.m., Wednesday, March 27, 2007.

JOURNAL OF THE HOUSE

Eightieth Calendar Day - Fifty-fifth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, March 28, 2007

The House met pursuant to adjournment at 9:23 a.m., Speaker Murphy in the chair.

Prayer was offered by Anthony Kruse with the Seminary Program under the Archdiocese of Dubuque. He was chosen to study in Rome and is the guest and former House Clerk of Representative Steve Lukan of Dubuque County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Brian Gress, House Page from Avoca. Meghin Crambeck sang the National Anthem. She was the guest of Representative Mike Reasoner of Union County.

The Journal of Tuesday, March 27, 2007 was approved.

INTRODUCTION OF BILLS

House File 886, by committee on labor, a bill for an act relating to revoking the driver's license or motor vehicle operating privileges of persons convicted of a controlled substance offense.

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

House File 887, by committee on labor, a bill for an act relating to sentencing and parole eligibility of persons convicted of controlled substance offenses.

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

SENATE MESSAGES CONSIDERED

Senate File 284, by Dearden, a bill for an act concerning employees subject to unannounced drug or alcohol testing.

Read first time and **passed on file**.

Senate File 369, by committee on state government, a bill for an act relating to voting machines and optical scan voting systems.

Read first time and **passed on file**.

Senate File 411, by committee on state government, a bill for an act relating to membership on election boards.

Read first time and referred to committee on **state government**.

Senate File 416, by committee on local government, a bill for an act relating to city elections by providing procedures for filling a city council vacancy by special election and by providing satellite absentee voting at certain city elections.

Read first time and referred to committee on **local government**.

Senate File 484, by committee on agriculture, a bill for an act relating to maximum size and weight requirements for vehicles hauling crops during the annual period of harvest.

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

Senate File 559, by committee on commerce, a bill for an act relating to cemetery and funeral merchandise, funeral services, and cemeteries and providing fees and penalties.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Van Fossen of Scott, until his arrival, on request of Windschitl of Harrison; Bailey of Hamilton on request of Speaker Murphy.

SPECIAL PRESENTATION

Boal of Polk introduced to the House the Ankeny High School student council members.

The House rose and expressed its' welcome.

McCarthy of Polk asked and received unanimous consent for the immediate consideration of House Resolution 34.

ADOPTION OF HOUSE RESOLUTION 34

Quirk of Chickasaw and Paulsen of Linn called up for consideration **House Resolution 34**, a resolution to thank the men and women who worked so long and so hard to restore electricity to Iowans throughout the state, and moved its adoption.

The motion prevailed and the resolution was adopted.

CONSIDERATION OF BILLS

Regular Calendar

House File 874, a bill for an act relating to and making appropriations to certain state departments, agencies, funds, and certain other entities and providing an effective date, was taken up for consideration.

Bukta of Clinton in the chair at 9:43 a.m.

Alons of Sioux offered the following amendment H-1466 filed by him and moved its adoption:

H-1466

- 1 Amend House File 874 as follows:
- 2 1. Page 1, by inserting before line 14 the
- 3 following:
- 4 "However, the moneys appropriated in this lettered
- 5 paragraph shall be reduced by an amount equal to the
- 6 portion of funds appropriated to the department for
- 7 utility costs in 2006 Iowa Acts, chapter 1177, section
- 8 1, subsection 2, as amended by 2007 Iowa Acts, Senate
- 9 File 403, section 1, if enacted, that remain available
- 10 for expenditure for utility costs during the fiscal
- 11 year beginning July 1, 2007."

Amendment H-1466 lost.

Alons of Sioux offered the following amendment H-1467 filed by him and moved its adoption:

H-1467

- 1 Amend House File 874 as follows:
- 2 1. Page 1, line 23, by inserting after the word
- 3 "pollution." the following: "The department shall
- 4 submit a report to the general assembly by January 14,
- 5 2008, concerning energy efficiency efforts and energy
- 6 use at the state capitol complex and the state
- 7 laboratories facility in Ankeny."

Amendment H-1467 lost.

Alons of Sioux offered amendment H-1468 filed by him as follows:

H-1468

- 1 Amend House File 874 as follows:
- 2 1. Page 1, by striking line 25 and inserting the
- 3 following:
- 4 "..... \$ 1,500,000"
- 5 2. Page 8, by striking line 7 and inserting the
- 6 following:
- 7 "..... \$ 1,800,000"

Alons of Sioux asked and received unanimous consent to withdraw amendment H-1491, to amendment H-1468, filed by him on March 27, 2007.

Alons of Sioux offered the following amendment H-1518, to amendment H-1468, filed by him from the floor and moved its adoption:

H-1518

- 1 Amend the amendment, H-1468, to House File 874 as
- 2 follows:
- 3 1. Page 1, by inserting after line 7 the
- 4 following:
- 5 " Page 11, by striking line 12 and inserting
- 6 the following:
- 7 "..... \$ 1,626,415"
- 8 Page 11, by inserting after line 13 the
- 9 following:
- 10 "Of the moneys appropriated in this subsection,
- 11 \$100,000 shall be used for Medicaid fraud
- 12 investigations, including food stamp fraud.""
- 13 2. By renumbering as necessary.

Amendment H-1518 was adopted.

Alons of Sioux moved the adoption of amendment H-1468, as amended.

Roll call was requested by Rants of Woodbury and Worthan of Buena Vista.

Rule 75 was invoked.

On the question "Shall amendment H-1468, as amended, be adopted?" (H.F. 874)

The ayes were, 46:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Granzow	Grassley	Greiner
Heaton	Hoffman	Horbach	Huseman
Jacobs	Kaufmann	Lukan	May
Mertz	Miller, L.	Olson, S.	Paulsen
Raecker	Rants	Rasmussen	Rayhons
Roberts	Sands	Schickel	Soderberg
Struyk	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Watts	Wiencek
Windschitl	Worthan		

The nays were, 51:

Abdul-Samad	Bell	Berry	Cohoon
Dandekar	Davitt	Foege	Ford
Frevert	Gaskill	Gayman	Heddens
Hunter	Huser	Jacoby	Jochum
Kelley	Kressig	Kuhn	Lensing
Lykam	Mascher	McCarthy	Miller, H.
Murphy, Spkr.	Oldson	Olson, D.	Olson, R.
Olson, T.	Palmer	Petersen	Pettengill
Quirk	Reasoner	Reichert	Schueller
Shomshor	Smith	Staed	Swaim
Taylor, D.	Taylor, T.	Thomas	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Winckler	Wise	Bukta,	
		Presiding	

Absent or not voting, 3:

Bailey	Van Fossen	Zirkelbach
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Amendment H-1468, as amended, lost.

Alons of Sioux offered the following amendment H-1469 filed by him and moved its adoption:

H-1469

- 1 Amend House File 874 as follows:
- 2 1. Page 3, by striking line 15 and inserting the
- 3 following:
- 4 "..... \$ 1,271,873"
- 5 2. Page 15, by striking line 29 and inserting the
- 6 following:
- 7 "..... \$ 1,371,015"

Amendment H-1469 lost.

Hunter of Polk offered amendment H-1482 filed by him as follows:

H-1482

- 1 Amend House File 874 as follows:
- 2 1. Page 5, by striking line 26 and inserting the
- 3 following:
- 4 "..... FTEs 79.00"
- 5 2. Page 7, by striking line 3 and inserting the
- 6 following:
- 7 "..... FTEs 23.25"
- 8 3. Page 8, line 12, by striking the figure
- 9 "\$600,000" and inserting the following: "\$1,560,000".

Raecker of Polk offered the following amendment H-1494, to amendment H-1482, filed by him and Alons of Sioux and moved its adoption:

H-1494

- 1 Amend the amendment, H-1482, to House File 874 as
- 2 follows:
- 3 1. Page 1, by striking lines 5 through 7 and
- 4 inserting the following:
- 5 "..... Page 7, by striking lines 2 and 3 and
- 6 inserting the following:
- 7 "..... \$ 2,629,874
- 8 "..... FTEs 29.25
- 9 Of the maximum number of full-time
- 10 equivalent positions authorized in this subsection, 10 full-time
- 11 equivalent positions shall be for

12 the purpose of positions transferred to the
 13 general office of the governor and lieutenant governor
 14 from other state agencies that were funded by appropriations
 15 to those state agencies in the fiscal year beginning
 16 July 1, 2006. To reflect such transfers, the
 17 moneys appropriated to those other state agencies for the fiscal
 18 year beginning July 1, 2007, shall be reduced, in the aggregate,
 19 by \$761,605."
 20 2. By renumbering as necessary.

Amendment H-1494 lost.

On motion by Hunter of Polk, amendment H-1482 was adopted.

Raecker of Polk asked and received unanimous consent to withdraw amendment H-1483 filed by him and Alons of Sioux on March 26, 2007.

Alons of Sioux offered the following amendment H-1470 filed by him and moved its adoption:

H-1470

1 Amend House File 874 as follows:
 2 1. Page 7, by striking line 8 and inserting the
 3 following:
 4 "..... \$ 451,310"
 5 2. Page 7, by inserting after line 9 the
 6 following:
 7 "The offices of the governor and the lieutenant
 8 governor shall issue a request for proposals by
 9 January 8, 2008, to provide for grounds-keeping
 10 services at Terrace Hill."

Speaker Murphy in the chair at 10:50 a.m.

Roll call was requested by Rants of Woodbury and Paulsen of Linn.

On the question "Shall amendment H-1470 be adopted?" (H.F. 874)

The ayes were, 45:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Granzow	Grassley	Greiner

Heaton	Hoffman	Horbach	Huseman
Jacobs	Kaufmann	Lukan	May
Miller, L.	Olson, S.	Paulsen	Raecker
Rants	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Watts	Wienczek	Windschitl
Worthan			

The nays were, 52:

Abdul-Samad	Bell	Berry	Bukta
Cohoon	Dandekar	Davitt	Foege
Ford	Frevert	Gaskill	Gayman
Heddens	Hunter	Huser	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Mertz	Miller, H.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Pettengill	Quirk	Reasoner	Reichert
Schueller	Shomshor	Smith	Staed
Swaim	Taylor, D.	Taylor, T.	Thomas
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	Mr. Speaker Murphy

Absent or not voting, 3:

Bailey	Van Fossen	Zirkelbach
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Amendment H-1470 lost.

Alons of Sioux offered the following amendment H-1472 filed by him and moved its adoption:

H-1472

1 Amend House File 874 as follows:
 2 1. By striking page 13, line 31, through page 14,
 3 line 2, and inserting the following:
 4 " \$ 2,313,941
 5 FTEs 32.00
 6 1A. ENTERPRISE RESOURCE PLANNING
 7 If funding is provided for the redesign of the
 8 enterprise resource planning budget system for the
 9 fiscal year beginning July 1, 2007, then there is
 10 appropriated from the general fund of the state to the
 11 department of management for the fiscal year beginning
 12 July 1, 2007, and ending June 30, 2008, the following
 13 amount, or so much thereof as is necessary, to be used
 14 for the purposes designated:

15 For salaries, support, maintenance, and
 16 miscellaneous purposes for administration of the
 17 enterprise resource planning budget system, and for
 18 not more than the following full-time equivalent
 19 position:

20 \$ 119,435
 21 FTEs 1.00

22 1B. SALARY MODEL ADMINISTRATOR

23 For salaries, support, and miscellaneous purposes
 24 of the salary model administrator, and for not more
 25 than the following full-time equivalent position:

26 \$ 131,792
 27 FTEs 1.00

28 The salary model administrator shall work in
 29 conjunction with the legislative services agency to
 30 maintain the state's salary model used for analyzing,
 31 comparing, and projecting state employee salary and
 32 benefit information, including information relating to
 33 employees of the state board of regents. The
 34 department of revenue, the department of
 35 administrative services, the five institutions under
 36 the jurisdiction of the state board of regents, the
 37 judicial district departments of correctional
 38 services, and the state department of transportation
 39 shall provide salary data to the department of
 40 management and the legislative services agency to
 41 operate the state's salary model. The format and
 42 frequency of provision of the salary data shall be
 43 determined by the department of management and the
 44 legislative services agency. The information shall be
 45 used in collective bargaining processes under chapter
 46 20 and in calculating the funding needs contained
 47 within the annual salary adjustment legislation. A
 48 state employee organization as defined in section
 49 20.3, subsection 4, may request information produced
 50 by the model, but the information provided shall not

Page 2

1 contain information attributable to individual
 2 employees.

3 1C. For the department's LEAN process, including
 4 salaries, support, maintenance, miscellaneous
 5 purposes, and for not more than the following
 6 full-time equivalent position:

7 \$ 108,000
 8 FTEs 1.00"

9 2. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 40, nays 47.

Amendment H-1472 lost.

Alons of Sioux offered the following amendment H-1471 filed by him and moved its adoption:

H-1471

- 1 Amend House File 874 as follows:
- 2 1. Page 14, line 20, by inserting before the
- 3 words "For salaries" the following: "1."
- 4 2. Page 14, by striking line 23 and inserting the
- 5 following:
- 6 "..... \$24,001,646"
- 7 3. Page 14, line 25, by striking the word
- 8 "section" and inserting the following: "subsection".
- 9 4. Page 15, line 2, by inserting before the words
- 10 "If the" the following: "2."
- 11 5. Page 15, by striking lines 6 through 8 and
- 12 inserting the following: "2007, and ending June 30,
- 13 2008, in excess of \$3.3 million, for costs associated
- 14 with the upgrade:
- 15 "..... \$ 1,300,000
- 16 However, moneys appropriated in this subsection
- 17 shall be contingent upon the director of revenue
- 18 utilizing a request for proposals process to procure
- 19 the upgrade."
- 20 6. By renumbering as necessary.

Roll call was requested by Raecker of Polk and Rants of Woodbury.

On the question "Shall amendment H-1471 be adopted?" (H.F. 874)

The ayes were, 44:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Granzow	Grassley	Greiner
Heaton	Hoffman	Horbach	Huseman
Jacobs	Kaufmann	Lukan	May
Miller, L.	Olson, S.	Paulsen	Raecker
Rants	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tomenga	Tymeson	Upmeyer
Watts	Wiencek	Windschitl	Worthan

The nays were, 51:

Abdul-Samad	Bell	Berry	Bukta
Cohoon	Dandekar	Davitt	Foege
Ford	Frevert	Gaskill	Gayman
Heddens	Hunter	Huser	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Mertz	Miller, H.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Pettengill	Quirk	Reasoner	Schueller
Shomshor	Smith	Staed	Swaim
Taylor, D.	Taylor, T.	Thomas	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Winckler	Wise	Mr. Speaker	
		Murphy	

Absent or not voting, 5:

Bailey	Reichert	Van Engelenhoven	Van Fossen
Zirkelbach			

Amendment H-1471 lost.

Hunter of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 874)

The ayes were, 52:

Abdul-Samad	Bell	Berry	Bukta
Cohoon	Dandekar	Davitt	Foege
Ford	Frevert	Gaskill	Gayman
Heddens	Hunter	Huser	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Miller, H.	Oldson	Olson, D.	Olson, R.
Olson, T.	Palmer	Petersen	Pettengill
Quirk	Reasoner	Reichert	Schueller
Shomshor	Smith	Staed	Swaim
Taylor, D.	Taylor, T.	Thomas	Tomenga
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	Mr. Speaker
			Murphy

The nays were, 45:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Granzow	Grassley	Greiner
Heaton	Hoffman	Horbach	Huseman
Jacobs	Kaufmann	Lukan	May
Mertz	Miller, L.	Olson, S.	Paulsen
Raecker	Rants	Rasmussen	Rayhons
Roberts	Sands	Schickel	Soderberg
Struyk	Tjepkes	Tymeson	Upmeyer
Van Engelenhoven	Watts	Wiencek	Windschitl
Worthan			

Absent or not voting, 3:

Bailey	Van Fossen	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **House File 874** be immediately messaged to the Senate.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 28, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 618, a bill for an act allowing a county commissioner of elections to appoint certain high school students to serve as precinct election board members.

Also: That the Senate has on March 28, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 509, a bill for an act relating to a revised uniform anatomical gift Act, and providing penalties.

MICHAEL E. MARSHALL, Secretary

SENATE MESSAGE CONSIDERED

Senate File 509, by committee on judiciary, a bill for an act relating to a revised uniform anatomical gift Act, and providing penalties.

Read first time and **passed on file**.

On motion by McCarthy of Polk, the House was recessed at 11:40 a.m., until 4:00 p.m.

AFTERNOON SESSION

The House reconvened at 4:25 p.m., Speaker Murphy in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 28, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 647, a bill for an act relating to the designation of Iowa great places and financial and technical assistance to projects in Iowa great places.

Also: That the Senate has on March 28, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 385, a bill for an act excluding unarmed combat fighting from boxing and wrestling regulation.

Also: That the Senate has on March 28, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 430, a bill for an act relating to a civil judgment, decree, or order of a court of a federally recognized Indian tribe and including an applicability provision.

MICHAEL E. MARSHALL, Secretary

CONSIDERATION OF BILLS
Regular Calendar

House File 831, a bill for an act relating to a revised uniform anatomical gift Act, and providing penalties, was taken up for consideration.

Smith of Marshall offered amendment H-1495 filed by him as follows:

H-1495

1 Amend House File 831 as follows:

2 1. By striking everything after the enacting
3 clause and inserting the following:

4 "DIVISION I

5 REVISED UNIFORM ANATOMICAL GIFT ACT

6 Section 1. Section 142C.1, Code 2007, is amended
7 by striking the section and inserting in lieu thereof
8 the following:

9 142C.1 SHORT TITLE.

10 This chapter shall be known and may be cited as the
11 "Revised Uniform Anatomical Gift Act".

12 Sec. 2. Section 142C.2, Code 2007, is amended by
13 striking the section and inserting in lieu thereof the
14 following:

15 142C.2 DEFINITIONS.

16 As used in this chapter, unless the context
17 otherwise requires:

18 1. "Adult" means an individual who is eighteen
19 years of age or older.

20 2. "Agent" means an individual who meets any of
21 the following conditions:

22 a. Is authorized to make health care decisions on
23 the principal's behalf by a durable power of attorney
24 for health care pursuant to chapter 144B.

25 b. Is expressly authorized to make an anatomical
26 gift on the principal's behalf by any other record
27 signed by the principal.

28 3. "Anatomical gift" or "gift" means a donation of
29 all or part of the human body effective after the
30 donor's death, for the purposes of transplantation,
31 therapy, research, or education.

32 4. "Decedent" means a deceased individual whose
33 body or part is or may be the source of an anatomical
34 gift and includes a stillborn infant.

35 5. "Disinterested witness" means a witness other
36 than the spouse, child, parent, sibling, grandchild,
37 grandparent, or guardian of the individual who makes,
38 amends, revokes, or refuses to make an anatomical
39 gift, or any other adult who exhibited special care
40 and concern for the individual. "Disinterested
41 witness" does not include a person who may receive an
42 anatomical gift pursuant to section 142C.5.

43 6. "Document of gift" means a donor card or other
44 record used to make an anatomical gift, including a
45 statement or symbol on a driver's license or
46 identification card, or an entry in a donor registry.

- 47 7. "Donor" means an individual whose body or part
48 is the subject of an anatomical gift.
49 8. "Donor registry" means a database that contains
50 records of anatomical gifts and amendments of

Page 2

- 1 anatomical gifts.
2 9. "Driver's license" means a license or permit
3 issued by the state department of transportation to
4 operate a vehicle, whether or not conditions are
5 attached to the license or permit.
6 10. "Eye bank" means a person that is licensed,
7 accredited, or regulated under federal or state law to
8 engage in the recovery, screening, testing,
9 processing, storage, or distribution of human eyes or
10 portions of human eyes.
11 11. "Forensic pathologist" means a pathologist who
12 is further certified in the subspecialty of forensic
13 pathology by the American board of pathology.
14 12. "Guardian" means a person appointed by a court
15 to make decisions regarding the support, care,
16 education, health, or welfare of an individual, but
17 does not include a guardian ad litem.
18 13. "Hospital" means a hospital licensed under
19 chapter 135B, or a hospital licensed, accredited, or
20 approved under federal law or the laws of any other
21 state, and includes a hospital operated by the federal
22 government, a state, or a political subdivision of a
23 state, although not required to be licensed under
24 state laws.
25 14. "Identification card" means a nonoperator's
26 identification card issued by the state department of
27 transportation pursuant to section 321.190.
28 15. "Iowa donor network" means the nonprofit
29 organization certified by the centers for Medicare and
30 Medicaid services of the United States department of
31 health and human services as the single organ
32 procurement agency serving the state and which also
33 serves as the tissue recovery agency for the state.
34 16. "Iowa donor registry" means the Iowa donor
35 registry administered by the Iowa donor network.
36 17. "Know" means to have actual knowledge.
37 18. "Medical examiner" means an individual who is
38 appointed as a medical examiner pursuant to section
39 331.801 or 691.5.
40 19. "Minor" means an individual who is less than
41 eighteen years of age.
42 20. "Organ procurement organization" means a
43 person designated by the United States secretary of
44 health and human services as an organ procurement
45 organization.

46 21. "Parent" means a parent whose parental rights
47 have not been terminated.

48 22. "Part" means an organ, an eye, or tissue of a
49 human being, but does not include the whole body of a
50 human being.

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1 23. "Pathologist" means a licensed physician who
2 is certified in anatomic or clinical pathology by the
3 American board of pathology.

4 24. "Person" means person as defined in section
5 4.1.

6 25. "Physician" means an individual authorized to
7 practice medicine and surgery or osteopathy and
8 surgery under the laws of any state.

9 26. "Procurement organization" means an eye bank,
10 organ procurement organization, or tissue bank.

11 27. "Prospective donor" means an individual who is
12 dead or near death and has been determined by a
13 procurement organization to have a part that could be
14 medically suitable for transplantation, therapy,
15 research, or education, but does not include an
16 individual who has made a refusal.

17 28. "Reasonably available" means able to be
18 contacted by a procurement organization without undue
19 effort and willing and able to act in a timely manner
20 consistent with existing medical criteria necessary
21 for the making of an anatomical gift.

22 29. "Recipient" means an individual into whose
23 body a decedent's part has been transplanted or is
24 intended for transplant.

25 30. "Record" means information that is inscribed
26 on a tangible medium or that is stored in an
27 electronic or other medium and is retrievable in
28 perceivable form.

29 31. "Refusal" means a record created pursuant to
30 section 142C.3 that expressly states an individual's
31 intent to prohibit other persons from making an
32 anatomical gift of the individual's body or part.

33 32. "Sign" means to do any of the following with
34 the present intent to authenticate or adopt a record:

- 35 a. Execute or adopt a tangible symbol.
36 b. Attach to or logically associate with the
37 record an electronic symbol, sound, or process.

38 33. "State" means any state of the United States,
39 the District of Columbia, Puerto Rico, the United
40 States Virgin Islands, or any territory or insular
41 possession subject to the jurisdiction of the United
42 States.

43 34. "Technician" means an individual determined to
44 be qualified to remove or process parts by an

45 appropriate organization that is licensed, accredited,
46 or regulated under federal or state law and includes
47 an enucleator.
48 35. "Tissue" means a portion of the human body
49 other than an organ or an eye, but does not include
50 blood unless the blood is donated for the purpose of

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1 research or education.

2 36. "Tissue bank" means a person that is licensed,
3 accredited, or regulated under federal or state law to
4 engage in the recovery, screening, testing,
5 processing, storage, or distribution of tissue.

6 37. "Transplant hospital" means a hospital that
7 furnishes organ transplants and other medical and
8 surgical specialty services required for the care of
9 transplant patients.

10 Sec. 3. Section 142C.3, Code 2007, is amended by
11 striking the section and inserting in lieu thereof the
12 following:

13 142C.3 PERSONS WHO MAY MAKE – MANNER OF MAKING –
14 AMENDING OR REVOKING – REFUSAL TO MAKE ANATOMICAL
15 GIFT BEFORE DONOR'S DEATH – PRECLUSIVE EFFECT.

16 1. WHO MAY MAKE. Subject to subsection 5, an
17 anatomical gift of a donor's body or part may be made
18 during the life of the donor for the purposes of
19 transplantation, therapy, research, or education in
20 the manner prescribed in subsection 2 by any of the
21 following:

22 a. The donor if the donor is any of the following:

23 (1) An adult.

24 (2) A minor, if the minor is emancipated.

25 (3) A minor, if the minor is authorized under
26 state law to apply for a driver's license or
27 identification card because the minor is at least 14
28 years of age, and the minor authorizes a statement or
29 symbol indicating an anatomical gift on a driver's
30 license, identification card, or donor registry entry
31 with the signed approval of a parent or guardian.

32 b. An agent of the donor, unless the durable power
33 of attorney for health care or other record prohibits
34 the agent from making the anatomical gift.

35 c. A parent of the donor, if the donor is an
36 unemancipated minor.

37 d. The guardian of the donor.

38 2. MANNER OF MAKING.

39 a. A donor may make an anatomical gift by any of
40 the following means:

41 (1) By authorizing a statement or symbol
42 indicating that the donor has made an anatomical gift
43 to be imprinted on the donor's driver's license or

44 identification card.

45 (2) In a will.

46 (3) During a terminal illness or injury of the
47 donor, by any form of communication addressed to at
48 least two adults, at least one of whom is a
49 disinterested witness.

50 (4) As provided in paragraph "b".

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1 b. (1) A donor or other person authorized to make
2 an anatomical gift under subsection 1 may make a gift
3 by a donor card or other record signed by the donor or
4 other person making the gift or by authorizing that a
5 statement or symbol indicating that the donor has made
6 an anatomical gift be included on the donor registry.

7 (2) If the donor or other person is physically
8 unable to sign a record, the record may be signed by
9 another individual at the direction of the donor or
10 other person and shall meet all of the following
11 requirements:

12 (a) Be witnessed by at least two adults, at least
13 one of whom is a disinterested witness, who have
14 signed at the request of the donor or other person.

15 (b) State that the record has been signed and
16 witnessed as provided in subparagraph subdivision (a).

17 c. Revocation, suspension, expiration, or
18 cancellation of a driver's license or identification
19 card upon which an anatomical gift is indicated shall
20 not invalidate the gift.

21 d. An anatomical gift made by will takes effect
22 upon the donor's death whether or not the will is
23 probated. Invalidation of the will after the donor's
24 death does not invalidate the gift.

25 **3. AMENDING OR REVOKING GIFT BEFORE DONOR'S DEATH.**

26 a. Subject to subsection 5, a donor or other
27 person authorized to make an anatomical gift under
28 subsection 1 may amend or revoke an anatomical gift by
29 any of the following means:

30 (1) A record signed by any of the following:

31 (a) The donor.

32 (b) The other person authorized to make an
33 anatomical gift.

34 (c) Subject to paragraph "b", another individual
35 acting at the direction of the donor or the other
36 authorized person if the donor or other person is
37 physically unable to sign the record.

38 (2) A later-executed document of gift that amends
39 or revokes a previous anatomical gift or portion of an
40 anatomical gift, either expressly or by inconsistency.

41 b. A record signed pursuant to paragraph "a",
42 subparagraph (1), subparagraph subdivision (c), shall

43 comply with all of the following:

44 (1) Be witnessed by at least two adults, at least
45 one of whom is a disinterested witness, who have
46 signed at the request of the donor or the other
47 authorized person.

48 (2) State that the record has been signed and
49 witnessed as provided in subparagraph (1).

50 c. Subject to subsection 5, a donor or other

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1 person authorized to make an anatomical gift under
2 subsection 1 may revoke an anatomical gift by the
3 destruction or cancellation of the document of gift,
4 or the portion of the document of gift used to make
5 the gift, with the intent to revoke the gift.

6 d. A donor may amend or revoke an anatomical gift
7 that was not made in a will by any form of
8 communication during a terminal illness or injury
9 addressed to at least two adults, at least one of whom
10 is a disinterested witness.

11 e. A donor who makes an anatomical gift in a will
12 may amend or revoke the gift in the manner provided
13 for amendment or revocation of wills or as provided in
14 paragraph "a".

15 4. REFUSAL TO MAKE.

16 a. An individual may refuse to make an anatomical
17 gift of the individual's body or part by any of the
18 following means:

19 (1) A record signed by any of the following:

20 (a) The individual.

21 (b) Subject to paragraph "b", another individual
22 acting at the direction of the individual if the
23 individual is physically unable to sign the record.

24 (2) The individual's will, whether or not the will
25 is admitted to probate or invalidated after the
26 individual's death.

27 (3) Any form of communication made by the
28 individual during the individual's terminal illness or
29 injury addressed to at least two adults, at least one
30 of whom is a disinterested witness.

31 b. A record signed pursuant to paragraph "a",
32 subparagraph (1), subparagraph subdivision (b), shall
33 comply with all of the following:

34 (1) Be witnessed by at least two adults, at least
35 one of whom is a disinterested witness, who have
36 signed at the request of the individual.

37 (2) State that the record has been signed and
38 witnessed as provided in subparagraph (1).

39 c. An individual who has made a refusal may amend
40 or revoke the refusal in accordance with any of the
41 following:

- 42 (1) In the manner provided in paragraph "a" for
43 making a refusal.
- 44 (2) By subsequently making an anatomical gift
45 pursuant to subsection 2 that is inconsistent with the
46 refusal.
- 47 (3) By destroying or canceling the record
48 evidencing the refusal, or the portion of the record
49 used to make the refusal, with the intent to revoke
50 the refusal.

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1 d. Except as otherwise provided in subsection 5,
2 paragraph "h", in the absence of an express, contrary
3 indication by the individual set forth in the refusal,
4 an individual's unrevoked refusal to make an
5 anatomical gift of the individual's body or part
6 prohibits all other persons from making an anatomical
7 gift of the individual's body or part.

8 5. PRECLUSIVE EFFECT.

9 a. DONOR GIFT OR AMENDMENT – SUBSEQUENT ACTIONS

10 BY OTHERS PROHIBITED. Except as otherwise provided in

11 paragraph "g", and subject to paragraph "f", in the
12 absence of a contrary indication by the donor, a
13 person other than the donor is prohibited from making,
14 amending, or revoking an anatomical gift of a donor's
15 body or part if the donor made an anatomical gift of
16 the donor's body or part under subsection 2 or an
17 amendment to an anatomical gift of the donor's body or
18 part under subsection 3.

19 b. DONOR REVOCATION NOT A REFUSAL. A donor's

20 revocation of an anatomical gift of the donor's body
21 or part under subsection 3 is not a refusal and does
22 not prohibit another person specified in subsection 1
23 or section 142C.4 from making an anatomical gift of
24 the donor's body or part under subsection 2 or section
25 142C.4.

26 c. GIFT ON AMENDMENT BY ANOTHER – SUBSEQUENT

27 ACTIONS BY OTHERS PROHIBITED. If a person other than

28 the donor makes an unrevoked anatomical gift of the
29 donor's body or part under subsection 2, or an
30 amendment to an anatomical gift of the donor's body or
31 part under subsection 3, another person may not make,
32 amend, or revoke the gift of the donor's body or part
33 under section 142C.4.

34 d. REVOCATION BY ANOTHER NOT PROHIBITIVE OF OTHER

35 GIFT. A revocation of an anatomical gift of a donor's
36 body or part under subsection 3 by a person other than
37 the donor does not prohibit another person from making
38 an anatomical gift of the body or part under
39 subsection 2 or section 142C.4.

40 e. GIFT OF PART NOT PROHIBITIVE OF GIFT OF ANOTHER

41 PART. In the absence of a contrary indication by the
42 donor or other person authorized to make an anatomical
43 gift under subsection 1, an anatomical gift of a part
44 is neither a refusal to donate another part nor a
45 limitation on the making of an anatomical gift of
46 another part at a later time by the donor or another
47 authorized person.
48 f. GIFT FOR ONE PURPOSE NOT PROHIBITIVE OF ANOTHER
49 PURPOSE. In the absence of a contrary indication by
50 the donor or other person authorized to make an

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1 anatomical gift under subsection 1, an anatomical gift
2 of a part for one or more of the purposes specified in
3 subsection 1 is not a limitation on the making of an
4 anatomical gift of the part for any of the other
5 purposes by the donor or any other person under
6 subsection 2 or section 142C.4.
7 g. UNEMANCIPATED MINOR GIFT – PARENT REVOCATION.
8 If a donor who is an unemancipated minor dies, a
9 parent of the donor who is reasonably available may
10 revoke or amend an anatomical gift of the donor's body
11 or part.
12 h. UNEMANCIPATED MINOR REFUSAL – PARENT
13 REVOCATION OR AMENDMENT. If an unemancipated minor
14 who signed a refusal dies, a parent of the minor who
15 is reasonably available may revoke the minor's
16 refusal.
17 Sec. 4. Section 142C.4, Code 2007, is amended by
18 striking the section and inserting in lieu thereof the
19 following:
20 142C.4 WHO MAY MAKE ANATOMICAL GIFT OF DECEDENT'S
21 BODY OR PART -- AMENDING OR REVOKING GIFT.
22 1. Subject to subsection 2, and unless prohibited
23 by section 142C.3, subsection 4 or 5, an anatomical
24 gift of a decedent's body or part for purposes of
25 transplantation, therapy, research, or education may
26 be made by any member of the following classes of
27 persons who is reasonably available, in the order of
28 priority listed.
29 a. An agent of the decedent at the time of death
30 who could have made an anatomical gift under section
31 142C.3, subsection 1, immediately before the
32 decedent's death.
33 b. The spouse of the decedent.
34 c. Adult children of the decedent.
35 d. Parents of the decedent.
36 e. Adult siblings of the decedent.
37 f. Adult grandchildren of the decedent.
38 g. Grandparents of the decedent.
39 h. An adult who exhibited special care and concern

40 for the decedent.

41 i. Any persons who were acting as guardians of the
42 decedent at the time of death.

43 j. Any other person having the authority to
44 dispose of the decedent's body.

45 2. a. If there is more than one member of a class
46 listed in subsection 1, paragraph "a", "c", "d", "e",
47 "f", "g", or "i", entitled to make an anatomical gift,
48 an anatomical gift may be made by one member of the
49 class unless that member or a person to whom the gift
50 may pass under section 142C.5 knows of an objection by

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1 another member of the class. If an objection is
2 known, the gift shall be made only by a majority of
3 the members of the class who are reasonably available.

4 b. A person shall not make an anatomical gift if,
5 at the time of the death of the decedent, a person in
6 a prior class under subsection 1 is reasonably
7 available to make or to object to the making of an
8 anatomical gift.

9 3. A person authorized to make an anatomical gift
10 under subsection 1 may make an anatomical gift by a
11 document of gift signed by the person making the gift
12 or by the person's oral communication that is
13 electronically recorded or is contemporaneously
14 reduced to a record and signed by the recipient of the
15 oral communication.

16 4. Subject to subsection 5, an anatomical gift by
17 a person authorized under subsection 1 may be amended
18 or revoked orally or in a record by any member of the
19 prior class who is reasonably available. If more than
20 one member of the prior class is reasonably available,
21 the gift made by a person authorized under subsection
22 1 may be:

23 a. Amended only if a majority of the reasonably
24 available members agree to the amending of the gift.

25 b. Revoked only if a majority of the reasonably
26 available members agree to the revoking of the gift or
27 if they are equally divided as to whether to revoke
28 the gift.

29 5. A revocation under subsection 4 is effective
30 only if, before an incision has been made to remove a
31 part from the donor's body or before invasive
32 procedures have begun to prepare the recipient, the
33 procurement organization, transplant hospital, or
34 physician or technician knows of the revocation.

35 Sec. 5. Section 142C.4A, Code 2007, is amended by
36 striking the section and inserting in lieu thereof the
37 following:

38 142C.4A COOPERATION BETWEEN MEDICAL EXAMINER AND

39 ORGAN PROCUREMENT ORGANIZATION – FACILITATION OF
40 ANATOMICAL GIFT FROM DECEDENT WHOSE BODY IS UNDER
41 JURISDICTION OF MEDICAL EXAMINER.

42 1. A medical examiner shall cooperate with
43 procurement organizations to maximize the opportunity
44 to recover organs for the purpose of transplantation
45 when the recovery of organs does not interfere with a
46 death investigation.

47 2. If a medical examiner receives notice from a
48 procurement organization that an organ might be or was
49 made available with respect to a decedent whose body
50 is under the jurisdiction of the medical examiner and

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1 a postmortem examination will be performed, unless the
2 medical examiner denies recovery in accordance with
3 this section, the medical examiner or designee shall
4 conduct a postmortem examination of the body or the
5 organ in a manner and within a period compatible with
6 its preservation for the purposes of the gift. Every
7 reasonable effort shall be made to accomplish the
8 mutual goals of organ donation and a thorough death
9 investigation.

10 3. An organ shall not be removed from the body of
11 a decedent under the jurisdiction of a medical
12 examiner for transplantation unless the organ is the
13 subject of an anatomical gift. This subsection does
14 not preclude a medical examiner from performing a
15 medicolegal investigation pursuant to subsection 5
16 upon the body or organs of a decedent under the
17 jurisdiction of the medical examiner.

18 4. Upon request of an organ procurement
19 organization, a medical examiner shall release to the
20 organ procurement organization the name and contact
21 information of a decedent whose body is under the
22 jurisdiction of the medical examiner. If the
23 decedent's organs are medically suitable for
24 transplantation, the pathologist or medical examiner
25 shall release to the organ procurement organization
26 the postmortem examination results, limited to cause
27 and manner of death and any evidence of infection or
28 other disease process, which might preclude safe
29 transplantation of recovered organs. The organ
30 procurement organization may make a subsequent
31 disclosure of the postmortem examination results only
32 if relevant to transplantation.

33 5. The medical examiner may conduct a medicolegal
34 examination by reviewing all medical records,
35 laboratory test results, X rays, other diagnostic
36 results, and other information that any person
37 possesses about a donor or prospective donor whose

38 body is under the jurisdiction of the medical
39 examiner, which the medical examiner determines may be
40 relevant to the investigation.

41 6. A person who has any information requested by a
42 medical examiner pursuant to subsection 5 shall
43 provide that information as expeditiously as possible
44 to allow the medical examiner to conduct the
45 medicolegal investigation within a period compatible
46 with the preservation of organs for the purpose of
47 transplantation.

48 7. If an anatomical gift has been or might be made
49 of an organ of a decedent whose body is under the
50 jurisdiction of the medical examiner and a postmortem

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1 examination is not required, or the medical examiner
2 determines that a postmortem examination is required
3 but that the recovery of the organ that is the subject
4 of an anatomical gift will not interfere with the
5 examination, the medical examiner and organ
6 procurement organization shall cooperate in the timely
7 removal of the organ from the decedent for the purpose
8 of transplantation.

9 8. a. If an anatomical gift of an organ from a
10 decedent under the jurisdiction of the medical
11 examiner has been or might be made, but the
12 pathologist or medical examiner initially believes
13 that the recovery of the organ could interfere with
14 the postmortem investigation into the decedent's cause
15 or manner of death, the pathologist or medical
16 examiner shall consult with the organ procurement
17 organization or physician or technician designated by
18 the organ procurement organization about the proposed
19 recovery.

20 b. Ancillary clinical tests such as a magnetic
21 resonance imaging (MRI), a computed tomography (CT)
22 scan, or skeletal survey may be required by the
23 pathologist prior to determination of suitability of
24 organ procurement. These tests shall be performed and
25 interpreted by the appropriate physician at the
26 pathologist's request, and reported in a timely
27 fashion. All expenses for such tests shall be the
28 responsibility of the organ procurement organization
29 regardless of outcome.

30 c. After consultation pursuant to paragraph "a"
31 and any preliminary investigation pursuant to
32 paragraph "b", the pathologist or medical examiner may
33 allow recovery, depending on the nature of the case
34 and the availability of a pathologist to view the body
35 prior to recovery.

36 9. If the manner of death may be homicide or has

37 the potential for litigation, the organ recovery shall
38 be approved by the forensic pathologist, and the
39 forensic pathologist may examine the body prior to
40 organ recovery and document by diagrams and
41 photographs all visible injuries.

42 10. a. If the medical examiner or designee allows
43 recovery of an organ under subsection 7, 8, or 9, the
44 organ procurement organization, upon request, shall
45 cause the physician or technician who removes the
46 organ to provide the medical examiner with a record
47 describing the condition of the organ, a biopsy, a
48 photograph, and any other information and observations
49 that would assist in the postmortem examination.

50 b. Arrangements for the examination of bodies of

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1 such decedents shall be coordinated between the organ
2 procurement organization and the state medical
3 examiner.

4 c. If applicable, and whenever possible, the
5 forensic pathologist who examined the decedent's body
6 prior to recovery of the organ shall perform the
7 autopsy. If the forensic pathologist is unable to
8 accommodate examination of the body due to scheduling
9 or staffing, the request for organ donation may be
10 denied.

11 11. If a medical examiner or designee is required
12 to be present at a removal procedure under subsection
13 9, upon request, the organ procurement organization
14 requesting the recovery of the organ shall reimburse
15 the medical examiner or designee for the additional
16 costs incurred in complying with subsection 9.

17 12. A physician or technician who removes an organ
18 at the direction of the organ procurement organization
19 may be called to testify about findings from the
20 surgical recovery of organs at no cost to taxpayers if
21 the decedent is under the jurisdiction of the medical
22 examiner.

23 13. a. The medical examiner or pathologist with
24 jurisdiction over the body of a decedent has
25 discretion to grant or deny permission for organ or
26 tissue recovery.

27 b. If the recovery of organs or tissues may hinder
28 the determination of cause or manner of death or if
29 evidence may be destroyed by the recovery, permission
30 may be denied.

31 c. The medical examiner or a pathologist
32 performing state autopsies shall work closely with
33 procurement organizations in an effort to balance the
34 needs of the public and the decedent's next of kin.

35 Sec. 6. Section 142C.5, Code 2007, is amended by

36 striking the section and inserting in lieu thereof the
37 following:
38 142C.5 PERSONS WHO MAY RECEIVE ANATOMICAL GIFTS
39 AND PURPOSES FOR WHICH ANATOMICAL GIFTS MAY BE MADE.
40 1. An anatomical gift may be made to the following
41 persons named in a document of gift:
42 a. A hospital, accredited medical or osteopathic
43 medical school, dental school, college, or university,
44 organ procurement organization, or other appropriate
45 person for research or education.
46 b. An eye bank or tissue bank.
47 c. Subject to subsection 2, an individual
48 designated by the person making the anatomical gift if
49 the individual is the recipient of the part.
50 2. If an anatomical gift to an individual under

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1 subsection 1, paragraph "c", cannot be transplanted
2 into the individual, the part passes in accordance
3 with subsection 7 in the absence of an express,
4 contrary indication by the person making the
5 anatomical gift.
6 3. If an anatomical gift of one or more specific
7 parts or of all parts is made in a document of gift
8 that does not name a person described in subsection 1
9 but identifies the purpose for which an anatomical
10 gift may be used, the following rules apply:
11 a. If the part is an eye and the gift is for the
12 purpose of transplantation or therapy, the gift passes
13 to the appropriate eye bank.
14 b. If the part is tissue and the gift is for the
15 purpose of transplantation or therapy, the gift passes
16 to the appropriate tissue bank.
17 c. If the part is an organ and the gift is for the
18 purpose of transplantation or therapy, the gift passes
19 to the appropriate organ procurement organization as
20 custodian of the organ.
21 d. If the part is an organ, an eye, or tissue and
22 the gift is for the purpose of research or education,
23 the gift passes to the appropriate procurement
24 organization.
25 4. For the purpose of subsection 3, if there is
26 more than one purpose of an anatomical gift set forth
27 in the document of gift but the purposes are not set
28 forth in any priority, the gift shall be used for
29 transplantation or therapy, if suitable. If the gift
30 cannot be used for transplantation or therapy, the
31 gift may be used for research or education.
32 5. If an anatomical gift of one or more specific
33 parts is made in a document of gift that does not name
34 a person described in subsection 1 and does not

35 identify the purpose of the gift, the gift may be used
36 only for transplantation or therapy, and the gift
37 passes in accordance with subsection 7.
38 6. If a document of gift specifies only a general
39 intent to make an anatomical gift by words such as
40 "donor", "organ donor", or "body donor", or by a
41 symbol or statement of similar import, the gift may be
42 used only for transplantation or therapy, and the gift
43 passes in accordance with subsection 7.
44 7. For the purposes of subsections 2, 5, and 6,
45 the following rules shall apply:
46 a. If the part is an eye, the gift passes to the
47 appropriate eye bank.
48 b. If the part is tissue, the gift passes to the
49 appropriate tissue bank.
50 c. If the part is an organ, the gift passes to the

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1 appropriate organ procurement organization as
2 custodian of the organ.
3 8. An anatomical gift of an organ for
4 transplantation or therapy, other than an anatomical
5 gift under subsection 1, paragraph "c", passes to the
6 organ procurement organization as custodian of the
7 organ.
8 9. If an anatomical gift does not pass pursuant to
9 subsections 1 through 8, or the decedent's body or
10 part is not used for transplantation, therapy,
11 research, or education, custody of the body or part
12 passes to the person under obligation to dispose of
13 the body or part.
14 10. A person shall not accept an anatomical gift
15 if the person knows that the gift was not effectively
16 made under section 142C.3, subsection 2, or section
17 142C.4, or if the person knows that the decedent made
18 a refusal under section 142C.3, subsection 4, that was
19 not revoked. For purposes of this subsection, if a
20 person knows that an anatomical gift was made on a
21 document of gift, the person is deemed to know of any
22 amendment or revocation of the gift or any refusal to
23 make an anatomical gift on the same document of gift.
24 11. Except as otherwise provided in subsection 1,
25 paragraph "c", nothing in this chapter shall affect
26 the allocation of organs for transplantation or
27 therapy.
28 Sec. 7. NEW SECTION. 142C.5A SEARCH AND
29 NOTIFICATION.
30 1. The following persons shall make a reasonable
31 search of an individual who the person reasonably
32 believes is dead or near death for a document of gift
33 or other information identifying the individual as a

34 donor or as an individual who made a refusal:

35 a. A law enforcement officer, fire fighter,
36 paramedic, or other emergency rescuer finding the
37 individual.

38 b. If no other source of the information is
39 immediately available, a hospital, as soon as
40 practical after the individual's arrival at the
41 hospital.

42 2. If a document of gift or a refusal to make an
43 anatomical gift is located by the search required by
44 subsection 1, paragraph "a", and the individual or
45 deceased individual to whom it relates is taken to a
46 hospital, the person responsible for conducting the
47 search shall deliver the document of gift or refusal
48 to the hospital.

49 3. A person is not subject to criminal or civil
50 liability for failing to discharge the duties imposed

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1 by this section but may be subject to administrative
2 sanctions.

3 Sec. 8. Section 142C.6, Code 2007, is amended by
4 striking the section and inserting in lieu thereof the
5 following:

6 **142C.6 DELIVERY OF DOCUMENT OF GIFT NOT REQUIRED**
7 **– RIGHT TO EXAMINE.**

8 1. A document of gift does not require delivery
9 during the donor's lifetime to be effective.

10 2. Upon or after an individual's death, a person
11 in possession of the document of gift or a refusal to
12 make an anatomical gift with respect to the individual
13 shall allow examination and copying of the document of
14 gift or the refusal by a person authorized to make or
15 object to the making of an anatomical gift with
16 respect to the individual or by a person to whom the
17 gift could pass under section 142C.5.

18 Sec. 9. Section 142C.7, Code 2007, is amended by
19 striking the section and inserting in lieu thereof the
20 following:

21 **142C.7 CONFIDENTIAL INFORMATION.**

22 A hospital, licensed or certified health care
23 professional pursuant to chapter 148, 148C, 150A, or
24 152, or medical examiner may release patient
25 information to a procurement organization as part of a
26 referral or retrospective review of the patient as a
27 potential donor. Any information regarding a patient,
28 including the patient's identity, however, constitutes
29 confidential medical information and under any other
30 circumstances is prohibited from disclosure without
31 the written consent of the patient or the patient's
32 legal representative.

33 Sec. 10. Section 142C.8, Code 2007, is amended by
34 striking the section and inserting in lieu thereof the
35 following:
36 142C.8 RIGHTS AND DUTIES OF PROCUREMENT
37 ORGANIZATIONS AND DONORS.
38 1. When a hospital refers an individual at or near
39 death to a procurement organization, the procurement
40 organization shall make a reasonable search of the
41 records of the state department of transportation and
42 any donor registry that the hospital knows exists for
43 the geographical area in which the individual resides
44 to ascertain whether the individual has made an
45 anatomical gift.
46 2. A procurement organization shall be allowed
47 reasonable access to information in the records of the
48 state department of transportation to ascertain
49 whether an individual at or near death is a donor.
50 3. When a hospital refers an individual at or near

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1 death to a procurement organization, the procurement
2 organization may conduct any reasonable examination
3 necessary to ensure the medical suitability of a part
4 that is or could be the subject of an anatomical gift
5 for transplantation, therapy, research, or education
6 from a donor or a prospective donor. During the
7 examination period, measures necessary to ensure the
8 medical suitability of the part shall not be withdrawn
9 unless the hospital or procurement organization knows
10 that the individual expressed a contrary intent.
11 4. Unless prohibited by law other than this
12 chapter, at any time after a donor's death, the person
13 to whom a part passes under section 142C.5 may conduct
14 any reasonable examination necessary to ensure the
15 medical suitability of the body or part for its
16 intended purpose.
17 5. Unless prohibited by law other than this
18 chapter, an examination under subsection 3 or 4 may
19 include an examination of all medical and dental
20 records of the donor or prospective donor.
21 6. Upon the death of a minor who was a donor or
22 had signed a refusal, unless a procurement
23 organization knows the minor is emancipated, the
24 procurement organization shall conduct a reasonable
25 search for the parents of the minor and provide the
26 parents with an opportunity to revoke or amend the
27 anatomical gift or revoke the refusal.
28 7. Upon referral by a hospital under subsection 1,
29 a procurement organization shall make a reasonable
30 search for any person listed in section 142C.4 having
31 priority to make an anatomical gift on behalf of a

32 prospective donor. If a procurement organization
 33 receives information that an anatomical gift to any
 34 other person was made, amended, or revoked, the
 35 procurement organization shall promptly advise the
 36 other person of all relevant information.

37 8. Subject to section 142C.5, subsection 9, the
 38 rights of a person to whom a part passes under section
 39 142C.5 are superior to the rights of all other persons
 40 with respect to the part.

41 9. The person may accept or reject an anatomical
 42 gift in whole or in part. Subject to the terms of the
 43 document of gift and this chapter, a person who
 44 accepts an anatomical gift of an entire body may allow
 45 embalming, burial or cremation, and use of the remains
 46 in a funeral service. If the gift is of a part, the
 47 person to whom the part passes under section 142C.5,
 48 upon the death of the donor and prior to embalming,
 49 burial, or cremation, shall cause the part to be
 50 removed without unnecessary mutilation.

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1 10. The physician who attends the decedent at
 2 death and the physician who determines the time of
 3 death shall not participate in the procedures for
 4 removing or transplanting a part from the decedent.

5 11. A physician or technician may remove a donated
 6 part from the body of a donor that the physician or
 7 technician is qualified to remove.

8 Sec. 11. Section 142C.9, Code 2007, is amended by
 9 striking the section and inserting in lieu thereof the
 10 following:

11 142C.9 COORDINATION OF PROCUREMENT AND USE.

12 Each hospital in the state shall enter into
 13 agreements or affiliations with procurement
 14 organizations for coordination of procurement and use
 15 of anatomical gifts.

16 Sec. 12. Section 142C.10, Code 2007, is amended by
 17 striking the section and inserting in lieu thereof the
 18 following:

19 142C.10 SALE OR PURCHASE OF PARTS PROHIBITED --
 20 PENALTY.

21 1. A person shall not knowingly, for valuable
 22 consideration, purchase or sell a part for
 23 transplantation or therapy, if removal of the part is
 24 intended to occur after the death of the decedent.

25 2. Valuable consideration does not include
 26 reasonable payment for the removal, processing,
 27 preservation, quality control, storage,
 28 transportation, implantation, or disposal of a part.

29 3. A person who violates this section is guilty of
 30 a class "C" felony.

31 Sec. 13. NEW SECTION. 142C.10A OTHER PROHIBITED
32 ACTS – PENALTY.

33 A person who, in order to obtain a financial gain,
34 intentionally falsifies, forges, conceals, defaces, or
35 obliterates a document of gift, an amendment or
36 revocation of a document of gift, or a refusal,
37 commits a class "C" felony.

38 Sec. 14. Section 142C.11, Code 2007, is amended by
39 striking the section and inserting in lieu thereof the
40 following:

41 142C.11 IMMUNITY.

42 1. A person who complies with this chapter in good
43 faith or with the applicable anatomical gift law of
44 another state, or who attempts in good faith to
45 comply, is immune from liability in any civil action,
46 criminal prosecution, or administrative proceeding.

47 2. An individual who makes an anatomical gift
48 pursuant to this chapter and the individual's estate
49 are not liable for any injury or damages that may
50 result from the making or the use of the anatomical

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1 gift, if the gift is made in good faith.

2 3. In determining whether an anatomical gift has
3 been made, amended, or revoked under this chapter, a
4 person may rely upon representations of an individual
5 listed in section 142C.4, subsection 1, paragraph "b",
6 "c", "d", "e", "f", "g", or "h", relating to the
7 individual's relationship to the donor or prospective
8 donor unless the person knows that the representation
9 is untrue.

10 Sec. 15. NEW SECTION. 142C.12A LAW GOVERNING
11 VALIDITY, CHOICE OF LAW, PRESUMPTION OF VALIDITY.

12 1. A document of gift is valid if executed in
13 accordance with any of the following:

14 a. This chapter.

15 b. The laws of the state or country where the
16 document of gift was executed.

17 c. The laws of the state or country where the
18 person making the anatomical gift was domiciled, has a
19 place of residence, or was a national at the time the
20 document of gift was executed.

21 2. If a document of gift is valid under this
22 section, the law of this state governs the
23 interpretation of the document of gift.

24 3. A person may presume that a document of gift or
25 amendment of an anatomical gift is valid unless that
26 person knows that it was not validly executed or was
27 revoked.

28 Sec. 16. NEW SECTION. 142C.12B EFFECT OF
29 ANATOMICAL GIFT ON ADVANCE HEALTH CARE DIRECTIVE.

30 1. As used in this section:

31 a. "Advance health care directive" means a durable
32 power of attorney for health care pursuant to chapter
33 144B or a record signed or authorized by a prospective
34 donor containing the prospective donor's direction
35 concerning a health care decision for the prospective
36 donor.

37 b. "Declaration" means a record signed by a
38 prospective donor specifying the circumstances under
39 which a life support system may be withheld or
40 withdrawn from the prospective donor.

41 c. "Health care decision" means any decision
42 regarding the health care of the prospective donor.

43 2. a. If a prospective donor has a declaration or
44 advance health care directive and the terms of the
45 declaration or directive and the express or implied
46 terms of a potential anatomical gift are in conflict
47 with regard to the administration of measures
48 necessary to ensure the medical suitability of a part
49 for transplantation or therapy, the prospective
50 donor's attending physician and prospective donor

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1 shall confer to resolve the conflict.

2 b. If the prospective donor is incapable of
3 resolving the conflict, an agent acting under the
4 prospective donor's declaration or directive or, if no
5 agent exists or the agent is not reasonably available,
6 another person, authorized by law other than this
7 chapter to make health care decisions on behalf of the
8 prospective donor, shall act for the donor to resolve
9 the conflict. The agent or other person shall resolve
10 the conflict consistent with the desires of the donor
11 as expressed in a declaration executed in accordance
12 with chapter 144A, or a durable power of attorney for
13 health care executed in accordance with chapter 144B,
14 or as otherwise known, or if not known, consistent
15 with the donor's best interest.

16 c. The conflict shall be resolved as expeditiously
17 as possible.

18 d. Information relevant to the resolution of the
19 conflict may be obtained from the appropriate
20 procurement organization and any other person
21 authorized to make an anatomical gift for the
22 prospective donor under section 142C.4. Prior to
23 resolution of the conflict, measures necessary to
24 ensure the medical suitability of the part shall not
25 be withheld or withdrawn from the prospective donor if
26 withholding or withdrawing the measures is not
27 contraindicated by appropriate end-of-life care.

28 Sec. 17. Section 142C.13, Code 2007, is amended by

29 striking the section and inserting in lieu thereof the
30 following:

31 142C.13 TRANSITIONAL PROVISIONS.

32 This chapter applies to an anatomical gift, or
33 amendment to, revocation of, or refusal to make an
34 anatomical gift whenever made.

35 Sec. 18. Section 142C.14, Code 2007, is amended by
36 striking the section and inserting in lieu thereof the
37 following:

38 142C.14 UNIFORMITY OF APPLICATION AND
39 CONSTRUCTION.

40 This chapter shall be applied and construed with
41 consideration given to the need to promote uniformity
42 of the law with respect to anatomical gifts among
43 states, which enact this law.

44 Sec. 19. NEW SECTION. 142C.14A ELECTRONIC
45 SIGNATURES.

46 This chapter modifies, limits, and supersedes the
47 federal Electronic Signatures in Global and National
48 Commerce Act, 15 U.S.C. § 7001 et seq., but does not
49 modify, limit, or authorize electronic delivery of any
50 of the notices described in § 103(b) of that Act, 15

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1 U.S.C. § 7003(b).

2 Sec. 20. Section 142C.15, subsection 4, paragraph
3 a, Code 2007, is amended to read as follows:

4 a. Not more than twenty percent of the moneys in
5 the fund annually may be expended in the form of
6 grants to state agencies or to nonprofit legal
7 entities with an interest in anatomical gift public
8 awareness and transplantation to conduct public
9 awareness projects. Moneys remaining that were not
10 requested and awarded for public awareness projects
11 may be used ~~for research, or to develop and support a~~
12 ~~statewide organ and tissue~~ the Iowa donor registry.
13 Grants shall be made based upon the submission of a
14 grant application ~~by an agency or entity to conduct a~~
15 ~~public awareness project or to research, or develop~~
16 ~~and support a statewide organ and tissue donor~~
17 ~~registry.~~

18 Sec. 21. Section 142C.16, subsection 1, paragraph
19 e, Code 2007, is amended to read as follows:

20 e. A ~~bank or storage~~ procurement organization.

21 Sec. 22. Section 142C.16, subsection 1, Code 2007,
22 is amended by adding the following new paragraph:

23 NEW PARAGRAPH. k. The state medical examiner.

24 Sec. 23. Section 142C.16, subsection 2, Code 2007,
25 is amended to read as follows:

26 2. Members shall serve staggered terms of two
27 years. Appointments of members of the committee shall

28 comply with ~~sections~~ section 69.16 and but are not
29 subject to section 69.16A. Vacancies shall be filled
30 by the original appointing authority and in the manner
31 of the original appointment.

32 Sec. 24. Section 142C.18, Code 2007, is amended by
33 striking the section and inserting in lieu thereof the
34 following:

35 142C.18 IOWA DONOR REGISTRY.

36 1. The director of public health shall contract
37 with and recognize the Iowa donor registry for the
38 purpose of indicating on the donor registry all
39 relevant information regarding a donor's making or
40 amending of an anatomical gift.

41 2. The state department of transportation shall
42 cooperate with a person that administers the Iowa
43 donor registry for the purpose of transferring to the
44 donor registry all relevant information regarding a
45 donor's making of an anatomical gift.

46 3. The Iowa donor registry shall do all of the
47 following:

48 a. Allow a donor or other person authorized under
49 section 142C.3 to include on the donor registry a
50 statement or symbol that the donor has made or amended

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1 an anatomical gift.

2 b. Be accessible to a procurement organization to
3 allow the procurement organization to obtain relevant
4 information on the donor registry to determine, at or
5 near the death of the donor or a prospective donor,
6 whether the donor or prospective donor has made,
7 amended, or revoked an anatomical gift.

8 c. Be accessible for purposes of paragraphs "a"
9 and "b" seven days a week on a twenty-four-hour per
10 day basis.

11 d. Provide a centralized, automated system to
12 compile donation information received by the state
13 department of transportation, county treasurers, and
14 the Iowa donor network.

15 e. Provide educational materials regarding the
16 making, amending, or revoking of an anatomical gift or
17 a refusal to make an anatomical gift.

18 4. Personally identifiable information on the
19 donor registry about a donor or prospective donor
20 shall not be used or disclosed without the express
21 consent of the donor, prospective donor, or person
22 that made the anatomical gift for any purpose other
23 than to determine, at or near the death of the donor
24 or prospective donor, whether the donor or prospective
25 donor has made, amended, or revoked an anatomical
26 gift.

DIVISION II

CONFORMING AMENDMENTS

- 27
28
29 Sec. 25. Section 141A.7, subsection 2, paragraph
30 a, Code 2007, is amended to read as follows:
31 a. The performance by a health care provider or
32 health facility of an HIV-related test when the health
33 care provider or health facility procures, processes,
34 distributes, or uses a human body part donated for a
35 purpose specified under the revised uniform anatomical
36 gift Act as provided in chapter 142C, or semen
37 provided prior to July 1, 1988, for the purpose of
38 artificial insemination, or donations of blood, and
39 such test is necessary to ensure medical acceptability
40 of such gift or semen for the purposes intended.
41 Sec. 26. Section 142.4, unnumbered paragraph 2,
42 Code 2007, is amended to read as follows:
43 This section shall not apply to bodies given under
44 authority of the revised uniform anatomical gift Act
45 as provided in chapter 142C.
46 Sec. 27. Section 142.8, unnumbered paragraph 2,
47 Code 2007, is amended to read as follows:
48 This section shall not apply to bodies given under
49 authority of the revised uniform anatomical gift Act
50 as provided in chapter 142C.

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- 1 Sec. 28. Section 321.178, subsection 1, paragraph
2 a, subparagraph (3), Code 2007, is amended to read as
3 follows:
4 (3) Instruction relating to becoming an organ
5 donor under the revised uniform anatomical gift Act as
6 provided in chapter 142C.
7 Sec. 29. Section 321.189, subsection 4, Code 2007,
8 is amended to read as follows:
9 4. SYMBOLS. Upon the request of a licensee, the
10 department shall indicate on the license the presence
11 of a medical condition, that the licensee is a donor
12 under the revised uniform anatomical gift Act as
13 provided in chapter 142C, or that the licensee has in
14 effect a medical advance directive. For purposes of
15 this subsection, a medical advance directive includes,
16 but is not limited to, a valid durable power of
17 attorney for health care as defined in section 144B.1.
18 The license may contain such other information as the
19 department may require by rule."

Smith of Marshall offered the following amendment H-1517, to amendment H-1495, filed by him from the floor and moved its adoption:

H-1517

- 1 Amend the amendment, H-1495, to House File 831, as
- 2 follows:
- 3 1. Page 17, line 29, by striking the words "is
- 4 guilty of" and inserting the following: "commits".

Amendment H-1517 was adopted.

On motion by Smith of Marshall, amendment H-1495, as amended, was adopted, placing out of order amendment H-1428 filed by Smith of Marshall on March 21, 2007.

SENATE FILE 509 SUBSTITUTED FOR HOUSE FILE 831

Smith of Marshall asked and received unanimous consent to substitute Senate File 509 for House File 831.

Senate File 509, a bill for an act relating to a revised uniform anatomical gift Act, and providing penalties, was taken up for consideration.

Smith of Marshall moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 509)

The ayes were, 99:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Gipp	Granzow	Grassley
Greiner	Heaton	Heddens	Hoffman
Horbach	Hunter	Huseman	Huser
Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	Mascher	May
McCarthy	Mertz	Miller, H.	Miller, L.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Palmer	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rants

Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Smith	Soderberg	Staed
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wiencek	Winckler	Windschitl
Wise	Worthan	Mr. Speaker	
		Murphy	

The nays were, none.

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **Senate File 509** be immediately messaged to the Senate.

The House stood at ease at 4:36 p.m., until the fall of the gavel.

The House resumed session at 6:36 p.m., Speaker Murphy in the chair.

HOUSE FILE 831 WITHDRAWN

Smith of Marshall asked and received unanimous consent to withdraw House File 831 from further consideration by the House.

House File 829, a bill for an act relating to the development and commercialization of businesses in the targeted industry areas of advanced manufacturing, bioscience, and information technology and including a contingent effective date provision, was taken up for consideration.

Thomas of Clayton offered the following amendment H-1391 filed by him and moved its adoption:

H-1391

- 1 Amend House File 829 as follows:
- 2 1. Page 2, line 25, by striking the word "The"
- 3 and inserting the following: "Through a request for
- 4 proposals process, the".

Amendment H-1391 was adopted.

Thomas of Clayton offered amendment H-1461 filed by him as follows:

H-1461

- 1 Amend House File 829 as follows:
- 2 1. Page 3, line 19, by inserting after the word
- 3 "college" the following: ", private college,".

Ford of Polk offered amendment H-1527, to amendment H-1461, filed by him from the floor as follows:

H-1527

- 1 Amend the amendment, H-1461, to House File 829 as
- 2 follows:
- 3 1. Page 1, by inserting after line 3 the
- 4 following:
- 5 "____. Page 4, by inserting after line 2 the
- 6 following:
- 7 "Sec. ____ NEW SECTION. 15.415A TARGETED
- 8 INDUSTRIES INTERNSHIP PROGRAM – PILOT PROJECTS.
- 9 1. The department shall establish and administer a
- 10 targeted industries internship program. The program
- 11 shall consist of up to four pilot project agreements.
- 12 An employer may enter into an agreement with an
- 13 institution of higher learning under the control of
- 14 the state board of regents, a community college
- 15 established under chapter 260C, an accredited private
- 16 institution as defined in section 261.9, subsection 1,
- 17 or a public school or accredited nonpublic school
- 18 operating a high school for purposes of providing
- 19 internship opportunities for students in the areas of
- 20 wind energy, bioenergy, biorefineries, and information
- 21 technology. The internships shall provide
- 22 apprenticeship and practicum experiences for students
- 23 older than fifteen years of age, but younger than
- 24 twenty-five years of age in the areas of wind energy,
- 25 bioenergy, biorefineries, and information technology.
- 26 2. An employer and the institution of higher

27 learning under the control of the state board of
 28 regents, a community college established under chapter
 29 260C, an accredited private institution as defined in
 30 section 261.9, subsection 1, or a public school or
 31 accredited nonpublic school operating a high school
 32 may file a joint application with the department for
 33 purposes of receiving financial assistance for program
 34 costs. For purposes of financial assistance under the
 35 program, the department may use moneys in the targeted
 36 industries development fund or federal moneys
 37 available to the department for similar purposes.
 38 3. The department shall encourage youth that
 39 reside in economically distressed areas, youth
 40 adjudicated to have committed a delinquent act, and
 41 youth transitioning out of foster care to participate
 42 in the targeted industries internship program.
 43 _____. By renumbering as necessary."

Rants of Woodbury rose on a point of order that amendment H-1527 to amendment H-1461, was not germane.

The Speaker ruled the point well taken and amendment H-1527 was not germane to amendment H-1461.

On motion by Thomas of Clayton, amendment H-1461 was adopted.

Thomas of Clayton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 829)

The ayes were, 98:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Gipp	Granzow	Grassley
Greiner	Heaton	Heddens	Hoffman
Horbach	Hunter	Huseman	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Oldson

Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor
Smith	Soderberg	Staed	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Wienczek	Winckler	Windschitl	Wise
Worthan	Mr. Speaker		
	Murphy		

The nays were, 1:

Huser

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **House File 829** be immediately messaged to the Senate.

Appropriations Calendar

House File 877, a bill for an act creating a statewide voluntary preschool program for four-year-old children and making appropriations, was taken up for consideration.

Boal of Polk offered the following amendment H-1444 filed by her and Tymeson of Madison and moved its adoption:

H-1444

- 1 Amend House File 877 as follows:
- 2 1. By striking everything after the enacting
- 3 clause and inserting the following:
- 4 "Section 1. PRESCHOOL TUITION. There is
- 5 appropriated from the general fund of the state to the
- 6 school ready children grants account of the Iowa
- 7 empowerment fund for the fiscal year beginning July 1,

- 8 2007, and ending June 30, 2008, the following amount,
 9 or so much thereof as is necessary, to be used for the
 10 purposes designated:
 11 For distribution to community empowerment areas to
 12 assist low-income parents with tuition for preschool
 13 for children ages four and five who are not attending
 14 kindergarten, in addition to any other appropriation
 15 or allocation of funding made for this purpose:
 16 \$ 15,000,000"
 17 2. Title page, by striking lines 1 and 2 and
 18 inserting the following: "An Act making an
 19 appropriation for preschool tuition assistance."
 20 3. By renumbering as necessary.

Roll call was requested by Boal of Polk and Paulsen of Linn.

On the question "Shall amendment H-1444 be adopted?" (H.F. 877)

The ayes were, 45:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Granzow	Grassley	Greiner
Heaton	Hoffman	Horbach	Huseman
Jacobs	Kaufmann	Lukan	May
Miller, L.	Olson, S.	Paulsen	Raecker
Rants	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wiencsek	Windschitl
Worthan			

The nays were, 51:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, T.	Palmer	Petersen
Pettengill	Quirk	Reasoner	Reichert
Schueller	Shomshor	Smith	Staed
Swaim	Taylor, T.	Thomas	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Winckler	Wise	Mr. Speaker	
		Murphy	

Absent or not voting, 4:

Olson, R.

Taylor, D.

Tomenga

Zirkelbach

Amendment H-1444 lost.

Heaton of Henry asked and received unanimous consent to withdraw amendment H-1481 filed by him on March 26, 2007.

Heaton of Henry asked and received unanimous consent that amendment H-1445 be deferred.

Tymeson of Madison offered the following amendment H-1446 filed by her and moved its adoption:

H-1446

- 1 Amend House File 877 as follows:
- 2 1. Page 2, line 11 by inserting after the word
- 3 "program." the following: "If the individual is
- 4 employed by a private preschool provider, the contract
- 5 provisions shall be entered into as a chapter 28E
- 6 agreement between the school district and private
- 7 preschool provider for the preschool program services
- 8 provided by the individual."

Amendment H-1446 lost.

Wienczek of Black Hawk offered the following amendment H-1447 filed by her and Boal of Polk and moved its adoption:

H-1447

- 1 Amend House File 877 as follows:
- 2 1. Page 2, by inserting after line 33 the
- 3 following:
- 4 "aa. A requirement for the board of directors of
- 5 the school district to distribute a preliminary budget
- 6 for the local program and to hold a public hearing
- 7 prior to giving approval to make an application to the
- 8 department for the school district to participate in
- 9 the preschool program. The board's approval to apply
- 10 to participate in the preschool program shall be voted
- 11 on at a separate meeting of the board."
- 12 2. By renumbering as necessary.

Roll call was requested by Wiencek of Black Hawk and Tymeson of Madison.

On the question "Shall amendment H-1447 be adopted?" (H.F. 877)

The ayes were, 46:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Granzow	Grassley	Greiner
Heaton	Hoffman	Horbach	Huseman
Jacobs	Kaufmann	Lukan	May
Miller, L.	Olson, S.	Paulsen	Pettengill
Raecker	Rants	Rasmussen	Rayhons
Roberts	Sands	Schickel	Soderberg
Struyk	Tjepkes	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wiencek
Windschitl	Worthan		

The nays were, 51:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, T.	Palmer	Petersen
Quirk	Reasoner	Reichert	Schueller
Shomshor	Smith	Staed	Swaim
Taylor, D.	Taylor, T.	Thomas	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Winckler	Wise	Mr. Speaker	
		Murphy	

Absent or not voting, 3:

Olson, R.	Tomenga	Zirkelbach
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Amendment H-1447 lost.

Heaton of Henry offered the following amendment H-1448 filed by him and moved its adoption:

H-1448

1 Amend House File 877 as follows:

2 1. Page 3, by inserting after line 23 the
3 following:

4 "i. Providing outreach to and enrolling children
5 who meet the income eligibility requirements for free
6 or reduced price meals under the federal National
7 School Lunch Act and the federal Child Nutrition Act
8 of 1966, 42 U.S.C. § 1751-1785. Such children shall
9 be given priority in enrolling in an approved local
10 program."

11 2. By renumbering as necessary.

Roll call was requested by Heaton of Henry and Tymeson of Madison.

On the question "Shall amendment H-1448 be adopted?" (H.F. 877)

The ayes were, 45:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Granzow	Grassley	Greiner
Heaton	Hoffman	Horbach	Huseman
Jacobs	Kaufman	Lukan	May
Miller, L.	Olson, S.	Paulsen	Raecker
Rants	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wiencek	Windschitl
Worthan			

The nays were, 51:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Ford	Frevert	Gaskill	Gayman
Heddens	Hunter	Huser	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Mertz	Miller, H.	Oldson	Olson, D.
Olson, T.	Palmer	Petersen	Pettengill
Quirk	Reasoner	Reichert	Schueller
Shomshor	Smith	Staed	Swaim
Taylor, D.	Taylor, T.	Thomas	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Winckler	Wise	Mr. Speaker	
		Murphy	

Absent or not voting, 4:

Foege

Olson, R.

Tomenga

Zirkelbach

Amendment H-1448 lost.

Dolecheck of Ringgold offered the following amendment H-1449 filed by him and moved its adoption:

H-1449

- 1 Amend House File 877 as follows:
- 2 1. Page 4, line 11, by inserting after the word
- 3 "of" the following: "chapter 28E".

Amendment H-1449 was adopted.

Forristall of Pottawattamie offered the following amendment H-1450 filed by him and moved its adoption:

H-1450

- 1 Amend House File 877 as follows:
- 2 1. Page 4, line 28 by inserting after the figure
- 3 "256C.4." the following: "The application must
- 4 include evidence of the collaboration between the
- 5 school district and the community empowerment area
- 6 within which the school district is located and must
- 7 be signed by the presiding officer of the board of the
- 8 community empowerment area."

Amendment H-1450 lost.

Tymeson of Madison offered amendment H-1451 filed by her as follows:

H-1451

- 1 Amend House File 877 as follows:
- 2 1. Page 5, by striking lines 7 through 15.
- 3 2. By renumbering as necessary.

Tymeson of Madison offered the following amendment H-1525, to amendment H-1451, filed by her from the floor and moved its adoption:

Swaim	Taylor, D.	Taylor, T.	Thomas
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	Mr. Speaker
			Murphy

Absent or not voting, 1:

Zirkelbach

Amendment H-1451, as amended, lost.

Dolecheck of Ringgold offered the following amendment H-1452 filed by him and moved its adoption:

H-1452

- 1 Amend House File 877 as follows:
- 2 1. Page 5, line 23, by inserting after the word
- 3 "payments." the following: "The fiscal agent for an
- 4 approved local program shall be jointly designated by
- 5 the board of directors of the school district
- 6 implementing the program and the board of the
- 7 community empowerment area within which the school
- 8 district is located."
- 9 2. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 43, nays 47.

Amendment H-1452 lost.

L. Miller of Scott offered the following amendment H-1453 filed by her and moved its adoption:

H-1453

- 1 Amend House File 877 as follows:
- 2 1. Page 5, line 27 by inserting after the word
- 3 "made." the following: "The budget listing shall also
- 4 account for local program revenues and expenditures,
- 5 any funding used for the approved local program from
- 6 other revenue sources available to the school district
- 7 as listed in chapter 298A, and any in-kind support
- 8 utilized for the local program."

Roll call was requested by L. Miller of Scott and Tymeson of Madison.

On the question "Shall amendment H-1453 be adopted?" (H.F. 877)

The ayes were, 45:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Granzow	Grassley	Greiner
Heaton	Hoffman	Horbach	Huseman
Jacobs	Kaufmann	Lukan	May
Miller, L.	Olson, S.	Paulsen	Raecker
Rants	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wienczek	Windschitl
Worthan			

The nays were, 51:

Abdul-Samad	Bailey	Bell	Bukta
Cohoon	Dandekar	Davitt	Foege
Ford	Frevort	Gaskill	Gayman
Heddens	Hunter	Huser	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Mertz	Miller, H.	Oldson	Olson, D.
Olson, T.	Palmer	Petersen	Pettengill
Quirk	Reasoner	Reichert	Schueller
Shomshor	Smith	Staed	Swaim
Taylor, D.	Taylor, T.	Thomas	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Winckler	Wise	Mr. Speaker	
		Murphy	

Absent or not voting, 4:

Berry	Olson, R.	Tomenga	Zirkelbach
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Amendment H-1453 lost.

Heaton of Henry asked and received unanimous consent to withdraw amendment H-1454 filed by him on March 26, 2007.

Heaton of Henry offered the following amendment H-1480 filed by him and moved its adoption:

H-1480

- 1 Amend House File 877 as follows:
- 2 1. Page 8, by striking line 2 and inserting the
- 3 following: "may, upon request of a school district,
- 4 temporarily waive the".
- 5 2. Page 10, by striking lines 7 through 14.
- 6 3. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 45, nays 49.

Amendment H-1480 lost.

Heaton of Henry offered amendment H-1455 filed by him as follows:

H-1455

- 1 Amend House File 877 as follows:
- 2 1. Page 9, by inserting after line 15 the
- 3 following:
- 4 "Sec. . NEW SECTION. 256C.7 PLANNING AND
- 5 ALIGNMENT.
- 6 1. The state board of education shall work with
- 7 the Iowa empowerment board, the Iowa head start state
- 8 collaboration office, and the department of human
- 9 services in developing a plan for an integrated
- 10 preschool system for the state. The plan shall
- 11 provide for effective coordination and referral of
- 12 students to appropriate preschool programs and for
- 13 improving the alignment of program standards, teacher
- 14 qualifications, and learning standards across
- 15 preschool programs.
- 16 2. The state board of education shall work with
- 17 representatives of community colleges, institutions of
- 18 higher learning under the state board of regents,
- 19 private institutions of higher education, and the
- 20 department of human services in developing career
- 21 pathways for preschool teachers to engage in state
- 22 preschool teacher quality improvement measures. The
- 23 measures addressed shall include but are not limited
- 24 to establishing an articulation process, creating
- 25 ongoing professional development opportunities for
- 26 child care and preschool workers, and promoting a
- 27 culturally diverse, competent, and skilled workforce."
- 28 2. By renumbering as necessary.

Heaton of Henry offered the following amendment H-1521, to amendment H-1455, filed by him from the floor and moved its adoption:

H-1521

1 Amend the amendment, H-1455, to House File 877 as
2 follows:

3 1. Page 1, by striking lines 11 and 12 and
4 inserting the following: "provide for effective
5 coordination and for".

6 2. Page 1, by inserting after line 27 the
7 following:

8 "3. The department shall annually report by
9 January 15 to the governor and the chairpersons and
10 ranking members of the standing committees on
11 education and human resources of the senate and house
12 of representatives concerning the progress made on the
13 provisions of subsections 1 and 2."

Amendment H-1521 was adopted.

Heaton of Henry moved the adoption of amendment H-1455, as amended.

Amendment H-1455, as amended, lost.

L. Miller of Scott offered amendment H-1456 filed by her as follows:

H-1456

1 Amend House File 877 as follows:

2 1. Page 9, by inserting after line 15 the
3 following:

4 "Sec. . **NEW SECTION. 256C.7 PRESCHOOL TEACHER**
5 **SHORTAGE LOAN FORGIVENESS PROGRAM.**

6 1. A preschool teacher shortage loan forgiveness
7 program is established to be administered by the
8 college student aid commission. A preschool teacher
9 is eligible for the program if the preschool teacher
10 is practicing in a preschool teacher shortage area as
11 designated by the department of education pursuant to
12 subsection 2. For purposes of this section,
13 "preschool teacher" means an individual holding a
14 practitioner's license issued under chapter 272, who
15 is employed as a preschool teacher in a designated
16 shortage area by a school district or a preschool

17 registered or licensed under chapter 237A.
18 2. The director of the department of education
19 shall annually designate the geographic areas
20 experiencing preschool teacher shortages. The
21 director shall periodically conduct a survey of school
22 districts, accredited nonpublic schools, preschools,
23 and approved practitioner preparation programs to
24 determine current shortage areas.
25 3. Each applicant for loan forgiveness shall, in
26 accordance with the rules of the college student aid
27 commission, do the following:
28 a. Complete and file an application for preschool
29 teacher shortage loan forgiveness. The individual
30 shall be responsible for the prompt submission of any
31 information required by the commission.
32 b. File a new application and submit information
33 as required by the commission annually on the basis of
34 which the applicant's eligibility for the renewed loan
35 forgiveness will be evaluated and determined.
36 c. Complete and return on a form approved by the
37 commission an affidavit of practice verifying that the
38 applicant is a preschool teacher in an eligible
39 teacher shortage area.
40 4. The annual amount of preschool teacher shortage
41 loan forgiveness shall not exceed the resident tuition
42 rate established for institutions of higher learning
43 governed by the state board of regents for the first
44 year following the teacher's graduation from an
45 approved practitioner preparation program, or twenty
46 percent of the teacher's total federally guaranteed
47 Stafford loan amount under the federal family
48 education loan program or the federal direct loan
49 program, including principal and interest, whichever
50 amount is less. A preschool teacher shall be eligible

Page 2

1 for the loan forgiveness program for not more than
2 five consecutive years.
3 5. A preschool teacher shortage loan forgiveness
4 repayment fund is created for deposit of moneys
5 appropriated to or received by the college student aid
6 commission for use under the program. Notwithstanding
7 section 8.33, moneys deposited in the fund shall not
8 revert to any fund of the state at the end of any
9 fiscal year but shall remain in the loan forgiveness
10 repayment fund and be continuously available for loan
11 forgiveness under the program. Notwithstanding
12 section 12C.7, subsection 2, interest or earnings on
13 moneys deposited in the fund shall be credited to the
14 fund.
15 6. The college student aid commission shall submit

16 in a report to the general assembly by January 1,
17 annually, the number of individuals who received loan
18 forgiveness pursuant to this section, which shortage
19 areas the preschool teachers taught in, the amount
20 paid to each program participant, and other
21 information identified by the commission as indicators
22 of outcomes from the program.

23 7. Of the amounts appropriated in section 256C.6
24 and in other law for purposes of the initial preschool
25 foundation aid payments to school districts approved
26 to participate in the preschool program under this
27 chapter, the following amounts are transferred to the
28 college student aid commission for the indicated
29 fiscal years to be used for purposes of the preschool
30 teacher shortage loan forgiveness program established
31 in this section:

32 a. For the fiscal year beginning July 1, 2007, two
33 hundred fifty thousand dollars.

34 b. For the fiscal year beginning July 1, 2008,
35 five hundred thousand dollars.

36 c. For the fiscal year beginning July 1, 2009, six
37 hundred thousand dollars.

38 d. For the fiscal year beginning July 1, 2010,
39 seven hundred thousand dollars."

40 2. By renumbering as necessary.

Mascher of Johnson rose on a point of order that amendment
H-1456 was not germane.

The Speaker ruled the point well taken and amendment H-1456
not germane.

Tymeson of Madison offered the following amendment H-1457
filed by her and moved its adoption:

H-1457

1 Amend House File 877 as follows:

2 1. Page 10, line 4, by inserting after the word
3 "services." the following: "The costs of providing
4 transportation services to children participating in
5 preschool in an approved local program under chapter
6 256C shall be paid from the school district's
7 preschool foundation aid provided under chapter 256C."

Roll call was requested by Tymeson of Madison and Paulsen of
Linn.

On the question "Shall amendment H-1457 be adopted?" (H.F. 877)

The ayes were, 46:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Granzow	Grassley	Greiner
Heaton	Hoffman	Horbach	Huseman
Jacobs	Kaufmann	Lukan	May
Miller, L.	Olson, S.	Paulsen	Raecker
Rants	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wienczek
Windschitl	Worthan		

The nays were, 53:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevort	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Pettengill	Quirk	Reasoner
Reichert	Schueller	Shomshor	Smith
Staed	Swaim	Taylor, D.	Taylor, T.
Thomas	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise
Mr. Speaker			
Murphy			

Absent or not voting, 1:

Zirkelbach

Amendment H-1457 lost.

Deyoe of Story offered the following amendment H-1458 filed by Kaufmann of Cedar and moved its adoption:

H-1458

- 1 Amend House File 877 as follows:
- 2 1. Page 10, by inserting after line 6 the
- 3 following:

4 "Sec. ____ Section 422.12C, subsection 1,
5 paragraphs f and g, Code 2007, are amended to read as
6 follows:

7 f. For a taxpayer with net income of forty
8 thousand dollars or more but less than ~~forty five~~
9 fifty thousand dollars, thirty percent.

10 g. For a taxpayer with net income of ~~forty five~~
11 fifty thousand dollars or more, zero percent."

12 2. Page 10, by inserting after line 14 the
13 following:

14 "Sec. ____ RETROACTIVE APPLICABILITY DATE. The
15 section of this division of this Act amending section
16 422.12C applies retroactively to January 1, 2007, for
17 tax years beginning on or after that date."

18 3. Title page, line 2, by inserting after the
19 word "children" the following: ", increasing the
20 income threshold for the child and dependent care
21 credit, including a retroactive applicability date
22 provision,".

Mascher of Johnson rose on a point of order that amendment H-1458 was not germane.

The Speaker ruled the point well taken and amendment H-1458 not germane.

Deyoe of Story asked for unanimous consent to suspend the rules to consider amendment H-1458.

Objection was raised.

Deyoe of Story moved to suspend the rules to consider amendment H-1458.

Roll call was requested by Deyoe of Story and Paulsen of Linn.

On the question "Shall the rules be suspended to consider amendment H-1458?" (H.F. 877)

The ayes were, 44:

Alons	Arnold	Baudler	Boal
Chambers	Clute	De Boef	Deyoe
Dolecheck	Drake	Forristall	Gipp
Granzow	Grassley	Greiner	Heaton
Hoffman	Horbach	Huseman	Jacobs
Kaufmann	Lukan	May	Miller, L.

Olson, S.	Paulsen	Raecker	Rants
Rasmussen	Rayhons	Roberts	Sands
Schickel	Soderberg	Struyk	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wienczek	Windschitl	Worthan

The nays were, 53:

Abdul-Samad	Anderson	Bailey	Bell
Berry	Bukta	Cohoon	Dandekar
Davitt	Foege	Ford	Frevert
Gaskill	Gayman	Heddens	Hunter
Huser	Jacoby	Jochum	Kelley
Kressig	Kuhn	Lensing	Lykam
Mascher	McCarthy	Mertz	Miller, H.
Oldson	Olson, D.	Olson, R.	Olson, T.
Palmer	Pettengill	Quirk	Reasoner
Schueller	Shomshor	Smith	Staed
Swaim	Taylor, D.	Taylor, T.	Thomas
Tomenga	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise
Mr. Speaker			
Murphy			

Absent or not voting, 3:

Petersen	Reichert	Zirkelbach
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The motion to suspend the rules lost.

Kaufmann of Cedar offered amendment H-1459 filed by him as follows:

H-1459

- 1 Amend House File 877 as follows:
- 2 1. Page 10, by inserting after line 6 the
- 3 following:
- 4 "Sec. ____ Section 422.12C, subsection 2,
- 5 unnumbered paragraph 1, Code 2007, is amended to read
- 6 as follows:
- 7 The taxes imposed under this division, less the
- 8 amounts of nonrefundable credits allowed under this
- 9 division, may be reduced by an early childhood
- 10 development tax credit equal to ~~twenty-five~~ fifty
- 11 percent of the first one thousand dollars which the
- 12 taxpayer has paid to others for each dependent, as
- 13 defined in the Internal Revenue Code, ages three
- 14 through five for early childhood development expenses.
- 15 In determining the amount of early childhood
- 16 development expenses for the tax year beginning in the

17 2006 calendar year only, such expenses paid during
18 November and December of the previous tax year shall
19 be considered paid in the tax year for which the tax
20 credit is claimed. This credit is available to a
21 taxpayer whose net income is less than ~~forty-five~~
22 fifty thousand dollars. If the early childhood
23 development tax credit is claimed for a tax year, the
24 taxpayer and the taxpayer's spouse shall not claim the
25 child and dependent care credit under subsection 1.
26 As used in this subsection, "early childhood
27 development expenses" means services provided to the
28 dependent by a preschool, as defined in section
29 237A.1, materials, and other activities as follows:"
30 2. Page 10, by inserting after line 14 the
31 following:
32 "Sec. ____ RETROACTIVE APPLICABILITY DATE. The
33 section of this division of this Act amending section
34 422.12C applies retroactively to January 1, 2007, for
35 tax years beginning on or after that date."
36 3. Title page, line 2, by inserting after the
37 word "children" the following: ", increasing the
38 income threshold and credit amount for the early
39 childhood and development tax credit, including an
40 applicability date provision,".

Mascher of Johnson rose on a point of order that amendment H-1459 was not germane.

The Speaker ruled the point well taken and amendment H-1459 not germane.

Kaufmann of Cedar asked for unanimous consent to suspend the rules to consider amendment H-1459.

Objection was raised.

Kaufmann of Cedar moved to suspend the rules to consider amendment H-1459.

Roll call was requested by Kaufmann of Cedar and Paulsen of Linn.

On the question "Shall the rules be suspended to consider amendment H-1459?" (H.F. 877)

The ayes were, 44:

Alons	Arnold	Baudler	Boal
Chambers	Clute	De Boef	Deyoe
Dolecheck	Drake	Forristall	Gipp
Granzow	Grassley	Greiner	Heaton
Hoffman	Horbach	Huseman	Jacobs
Kaufmann	Lukan	May	Miller, L.
Olson, S.	Paulsen	Raecker	Rants
Rasmussen	Rayhons	Roberts	Sands
Schickel	Soderberg	Struyk	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wienczek	Windschitl	Worthan

The nays were, 51:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Pettengill	Quirk	Reasoner	Schueller
Shomshor	Smith	Staed	Swaim
Taylor, D.	Taylor, T.	Tomenga	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Winckler	Wise	Mr. Speaker	
		Murphy	

Absent or not voting, 5:

Anderson	Petersen	Reichert	Thomas
Zirkelbach			

The motion to suspend the rules lost.

Heaton of Henry offered the following amendment H-1445, previously deferred, filed by him and moved its adoption:

H-1445

- 1 Amend House File 877 as follows:
- 2 1. Page 2, line 8, by striking the words "the
- 3 preschool" and inserting the following: "an approved
- 4 local".
- 5 2. Page 2, line 9, by inserting after the word
- 6 "program" the following: "offered by the school
- 7 district".
- 8 3. Page 2, by striking line 17 and inserting the

- 9 following: "identified in rule adopted by the state
 10 board of education."
 11 4. Page 2, by inserting before line 18 the
 12 following:
 13 "aa. An individual serving as a teacher in the
 14 preschool program offered in a licensed child care
 15 center or involving a registered child care provider
 16 must meet all of the following qualifications:
 17 (1) The individual or the individual's employer
 18 has entered into a chapter 28E agreement with the
 19 school district to implement the program.
 20 (2) The individual possesses an applied degree in
 21 early childhood education from an accredited community
 22 college or private college or possesses a bachelor's
 23 or graduate degree from an accredited college or
 24 university with a major in early childhood education
 25 or appropriate major identified in rule adopted by the
 26 state board of education.
 27 (3) The individual is supervised in curriculum
 28 development and administration by an individual who is
 29 appropriately licensed under chapter 272 and meets the
 30 requirements of chapter 284."
 31 5. By renumbering as necessary.

Roll call was requested by Heaton of Henry and Tymeson of Madison.

On the question "Shall amendment H-1445 be adopted?" (H.F. 877)

The ayes were, 48:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Granzow	Grassley	Greiner
Heaton	Hoffman	Horbach	Huseman
Huser	Jacobs	Kaufmann	Lukan
May	Mertz	Miller, L.	Olson, S.
Paulsen	Pettengill	Raecker	Rants
Rasmussen	Rayhons	Roberts	Sands
Schickel	Soderberg	Struyk	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wiencck	Windschitl	Worthan

The nays were, 51:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill

Gayman	Heddens	Hunter	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Miller, H.	Oldson	Olson, D.	Olson, R.
Olson, T.	Palmer	Petersen	Quirk
Reasoner	Reichert	Schueller	Shomshor
Smith	Staed	Swaim	Taylor, D.
Taylor, T.	Thomas	Tomenga	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Winckler	Wise	Mr. Speaker	
		Murphy	

Absent or not voting, 1:

Zirkelbach

Amendment H-1445 lost.

Pursuant to Rule 31.8, related to the timely filing of amendments, amendment H-1515 filed by Petersen of Polk and amendment H-1522 filed by Heaton of Henry from the floor, were placed out of order.

Mascher of Johnson moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 877)

The ayes were, 56:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
May	McCarthy	Mertz	Miller, H.
Oldson	Olson, D.	Olson, R.	Olson, T.
Palmer	Petersen	Pettengill	Quirk
Reasoner	Reichert	Schueller	Shomshor
Smith	Staed	Swaim	Taylor, D.
Taylor, T.	Thomas	Tomenga	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Wiencek	Winckler	Wise	Mr. Speaker
			Murphy

The nays were, 43:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Granzow	Grassley	Greiner
Heaton	Hoffman	Horbach	Huseman
Jacobs	Kaufmann	Lukan	Miller, L.
Olson, S.	Paulsen	Raecker	Rants
Rasmussen	Rayhons	Roberts	Sands
Schickel	Soderberg	Struyk	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Windschitl	Worthan	

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **House File 877** be immediately messaged to the Senate.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on Wednesday, March 28, 2007. Had I been present, I would have voted "nay" on House File 874.

VAN FOSSEN of Scott

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bill has been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 27th day of March, 2007: House File 716.

MARK W. BRANDSGARD
Chief Clerk of the House

Report adopted.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 28, 2007, he approved and transmitted to the Secretary of State the following bills:

House File 367, an Act relating to wage payment collection of direct deposit wages as administered by the division of labor services of the department of workforce development.

House File 716, an Act relating to revising the uniform commercial code, by providing for warehouse receipts, bills of lading, and other documents of title.

Senate File 70, an Act relating to crime victim compensation, excluding certain victim compensation payments from income taxation, and providing a retroactive applicability date.

Senate File 78, an Act relating to various conservation and recreation activities under the purview of the department of natural resources, modifying fees, making penalties applicable, and making an appropriation.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Nineteen Capitol Project students from schools across Iowa. By Abdul-Samad of Polk.

COMMUNICATION RECEIVED

The following communication was received and filed in the office of the Chief Clerk:

DEPARTMENT OF REVENUE

Annual report of the Tax Gap Compliance Project, pursuant to Chapter 421.17(23), Code of Iowa.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- 2007\2417 Etta Schmitt, Dike – For celebrating her 85th birthday.
- 2007\2418 Muriel Legore, Mount Vernon – For celebrating her 80th birthday.
- 2007\2419 Robert Drake, Solon – For celebrating his 75th birthday.
- 2007\2420 Harry Glessner, Cedar Rapids – For celebrating his 75th birthday.
- 2007\2421 Dorothy Jones, Springville – For celebrating her 75th birthday.
- 2007\2422 Herman Nebiker, Cedar Rapids – For celebrating is 85th birthday.
- 2007\2423 Virginia Miltner, Solon – For celebrating her 80th birthday.
- 2007\2424 Mary Brundage, Ely – For celebrating her 90th birthday.
- 2007\2425 Ethel Russo, Swisher – For celebrating her 90th birthday.
- 2007\2426 Elizabeth Hajek, Mount Vernon – For celebrating her 75th birthday.
- 2007\2427 Stanley Lawrence, Central City – For celebrating his 75th birthday.
- 2007\2428 Dolores Tjaden, Springville – For celebrating her 75th birthday.
- 2007\2429 Irene Pudil, Swisher – For celebrating her 90th birthday.
- 2007\2430 Lela Barnes, Swisher – For celebrating her 80th birthday.
- 2007\2431 Robert Knutson, Lisbon – For celebrating his 80th birthday.
- 2007\2432 Rilla Stewart, Mount Vernon – For celebrating her 85th birthday.
- 2007\2433 Verla Williams, Iowa City – For celebrating her 75th birthday.
- 2007\2434 Helen Burge, Mount Vernon – For celebrating her 85th birthday.
- 2007\2435 Balwant Suri, Mount Vernon – For celebrating his 85th birthday.
- 2007\2436 Irma Stambaugh, Springville – For celebrating her 90th birthday.
- 2007\2437 Donald Cell, Mount Vernon – For celebrating his 75th birthday.
- 2007\2438 Arladene Coonfare, Cedar Rapids – For celebrating her 90th birthday.
- 2007\2439 Lee Monroe, Cedar Rapids – For celebrating her 80th birthday.
- 2007\2440 Marion Ciha, Solon – For celebrating her 80th birthday.
- 2007\2441 Virginia Myers, Solon – For celebrating her 80th birthday.
- 2007\2442 John Smith, Mount Vernon – For celebrating his 80th birthday.

- 2007\2443 Virgil Michael, Oxford – For celebrating his 90th birthday.
- 2007\2444 Anna Kalnins, Mount Vernon – For celebrating her 103rd birthday.
- 2007\2445 Richard Netolicky, Ely – For celebrating his 75th birthday.
- 2007\2446 Vernon Cole, Swisher – For celebrating his 95th birthday.
- 2007\2447 Nancy Thomas, Mount Vernon – For celebrating her 75th birthday.
- 2007\2448 Gladys Gartzke, Oxford – For celebrating her 75th birthday.
- 2007\2449 Richard Poulson, Swisher – For celebrating his 75th birthday.
- 2007\2450 Patricia Barrett, Mount Vernon – For celebrating her 75th birthday.
- 2007\2451 Keith Wilson, Solon – For celebrating his 80th birthday.
- 2007\2452 Darlene Klinsky, Ely – For celebrating her 75th birthday.
- 2007\2453 Ruth Wurster, Springville – For celebrating her 75th birthday.
- 2007\2454 Virginia Larsen, Mount Vernon – For celebrating her 85th birthday.
- 2007\2455 Margaret Weiler, Mount Vernon – For celebrating her 85th birthday.
- 2007\2456 Betty Walton, Mount Vernon – For celebrating her 75th birthday.
- 2007\2457 Kenneth Mehaffy, Cedar Rapids – For celebrating his 75th birthday.
- 2007\2458 Alice Brown, Swisher – For celebrating her 100th birthday.
- 2007\2459 Mabel Novotny, Cedar Rapids – For celebrating her 95th birthday.
- 2007\2460 Bernadine Reyhons, Ely – For celebrating her 80th birthday.
- 2007\2461 Daryl Wurster, Springville – For celebrating his 80th birthday.
- 2007\2462 Gene Anderson, Central City – For celebrating his 85th birthday.
- 2007\2463 William Lumpa, West Branch – For celebrating his 75th birthday.
- 2007\2464 Joyce Wilson, Iowa City – For celebrating her 75th birthday.
- 2007\2465 Milton Reckling, Mount Vernon – For celebrating his 80th birthday.
- 2007\2466 Robert and Donna Tichy, Garwin – For celebrating their 50th wedding anniversary.
- 2007\2467 Violet Dvorak, Clutier – For celebrating her 80th birthday.

- 2007\2468 Agnes Podhajsky, Toledo – For celebrating her 90th birthday.
- 2007\2469 Mary Beck, Sheffield – For celebrating her 80th birthday.
- 2007\2470 Floyd W. Bochmann, Aredale – For celebrating his 94th birthday.
- 2007\2471 Tanya Carpenter, Wapello – For receiving the Boy Scouts of America District Award for Merit.
- 2007\2472 Patricia Woepking, Columbus Junction – For receiving the 2007 Farm Bureau Financial Services All American award.
- 2007\2473 Marvin Buffington, Sperry – For receiving the 2007 Farm Bureau Financial Services All American award.
- 2007\2474 Nelson Nieuwenhuis, Hospers – For celebrating his 99th birthday.
- 2007\2475 Cody Ostendorf, Meservey – For being named to the Academic All-State Football Team.
- 2007\2476 Jennifer Malek, Activity Coordinator, Oakwood Care Center – For being named one of the top three activity coordinators in the nation by Creative Forecasting magazine.
- 2007\2477 Monica Christopherson, Mason City – For being named one of 100 Great Iowa Nurses.
- 2007\2478 Michelle Eberhart, Delmar – For attaining the Girl Scout Gold Award, the highest award in Girl Scouting.
- 2007\2479 Amber Heinrich, Maquoketa – For attaining the Girl Scout Gold Award, the highest award in Girl Scouting.
- 2007\2480 Bessie Weber, Richland – For celebrating her 90th birthday.
- 2007\2481 Lloyd and Janice Wiebold, Williamsburg – For celebrating their 50th wedding anniversary.
- 2007\2482 Beulah Olson, Story City – For celebrating her 95th birthday.
- 2007\2483 Tera Sampson, Story City – For being inducted into the Beta Epsilon Eta Chapter of the Phi Theta Kappa (PTK) International Honor Society.
- 2007\2484 Lowell and Lois Vande Lunde, Pella – For celebrating their 50th wedding anniversary.
- 2007\2485 Fred and Marion Lehman, Mt. Vernon – For celebrating their 60th wedding anniversary.

- 2007\2486 Matt Marbach, Manchester – For being selected as the Iowa representative for the Children’s Miracle Network “2007 CO-OP Network Champions across America” program.
- 2207\2487 Nano Robots, McKinley Middle School No. 2, Cedar Rapids – For receiving an Honorable Mention in Robot Programming in the Iowa LEGO League Championship.
- 2007\2488 Jim and Marlene Busch, Waverly – For celebrating their 50th wedding anniversary.
- 2007\2489 Ruth and Gordon Foster, Waverly – For celebrating their 60th wedding anniversary.
- 2007\2490 Vern and Lavon Wedeking, Clarksville – For celebrating their 60th wedding anniversary.
- 2007\2491 Rosalene Jane Campbell, Waverly – For celebrating her 84th birthday.
- 2007\2492 Lena Perkins, Clarksville – For celebrating her 90th birthday.
- 2007\2493 Maxine Linder, Shell Rock – For celebrating her 90th birthday.
- 2007\2494 Bob and LoAnn Campbell, Ames – For celebrating their 50th wedding anniversary.
- 2007\2495 Art and Faye Abel, Ames – For celebrating their 50th wedding anniversary.
- 2007\2496 Dean and Lou Stanley – For celebrating their 50th wedding anniversary.

SUBCOMMITTEE ASSIGNMENTS

House File 497

Ways and Means: Frevert, Chair; Reasoner and Sands.

House File 868

Ways and Means: Reasoner, Chair; Sands and Shomshor.

House File 869

Appropriations: Cohoon, Chair; Huseman and Oldson.

House File 873

Agriculture: Reasoner, Chair; Drake, Mertz, H. Miller and S. Olson.

House File 880

State Government: Whitead, Chair; L. Miller and Quirk.

House File 884

Ways and Means: Reasoner, Chair; Sands and Shomshor.

Senate File 90

Local Government: Lykam, Chair; Hoffman and Thomas.

Senate File 277

Appropriations: Winckler, Chair; Chambers and Wenthe.

Senate File 340

Judiciary: Palmer, Chair; Horbach and Swaim.

Senate File 411

State Government: Gaskill, Chair; Jacobs and T. Taylor.

Senate File 416

Local Government: Gaskill, Chair; Clute and Whitead.

Senate File 445

Judiciary: Palmer, Chair; Lensing and Tomenga.

Senate File 484

Agriculture: Reichert, Chair; Rayhons and Wenthe.

Senate File 487

State Government: Abdul-Samad, Chair; Lensing and Roberts.

Senate File 504

Agriculture: Mertz, Chair; Greiner, Reichert, Struyk and Whitaker.

Senate File 517

Commerce: Reichert, Chair; Bailey, Lukan, Quirk, Soderberg, D. Taylor and Van Fossen.

Senate File 546

Judiciary: R. Olson, Chair; Jacobs and Palmer.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

House Study Bill 297

Appropriations: Oldson, Chair; Jacoby and Watts.

HOUSE STUDY BILL COMMITTEE ASSIGNMENT

H.S.B. 298 Ways and Means

Relating to a tax amnesty program, making appropriations, and including an effective date provision.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Committee Bill (Formerly House File 361), relating to assistance for small businesses, making appropriations, and providing an effective date provision.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 28, 2007.

Committee Bill (Formerly House File 534), relating to incentives for school district reorganizations and shared operational functions, and making an appropriation.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 28, 2007.

COMMITTEE ON JUDICIARY

Senate File 311, a bill for an act relating to an action for satisfaction of a mortgage.

Fiscal Note is not required.

Recommended **Do Pass** March 28, 2007.

COMMITTEE ON LOCAL GOVERNMENT

Senate File 155, a bill for an act relating to local governments by creating a local government innovation commission and fund, creating a center for governing excellence, and including an effective date.

Fiscal Note is not required.

Recommended **Do Pass** March 28, 2007.

Senate File 161, a bill for an act relating to the confidentiality of security procedures or emergency preparedness information discussed at a meeting of a governmental body and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** March 28, 2007.

Senate File 212, a bill for an act relating to the salary of deputy officers in certain county offices and providing an applicability date.

Fiscal Note is not required.

Recommended **Do Pass** March 28, 2007.

Senate File 336, a bill for an act allowing certain cities to appoint additional civil service commissioners.

Fiscal Note is not required.

Recommended **Do Pass** March 28, 2007.

Senate File 354, a bill for an act relating to certain overpayments of moneys to a county.

Fiscal Note is not required.

Recommended **Do Pass** March 28, 2007.

Senate File 444, a bill for an act relating to councils of governments by designating a new council of governments area.

Fiscal Note is not required.

Recommended **Do Pass** March 28, 2007.

AMENDMENTS FILED

H—1516	S.F.	403	Raecker of Polk
H—1519	H.F.	777	Palmer of Mahaska

H—1520	H.F.	611	De Boef of Keokuk
H—1523	H.F.	611	De Boef of Keokuk
H—1524	H.F.	611	Heaton of Henry
H—1526	H.F.	611	Alons of Sioux
H—1528	H.F.	611	Pettengill of Benton
H—1529	H.F.	669	D. Olson of Boone
H—1530	H.F.	802	Swaim of Davis
H—1531	H.F.	804	Wise of Lee
			Kelley of Black Hawk
			Boal of Polk
			Raecker of Polk
H—1532	H.F.	611	Pettengill of Benton
H—1533	H.F.	611	Alons of Sioux
De Boef of Keokuk			Chambers of O'Brien
Tymeson of Madison			Soderberg of Plymouth
Mertz of Kossuth			

On motion by McCarthy of Polk, the House adjourned at 11:26 p.m., until 9:00 a.m., Thursday, March 29, 2007.

JOURNAL OF THE HOUSE

Eighty-first Calendar Day - Fifty-sixth Session Day .

Hall of the House of Representatives
Des Moines, Iowa, Thursday, March 29, 2007

The House met pursuant to adjournment at 9:07 a.m., Speaker Murphy in the chair.

Prayer was offered by Anthony Menendez, House Clerk for Representative Abdul-Samad of Polk County. He was the guest of Representative Marcella Frevert of Palo Alto County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Stacy Myhre, House Intern for Representative Ro Foege of Linn County.

The Journal of Wednesday, March 28, 2007 was approved.

INTRODUCTION OF BILL

House File 888, by committee on ways and means, a bill for an act regulating dangerous wild animals, including their ownership and possession, requiring registration, providing for fees and appropriations, and providing penalties.

Read first time and placed on the **ways and means calendar**.

SENATE MESSAGES CONSIDERED

Senate File 385, by committee on labor and business relations, a bill for an act excluding unarmed combat fighting from boxing and wrestling regulation.

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

Senate File 430, by committee on judiciary, a bill for an act relating to a civil judgment, decree, or order of a court of a federally recognized Indian tribe and including an applicability provision.

Read first time and **passed on file**.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Soderberg of Plymouth on request of Roberts of Carroll.

CONSIDERATION OF BILLS
Regular Calendar

House File 740, a bill for an act regulating the administration of drugs to certain noncaptive vertebrate wildlife and providing a penalty, was taken up for consideration.

Whitaker of Van Buren offered the following amendment H-1398 filed by him and moved its adoption:

H-1398

- 1 Amend House File 740 as follows:
- 2 1. Page 1, line 2, by striking the words
- 3 "NONCAPTIVE VERTEBRATE".
- 4 2. Page 1, lines 5 and 6, by striking the words
- 5 "noncaptive vertebrate wildlife species" and inserting
- 6 the following: "wildlife under the jurisdiction of
- 7 the department of natural resources".
- 8 3. Page 1, lines 9 and 10, by striking the words
- 9 "noncaptive vertebrate wildlife" and inserting the
- 10 following: "wildlife under the jurisdiction of the
- 11 department of natural resources".
- 12 4. Page 1, line 25, by striking the words
- 13 "noncaptive vertebrate wildlife" and inserting the
- 14 following: "wildlife under the jurisdiction of the
- 15 department of natural resources".
- 16 5. Title page, lines 1 and 2, by striking the
- 17 words "certain noncaptive vertebrate wildlife" and
- 18 inserting the following: "wildlife under the
- 19 jurisdiction of the department of natural resources".

Amendment H-1398 was adopted.

Whitaker of Van Buren moved that the bill be read a last time ^{now} and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 740)

The ayes were, 84:

Abdul-Samad	Anderson	Arnold	Bailey
Baudler	Bell	Berry	Boal
Bukta	Chambers	Clute	Cohoon
Dandekar	Davitt	Deyoe	Dolecheck
Foege	Ford	Frevert	Gaskill
Gayman	Gipp	Granzow	Grassley
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	Mertz
Miller, H.	Oldson	Olson, D.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Schickel
Schueller	Shomshor	Smith	Staed
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Fossen	Watts	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wiencek
Winckler	Wise	Worthan	Mr. Speaker Murphy

The nays were, 13:

Alons	De Boef	Drake	Forristall
Greiner	McCarthy	Miller, L.	Olson, S.
Rants	Sands	Struyk	Van Engelenhoven
Windschitl			

Absent or not voting, 3:

Olson, R.	Soderberg	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

IMMEDIATE MESSAGE

Heddens of Story asked and received unanimous consent that House File 740 be immediately messaged to the Senate.

On motion by Heddens of Story, the House was recessed at 9:27 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened at 1:12 p.m., Speaker Murphy in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 29, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 790, a bill for an act allowing certain association group health care plans and wellness initiatives, and providing an effective date.

Also: That the Senate has on March 29, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 346, a bill for an act providing for the development of a uniform health insurance application form for use by small employers.

MICHAEL E. MARSHALL, Secretary

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Pettengill of Benton on request of Dandekar of Linn.

CONSIDERATION OF BILLS Regular Calendar

Senate File 169, a bill for an act providing for county eligibility for state payment of certain mental health, mental retardation, and developmental disabilities services funding and providing effective and retroactive applicability dates, was taken up for consideration.

Heaton of Henry moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 169)

The ayes were, 95:

Abdul-Samad
Bailey

Alons
Baudler

Anderson
Bell

Arnold
Berry

Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Forristall	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufman	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Quirk
Raecker	Rants	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Smith
Staed	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wiencck	Winckler	Windschitl
Wise	Worthan	Mr. Speaker	
		Murphy	

The nays were, none.

Absent or not voting, 5:

Ford	Pettengill	Soderberg	Watts
Zirkelbach			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

The House stood at ease at 1:18 p.m., until the fall of the gavel.

The House resumed session at 2:34 p.m., Speaker Murphy in the chair.

Appropriations Calendar

Senate File 403, a bill for an act addressing financial and regulatory matters by making and revising appropriations, providing for properly related matters, and providing effective dates, with report of committee recommending amendment and passage, was taken up for consideration.

Oldson of Polk offered amendment H-1433 filed by the committee on appropriations as follows:

H-1433

- 1 Amend Senate File 403, as amended, passed, and
 2 reprinted by the Senate, as follows:
- 3 1. Page 5, line 19, by striking the words "and
 4 Centerville".
 - 5 2. Page 5, line 28, by inserting after the word
 6 "loan." the following: "Not more than 5 percent of
 7 the amount appropriated shall be used for the
 8 administrative costs of the grantee so that 95 percent
 9 of the appropriation amount is used for providing
 10 loans and loan guarantees."
 - 11 3. Page 6, by striking lines 18 and 19 and
 12 inserting the following: "IowaCare account created in
 13 section 249J.24 to the state board of regents for
 14 distribution to the university of Iowa".
 - 15 4. By renumbering, relettering, or redesignating
 16 and correcting internal references as necessary.

Raecker of Polk offered the following amendment H-1516, to the committee amendment H-1433, and moved its adoption:

H-1516

- 1 Amend the amendment, H-1433, to Senate File 403, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
- 4 1. Page 1, by inserting after line 14 the
 5 following:
 6 "____. Page 13, by inserting after line 22 the
 7 following:
 8 "Sec.____. TARGETED ALLOWED GROWTH ADJUSTMENT
 9 FACTOR SUPPLEMENTAL APPROPRIATION. There is
 10 appropriated from the general fund of the state to the
 11 property tax relief fund created in section 426B.1 for
 12 the fiscal year beginning July 1, 2006, and ending
 13 June 30, 2007, the following amount, or so much
 14 thereof as is necessary, to be used for the purposes
 15 designated:
 16 As county mental health, mental retardation, and
 17 developmental disabilities allowed growth factor
 18 adjustment funding in addition to the amount
 19 appropriated in 2006 Iowa Acts, chapter 1185, section
 20 1, for distribution in the fiscal year beginning July
 21 1, 2007, to be targeted as provided in legislation
 22 enacted by the Eighty-second General Assembly, 2007
 23 Session, to those counties with the greatest need:
 24 \$ 12,000,000"
 25 2. By renumbering as necessary.

Roll call was requested by Raecker of Polk and Paulsen of Linn.

On the question "Shall amendment H-1516 be adopted?" (S.F. 403)

The ayes were, 46:

Alons	Anderson	Arnold	Bailey
Baudler	Boal	Chambers	Clute
De Boef	Deyoe	Dolecheck	Drake
Forristall	Gipp	Granzow	Grassley
Greiner	Heaton	Hoffman	Horbach
Huseman	Jacobs	Kaufmann	Lukan
May	Miller, L.	Olson, S.	Paulsen
Raecker	Rants	Rasmussen	Rayhons
Roberts	Sands	Schickel	Struyk
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wienczek
Windschitl	Worthan		

The nays were, 52:

Abdul-Samad	Bell	Berry	Bukta
Cohoon	Dandekar	Davitt	Foege
Ford	Frevert	Gaskill	Gayman
Heddens	Hunter	Huser	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Mertz	Miller, H.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Pettengill	Quirk	Reasoner	Reichert
Schueller	Shomshor	Smith	Staed
Swaim	Taylor, D.	Taylor, T.	Thomas
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	Mr. Speaker Murphy

Absent or not voting, 2:

Soderberg Zirkelbach

Amendment H-1516 lost.

On motion by Oldson of Polk, the committee amendment H-1433 was adopted.

Reichert of Muscatine offered the following amendment H-1488 filed by Reichert, et al., and moved its adoption:

H-1488

- 1 Amend Senate File 403, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 2, line 13, by striking the words "OFFICE
- 4 OF RENEWABLE ENERGY" and inserting the following:
- 5 "IOWA ENERGY INDEPENDENCE OFFICE".
- 6 2. Page 2, lines 19 and 20, by striking the words
- 7 "office of renewable energy" and inserting the
- 8 following: "Iowa energy independence office".

Amendment H-1488 was adopted.

Watts of Dallas offered the following amendment H-1474 filed by him and moved its adoption:

H-1474

- 1 Amend Senate File 403, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 2, by striking lines 12 through 31.
- 4 2. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 48, nays 49.

Amendment H-1474 lost.

McCarthy of Polk asked and received unanimous consent that Senate File 403 be deferred and that the bill be placed on the unfinished business calendar.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 29, 2007, adopted the following resolution in which the concurrence of the House is asked:

Senate Joint Resolution 4, a joint resolution authorizing the temporary use and consumption of wine in the State Capitol, and the temporary display of ceremonial banners, in conjunction with the awards ceremony of the World Food Prize Foundation.

Also: That the Senate has on March 29, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 473, a bill for an act allowing a competent adult to execute a written instrument directing the final disposition of that person's remains, including coordinating provisions, and providing applicability dates.

Also: That the Senate has on March 29, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 486, a bill for an act concerning distribution of revenue from the wine gallonage tax on wine imported into this state.

Also: That the Senate has on March 29, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 472, a bill for an act requiring the posting of close-clearance warning devices along railroad tracks and providing a penalty.

Also: That the Senate has on March 29, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 514, a bill for an act requiring insurers offering certain individual or group health insurance contracts, policies, or plans to provide coverage for vaccinations for human papilloma virus.

Also: That the Senate has on March 29, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 544, a bill for an act relating to the development, management, and efficient use of energy resources in the state and including effective and retroactive applicability date provisions.

MICHAEL E. MARSHALL, Secretary

On motion by McCarthy of Polk, the House was recessed at 3:23 p.m., until the completion of the 4:20 p.m. committee block.

The House resumed session at 5:41 p.m., Speaker Murphy in the chair.

INTRODUCTION OF BILL

House File 889, by committee on appropriations, a bill for an act relating to incentives for school district reorganizations and shared operational functions, and making an appropriation.

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

SENATE MESSAGE CONSIDERED

Senate File 346, by committee on commerce, a bill for an act providing for the development of a uniform health insurance application form for use by small employers.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 29, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 341, a bill for an act concerning work-related injuries suffered and claims made outside of this state.

Also: That the Senate has on March 29, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 414, a bill for an act concerning the licensure, operation, and taxation of card game tournaments by organizations representing veterans and allowable prizes at annual game nights by certain qualified organizations.

Also: That the Senate has on March 29, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 525, a bill for an act relating to developing policies for electronically recording an interrogation of a person suspected of a crime.

Also: That the Senate has on March 29, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 566, a bill for an act relating to historic preservation and cultural and entertainment district tax credits, and providing applicability date provisions.

MICHAEL E. MARSHALL, Secretary

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed ninety-one members present, nine absent.

Unfinished Business Calendar

The House resumed consideration of **Senate File 403**, a bill for an act addressing financial and regulatory matters by making and revising appropriations, providing for properly related matters, and providing effective dates.

Watts of Dallas asked and received unanimous consent to withdraw amendment H-1477 filed by him on March 26, 2007.

Watts of Dallas offered the following amendment H-1487 filed by him and moved its adoption:

H-1487

- 1 Amend Senate File 403, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. By striking page 2, line 34, through page 3,
- 4 line 13.
- 5 2. By striking page 5, line 34, through page 6,
- 6 line 11.
- 7 3. Page 10, by striking lines 2 through 6.
- 8 4. By renumbering as necessary.

Roll call was requested by Watts of Dallas and Raecker of Polk.

On the question "Shall amendment H-1487 be adopted?" (S.F. 403)

The ayes were, 36:

Alons	Anderson	Boal	Chambers
De Boef	Deyoe	Dolecheck	Drake
Forristall	Gipp	Granzow	Greiner
Heaton	Hoffman	Horbach	Huseman
Jacobs	May	Miller, L.	Paulsen
Raecker	Rants	Rasmussen	Roberts
Sands	Schickel	Struyk	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Windschitl	Worthan

The nays were, 58:

Abdul-Samad	Arnold	Bailey	Bell
Berry	Bukta	Cohoon	Dandekar
Davitt	Foege	Ford	Frevert
Gaskill	Gayman	Grassley	Heddens
Hunter	Huser	Jacoby	Jochum
Kaufmann	Kelley	Kressig	Kuhn

Lensing	Lukan	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Pettengill	Quirk	Reasoner
Reichert	Schueller	Shomshor	Smith
Staed	Swaim	Taylor, D.	Taylor, T.
Thomas	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Wiencek	Winckler
Wise	Mr. Speaker		
	Murphy		

Absent or not voting, 6:

Baudler	Clute	Olson, S.	Rayhons
Soderberg	Zirkelbach		

Amendment H-1487 lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Clute of Polk, S. Olson of Clinton and Rayhons of Hancock, on request of Rants of Woodbury.

Watts of Dallas offered the following amendment H-1478 filed by him and moved its adoption:

H-1478

- 1 Amend Senate File 403, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 3, by striking lines 15 through 29.
- 4 2. Page 4, by striking lines 2 through 6.
- 5 3. By striking page 4, line 32, through page 5,
- 6 line 1.
- 7 4. By renumbering as necessary.

Rule 75 was invoked.

Roll call was requested by Ford of Polk and H. Miller of Webster.

On the question "Shall amendment H-1478 be adopted?" (S.F. 403)

The ayes were, 39:

Alons	Arnold	Baudler	Boal
Chambers	De Boef	Deyoe	Dolecheck

Drake	Forristall	Gipp	Granzow
Grassley	Greiner	Heaton	Hoffman
Horbach	Huseman	Jacobs	Kaufmann
May	Miller, L.	Paulsen	Raecker
Rants	Rasmussen	Roberts	Sands
Schickel	Struyk	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Windschitl	Worthan	

The nays were, 56:

Abdul-Samad	Anderson	Bailey	Bell
Berry	Bukta	Cohoon	Dandekar
Davitt	Foegen	Ford	Frevort
Gaskill	Gayman	Heddens	Hunter
Huser	Jacoby	Jochum	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	McCarthy	Mertz
Miller, H.	Oldson	Olson, D.	Olson, R.
Olson, T.	Palmer	Petersen	Pettengill
Quirk	Reasoner	Reichert	Schueller
Shomshor	Smith	Staed	Swaim
Taylor, D.	Taylor, T.	Thomas	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Wienczek	Winckler	Wise	Mr. Speaker Murphy

Absent or not voting, 5:

Clute	Olson, S.	Rayhons	Soderberg
Zirkelbach			

Amendment H-1478 lost.

Raecker of Polk offered the following amendment H-1513 filed by him and moved its adoption:

H-1513

- 1 Amend Senate File 403, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 3, by inserting before line 30 the
- 4 following:
- 5 "Sec. ____ SUPPORT FOR PROJECTS. Notwithstanding
- 6 section 8.57, prior to the appropriation and
- 7 distribution to the senior living trust fund and the
- 8 cash reserve fund of the surplus existing in the
- 9 general fund of the state at the conclusion of the
- 10 fiscal year beginning July 1, 2007, and ending June
- 11 30, 2008, pursuant to section 8.57, subsections 1 and
- 12 2, of that surplus, the following amounts are

13	appropriated to the department of cultural affairs to	
14	be used for the purposes designated:	
15	1. For the Sanford museum and planetarium in	
16	Cherokee:	
17	.....	\$ 5,000
18	2. For Dexter park in Dallas county:	
19	.....	\$ 5,000
20	3. For the Fenelon place elevator in Dubuque:	
21	.....	\$ 5,000
22	4. For the Glacier trail in Hardin county:	
23	.....	\$ 5,000
24	5. For the prairie heritage center in O'Brien	
25	county:	
26	.....	\$ 5,000
27	6. For the Lyon county historical society in Rock	
28	Rapids:	
29	.....	\$ 5,000
30	7. For the Dickinson county museum in Spirit Lake:	
31	.....	\$ 5,000
32	8. For the Swedish American museum in Swedesburg:	
33	.....	\$ 5,000
34	9. For the depot tourist and information center in	
35	Webster City:	
36	.....	\$ 5,000
37	10. For the Faulkner gallery in Grinnell:	
38	.....	\$ 5,000
39	11. For the ice house museum in Cedar Falls:	
40	.....	\$ 5,000
41	12. For Lowe park arts and environmental center in	
42	Marion:	
43	.....	\$ 5,000
44	13. For the McNider museum in Mason City:	
45	.....	\$ 5,000
46	14. For the pearl button museum – Muscatine	
47	history and industry center in Muscatine:	
48	.....	\$ 5,000
49	15. For the hub city railway museum in Oelwein:	
50	.....	\$ 5,000

Page 2

1	16. For the Nelson pioneer farm in Oskaloosa:	
2	.....	\$ 5,000
3	17. For the Alton historical museum in Alton:	
4	.....	\$ 10,000
5	18. For the Figge arts museum in Davenport:	
6	.....	\$ 10,000
7	19. For the Amana arts guild center in High Amana:	
8	.....	\$ 10,000
9	20. For the Plymouth county historical museum in	
10	Lemars:	
11	.....	\$ 10,000

12	21. For the Hamilton county fairgrounds in Webster		
13	City:		
14	.....	\$	10,000
15	22. For the nature conservancy Loess Hills project		
16	in western Iowa:		
17	.....	\$	10,000
18	23. For the fort Des Moines museum and education		
19	center in Des Moines:		
20	.....	\$	25,000
21	24. For Reiman gardens in Ames:		
22	.....	\$	25,000
23	25. For the Iowa great lakes maritime museum in		
24	Arnolds Park:		
25	.....	\$	25,000
26	26. For the national Czech and Slovak museum in		
27	Cedar Rapids:		
28	.....	\$	25,000
29	27. For the union Pacific railroad museum in		
30	Council Bluffs:		
31	.....	\$	25,000
32	28. For the German American heritage center in		
33	Davenport:		
34	.....	\$	25,000
35	29. For the Vesterheim Norwegian-American museum		
36	in Decorah:		
37	.....	\$	25,000
38	30. For the Blank park zoo in Des Moines:		
39	.....	\$	25,000
40	31. For the Iowa hall of pride in Des Moines:		
41	.....	\$	25,000
42	32. For the national Mississippi river museum and		
43	aquarium in Dubuque:		
44	.....	\$	25,000
45	33. For the Danish immigrant museum in Elk Horn:		
46	.....	\$	25,000
47	34. For the Blanden memorial art museum in Ft.		
48	Dodge:		
49	.....	\$	25,000
50	35. For the gold star museum in Johnston:		
1	.....	\$	25,000
2	36. For the mid-American transportation and		
3	aviation museum in Sioux City:		
4	.....	\$	25,000
5	37. For the living history farms in Urbandale:		
6	.....	\$	25,000
7	38. For the Sullivan brothers Iowa veterans museum		
8	in Waterloo:		
9	.....	\$	25,000
10	39. For the African-American historical and		

Page 3

11	cultural museum in Waterloo:	
12	.....	\$ 25,000
13	40. For the Herbert Hoover presidential library in	
14	West Branch:	
15	.....	\$ 25,000"
16	2. By renumbering as necessary.	

Roll call was requested by Raecker of Polk and Van Fossen of Scott.

On the question "Shall amendment H-1513 be adopted?" (H.F. 403)

The ayes were, 42:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	De Boef	Deyoe
Dolecheck	Drake	Forristall	Gipp
Granzow	Grassley	Greiner	Heaton
Hoffman	Horbach	Huseman	Jacobs
Kaufmann	Lukan	May	Miller, L.
Paulsen	Raecker	Rants	Rasmussen
Roberts	Sands	Schickel	Struyk
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wienczek
Windschitl	Worthan		

The nays were, 53:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Pettengill	Quirk	Reasoner
Reichert	Schueller	Shomshor	Smith
Staed	Swaim	Taylor, D.	Taylor, T.
Thomas	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise
Mr. Speaker			
Murphy			

Absent or not voting, 5:

Clute	Olson, S.	Rayhons	Soderberg
Zirkelbach			

Amendment H-1513 lost.

Oldson of Polk offered the following amendment H-1460 filed by her and moved its adoption:

H-1460

- 1 Amend Senate File 403, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 15, line 23, by striking the word "a."
- 4 2. Page 16, by striking lines 2 and 3 and
- 5 inserting the following: "the general assembly and
- 6 approval by the governor. The commission shall not
- 7 issue any bonding or other".

Amendment H-1460 was adopted.

Raecker of Polk asked and received unanimous consent to withdraw amendment H-1489 filed by him on March 27, 2007.

Watts of Dallas offered the following amendment H-1479 filed by him and moved its adoption:

H-1479

- 1 Amend Senate File 403, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 13, line 29, by striking the figure
- 4 "2008" and inserting the following: "2007".
- 5 2. Page 15, by striking lines 1 through 15.
- 6 3. By renumbering as necessary.

Amendment H-1479 lost.

Watts of Dallas offered the following amendment H-1475 filed by him and moved its adoption:

H-1475

- 1 Amend Senate File 403, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. By striking page 15, line 19, through page 20,
- 4 line 17.
- 5 2. By renumbering as necessary.

Amendment H-1475 lost.

MOTION TO RECONSIDER
(Amendment H-1475 to Senate File 403)

Rants of Woodbury moved to reconsider the vote by which amendment H-1475 failed to pass the House.

A non-record roll call was requested.

The ayes were 42, nays 50.

The motion to reconsider lost.

Oldson of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 403)

The ayes were, 53:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foegen	Ford	Frevert	Gaskill
Gayman	Heddens	Horbach	Hunter
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Quirk	Reasoner	Reichert
Schuessler	Shomshor	Smith	Staed
Swaim	Taylor, D.	Taylor, T.	Thomas
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wiencek	Winckler	Wise
Mr. Speaker			
Murphy			

The nays were, 42:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	De Boef	Deyoe
Dolecheck	Drake	Forristall	Gipp
Granzow	Grassley	Greiner	Heaton
Hoffman	Huseman	Huser	Jacobs
Kaufmann	Lukan	May	Miller, L.
Paulsen	Pettengill	Raecker	Rants
Rasmussen	Roberts	Sands	Schickel
Struyk	Tjepkes	Tomenga	Tymeson

Upmeyer	Van Engelenhoven	Van Fossen	Watts
Windschitl	Worthan		

Absent or not voting, 5:

Clute	Olson, S.	Rayhons	Soderberg
Zirkelbach			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **Senate File 403** be immediately messaged to the Senate.

Regular Calendar

House File 611, a bill for an act relating to human growth and development and health education under the educational standards, requiring school districts to provide curricular information to agencies and organizations upon request, and providing related duties for the director of the department of education, was taken up for consideration.

Bukta of Clinton in the chair at 8:22 p.m.

Tymeson of Madison asked and received unanimous consent to withdraw amendment H-1301 filed by her on March 13, 2007.

Alons of Sioux asked and received unanimous consent that amendment H-1507 be deferred.

Pettengill of Benton asked and received unanimous consent to withdraw amendment H-1528 and amendment H-1532 filed by her on March 28, 2007.

Tymeson of Madison asked and received unanimous consent that amendment H-1302 and amendment H-1300 be deferred.

Alons of Sioux offered the following amendment H-1505 filed by Alons, et al., and moved its adoption:

H-1505

- 1 Amend House File 611 as follows:
- 2 1. Page 3, by striking line 33 and inserting the
- 3 following:
- 4 "3. Each prior to the first day of school, each
- 5 school board shall annually provide to a parent or".

Amendment H-1505 lost.

Alons of Sioux asked and received unanimous consent that amendment H-1508 and amendment H-1506 be deferred.

Mascher of Johnson offered amendment H-1332 filed by her as follows:

H-1332

- 1 Amend House File 611 as follows:
- 2 1. Page 4, by striking lines 4 through 9 and
- 3 inserting the following:
- 4 "4. Each school district shall, upon request by
- 5 any agency or organization, provide information about
- 6 the human growth and development curriculum used in
- 7 each grade level and the procedure for inspecting and
8. updating the instructional materials."

Alons of Sioux asked and received unanimous consent to withdraw amendment H-1526, to amendment H-1332, filed by him on March 28, 2007.

On motion by Mascher of Johnson, amendment H-1332 was adopted, placing out of order amendment H-1506 filed by Alons, et al., on March 27, 2007.

Tymeson of Madison asked and received unanimous consent that amendment H-1094 be deferred.

Alons of Sioux asked and received unanimous consent that amendment H-1509 and amendment H-1512 be deferred.

Alons of Sioux offered the following amendment H-1533 filed by Alons, et al., and moved its adoption:

H-1533

- 1 Amend House File 611 as follows:
 2 1. Page 4, by striking lines 10 through 15 and
 3 inserting the following:
 4 "5. A pupil shall not be required in order to take
 5 instruction in human growth and development if the a
 6 pupil's parent or guardian files shall file with the
 7 appropriate principal a written request that the pupil
 8 be excused from provided the instruction.
 9 Notification that the written request may be made
 10 parent or guardian must request human growth and
 11 development instruction for a pupil in order for the
 12 pupil to be provided the instruction shall be included
 13 in the information provided by the school district."

Roll call was requested by Alons of Sioux and Roberts of Carroll.

On the question "Shall amendment H-1533 be adopted?" (H.F. 611)

The ayes were, 44:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	De Boef	Deyoe
Dolecheck	Drake	Forristall	Gipp
Granzow	Grassley	Greiner	Heaton
Hoffman	Horbach	Huseman	Jacobs
Kaufmann	Lukan	May	Mertz
Miller, L.	Paulsen	Quirk	Raecker
Rants	Rasmussen	Roberts	Sands
Schickel	Struyk	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wienczek	Windschitl	Worthan

The nays were, 51:

Abdul-Samad	Bailey	Bell	Berry
Cohoon	Dandekar	Davitt	Foege
Ford	Frevert	Gaskill	Gayman
Heddens	Hunter	Huser	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Miller, H.	Murphy	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Pettengill	Reasoner	Reichert	Schueller
Shomshor	Smith	Staed	Swaim
Taylor, D.	Taylor, T.	Thomas	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Winckler	Wise	Bukta,	
		Presiding	

Absent or not voting, 5:

Clute	Olson, S.	Rayhons	Soderberg
Zirkelbach			

Amendment H-1533 lost.

De Boef of Keokuk asked and received unanimous consent that amendment H-1523 be deferred.

De Boef of Keokuk offered the following amendment H-1520 filed by her and moved its adoption:

H-1520

- 1 Amend House File 611 as follows:
- 2 1. Page 5, by striking lines 10 through 13 and
- 3 inserting the following: "with relevant expertise in
- 4 the field, such as the heritage foundation, the
- 5 American college of pediatricians, the national
- 6 physicians center for family resources, and the
- 7 physicians life alliance; and published".

Amendment H-1520 lost.

Heaton of Henry offered amendment H-1493 filed by him as follows:

H-1493

- 1 Amend House File 611 as follows:
- 2 1. Page 5, line 14, by inserting after the word
- 3 "appropriate." the following: "An accredited
- 4 nonpublic school may choose curriculum in accordance
- 5 with doctrinal teachings."

Heaton of Henry offered the following amendment H-1543, to amendment H-1493, filed by him from the floor and moved its adoption:

H-1543

- 1 Amend the amendment, H-1493, to House File 611 as
- 2 follows:
- 3 1. Page 1, by striking lines 2 and 3 and
- 4 inserting the following:
- 5 "1. Page 5, by inserting after line 16 the

6 following:

7 "10. To the extent not inconsistent with this
8 section and section 256.11, an accredited"."

9 2. Page 1, line 4, by inserting after the word
10 "may" the following: "also".

11 3. Page 1, line 5, by inserting after the word
12 "teachings" the following: "for the human sexuality
13 component of the human growth and development
14 requirements of this section and section 256.11".

Amendment H-1543 was adopted.

On motion by Heaton of Henry, amendment H-1493, as amended, was adopted.

Heaton of Henry asked and received unanimous consent to withdraw amendment H-1524 filed by him on March 28, 2007.

Tymeson of Madison asked and received unanimous consent that amendment H-1415 be deferred.

Winckler of Scott offered amendment H-1496 filed by her as follows:

H-1496

1 Amend House File 611 as follows:

2 1. Page 5, by inserting after line 16 the
3 following:

4 "This paragraph "d" shall not be construed to
5 prohibit a school or school district from developing
6 and making available abstinence-based or
7 abstinence-only materials pursuant to the requirements
8 of section 256.9, subsection 54, and from offering an
9 abstinence-based or abstinence-only curriculum in
10 meeting the human sexuality component of the human
11 growth and development requirements of this section
12 and section 256.11."

Winckler of Scott offered the following amendment H-1542, to amendment H-1496, filed by her from the floor and moved its adoption:

H-1542

1 Amend the amendment, H-1496, to House File 611 as
2 follows:

- 3 1. Page 1, by striking line 4 and inserting the
 4 following:
 5 "10. Nothing in this section or section 256.11
 6 shall be construed to".

Amendment H-1542 was adopted.

On motion by Winckler of Scott, amendment H-1496, as amended, was adopted.

Alons of Sioux asked and received unanimous consent to withdraw amendment H-1507 filed by Alons, et al., on March 27, 2007.

Tymeson of Madison offered amendment H-1302, previously deferred, filed by her as follows:

H-1302

- 1 Amend House File 611 as follows:
 2 1. Page 3, by striking lines 22 through 25 and
 3 inserting the following: "section 256.11."

Tymeson of Madison offered the following amendment H-1536, to amendment H-1302, filed by her from the floor and moved its adoption:

H-1536

- 1 Amend the amendment, H-1302, to House File 611 as
 2 follows:
 3 1. Page 1, by inserting after line 3 the
 4 following:
 5 "____. Page 5, by inserting after line 16 the
 6 following:
 7 "Sec.____. STATE MANDATE FUNDING SPECIFIED. In
 8 accordance with section 25B.2, subsection 3, the state
 9 cost of requiring compliance with any state mandate
 10 included in this Act shall be paid by a school
 11 district from state school foundation aid received by
 12 the school district under section 257.16. This
 13 specification of the payment of the state cost shall
 14 be deemed to meet all the state funding-related
 15 requirements of section 25B.2, subsection 3, and no
 16 additional state funding shall be necessary for the
 17 full implementation of this Act by and enforcement of
 18 this Act against all affected school districts."
 19 2. By renumbering as necessary.

Amendment H-1536 was adopted.

Tymeson of Madison asked and received unanimous consent to withdraw amendment H-1302, as amended, filed by her on March 13, 2007.

The following deferred amendments were withdrawn by unanimous consent:

Amendment H-1300 filed by Tymeson of Madison on March 13, 2007.
Amendment H-1508 filed by Alons of Sioux, et al., on March 27, 2007.
Amendment H-1094 filed by Tymeson of Madison on March 1, 2007.
Amendment H-1509 filed by Alons of Sioux, et al., on March 27, 2007.
Amendment H-1512 filed by Alons of Sioux, et al., on March 27, 2007.

De Boef of Keokuk offered the following amendment H-1523, previously deferred, filed by her and moved its adoption:

H-1523

1 Amend House File 611 as follows:
2 1. Page 5, line 12, by inserting after the word
3 "pediatrics," the following: "the heritage
4 foundation, the American college of pediatricians, the
5 national physicians center for family resources, the
6 physicians life alliance,".

Amendment H-1523 lost.

Tymeson of Madison asked and received unanimous consent to withdraw amendment H-1415, previously deferred, filed by her on March 21, 2007, placing out of order amendment H-1534 filed by Tymeson of Madison and amendment H-1539 filed by Mascher of Johnson from the floor.

Speaker Murphy in the chair at 10:05 p.m.

Mascher of Johnson moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 611)

The ayes were, 55:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lykam	Mascher	McCarthy	Miller, H.
Miller, L.	Oldson	Olson, D.	Olson, R.
Olson, T.	Palmer	Petersen	Reasoner
Reichert	Schueller	Shomshor	Smith
Staed	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tomenga	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Winckler	Wise	Mr. Speaker	
		Murphy	

The nays were, 40:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	De Boef	Deyoe
Dolecheck	Drake	Forristall	Gipp
Granzow	Grassley	Greiner	Heaton
Hoffman	Horbach	Huseman	Lukan
May	Mertz	Paulsen	Pettengill
Quirk	Raecker	Rants	Rasmussen
Roberts	Sands	Schickel	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wienczek	Windschitl	Worthan

Absent or not voting, 5:

Clute	Olson, S.	Rayhons	Soderberg
Zirkelbach			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

SENATE MESSAGES CONSIDERED

Senate Joint Resolution 4, by Gronstal, Lundby and Kibbie, a senate joint resolution authorizing the temporary use and consumption of wine in the State Capitol.

Read first time and referred to committee on **administration and rules**.

Senate File 341, by committee on labor and business relations, a bill for an act concerning work-related injuries suffered and claims made outside of this state.

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

Senate File 414, by committee on state government, a bill for an act concerning the licensure, operation, and taxation of card game tournaments by organizations representing veterans and allowable prizes at annual game nights by certain qualified organizations and making penalties applicable.

Read first time and **passed on file**.

Senate File 473, by committee on judiciary, a bill for an act allowing a competent adult to execute a written instrument directing the final disposition of that person's remains, including coordinating provisions, and providing applicability dates.

Read first time and referred to committee on **human resources**.

Senate File 525, by committee on judiciary, a bill for an act relating to developing policies for electronically recording an interrogation of a person suspected of a crime.

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

Senate File 544, by committee on natural resources and environment, a bill for an act relating to the development, management, and efficient use of energy resources in the state and including effective and retroactive applicability date provisions.

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

Senate File 566, by committee on ways and means, a bill for an act relating to historic preservation and cultural and entertainment district tax credits, and providing applicability date provisions.

Read first time and **passed on file**.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **House File 611** be immediately messaged to the Senate.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on Thursday, March 29, 2007. Had I been present, I would have voted "aye" on Senate File 169.

WATTS of Dallas

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 29th day of March, 2007: House Files 468 and 579.

MARK W. BRANDSGARD
Chief Clerk of the House

Report adopted.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- | | |
|-----------|---|
| 2007\2497 | Shirley Franck, Independence – For celebrating her 80 th birthday. |
| 2007\2498 | Thelma Morton, Independence – For celebrating her 90 th birthday. |
| 2007\2499 | J.H. Peet Junior High School Students, Parents and Staff, Cedar Falls – For being named a Blue Ribbon School, one only of five Iowa schools to be honored at a ceremony in Washington, D.C. |
| 2007\2500 | Bernie and Marilyn Aumann, Williamsburg – For celebrating their 50 th wedding anniversary. |

- 2007\2501 Pauline Wetjen, Williamsburg – For celebrating her 80th birthday.
- 2007\2502 John Wilkening, Sigourney – For celebrating his 90th birthday.
- 2007\2503 Ray and Dorothy Schwartz, Williamsburg – For celebrating their 60th wedding anniversary.
- 2007\2504 Bernard and Ruth Switzer, Hiawatha – For celebrating their 60th wedding anniversary.

SUBCOMMITTEE ASSIGNMENTS

House File 878

Ways and Means: Reasoner, Chair; Deyoe, Grassley, Thomas and Wise.

Senate File 427

Human Resources: Wessel-Kroeschell, Chair; Grassley and Hunter.

Senate File 441

Human Resources: Mascher, Chair; Heddens and Upmeyer.

Senate File 469

Transportation: D. Olson, Chair; Bukta and May.

Senate File 518

Commerce: Hoffman, Chair; Bailey and Berry.

Senate File 530

Commerce: Wise, Chair; Berry and Lukan.

Senate File 559

Commerce: Berry, Chair; Clute and D. Taylor.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

House Study Bill 298

Ways and Means: Kelley, Chair; Forristall and T. Olson.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 299 Ways and Means

Relating to the forest reservation property tax exemption and including effective and applicability date provision.

H.S.B. 300 Ways and Means

Relating to the amendment of the bylaws of a horizontal property regime.

COMMITTEE RECOMMENDATION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON COMMERCE

Senate File 137, a bill for an act providing for the registration of associate real estate appraisers, prohibiting improper influence over an appraiser's evaluation opinion, and imposing a penalty.

Fiscal Note is not required.

Recommended **Do Pass** March 29, 2007.

Senate File 360, a bill for an act relating to the regulatory duties of the division of banking of the department of commerce regarding banking, debt management, mortgage banking, industrial loan companies, and professional licensing.

Fiscal Note is not required.

Recommended **Amend and Do pass with Amendment H—1538** March 29, 2007.

Senate File 502, a bill for an act relating to the regulation of savings and loan associations by the division of banking of the department of commerce.

Fiscal Note is not required.

Recommended **Do Pass** March 29, 2007.

Senate File 527, a bill for an act relating to agreements to pay compensation to recover or assist in the recovery of certain unclaimed property.

Fiscal Note is not required.

Recommended **Do Pass** March 29, 2007.

COMMITTEE ON ECONOMIC GROWTH

House File 498, a bill for an act relating to energy, establishing the Iowa energy independence office, the Iowa power fund, making related changes consistent with energy efficiency, and making appropriations.

Fiscal Note is not required.

Recommended **Amend and Do Pass with Amendment H—1545** March 29, 2007.

Pursuant to Rule 31.7, House file 498 was referred to the committee on ways and means.

COMMITTEE ON LABOR

Senate File 448, a bill for an act relating to confidential information regarding unemployment insurance benefits and providing penalties.

Fiscal Note is not required.

Recommended **Do Pass** March 29, 2007.

COMMITTEE ON PUBLIC SAFETY

Senate File 529, a bill for an act expanding the criminal offense of possessing contraband in correctional institutions to include possessing contraband in a secure facility for the detention or custody of juveniles, a detention facility, or a jail, and providing a penalty.

Fiscal Note is not required.

Recommended **Do Pass** March 29, 2007.

COMMITTEE ON STATE GOVERNMENT

Senate File 351, a bill for an act requiring a political committee expressly advocating the passage or defeat of a ballot issue to file five disclosure reports in an election year.

Fiscal Note is not required.

Recommended **Do Pass** March 29, 2007.

Senate File 482, a bill for an act relating to the regulation of contributions for a gubernatorial inauguration and providing a penalty.

Fiscal Note is not required.

Recommended **Do Pass** March 29, 2007.

Senate File 539, a bill for an act establishing uniform finance procedures for obligations issued by the state.

Fiscal Note is not required.

Recommended **Do Pass** March 29, 2007.

Pursuant to Rule 31.7, Senate File 539 was referred to the committee on ways and means.

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly House File 814), creating a film, television, and video project promotion program and fund and an Iowa film advisory board, providing tax credits and income exclusions, and including effective and retroactive applicability dates.

Fiscal Note is required.

Recommended **Amend and Do Pass** March 29, 2007.

RESOLUTIONS FILED

HR 35, by Alons, Abdul-Samad, Anderson, Arnold, Baudler, Bell, Berry, Boal, Bukta, Chambers, Clute, Cohoon, Dandekar, Davitt, De Boef, Deyoe, Dolecheck, Drake, Foege, Ford, Forristall, Frevert, Gaskill, Gayman, Gipp, Granzow, Grassley, Greiner, Heaton, Heddens, Hoffman, Horbach, Hunter, Jacobs, Jacoby, Jochum, Kaufmann, Kelley, Kressig, Kuhn, Lensing, Lukan, Lykam, Mascher, May, McCarthy, Mertz, H. Miller L. Miller, Murphy, Oldson, D. Olson, R. Olson, S. Olson, T. Olson, Palmer, Paulsen, Petersen, Quirk, Raecker, Rants, Rasmussen, Rayhons, Reasoner, Reichert, Roberts, Sands, Schickel, Schueller, Shomshor, Smith, Soderberg, Staed, Struyk, Swaim, D. Taylor, T. Taylor, Thomas, Tjepkes, Tomenga, Tymeson, Upmeyer, Van Engelenhoven, Van Fossen, Watts, Wendt, Wenthe, Wessel-Kroeschell, Whitaker, Whitead, Wiencek, Winckler, Windschitl, Wise, Worthan, Pettengill, Bailey, Huseman and Huser, a resolution to honor the service of the 185th Air Refueling Wing of the Iowa Air National Guard.

Laid over under **Rule 25**.

HR 36, by Alons, Abdul-Samad, Anderson, Arnold, Baudler, Bell, Berry, Boal, Bukta, Chambers, Clute, Cohoon, Dandekar, Davitt, De Boef, Deyoe, Dolecheck, Drake, Foege, Ford, Forristall, Frevert, Gaskill, Gayman, Gipp, Granzow, Grassley, Greiner, Heaton, Heddens, Hoffman, Horbach, Hunter, Jacobs, Jacoby, Jochum, Kaufmann, Kelley, Kressig, Kuhn, Lensing, Lukan, Lykam, Mascher, May, McCarthy, Mertz, H. Miller L. Miller, Murphy, Oldson, D. Olson, R. Olson, S. Olson, T. Olson, Palmer, Paulsen, Petersen, Quirk, Raecker, Rants, Rasmussen, Rayhons, Reasoner, Reichert, Roberts, Sands, Schickel, Schueller, Shomshor, Smith, Soderberg, Staed, Struyk, Swaim, D. Taylor, T. Taylor, Thomas, Tjepkes, Tomenga, Tymeson, Upmeyer, Van Engelenhoven, Van Fossen, Watts, Wendt, Wenthe, Wessel-Kroeschell, Whitaker, Whitead, Wiencek, Winckler, Windschitl, Wise, Worthan, Pettengill, Bailey, Huseman and Huser, a resolution honoring the 132nd Fighter Wing of the Iowa Air National Guard.

Laid over under **Rule 25**.

AMENDMENTS FILED

H—1535	S.F.	339	Thomas of Clayton
H—1537	S.F.	62	Tymeson of Madison
H—1538	S.F.	360	Committee on Commerce
H—1540	S.F.	284	Struyk of Pottawattamie
H—1541	H.F.	522	Struyk of Pottawattamie
H—1544	H.F.	847	Worthan of Buena Vista
H—1545	H.F.	498	Committee on Economic Growth
H—1546	H.F.	861	Mascher of Johnson

On motion by McCarthy of Polk the House adjourned at 10:22 p.m., until 1:00 p.m., Monday, April 2, 2007.

JOURNAL OF THE HOUSE

Eighty-fifth Calendar Day - Fifty-seventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, April 2, 2007

The House met pursuant to adjournment at 1:05 p.m., Speaker Murphy in the chair.

Prayer was offered by Reverend Bill Shewmaker, pastor of the Keosauqua Christian Church. He was the guest of Representative John Whitaker of Van Buren County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Katie and Molly Rygh of Cedar Falls. They are the daughters of Pastor and Mrs. Chris Rygh. They were the guests of Representative Doris Kelley of Black Hawk County.

The Journal of Thursday, March 29, 2007 was approved.

SENATE MESSAGE CONSIDERED

Senate File 486, by committee on state government, a bill for an act concerning distribution of revenue from the wine gallonage tax on wine imported into this state.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Clute of Polk on request of Rants of Woodbury.

SPECIAL PRESENTATIONS

ORANGE CITY TULIP FESTIVAL

Soderberg of Plymouth presented to the House, Rebekah Kuiken the 2007 Queen of the Tulip Festival and her court, Maggie Achterhoff, Julynda Eekhoff, Emilly Muilenburg and Anna Schiebout.

The House rose and expressed its welcome.

Huser of Polk introduced to the House the Honorable Ed Skinner, former state representative and father of Representative Geri Huser of Polk County.

The House rose and expressed its welcome.

CONSIDERATION OF BILLS Regular Calendar

House File 815, a bill for an act requiring the department of transportation to conduct a study concerning antenna structures affecting aviation safety, was taken up for consideration.

Worthan of Buena Vista offered the following amendment H-1492 filed by him and moved its adoption:

H-1492

1 Amend House File 815 as follows:

2 1. By striking everything after the enacting
3 clause and inserting the following:

4 "Section 1. ANTENNA STRUCTURES AND AVIATION SAFETY

5 - CONFERENCE. The department of transportation shall

6 convene a statewide conference involving emergency

7 medical services helicopter crew members and other

8 interested parties to address the possible dangers

9 posed for aircraft by antenna structures that extend

10 into navigable airspace but are not required to comply

11 with marking and lighting specifications assigned by

12 the federal communications commission. The conference

13 shall consider whether state marking or lighting

14 requirements should be established for digital

15 television towers, cell phone towers, or other antenna

16 structures in order to improve aviation safety. The

17 department shall report the conference findings and

18 any recommendations, which may include recommended

19 statutory changes, to the senate and house standing

20 committees on transportation on or before December 31,

21 2007."

22 2. Title page, line 2, by striking the word

23 "study" the inserting the following: "statewide

24 conference".

Amendment H-1492 was adopted.

Worthan of Buena Vista moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 815)

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Cohoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor
Smith	Soderberg	Staed	Struyk
Swaim	Taylor, D.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wiencek
Winckler	Windschitl	Wise	Worthan
Mr. Speaker			
Murphy			

The nays were, none.

Absent or not voting, 3:

Clute	Taylor, T.	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **House File 815** be immediately messaged to the Senate.

On motion by McCarthy of Polk, the House was recessed at 1:23 p.m., until upon the completion of the 4:30 p.m. committee block.

AFTERNOON SESSION

The House reconvened at 6:41 p.m., Speaker Murphy in the chair.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed eighty-two members present, eighteen absent.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 2, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 460, a bill for an act relating to providing an appeal process for medical assistance providers.

Also: That the Senate has on April 2, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 462, a bill for an act relating to body piercing, body modification, and tattooing, and providing penalties.

Also: That the Senate has on April 2, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 485, a bill for an act requiring consideration of greenhouse gas emissions in issuing specified air quality permits.

Also: That the Senate has on April 2, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 488, a bill for an act concerning assessments for funding of municipal utility retirement systems.

Also: That the Senate has on April 2, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 499, a bill for an act relating to regulation of underground storage tanks by the department of natural resources, making appropriations, and providing contingent effective date provisions.

Also: That the Senate has on April 2, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 510, a bill for an act concerning electrical and mechanical amusement devices and providing penalties.

Also: That the Senate has on April 2, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 545, a bill for an act relating to the department of corrections by increasing penalties for engaging in sex acts with offenders under the supervision of the department of corrections or a judicial district department of correctional services, and eliminating certain reporting requirements.

MICHAEL E. MARSHALL, Secretary

CONSIDERATION OF BILLS Regular Calendar

House File 808, a bill for an act concerning accountability requirements for entities and boards created for joint exercise of governmental powers and providing an effective date, was taken up for consideration.

Huser of Polk asked and received unanimous consent to withdraw amendment H-1473 filed by her on March 26, 2007.

Huser of Polk asked and received unanimous consent to withdraw amendment H-1490 filed by her on March 27, 2007.

Huser of Polk offered the following amendment H-1501 filed by her and moved its adoption:

H-1501

- 1 Amend House File 808 as follows:
- 2 1. By striking everything after the enacting
- 3 clause and inserting the following:
- 4 "Section 1. Section 28E.6, subsections 2 and 3,
- 5 Code 2007, are amended to read as follows:
- 6 2. The ~~entity created or the administrator or~~
- 7 joint board specified in the agreement shall be a
- 8 governmental body for purposes of chapter 21 and the
- 9 entity created shall be a government body for purposes
- 10 of chapter 22 unless the entity created or agreement
- 11 includes public agencies from more than one state.
- 12 3. a. All A summary of the proceedings of each

13 regular, adjourned, or special meeting of the joint
14 board of the entity created or the administrator or
15 joint board specified in the agreement, including the
16 schedule of bills allowed, shall be published after
17 adjournment of the meeting in a one newspaper of
18 general circulation within the geographic area served
19 by the joint board of the entity created or the
20 administrator or joint board specified in the
21 agreement. The summary of the proceedings shall
22 include the date, time, and place the meeting was
23 held, the members present, and the actions taken at
24 the meeting. The joint board of the entity created or
25 the administrator or joint board specified in the
26 agreement shall furnish a copy the summary of the
27 proceedings to be published submitted for publication
28 to the newspaper within one week twenty days following
29 adjournment of the meeting. The publication of the
30 schedule of bills allowed shall include a list of all
31 salaries paid for services performed, showing the name
32 of the person or firm performing the service and the
33 amount paid. The publication of the schedule of bills
34 allowed may consolidate amounts paid to the same
35 claimant if the purpose of the individual bills is the
36 same. However, the names and gross salaries of
37 persons regularly employed by the entity created or
38 the administrator or joint board specified in the
39 agreement shall only be published annually.
40 b. An entity created which had a cash balance,
41 including investments, of less than one hundred
42 thousand dollars at the end of the previous fiscal
43 year and which had total expenditures of less than one
44 hundred thousand dollars during the prior fiscal year
45 is not required to publish as required in paragraph
46 "a".
47 c. This subsection shall not apply if the to an
48 entity or the administrator or joint board specified
49 created in the an agreement that includes public
50 agencies from more than one state or to a contract

Page 2

1 entered into pursuant to section 28E.12.
2 Sec. ____ . Section 28E.8, Code 2007, is amended to
3 read as follows:
4 28E.8 FILING AND RECORDING.
5 1. a. Before entry into force, an agreement made
6 pursuant to this chapter shall be filed, in an
7 electronic format, with the secretary of state and
8 recorded with the county recorder in a manner
9 specified by the secretary of state. In counties in
10 which the office of county recorder is abolished, the
11 agreement shall be recorded with the county auditor.

12 b. Any amendment, modification, or notice of
13 termination of an agreement made pursuant to this
14 chapter shall be filed, in an electronic format, with
15 the secretary of state within thirty days of the
16 effective date of the amendment, modification, or
17 termination, in a manner specified by the secretary of
18 state.

19 2. a. In addition to subsection 1, each entity
20 subject to section 28E.5 shall submit, in an
21 electronic format, an initial report to the secretary
22 of state as prescribed by the secretary of state. The
23 report shall include, as applicable, the name of the
24 entity created, the board members of the joint board
25 created, whether the entity is exempt from the
26 publication requirements of section 28E.6, subsection
27 3, a valid electronic mail address, and any additional
28 information the secretary of state deems appropriate.

29 b. Following submission of an initial report
30 pursuant to paragraph "a", each entity subject to
31 section 28E.5 shall submit, in an electronic format, a
32 biennial report to the secretary of state in a manner
33 prescribed by the secretary of state by April 1 of
34 every odd-numbered year beginning in calendar year
35 2009.

36 Sec. ____ JOINT EXERCISE OF GOVERNMENTAL POWERS –
37 REPORTING REQUIREMENTS – TRANSITION PROVISION.

38 Notwithstanding any provision of section 28E.8,
39 subsection 2, as enacted by this Act, to the contrary,
40 an entity created prior to January 1, 2008, shall be
41 required to submit an initial report to the secretary
42 of state by July 1, 2008.

43 Sec. ____ EFFECTIVE DATE.

44 1. The section of this Act amending section 28E.6,
45 being deemed of immediate importance, takes effect
46 upon enactment.

47 2. The sections of this Act amending section 28E.8
48 and enacting a transition provision take effect
49 January 1, 2008."

50 2. Title page, line 1, by inserting after the

Page 3

1 word "entities" the following: ", administrators".

2 3. Title page, line 3, by striking the words "an
3 effective date" and inserting the following:
4 "effective dates".

5 4. By renumbering as necessary.

Amendment H-1501 was adopted.

Huser of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 808)

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Cohoon	Dandekar
Davitt	De Boef	Deyoe	Dolecheck
Drake	Foege	Ford	Forristall
Frevrt	Gaskill	Gayman	Gipp
Granzow	Grassley	Greiner	Heaton
Heddens	Hoffman	Horbach	Hunter
Huseman	Huser	Jacobs	Jacoby
Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Oldson	Olson, D.
Olson, R.	Olson, S.	Olson, T.	Palmer
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rants	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Smith
Soderberg	Staed	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wiencek
Winckler	Windschitl	Wise	Worthan
Mr. Speaker			
Murphy			

The nays were, none.

Absent or not voting, 3:

Chambers Clute Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

House File 864, a bill for an act providing for candidate physical ability tests for fire fighter applicants under the statewide fire and police retirement system and providing an effective date, was taken up for consideration.

Jacoby of Johnson asked and received unanimous consent to withdraw amendment H-1497 filed by him on March 27, 2007.

Jacoby of Johnson offered the following amendment H-1504 filed by him and moved its adoption:

H-1504

- 1 Amend House File 864 as follows:
- 2 1. Page 1, line 26, by inserting after the word
- 3 "state." the following: "The department of public
- 4 safety shall have the authority to adopt rules in
- 5 accordance with chapter 17A concerning the candidate
- 6 physical ability test as provided by this subsection."

Amendment H-1504 was adopted.

Jacoby of Johnson moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 864)

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Cohoon	Dandekar
Davitt	De Boef	Deyoe	Dolecheck
Drake	Foege	Ford	Forristall
Frevert	Gaskill	Gayman	Gipp
Granzow	Grassley	Greiner	Heaton
Heddens	Hoffman	Horbach	Hunter
Huseman	Huser	Jacobs	Jacoby
Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Oldson	Olson, D.
Olson, R.	Olson, S.	Olson, T.	Palmer
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rants	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Smith
Soderberg	Staed	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wienczek

Winckler
Mr. Speaker
Murphy

Windschitl

Wise

Worthan

The nays were, none.

Absent or not voting, 3:

Chambers

Clute

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Chambers of O'Brien on request of Rants of Woodbury.

House File 841, a bill for an act relating to alignment of the kindergarten through postsecondary education systems and providing an effective date, was taken up for consideration.

Staed of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 841)

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Cohoon	Dandekar
Davitt	De Boef	Deyoe	Dolecheck
Drake	Foege	Ford	Forristall
Frevert	Gaskill	Gayman	Gipp
Granzow	Grassley	Greiner	Heaton
Heddens	Hoffman	Horbach	Hunter
Huseman	Huser	Jacobs	Jacoby
Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Oldson	Olson, D.
Olson, R.	Olson, S.	Olson, T.	Palmer
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rants	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands

Schickel	Schueller	Shomshor	Smith
Soderberg	Staed	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wienczek
Winckler	Windschitl	Wise	Worthan
Mr. Speaker			
Murphy			

The nays were, none.

Absent or not voting, 3:

Chambers	Clute	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 718, a bill for an act relating to cigarette fire safety standards, and providing penalties, was taken up for consideration.

Hunter of Polk offered the following amendment H-1419 filed by him and moved its adoption:

H-1419

- 1 Amend House File 718 as follows:
- 2 1. Page 3, lines 7 and 8, by striking the words
- 3 "The rules adopted shall provide that this chapter is"
- 4 and inserting the following: "This chapter shall be".
- 5 2. Page 10, line 3, by striking the word "seized"
- 6 and inserting the following: "forfeited".

Amendment H-1419 was adopted.

Hunter of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 718)

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Cphoon	Dandekar

Davitt	De Boef	Deyoe	Dolecheck
Drake	Foege	Ford	Forristall
Frevert	Gaskill	Gayman	Gipp
Granzow	Grassley	Greiner	Heaton
Heddens	Hoffman	Horbach	Hunter
Huseman	Huser	Jacobs	Jacoby
Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Oldson	Olson, D.
Olson, R.	Olson, S.	Olson, T.	Palmer
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rants	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueler	Shomshor	Smith
Soderberg	Staed	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wienczek
Winckler	Windschitl	Wise	Worthan
Mr. Speaker			
Murphy			

The nays were, none.

Absent or not voting, 3:

Chambers Clute Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 718, 808, 841 and 864.**

INTRODUCTION OF BILLS

House File 890, by committee on appropriations, a bill for an act relating to assistance for small businesses, making appropriations, and providing an effective date provision.

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

House File 891, by committee on appropriations, a bill for an act to support the establishment of a George Washington Carver endowed chair at the Iowa state university of science and technology and making an appropriation.

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

SENATE MESSAGE CONSIDERED

Senate File 514, by committee on commerce, a bill for an act requiring insurers offering certain individual or group health insurance contracts, policies, or plans to provide coverage for vaccinations for human papilloma virus and requesting an interim study committee on health benefit mandates.

Read first time and referred to committee on **human resources**.

SENATE FILE 525 REREFERRED

The Speaker announced that Senate File 525, previously referred to committee on **judiciary** was rereferred to committee on **public safety**.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 2nd day of April, 2007. House Files 317, 617, 618, 647, 650 and 653.

MARK W. BRANDSGARD
Chief Clerk of the House

Report adopted.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 30, 2007, he approved and transmitted to the Secretary of State the following bills:

House File 468, an Act requiring a study by the department of education relating to implementation of a statewide student information system.

House File 579, an Act relating to judicial branch practices and procedures, including expanding the definition of a seal, involving the duties of the clerk of the supreme court, and obtaining electronic signatures on citations.

Senate File 548, an Act creating a hemophilia advisory committee and providing a contingent effective date.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- 2007\2505 Lawrence Dirks, Ocheyedan – For celebrating his 80th birthday.
- 2007\2506 James Hitchler, LeMars – For being named a 2006 Master Pork Producer by the Iowa Pork Producers Association.
- 2007\2507 Bruce and Donna Amundson, Larrabee – For being named a 2006 Master Pork Producer by the Iowa Pork Producers Association.
- 2007\2508 John O'Connor, Cherokee – For receiving the Iowa High School Athletic Association's Media Award.
- 2007\2509 Jena Bamrick, Rockwell-Swaledale – For being named to the Corn Bowl All-Conference Basketball First Team, scoring 1,000 career points and for being named to the IGCA All-District Team.
- 2007\2510 Allison Fredin, Rockwell-Swaledale – For being named to the Corn Bowl All-Conference Basketball Second Team.
- 2007\2511 Britney Covillo, Clear Lake – For being named to the North Central All-Conference Basketball Second Team.
- 2007\2512 Victoria Nicholas, Clear Lake – For being named to the North Central All-Conference Basketball Third Team.
- 2007\2513 Bobbi Jo Imhoff, Ventura – For being named to the Cornbelt All-Conference Basketball First Team.
- 2007\2514 Arlene Baldes, Sioux City – For celebrating her 80th birthday.
- 2007\2515 Manuel and Pattie Valladolid, Sioux City – For celebrating their 50th wedding anniversary.

- 2007\2516 Martin and Marcia Sackett, Walker – For celebrating their 50th wedding anniversary.
- 2007\2517 Kyle Boeve, Rock Valley – For receiving the FFA Star Chapter Farmer Award.
- 2007\2518 Courtney Boom, West Lyon High School – For being selected to attend the 29th annual All-State Festival of Individual Events.
- 2007\2519 Martha Stai, West Lyon High School – For being selected to attend the 29th annual All-State Festival of Individual Events.

SUBCOMMITTEE ASSIGNMENTS

House File 792

Appropriations: Reichert, Chair; Huseman and Kuhn.

Senate File 473

Human Resources: Hunter, Chair; Roberts and Wessel-Kroeschell.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 299

Ways and Means: Thomas, Chair; Deyoe and Quirk.

House Study Bill 300

Ways and Means: Wendt, Chair; Jochum and Struyk.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Senate File 277, a bill for an act relating to the state's educational standards regarding teacher librarians and qualified guidance counselors, and to teacher and administrator quality, including the student achievement and teacher quality program and an administrator quality program, making appropriations, and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass with Amendment H—1557** April 2, 2007.

COMMITTEE ON ECONOMIC GROWTH

Senate File 205, a bill for an act relating to the use of moneys in the Iowa cultural trust grant account by the board of trustees of the Iowa cultural trust.

Fiscal Note is not required.

Recommended **Do Pass** March 29, 2007.

COMMITTEE ON JUDICIARY

Senate File 175, a bill for an act relating to the disposition of seized property in a criminal proceeding.

Fiscal Note is not required.

Recommended **Amend and Do Pass with Amendment H—1548** March 29, 2007.

Senate File 381, a bill for an act relating to judicial branch procedures, including appointments of court of appeals judges, district judges, district associate judges, associate juvenile judges, associate probate judges, magistrates, and patient advocates, and compensation to judges and other court personnel serving as fiduciaries.

Fiscal Note is not required.

Recommended **Do Pass** March 29, 2007.

Senate File 384, a bill for an act relating to statute of limitations provisions relating to minors and persons with mental illness and tort claims against a municipality and providing an applicability date.

Fiscal Note is not required.

Recommended **Do Pass** March 29, 2007.

Senate File 406, a bill for an act relating to dogs, including the right to kill a tagged dog and the liability of a dog's owner for damages caused by the dog.

Fiscal Note is not required.

Recommended **Do Pass** March 29, 2007.

COMMITTEE ON LABOR

Senate File 265, a bill for an act relating to asbestos removal and encapsulation regulations as enforced by the labor commissioner.

Fiscal Note is not required.

Recommended **Amend and Do Pass with Amendment H—1553** March 29, 2007.

COMMITTEE ON VETERANS AFFAIRS

Senate File 407, a bill for an act relating to the home ownership assistance program for Iowa residents who are eligible members of the armed forces of the United States.

Fiscal Note is not required.

Recommended **Do Pass** March 29, 2007.

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly House Study Bill 298), relating to a tax amnesty program, making appropriations, and including an effective date provision.

Fiscal Note is required.

Recommended **Do Pass** April 2, 2007.

RESOLUTION FILED

HR 37, by Alons, Abdul-Samad, Anderson, Arnold, Baudler, Bell, Berry, Boal, Bukta, Chambers, Clute, Cohoon, Dandekar, Davitt, De Boef, Deyoe, Dolecheck, Drake, Foege, Ford, Forristall, Frevert, Gaskill, Gayman, Gipp, Granzow, Grassley, Greiner, Heaton, Heddens, Hoffman, Horbach, Hunter, Jacobs, Jacoby, Jochum, Kaufmann, Kelley, Kressig, Kuhn, Lensing, Lukan, Lykam, Mascher, May, McCarthy, Mertz, H. Miller, L. Miller, Murphy, Oldson, D. Olson, R. Olson, S. Olson, T. Olson, Palmer, Paulsen, Petersen, Quirk, Raecker, Rants, Rasmussen, Rayhons, Reasoner, Reichert, Roberts, Sands, Schickel, Schueller, Shomshor, Smith, Soderberg, Staed, Struyk, Swaim, D. Taylor, T. Taylor, Thomas, Tjepkes, Tomenga, Tymeson, Upmeyer, Van Engelenhoven, Van Fossen, Watts, Wendt, Wenthe, Wessel-Kroeschell, Whitaker, Whitead, Wiencek, Winckler, Windschitl, Wise, Worthan, Pettengill, Bailey, Huseman and Huser, a resolution honoring the 133rd Test Squadron of the Iowa Air National Guard for its ongoing role in the Global War on Terror.

Laid over under **Rule 25**.

AMENDMENTS FILED

H—1547	H.F.	865	Upmeyer of Hancock
H—1548	S.F.	175	Committee on Judiciary
H—1549	H.F.	796	Alons of Sioux

H—1550	S.F.	369	Jacobs of Polk
H—1551	S.F.	369	Jacobs of Polk
H—1552	H.F.	469	Heddens of Story
H—1553	S.F.	265	Committee on Labor
H—1554	H.F.	817	Windschitl of Harrison D. Taylor of Linn
H—1557	S.F.	277	Committee on Appropriations

On motion by McCarthy of Polk the House adjourned at 7:34 p.m., until 9:00 a.m., Tuesday, April 3, 2007.

JOURNAL OF THE HOUSE

Eighty-sixth Calendar Day - Fifty-eighth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, April 3, 2007

The House met pursuant to adjournment at 9:19 a.m., Heddens of Story in the chair.

Prayer was offered by Reverend Jim Howland, pastor of the First Presbyterian Church, Winterset. He was the guest of Representative Jodi Tymeson of Madison County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Brian Phillips, clerk of Representative Lisa Heddens of Story County.

The Journal of Monday, April 2, 2007 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Chambers of O'Brien and Clute of Polk on request of Rants of Woodbury.

SENATE MESSAGES CONSIDERED

Senate File 460, by committee on human resources, a bill for an act relating to providing an appeal process for certain medical assistance providers and child care providers.

Read first time and referred to committee on **human resources**.

Senate File 462, by committee on human resources, a bill for an act relating to body piercing, body modification, and tattooing, and providing penalties.

Read first time and referred to committee on **human resources**.

Senate File 485, by committee on natural resources and environment, a bill for an act requiring consideration of greenhouse gas emissions in issuing specified air quality permits.

Read first time and referred to committee on **environmental protection**.

Senate File 488, by committee on state government, a bill for an act concerning assessments for funding of municipal utility retirement systems.

Read first time and referred to committee on **local government**.

Senate File 510, by committee on state government, a bill for an act concerning electrical and mechanical amusement devices and providing penalties.

Read first time and referred to committee on **state government**.

Senate File 545, by committee on judiciary, a bill for an act relating to a sex act committed with a person assigned to the judicial district department of correctional services or a person under the dominion and control of a peace officer, eliminating certain reporting requirements, and providing penalties.

Read first time and referred to committee on **public safety**.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 2, 2007, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 403, a bill for an act addressing financial and regulatory matters by making and revising appropriations, providing for properly related matters, and providing effective dates.

MICHAEL E. MARSHALL, Secretary

SPECIAL PRESENTATION

Abdul-Samad of Polk introduced to the House, members of the African-American Leadership Coalition.

The House rose and expressed its welcome.

ADOPTION OF HOUSE RESOLUTION 35

Alons of Sioux, Whitead of Woodbury and Huseman of Cherokee, called up for consideration **House Resolution 35**, a resolution to honor the service of the 185th Air Refueling Wing of the Iowa Air National Guard, and moved its adoption.

The motion prevailed and the resolution was adopted.

ADOPTION OF HOUSE RESOLUTION 36

Tymeson of Madison, Bailey of Hamilton and Alons of Sioux, called up for consideration **House Resolution 36**, a resolution honoring the 132nd Fighter Wing of the Iowa Air National Guard, and moved its adoption.

The motion prevailed and the resolution was adopted.

ADOPTION OF HOUSE RESOLUTION 37

Tjepkes of Webster, H. Miller of Webster and Alons of Sioux, called up for consideration **House Resolution 37**, a resolution honoring the 133rd Test Squadron of the Iowa Air National Guard for its ongoing role in the Global War on Terror, and moved its adoption.

The motion prevailed and the resolution was adopted.

CONSIDERATION OF BILL

Regular Calendar

House File 777, a bill for an act relating to judicial branch practices and procedures including but not limited to adoption petitions, clerk of the district court duties and recordkeeping affecting real estate, and the confidentiality of arrest warrants, was taken up for consideration.

Palmer of Mahaska asked and received unanimous consent to withdraw amendment H-1439 filed by him on March 22, 2007, placing out of order amendment H-1484 filed by Palmer of Mahaska on March 26, 2007.

Palmer of Mahaska offered amendment H-1500 filed by him as follows:

H-1500

- 1 Amend House File 777 as follows:
- 2 1. Page 1, by striking lines 1 through 33.
- 3 2. Page 2, by striking lines 3 and 4.
- 4 3. Page 2, by striking lines 11 and 12.
- 5 4. By striking page 2, line 27, through page 3,
- 6 line 8.
- 7 5. By striking page 3, line 26, through page 5,
- 8 line 20.
- 9 6. Page 5, lines 32 and 33, by striking the words
- 10 "mortgage and mortgage note" and inserting the
- 11 following: "loan documents".
- 12 7. Page 5, line 34, by striking the word
- 13 "mortgagor" and inserting the following: "mortgagee".
- 14 8. Page 6, by striking lines 3 and 4 and
- 15 inserting the following: "loan documents for the
- 16 court file, and return the original loan documents to
- 17 the mortgagee."
- 18 9. Page 6, by striking lines 15 through 27.
- 19 10. Page 6, by striking lines 28 and 29 and
- 20 inserting the following:
- 21 "Sec. ____ Section 674.11, Code 2007, is
- 22 repealed."
- 23 11. Title page, by striking lines 3 and 4 and
- 24 inserting the following: "district court duties, and
- 25 recordkeeping affecting real estate and change of name
- 26 records."
- 27 12. By renumbering as necessary.

Palmer of Mahaska offered the following amendment H-1519, to amendment H-1500, filed by him and moved its adoption:

H-1519

- 1 Amend the amendment, H-1500, to House File 777 as
- 2 follows:
- 3 1. Page 1, by inserting after line 3 the
- 4 following:
- 5 " ____ Page 2, line 10, by inserting after the
- 6 figure "321.361" the following: ", one year after
- 7 final disposition"."

Amendment H-1519 was adopted.

On motion by Palmer of Mahaska, amendment H-1500, as amended, was adopted.

Palmer of Mahaska moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 777)

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Cohoon	Dandekar
Davitt	De Boef	Deyoe	Dolecheck
Drake	Ford	Forristall	Frevert
Gaskill	Gayman	Gipp	Granzow
Grassley	Greiner	Heaton	Hoffman
Horbach	Hunter	Huseman	Huser
Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	Mascher	May
McCarthy	Mertz	Miller, H.	Miller, L.
Murphy, Spkr.	Oldson	Olson, D.	Olson, R.
Olson, S.	Olson, T.	Palmer	Petersen
Pettengill	Quirk	Raecker	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Smith	Soderberg	Staed
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wiencek	Winckler	Windschitl
Wise	Worthan	Heddens	
		Presiding	

The nays were, none.

Absent or not voting, 5:

Chambers	Clute	Foege	Paulsen
Zirkelbach			

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **House File 777** be immediately messaged to the Senate.

On motion by McCarthy of Polk, the House was recessed at 9:52 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened at 1:06 p.m., Speaker Murphy in the chair.

INTRODUCTION OF BILL

House File 892, by committee on ways and means, a bill for an act creating a film, television, and video project promotion program, providing tax credits and income exclusions, and including effective and retroactive applicability dates.

Read first time and referred to the **ways and means calendar**.

SENATE MESSAGES CONSIDERED

Senate File 472, by committee on labor and business relations, a bill for an act requiring the posting of close-clearance warning devices along railroad tracks and providing a penalty.

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

Senate File 499, by committee on natural resources and environment, a bill for an act relating to regulation of underground storage tanks by the department of natural resources, making appropriations, and providing contingent effective date provisions.

Read first time and **passed on file**.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 3, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 564, a bill for an act regulating dangerous wild animals, including their ownership and possession, requiring registration, providing for fees and appropriations, and providing penalties.

Also: That the Senate has on April 3, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 574, a bill for an act relating to statewide greenhouse gas emissions.

MICHAEL E. MARSHALL, Secretary

The House stood at ease at 1:08 p.m., until the fall of the gavel.

The House resumed session at 6:26 p.m., Speaker Murphy in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Tomenga of Polk on request of Kaufmann of Cedar.

House File 817, a bill for an act concerning veterans by providing for a study of regional veterans affairs offices, providing for the duties of the department of veterans affairs and the commission on veterans affairs, and establishing a counseling program for veterans, was taken up for consideration.

Bailey of Hamilton offered amendment H-1438 filed by him and Tymeson of Madison as follows:

H-1438

- 1 Amend House File 817 as follows:
- 2 1. Page 1, by striking lines 3 and 4 and
- 3 inserting the following:
- 4 "1. The department shall coordinate with United
- 5 States veterans administration hospitals, health care
- 6 facilities, and clinics in this state and the
- 7 department of public health to provide".
- 8 2. Page 1, by striking lines 8 through 12 and
- 9 inserting the following: "veterans.
- 10 2. The assistance program shall include".
- 11 3. Page 1, by striking line 16 and inserting the
- 12 following: "the needs of veterans."
- 13 4. Page 1, line 18, by striking the words
- 14 "at-risk veterans" and inserting the following:

- 15 "veterans in need of services".
- 16 5. Page 1, by inserting after line 18 the
- 17 following:
- 18 "3. Any assistance program established pursuant to
- 19 this section shall be implemented in a manner that
- 20 does not duplicate other services readily available to
- 21 veterans."
- 22 6. Page 1, by inserting after line 32 the
- 23 following:
- 24 "2. Review proposed rules submitted by the
- 25 department concerning the management and operation of
- 26 the department. If the commission does not disapprove
- 27 a proposed rule on a unanimous vote at the next
- 28 regularly scheduled meeting of the commission, the
- 29 department may proceed to adopt the rule."
- 30 7. Page 1, line 33, by striking the figure "2."
- 31 and inserting the following: "3. a."
- 32 8. Page 1, by inserting after line 35 the
- 33 following:
- 34 "b. Advise and make recommendations to the general
- 35 assembly and the governor concerning the management
- 36 and operation of the department."
- 37 9. Page 2, line 10, by inserting after the word
- 38 "department," the following: "Prior to adopting
- 39 rules, the department shall submit proposed rules to
- 40 the commission for review pursuant to the requirements
- 41 of section 35A.3."
- 42 10. Page 2, by inserting after line 10 the
- 43 following:
- 44 "NEW SUBSECTION. 13. Provide information
- 45 requested by the commission concerning the management
- 46 and operation of the department and the programs
- 47 administered by the department."
- 48 11. Page 4, line 6, by striking the words "each
- 49 of the fifteen".
- 50 12. Page 4, line 8, by striking the words

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- 1 "veterans in those regions" and inserting the
- 2 following: "underserved veterans throughout the
- 3 state".
- 4 13. Page 4, line 10, by striking the words "that
- 5 the state provides".
- 6 14. By renumbering as necessary.

McCarthy of Polk asked and received unanimous consent that House File 817 be deferred and that the bill retain its place on the calendar. (Amendment H-1438 pending).

House File 824, a bill for an act relating to national pollutant discharge elimination system permits for disposal systems, was taken up for consideration.

SENATE FILE 405 SUBSTITUTED FOR HOUSE FILE 824

Kressig of Black Hawk asked and received unanimous consent to substitute Senate File 405 for House File 824.

Senate File 405, a bill for an act relating to national pollutant discharge elimination system permits for disposal systems, was taken up for consideration.

Kressig of Black Hawk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 405)

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Cohoon	Dandekar
Davitt	De Boef	Deyoe	Dolecheck
Drake	Foege	Ford	Forristall
Frevert	Gaskill	Gayman	Gipp
Granzow	Grassley	Greiner	Heaton
Heddens	Hoffman	Hunter	Huseman
Huser	Jacobs	Jacoby	Jochum
Kaufmann	Kelley	Kressig	Kuhn
Lensing	Lukan	Lykam	Mascher
May	McCarthy	Mertz	Miller, H.
Miller, L.	Oldson	Olson, D.	Olson, R.
Olson, S.	Olson, T.	Palmer	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rants	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Smith	Soderberg
Staed	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wiencck	Winckler	Windschitl
Wise	Worthan	Mr. Speaker	
		Murphy	

The nays were and none.

Absent or not voting and 5:

Chambers
Zirkelbach

Clute

Horbach

Tomenga

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 824 WITHDRAWN

Kressig of Black Hawk asked and received unanimous consent to withdraw House File 824 from further consideration by the House.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 3, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 543, a bill for an act relating to the state interagency Missouri river authority, by providing for the participation in or withdrawal from interstate associations, providing for the appointment of a vice chairperson, and providing for duties of member agencies.

MICHAEL E. MARSHALL, Secretary

House File 825, a bill for an act relating to publication of property assessment equalization orders, was taken up for consideration.

SENATE FILE 131 SUBSTITUTED FOR HOUSE FILE 825

Kressig of Black Hawk asked and received unanimous consent to substitute Senate File 131 for House File 825, placing out of order amendment H-1402 filed by Paulsen of Linn on March 20, 2007.

Senate File 131, a bill for an act relating to publication of property assessment equalization orders, was taken up for consideration.

Huser of Polk offered amendment H-1412 filed by her and Van Fossen of Scott as follows:

H-1412

1 Amend Senate File 131 as follows:

2 1. Page 1, by inserting before line 1 the
3 following:

4 "Section 1. Section 331.434, subsection 3, Code
5 2007, is amended to read as follows:

6 3. The board shall set a time and place for a
7 public hearing on the budget before the final
8 certification date and shall publish notice of the
9 hearing not less than ten nor more than twenty days
10 prior to the hearing in the county newspapers selected
11 under chapter 349. A summary of the proposed budget,
12 in the form prescribed by the director of the
13 department of management, shall be included in the
14 notice. For each fiscal year beginning July 1 of an
15 even-numbered year following issuance of an
16 equalization order pursuant to section 441.49, the
17 board of each county that received a positive
18 equalization order for any class of property shall
19 include a statement at the top of the budget summary
20 declaring whether or not for such budget the board
21 intends to reduce its tax levy rates from the current
22 fiscal year in order to compensate for the increase in
23 property valuations due to the equalization orders
24 issued by the department of revenue. Proof of
25 publication shall be filed with and preserved by the
26 auditor. A levy is not valid unless and until the
27 notice is published and filed. The department of
28 management shall prescribe the form for the public
29 hearing notice for use by counties.

30 Sec. 2. Section 384.16, subsection 3, Code 2007,
31 is amended to read as follows:

32 3. The council shall set a time and place for
33 public hearing on the budget before the final
34 certification date and shall publish notice of the
35 hearing not less than ten nor more than twenty days
36 before the hearing in a newspaper published at least
37 once weekly and having general circulation in the
38 city. However, if the city has a population of two
39 hundred or less, publication may be made by posting in
40 three public places in the city. A summary of the
41 proposed budget shall be included in the notice. For
42 each fiscal year beginning July 1 of an even-numbered
43 year following issuance of an equalization order
44 pursuant to section 441.49, the city council of each
45 city located in a county that received a positive
46 equalization order, or whose city assessor received a
47 positive equalization order, for any class of property
48 shall include a statement at the top of the budget
49 summary declaring whether or not for such budget the
50 city council intends to reduce its tax levy rates from

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- 1 the current fiscal year in order to compensate for the
- 2 increase in property valuations due to the
- 3 equalization orders issued by the department of
- 4 revenue. Proof of publication must be filed with the
- 5 county auditor. The department of management shall
- 6 prescribe the form for the public hearing notice for
- 7 use by cities."
- 8 2. Title page, line 1, by striking the words
- 9 "publication of" and inserting the following:
- 10 "required publications concerning".
- 11 3. By renumbering as necessary.

Huser of Polk offered the following amendment H-1416, to amendment H-1412, filed by her and moved its adoption:

H-1416

- 1 Amend the amendment, H-1412, to Senate File 131 as
- 2 follows:
- 3 1. Page 1, line 23, by striking the word "orders"
- 4 and inserting the following: "order".
- 5 2. Page 2, line 3, by striking the word "orders"
- 6 and inserting the following: "order".
- 7 3. Page 2, by striking lines 9 and 10 and
- 8 inserting the following: ""publication of"".

Amendment H-1416 was adopted.

On motion by Huser of Polk, amendment H-1412, as amended, was adopted.

Paulsen of Linn asked and received unanimous consent to withdraw amendment H-1404 filed by him on March 20, 2007.

Huser of Polk offered the following amendment H-1411 filed by her and moved its adoption:

H-1411

- 1 Amend Senate File 131, as passed by the Senate, as
- 2 follows:
- 3 1. Page 1, line 14, by striking the figure "25"
- 4 and inserting the following: "30".
- 5 2. Page 1, by inserting after line 17 the
- 6 following:
- 7 "Sec. ____ Section 441.49, unnumbered paragraph 5,

8 Code 2007, is amended to read as follows:

9 The local board of review shall reconvene in
10 special session from October 15 to November 15 for the
11 purpose of hearing the protests of affected property
12 owners or taxpayers within the jurisdiction of the
13 board whose valuation of property if adjusted pursuant
14 to the equalization order issued by the director of
15 revenue will result in a greater value than permitted
16 under section 441.21. The board of review shall
17 accept protests only during the first ~~ten~~ fifteen days
18 following the date the local board of review
19 reconvenes. The board of review shall limit its
20 review to only the timely filed protests. The board
21 of review may adjust all or a part of the percentage
22 increase ordered by the director of revenue by
23 adjusting the actual value of the property under
24 protest to one hundred percent of actual value. Any
25 adjustment so determined by the board of review shall
26 not exceed the percentage increase provided for in the
27 director's equalization order. The determination of
28 the board of review on filed protests is final,
29 subject to appeal to the property assessment appeal
30 board. A final decision by the local board of review,
31 or the property assessment appeal board, if the local
32 board's decision is appealed, is subject to review by
33 the director of revenue for the purpose of determining
34 whether the board's actions substantially altered the
35 equalization order. In making the review, the
36 director has all the powers provided in chapter 421,
37 and in exercising the powers the director is not
38 subject to chapter 17A. Not later than fifteen days
39 following the adjournment of the board, the board of
40 review shall submit to the director of revenue, on
41 forms prescribed by the director, a report of all
42 actions taken by the board of review during this
43 session."

44 3. Title page, line 1, by striking the words
45 "publication of".

46 4. Title page, line 2, by inserting after the
47 word "orders" the following: "by requiring certain
48 information to be published and by extending the time
49 period for certain equalization order protests".

50 5. By renumbering as necessary.

Amendment H-1411 was adopted.

Kressig of Black Hawk moved that the bill be read a last time ^{now}
and placed upon its passage which motion prevailed and the bill was
read a last time.

On the question "Shall the bill pass?" (S.F. 131)

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Cohoon	Dandekar
Davitt	De Boef	Deyoe	Dolecheck
Drake	Foege	Ford	Forristall
Frevert	Gaskill	Gayman	Gipp
Granzow	Grassley	Greiner	Heaton
Heddens	Hoffman	Hunter	Huseman
Huser	Jacobs	Jacoby	Jochum
Kaufmann	Kelley	Kressig	Kuhn
Lensing	Lukan	Lykam	Mascher
May	McCarthy	Mertz	Miller, H.
Miller, L.	Oldson	Olson, D.	Olson, R.
Olson, S.	Olson, T.	Palmer	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rants	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Smith	Soderberg
Staed	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wiencek	Winckler	Windschitl
Wise	Worthan	Mr. Speaker	
		Murphy	

The nays were, none.

Absent or not voting, 5:

Chambers	Clute	Horbach	Tomenga
Zirkelbach			

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

The House resumed consideration of **House File 817**, a bill for an act concerning veterans by providing for a study of regional veterans affairs offices, providing for the duties of the department of veterans affairs and the commission on veterans affairs, and establishing a counseling program for veterans. (Previously deferred with amendment H-1438 pending).

Worthan of Buena Vista offered amendment H-1572, to amendment H-1438, filed by him from the floor as follows:

H-1572

1 Amend the amendment, H-1438, to House File 817 as
2 follows:

3 1. Page 1, by inserting after line 47 the
4 following:
5 "____. Page 3, by inserting after line 28 the
6 following:

7 "Sec.____. Section 260C.14, subsection 2, Code
8 2007, is amended to read as follows:

9 2. Have authority to determine tuition rates for
10 instruction.

11 a. Tuition for residents of Iowa shall not exceed
12 the lowest tuition rate per semester, or the
13 equivalent, charged by an institution of higher
14 education under the state board of regents for a
15 full-time resident student. However, except for
16 students enrolled under chapter 261C, if a local
17 school district pays tuition for a resident pupil of
18 high school age, the limitation on tuition for
19 residents of Iowa shall not apply, the amount of
20 tuition shall be determined by the board of directors
21 of the community college with the consent of the local
22 school board, and the pupil shall not be included in
23 the full-time equivalent enrollment of the community
24 college for the purpose of computing general aid to
25 the community college.

26 b. Tuition for nonresidents of Iowa shall not be
27 less than the marginal cost of instruction of a
28 student attending the college.

29 c. A lower tuition for nonresidents may be
30 permitted under a reciprocal tuition agreement between
31 a merged area and an educational institution in
32 another state, if the agreement is approved by the
33 director.

34 d. The board shall grant full remission of tuition
35 and fees charged for not more than one hundred
36 twenty-eight semester credit hours or eight semesters
37 of undergraduate study, or the trimester or quarter
38 equivalent, whichever is longer, for the spouse, the
39 unmarried surviving spouse, or a child of a veteran
40 if the veteran has a service-connected disability or
41 disabilities with a combined rating by the United
42 States department of veterans affairs of thirty
43 percent or greater, or if the veteran died either in
44 the line of duty or as a result of a service-connected
45 disability. To be eligible for remission, a child
46 must be at least seventeen years old but not yet
47 twenty-six years old. For purposes of this
48 subparagraph, "child" means any biological child,
49 adopted child, stepchild, or any other child who is a
50 member of the veteran's household, or any nonmarital

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1 child if the veteran acknowledges paternity or
2 paternity has been otherwise established. The state
3 department of veterans affairs shall verify that the
4 veteran is a resident of this state for purposes of
5 receiving benefits under chapter 29A, or was a
6 resident of this state at the time of death, and was a
7 resident of this state at the time of entry into the
8 United States armed forces or the Iowa national guard
9 or reserve forces of the United States. The
10 limitation on credit hours and semesters of study
11 shall be applied cumulatively within the community
12 college system.

13 e. The board may designate that a portion of the
14 tuition moneys collected from students be used for
15 student aid purposes.

16 Sec. __. Section 262.9, subsection 29, Code 2007,
17 is amended to read as follows:

18 29. Direct ~~Develop~~ and adopt rules which direct
19 the institutions of higher education under its control
20 to ~~adopt~~ do the following:

21 a. Adopt a policy to offer not less than the
22 following options to a student who is a member of the
23 Iowa national guard or reserve forces of the United
24 States and who is ordered to state ~~military service~~
25 active duty or federal service ~~or duty, as defined in~~
26 section 29A.1:

27 a. (1) Withdraw from the student's entire
28 registration and receive a full refund of tuition and
29 mandatory fees.

30 b. (2) Make arrangements with the student's
31 instructors for course grades, or for incompletes that
32 shall be completed by the student at a later date. If
33 such arrangements are made, the student's registration
34 shall remain intact and tuition and mandatory fees
35 shall be assessed for the courses in full.

36 c. (3) Make arrangements with only some of the
37 student's instructors for grades, or for incompletes
38 that shall be completed by the student at a later
39 date. If such arrangements are made, the registration
40 for those courses shall remain intact and tuition and
41 mandatory fees shall be assessed for those courses.
42 Any course for which arrangements cannot be made for
43 grades or incompletes shall be considered dropped and
44 the tuition and mandatory fees for the course
45 refunded.

46 b. Grant full remission of tuition and fees
47 charged for not more than one hundred twenty-eight
48 semester credit hours or eight semesters of
49 undergraduate study, or the trimester or quarter
50 equivalent, whichever is longer, or for not more than

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1 fifty graduate semester hours of coursework or the
2 trimester or quarter equivalent for the spouse, the
3 unremarried surviving spouse, or a child of a veteran
4 if the veteran has a service-connected disability or
5 disabilities with a combined rating by the United
6 States department of veterans affairs of thirty
7 percent or greater, or if the veteran died either in
8 the line of duty or as a result of a service-connected
9 disability. To be eligible for remission, a child
10 must be at least seventeen years old but not yet
11 twenty-six years old. For purposes of this
12 subparagraph, "child" means any biological child,
13 adopted child, stepchild, or any other child who is a
14 member of the veteran's household, or any nonmarital
15 child if the veteran acknowledges paternity or
16 paternity has been otherwise established. The state
17 department of veterans affairs shall verify that the
18 veteran is a resident of this state for purposes of
19 receiving benefits under chapter 29A, or was a
20 resident of this state at the time of death, and was a
21 resident of this state at the time of entry into the
22 United States armed forces or the Iowa national guard
23 or reserve forces of the United States. The
24 limitation on credit hours and semesters of study
25 shall be applied cumulatively among the institutions
26 of higher education governed by the board."

27 2. Page 2, by inserting after line 5 the
28 following:

29 " - . Title page, line 4, by inserting after the
30 word "affairs," the following: "providing tuition
31 assistance,""

32 3. By renumbering as necessary.

Bailey of Hamilton rose on a point of order that amendment H-1572 was not germane, to amendment H-1438.

The Speaker ruled the point well taken and amendment H-1572 not germane, to amendment H-1438.

Worthan of Buena Vista moved to suspend the rules to consider amendment H-1572.

Roll call was requested by Rants of Woodbury and Worthan of Buena Vista.

Rule 75 was invoked.

On the question "Shall the rules be suspended to consider amendment H-1572?" (H.F. 817)

The ayes were, 42:

Alons	Anderson	Arnold	Baudler
Boal	De Boef	Deyoe	Dolecheck
Drake	Forristall	Gipp	Granzow
Grassley	Greiner	Heaton	Hoffman
Huseman	Jacobs	Kaufmann	Lukan
May	Miller, L.	Olson, S.	Paulsen
Raecker	Rants	Rasmussen	Rayhons
Roberts	Sands	Schickel	Soderberg
Struyk	Tjepkes	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wiencck
Windschitl	Worthan		

The nays were, 53:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foegen	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Pettengill	Quirk	Reasoner
Reichert	Schueller	Shomshor	Smith
Staed	Swaim	Taylor, D.	Taylor, T.
Thomas	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise
Mr. Speaker			
Murphy			

Absent or not voting, 5:

Chambers	Clute	Horbach	Tomenga
Zirkelbach			

The motion to suspend the rules lost.

Worthan of Buena Vista offered amendment H-1573, to amendment H-1438, filed by him from the floor as follows:

H-1573

- 1 Amend the amendment, H-1438, to House File 817 as
- 2 follows:
- 3 1. Page 1, by inserting after line 47 the
- 4 following:

5 " _____. Page 3, by inserting after line 28 the
6 following:

7 "Sec. _____. Section 260C.14, subsection 2, Code
8 2007, is amended to read as follows:

9 2. Have authority to determine tuition rates for
10 instruction.

11 a. Tuition for residents of Iowa shall not exceed
12 the lowest tuition rate per semester, or the
13 equivalent, charged by an institution of higher
14 education under the state board of regents for a
15 full-time resident student. However, except for
16 students enrolled under chapter 261C, if a local
17 school district pays tuition for a resident pupil of
18 high school age, the limitation on tuition for
19 residents of Iowa shall not apply, the amount of
20 tuition shall be determined by the board of directors
21 of the community college with the consent of the local
22 school board, and the pupil shall not be included in
23 the full-time equivalent enrollment of the community
24 college for the purpose of computing general aid to
25 the community college.

26 b. Tuition for nonresidents of Iowa shall not be
27 less than the marginal cost of instruction of a
28 student attending the college.

29 c. A lower tuition for nonresidents may be
30 permitted under a reciprocal tuition agreement between
31 a merged area and an educational institution in
32 another state, if the agreement is approved by the
33 director.

34 d. The board shall grant full remission of
35 nonresident tuition and fees charged for not more than
36 one hundred twenty-eight semester credit hours or
37 eight semesters of undergraduate study, or the
38 trimester or quarter equivalent, whichever is longer,
39 less the amount of any fees paid under 10 U.S.C. }
40 2107(c) or 38 U.S.C. § 3104(a)(7)(A), if applicable,
41 for a student who is a veteran and who has received
42 hazardous duty pay. The department of veterans
43 affairs shall verify that the veteran received
44 hazardous duty pay and is a resident of this state for
45 purposes of receiving benefits under chapter 29A, and
46 was a resident of this state at the time of entry into
47 the United States armed forces or the Iowa national
48 guard or reserve forces of the United States. For
49 purposes of this lettered paragraph, "veteran" means
50 the same as defined in section 35.1, or a resident of

Page 2

1 this state who served in the armed forces of the
2 United States, served in active federal service, and
3 was discharged under honorable conditions. The

4 limitation on credit hours and semesters of study
5 shall be applied cumulatively within the community
6 college system.

7 e. The board may designate that a portion of the
8 tuition moneys collected from students be used for
9 student aid purposes.

10 Sec. ____ Section 262.9, subsection 29, Code 2007,
11 is amended to read as follows:

12 29. Direct Develop and adopt rules which direct
13 the institutions of higher education under its control
14 to adopt do the following:

15 a. Adopt a policy to offer not less than the
16 following options to a student who is a member of the
17 Iowa national guard or reserve forces of the United
18 States and who is ordered to state military service
19 active duty or federal service or duty, as defined in
20 section 29A.1:

21 a. (1) Withdraw from the student's entire
22 registration and receive a full refund of tuition and
23 mandatory fees.

24 b. (2) Make arrangements with the student's
25 instructors for course grades, or for incompletes that
26 shall be completed by the student at a later date. If
27 such arrangements are made, the student's registration
28 shall remain intact and tuition and mandatory fees
29 shall be assessed for the courses in full.

30 e. (3) Make arrangements with only some of the
31 student's instructors for grades, or for incompletes
32 that shall be completed by the student at a later
33 date. If such arrangements are made, the registration
34 for those courses shall remain intact and tuition and
35 mandatory fees shall be assessed for those courses.
36 Any course for which arrangements cannot be made for
37 grades or incompletes shall be considered dropped and
38 the tuition and mandatory fees for the course
39 refunded.

40 b. Grant full remission of nonresident tuition and
41 fees charged for not more than one hundred
42 twenty-eight semester credit hours or eight semesters
43 of undergraduate study, or the trimester or quarter
44 equivalent, whichever is longer, or for not more than
45 fifty graduate semester hours of coursework or the
46 trimester or quarter equivalent, less the amount of
47 any fees paid under 10 U.S.C. § 2107(c) or 38 U.S.C.
48 § 3104(a)(7)(A), if applicable, for a student who is a
49 veteran and who has received hazardous duty pay. The
50 department of veterans affairs shall verify that the

Page 3

1 veteran received hazardous duty pay and is a resident
2 of this state for purposes of receiving benefits under

3 chapter 29A, and was a resident of this state at the
 4 time of entry into the United States armed forces or
 5 the Iowa national guard or reserve forces of the
 6 United States. For purposes of this lettered
 7 paragraph, "veteran" means the same as defined in
 8 section 35.1, or a resident of this state who served
 9 in the armed forces of the United States, served in
 10 active federal service, and was discharged under
 11 honorable conditions. The limitation on credit hours
 12 and semesters of study shall be applied cumulatively
 13 among the institutions of higher education governed by
 14 the board."

15 2. Page 2, by inserting after line 5 the
 16 following:

17 "___ Title page, line 4, by inserting after the
 18 word "affairs," the following: "providing tuition
 19 assistance,""

20 3. By renumbering as necessary.

Bailey of Hamilton rose on a point of order that amendment H-1573 was not germane, to amendment H-1438.

The Speaker ruled the point well taken and amendment H-1573 not germane, to amendment H-1438.

Worthan of Buena Vista moved to suspend the rules to consider amendment H-1573.

Rôll call was requested by Worthan of Buena Vista and Paulsen of Linn.

On the question "Shall the rules be suspended to consider amendment H-1573?" (H.F. 817)

The ayes were, 43:

Alons	Anderson	Arnold	Baudler
Boal	De Boef	Deyoe	Dolecheck
Drake	Forristall	Gipp	Granzow
Grassley	Greiner	Heaton	Hoffman
Huseman	Jacobs	Jochum	Kaufmann
Lukan	May	Miller, L.	Olson, S.
Paulsen	Raecker	Rants	Rasmussen
Rayhons	Roberts	Sands	Schickel
Soderberg	Struyk	Tjepkes	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wiencek	Windschitl	Worthan	

The nays were, 52:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Mertz	Miller, H.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Pettengill	Quirk	Reasoner	Reichert
Schuessler	Shomshor	Smith	Staed
Swaim	Taylor, D.	Taylor, T.	Thomas
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	Mr. Speaker Murphy

Absent or not voting, 5:

Chambers	Clute	Horbach	Tomenga
Zirkelbach			

The motion to suspend the rules lost.

On motion by Bailey of Hamilton, amendment H-1438 was adopted.

Windschitl of Harrison offered the following amendment H-1554 filed by him and D. Taylor of Linn and moved its adoption:

H-1554

- 1 Amend House File 817 as follows:
- 2 1. Page 3, by inserting after line 28 the
- 3 following:
- 4 "Sec. . NEW SECTION. 718A.0A DEFINITIONS.
- 5 As used in this section:
- 6 1. "Contempt" means an intentional lack of respect
- 7 or reverence by treating in a rough manner.
- 8 2. "Deface" means to intentionally mar the
- 9 external appearance.
- 10 3. "Defile" means to intentionally make physically
- 11 unclean.
- 12 4. "Mutilate" means to intentionally cut up or
- 13 alter so as to make imperfect.
- 14 5. "Trample" means to intentionally tread upon or
- 15 intentionally cause a machine, vehicle, or animal to
- 16 tread upon.
- 17 Sec. . NEW SECTION. 718A.7 RETIREMENT
- 18 CEREMONY.

19 This chapter does not apply to a flag retirement
 20 ceremony conducted pursuant to federal law.
 21 Sec. ____ Section 723.4, subsection 6, Code 2007,
 22 is amended to read as follows:
 23 6. a. Knowingly and publicly uses the flag of the
 24 United States in such a manner as to show disrespect
 25 for the flag as a symbol of the United States, with
 26 the intent or reasonable expectation that such use
 27 will provoke or encourage another to commit a public
 28 offense ~~trespass or assault.~~
 29 b. As used in this section:
 30 (1) "Show disrespect" means to deface, defile,
 31 mutilate, or trample.
 32 (2) "Deface" means to intentionally mar the
 33 external appearance.
 34 (3) "Defile" means to intentionally make
 35 physically unclean.
 36 (4) "Flag" means a piece of woven cloth or other
 37 material designed to be flown from a pole or mast.
 38 (5) "Mutilate" means to intentionally cut up or
 39 alter so as to make imperfect.
 40 (6) "Trample" means to intentionally tread upon or
 41 intentionally cause a machine, vehicle, or animal to
 42 tread upon.
 43 c. This subsection does not apply to a flag
 44 retirement ceremony conducted pursuant to federal
 45 law."
 46 2. Title page, line 1, by inserting before the
 47 word "veterans" the following: "the flag and".
 48 3. Title page, by striking line 4 and inserting
 49 the following: "affairs prohibiting certain acts
 50 involving the flag, establishing a counseling program

Page 2

1 for veterans, and providing a penalty."
 2 4. By renumbering as necessary.

Amendment H-1554 was adopted.

Bailey of Hamilton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 817)

The ayes were, 95:

Abdul-Samad
 Bailey

Alons
 Baudler

Anderson
 Bell

Arnold
 Berry

Boal	Bukta	Cohoon	Dandekar
Davitt	De Boef	Deyoe	Dolecheck
Drake	Foege	Ford	Forristall
Frevort	Gaskill	Gayman	Gipp
Granzow	Grassley	Greiner	Heaton
Heddens	Hoffman	Hunter	Huseman
Huser	Jacobs	Jacoby	Jochum
Kaufmann	Kelley	Kressig	Kuhn
Lensing	Lukan	Lykam	Mascher
May	McCarthy	Mertz	Miller, H.
Miller, L.	Oldson	Olson, D.	Olson, R.
Olson, S.	Olson, T.	Palmer	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rants	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schuelller	Shomshor	Smith	Soderberg
Staed	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wiencek	Winckler	Windschitl
Wise	Worthan	Mr. Speaker	
		Murphy	

The nays were, none.

Absent or not voting, 5:

Chambers	Clute	Horbach	Tomenga
Zirkelbach			

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House File 817** and **Senate Files 131 and 405**.

HOUSE FILE 792 REREFERRED

The Speaker announced that House File 792, previously referred to committee on **appropriations** was placed on the **calendar**.

HOUSE FILE 800 REFERRED

The Speaker announced that House File 800, previously placed on the **calendar** was referred to committee on **ways and means**.

HOUSE FILE 839 REFERRED

The Speaker announced that House File 839, previously placed on the **calendar** was referred to committee on **ways and means**.

SENATE FILE 488 REREFERRED

The Speaker announced that Senate File 488, previously referred to committee on **local government** was rereferred to committee on **labor**.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 3, 2007, he approved and transmitted to the Secretary of State the following bills:

House File 618, an Act allowing a county commissioner of elections to appoint certain high school students to serve as precinct election board members.

House File 653, an Act allowing a voter to register to vote and to vote after regular registration and prior to voting in an election and making a penalty applicable and providing an applicability date.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- | | |
|-----------|--|
| 2007\2516 | Martin and Marcia Sackett, Walker – For celebrating their 50 th wedding anniversary. |
| 2007\2517 | Kyle Boeve, Rock Valley – For receiving the FFA Star Chapter Farmer Award. |
| 2007\2518 | Courtney Boom, West Lyon High School – For being selected to attend the 29 th annual All-State Festival of Individual Events. |

- 2007\2519 Martha Stai, West Lyon High School – For being selected to attend the 29th annual All-State Festival of Individual Events.
- 2007\2520 George O. Emmert, Mason City – For celebrating his 80th birthday.
- 2007\2521 Gerald and Arlene Foutch, Mason City – For celebrating their 60th wedding anniversary.
- 2007\2522 Vivian Lavonne Leach, Mason City – For celebrating her 80th birthday.
- 2007\2523 Hans (Red) Jorgenson, Mason City – For celebrating his 80th birthday.
- 2007\2524 Fran Berneman, Mason City – For celebrating her 75th birthday.
- 2007\2525 Ruth Fuller, Davenport – For celebrating her 100th birthday.
- 2007\2526 Merle W. Hanslip, Sioux City – For celebrating his 75th birthday.
- 2007\2527 Paul and Marlene Pick, Remsen – For celebrating their 50th wedding anniversary.
- 2007\2528 Norman and Lois Varenhorst, Le Mars – For celebrating their 60th wedding anniversary.
- 2007\2529 Annette Friedman, Clive – For celebrating her 90th birthday.
- 2007\2530 Ron and Nancy Crane, Clear Lake – For celebrating their 60th wedding anniversary.
- 2007\2531 Chuck Rabey, Sheffield – For celebrating his 80th birthday.
- 2007\2532 Glenn "Sid" and Esther Little, Brandon – For celebrating their 65th wedding anniversary.
- 2007\2533 Eva Scovel, Lamont – For celebrating her 80th birthday.
- 2007\2534 Norman and Shirley Rosene, Rowley – For celebrating their 60th wedding anniversary.
- 2007\2535 George and Dorothy Small, Wapello – For celebrating their 60th wedding anniversary.
- 2007\2536 Harold and Shirley Small, Wapello – For celebrating their 50th wedding anniversary.
- 2007\2537 Roberta Brehmer, Peterson – For celebrating her 85th birthday.
- 2007\2538 Jeen and Jo Boer, Sheldon – For celebrating their 50th wedding anniversary.

- 2007\2539 Virgil and Grace Boos, Cumberland – For celebrating their 60th wedding anniversary.
- 2007\2540 Theresa Kapler, Waterloo – For celebrating her 90th birthday.
- 2007\2541 Stan and Georgia Horak, Waterloo – For celebrating their 70th wedding anniversary.
- 2007\2542 Clarence and Adella Strempeke, Sumner – For celebrating their 60th wedding anniversary.
- 2007\2543 Emma Ard, Cedar Rapids – For celebrating her 90th birthday.
- 2007\2544 Elizabeth Barger, Cedar Rapids – For celebrating her 90th birthday.
- 2007\2545 Alice Barta, Cedar Rapids – For celebrating her 80th birthday.
- 2007\2546 Elizabeth Beadley, Cedar Rapids – For celebrating her 85th birthday.
- 2007\2547 Marvin Bramow, Cedar Rapids – For celebrating his 80th birthday.
- 2007\2548 William Briggs, Cedar Rapids – For celebrating his 80th birthday.
- 2007\2549 Betty Burmeister, Cedar Rapids – For celebrating her 80th birthday.
- 2007\2550 Leota Burns, Cedar Rapids – For celebrating her 75th birthday.
- 2007\2551 Irene Caffrey, Cedar Rapids – For celebrating her 85th birthday.
- 2007\2552 Mary Cole, Cedar Rapids – For celebrating her 80th birthday.
- 2007\2553 Alberta Crandall, Cedar Rapids – For celebrating her 95th birthday.
- 2007\2554 Amy Fowler, Cedar Rapids – For celebrating her 80th birthday.
- 2007\2555 Elsie Gable, Cedar Rapids – For celebrating her 90th birthday.
- 2007\2556 Ida Goyer, Cedar Rapids – For celebrating her 85th birthday.
- 2007\2557 Annie Griffin, Cedar Rapids – For celebrating her 80th birthday.
- 2007\2558 Gene Henning, Cedar Rapids – For celebrating his 75th birthday.
- 2007\2559 Lawrence Hess, Cedar Rapids – For celebrating his 85th birthday.
- 2007\2560 Glen High, Cedar Rapids – For celebrating his 85th birthday.
- 2007\2561 Harold Hixson, Cedar Rapids – For celebrating his 80th birthday.
- 2007\2562 William Johnson, Cedar Rapids – For celebrating his 80th birthday.

- 2007\2563 Dorothy Kehm, Cedar Rapids – For celebrating her 80th birthday.
- 2007\2564 Wayne Krumbholz, Cedar Rapids – For celebrating his 75th birthday.
- 2007\2565 Beatrice Leclere, Cedar Rapids – For celebrating her 90th birthday.
- 2007\2566 Jereta Logan, Cedar Rapids – For celebrating her 75th birthday.
- 2007\2567 Dorothy Matheny, Cedar Rapids – For celebrating her 80th birthday.
- 2007\2568 Wayne Murdock, Cedar Rapids – For celebrating his 75th birthday.
- 2007\2569 Hildred Nerhus, Cedar Rapids – For celebrating her 95th birthday.
- 2007\2570 Florence Pruett, Cedar Rapids – For celebrating her 80th birthday.
- 2007\2571 Roland Robinson, Cedar Rapids – For celebrating his 75th birthday.
- 2007\2572 Josephine Russell, Cedar Rapids – For celebrating her 90th birthday.
- 2007\2573 Hassein Sheronick, Cedar Rapids – For celebrating his 80th birthday.
- 2007\2574 Robert Stary, Cedar Rapids – For celebrating his 90th birthday.
- 2007\2575 Ruth Wagner, Cedar Rapids – For celebrating her 85th birthday.
- 2007\2576 Leta Wall, Cedar Rapids – For celebrating her 85th birthday.
- 2007\2577 Mary Lou Kurt, Dyersville – For being named one of 100 Great Iowa Nurses.
- 2007\2578 Mr. and Mrs. Jack Blake, Bettendorf – For celebrating their 60th wedding anniversary.
- 2007\2579 Gary Silvera, Bettendorf – For obtaining his U.S. citizenship.
- 2007\2580 Charlie Watson, Waterloo – For his 35 years of dedicated service with John Deere.
- 2007\2581 Gary Bird, Waterloo – For his 33 years of dedicated service with John Deere.
- 2007\2582 Dick Jensen, Waterloo – For his 36 years of dedicated service with MidAmerican Energy Company.
- 2007\2583 Howard and Jean Henderson, Waterloo – For celebrating their 60th wedding anniversary.

- 2007\2584 Principal Terry Meier, Waterloo – For his 34 years of dedicated service to the students of Iowa as a teacher, assistant principal and principal, most recent as the Principal of Hoover Middle School.
- 2007\2585 Principal Bob Wright, Waterloo – For his 35 years of dedicated service to the students of Iowa as a counselor, teacher, administrative assistant, assistant principal and principal, most recently as the Principal of Lincoln Elementary School.
- 2007\2586 Louis and Shirley Curoe, Bernard – For celebrating their 50th wedding anniversary.
- 2007\2587 Ray and Marie Pregler, Dubuque – For celebrating their 60th wedding anniversary.
- 2007\2588 Nathan Fogel, Dubuque – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\2589 Joshua Lau, Dubuque – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\2590 Nickolas Sisler, Dubuque – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\2591 Tyler James Metcalf, Dubuque – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\2592 Maurine Vahs, Holstein – For celebrating her 90th birthday.
- 2007\2593 Edmund and Marion Peterson, Denison – For celebrating their 60th wedding anniversary.
- 2007\2594 Wardene Overhue, Ricketts – For celebrating her 85th birthday.
- 2007\2595 Joseph Nagle, Davenport – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\2596 Mike and Cora Kelly, West Liberty – For celebrating their 50th wedding anniversary.
- 2007\2597 Woody and Bonnie Millett, West Branch – For celebrating their 60th wedding anniversary.
- 2007\2598 Buell Jackson, Mechanicsville – For celebrating his 90th birthday.
- 2007\2599 Arnold and Betty Braunschweig, Iowa Falls – For celebrating their 50th wedding anniversary.
- 2007\2600 Art and Carol Scherf, Garnavillo – For celebrating their 50th wedding anniversary.
- 2007\2601 Doris Fricke, Marshalltown – For celebrating her 90th birthday.

- 2007\2602 Edna Kruse, Eldora – For celebrating her 90th birthday.
- 2007\2603 Harley and Madonna Riesgaard, Exira – For celebrating their 60th wedding anniversary.
- 2007\2604 Rosemary Zaiger, Audubon – For celebrating her 85th birthday.
- 2007\2605 Helen McCord, West Des Moines – For celebrating her 80th birthday.
- 2007\2606 Lyle and Colleen Jeppesen, Brayton – For celebrating their 50th wedding anniversary.
- 2007\2607 Warren and Marlene Sunds, Casey – For celebrating their 50th wedding anniversary.
- 2007\2608 Marvin and Arlene Gamm, Arlington – For celebrating their 50th wedding anniversary.
- 2007\2609 Vera Seward, Strawberry Point – For celebrating her 90th birthday.
- 2007\2610 Mervin Larson, Postville – For celebrating his 85th birthday.
- 2007\2611 Mamie Petersen, DeWitt – For celebrating her 90th birthday.
- 2007\2612 Vernet Larson, Alta – For celebrating her 80th birthday.
- 2007\2613 Ambika Siddhanta Athreya, Ames – For receiving the Presidential Scholarship Award from the University of Iowa.
- 2007\2614 Mark Yang Fang, Ames – For receiving the Presidential Scholarship Award from the University of Iowa.
- 2007\2615 Krishna Madhav Prabhu, Ames – For receiving the Presidential Scholarship Award from the University of Iowa.
- 2007\2616 Luei Wern Ong, Ames – For receiving the Presidential Scholarship Award from the University of Iowa.
- 2007\2617 Allison M. Bruggeman, Inwood – For receiving the Presidential Scholarship Award from the University of Iowa.
- 2007\2618 Tony Wang, Urbandale – For receiving the Presidential Scholarship Award from the University of Iowa.

SUBCOMMITTEE ASSIGNMENTS

Senate File 341

Labor: T. Taylor, Chair; Horbach and Jochum.

Senate File 346

Commerce: Pettengill, Chair; Berry, Hoffman, Jacobs and Quirk.

Senate File 460

Human Resources: Petersen, Chair; Heaton and Jacoby.

Senate File 462

Human Resources: Hunter, Chair; Mascher and L. Miller.

Senate File 472

Transportation: Lykam, Chair; Huseman and Mertz.

Senate File 485

Environmental Protection: D. Olson, Chair; Alons, Anderson, De Boef, Deyoe, Drake, Frevert, Gaskill, Greiner, Jochum, Kressig, Kuhn, Lensing, H. Miller, R. Olson, S. Olson, T. Olson, Sands, Smith, Watts and Wessel-Kroeschell.

Senate File 510

State Government: Quirk, Chair; Greiner, Jacoby, Jochum, Raecker, Roberts and Shomshor.

Senate File 544

Commerce: Reichert, Chair; Kressig, Soderberg, D. Taylor and Van Fossen.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON LOCAL GOVERNMENT

Senate File 416, a bill for an act relating to city elections by providing procedures for filling a city council vacancy by special election and by providing satellite absentee voting at certain city elections.

Fiscal Note is not required.

Recommended **Do Pass** April 3, 2007.

COMMITTEE ON STATE GOVERNMENT

Senate File 263, a bill for an act concerning gambling games on gambling structures.

Fiscal Note is not required.

Recommended Do Pass April 2, 2007.

Senate File 270, a bill for an act relating to the military code by amending the powers of the adjutant general and by allowing the armory board to enter into design-build contracts for the construction of certain national guard facilities.

Fiscal Note is not required.

Recommended Do Pass April 2, 2007.

Senate File 348, a bill for an act relating to conducting county gambling elections and including an effective date and applicability provision.

Fiscal Note is not required.

Recommended Amend and Do Pass with Amendment H-1561 April 2, 2007.

RESOLUTIONS FILED

HR 38, by Clute, a resolution declaring May 2007 Amyotrophic Lateral Sclerosis (ALS) Awareness Month.

Laid over under Rule 25.

HR 39, by Heddens and Wessel-Kroeschell, a resolution recognizing the federal Morrill Act and celebrating the renovation of Morrill Hall at Iowa State university.

Laid over under Rule 25.

AMENDMENTS FILED

H-1558	S.F.	406	Baudler of Adair
H-1559	H.F.	469	Raecker of Polk
			Struyk of Pottawattamie
H-1560	H.F.	469	Raecker of Polk
			Quirk of Chickasaw
H-1561	S.F.	348	Committee on State Government
H-1562	S.F.	540	Upmeyer of Hancock

H—1563	S.F.	277	Winckler of Scott
H—1564	S.F.	277	May of Dickinson
H—1565	S.F.	277	Boal of Polk
H—1566	S.F.	277	Boal of Polk
H—1567	S.F.	277	Dolecheck of Ringgold
H—1568	H.F.	818	Paulsen of Linn
H—1569	S.F.	277	Tymeson of Madison
H—1570	S.F.	277	Granzow of Hardin
H—1571	S.F.	339	Hoffman of Crawford
			Thomas of Clayton
			Paulsen of Linn
H—1574	H.F.	888	T. Taylor of Linn
H—1575	S.F.	277	T. Olson of Linn
			Dandekar of Linn

On motion by McCarthy of Polk the House adjourned at 7:20 p.m., until 9:00 a.m., Wednesday, April 4, 2007.

JOURNAL OF THE HOUSE

Eighty-seventh Calendar Day - Fifty-ninth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, April 4, 2007

The House met pursuant to adjournment at 9:00 a.m., Speaker Murphy in the chair.

Prayer was offered by Reverends Bill and Sheri Daylong of the First United Methodist Church, Jefferson. They were the guests of Representative Dave Tjepkes of Webster County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Iowa Disaster Medical Team. They were the guests of Representative Roger Thomas of Clayton County.

The Journal of Tuesday, April 3, 2007 was approved.

SENATE MESSAGES CONSIDERED

Senate File 564, by committee on ways and means, a bill for an act regulating dangerous wild animals, including their ownership and possession, requiring registration, providing for fees and appropriations, and providing penalties.

Read first time and **passed on file**.

Senate File 574, by committee on appropriations, a bill for an act relating to statewide greenhouse gas emissions.

Read first time and referred to committee on **environmental protection**.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 3, 2007, passed the following bill in which the concurrence of the Senate is asked:

House File 803, a bill for an act relating to civil service for deputy county sheriffs by allowing a county to appeal certain decisions of the civil service commission.

Also: That the Senate has on April 3, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 457, a bill for an act relating to the rights of peace officers and public safety and emergency personnel.

Also: That the Senate has on April 3, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 538, a bill for an act relating to a parent's cause of action for the recovery of expenses and actual loss of services, companionship, and society resulting from the injury to or death of a child and including an applicability date provision.

Also: That the Senate has on April 3, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 573, a bill for an act creating an interim commission on affordable health care plans for small businesses and families and a health care data research advisory council, and providing an effective date.

MICHAEL E. MARSHALL, Secretary

SPECIAL PRESENTATION PELLA TULIP FESTIVAL

Van Engelenhoven of Marion presented to the House Allie Vande Zandē, Queen of the 2007 Pella Tulip Festival and escorted her and her court to the Speaker's station.

Queen Vande Zande presented her attendants, Katie Fetterman, Alie Muller, Sarah Slings and Katie Williamson.

They performed their traditional song and encircled Representative Clel Baudler in celebration of his birthday.

Also present from Pella were the parents of the Queen and her court, who wore native Dutch costumes and distributed the famous Pella Dutch cookies and encouraged all to attend Pella Tulip Time on May 3, 4 and 5.

The House rose and expressed its welcome.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Chambers of O'Brien and Clute of Polk on request of Rants of Woodbury.

CONSIDERATION OF BILLS
Regular Calendar

House File 365, a bill for an act relating to the standardized training and state certification of reserve peace officers, was taken up for consideration.

SENATE FILE 110 SUBSTITUTED FOR HOUSE FILE 365

Kuhn of Floyd asked and received unanimous consent to substitute Senate File 110 for House File 365, placing out of order amendment H-1058 filed by Dolecheck of Ringgold on February 20, 2007.

Senate File 110, a bill for an act relating to the standardized training and state certification of reserve peace officers, was taken up for consideration.

Dolecheck of Ringgold asked and received unanimous consent to withdraw amendment H-1076 filed by him on February 22, 2007.

Kuhn of Floyd moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 110)

The ayes were, 87:

Abdul-Samad	Anderson	Arnold	Bailey
Baudler	Bell	Berry	Boal
Bukta	Cohoon	Dandekar	Davitt
De Boef	Deyoe	Dolecheck	Drake
Foege	Forristall	Gaskill	Gayman
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Horbach	Hunter
Huseman	Jacobs	Jacoby	Jochum
Kaufmann	Kelley	Kressig	Kuhn
Lensing	Lukan	Lykam	Mascher

McCarthy	Mertz	Miller, H.	Miller, L.
Oldson	Olson, D.	Olson, T.	Palmer
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rants	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Smith
Soderberg	Staed	Struyk	Swaim
Taylor, D.	Taylor, T.	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Wiencek	Winckler
Windschitl	Wise	Mr. Speaker	
		Murphy	

The nays were, 6:

Alons	Frevert	Grassley	Olson, S.
Thomas	Worthan		

Absent or not voting, 7:

Chambers	Clute	Ford	Huser
May	Olson, R.	Zirkelbach	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **Senate File 110** be immediately messaged to the Senate.

On motion by McCarthy of Polk, the House was recessed at 9:37 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened at 1:29 p.m., Speaker Murphy in the chair.

INTRODUCTION OF BILL

House File 893, by committee on ways and means, a bill for an act relating to a tax amnesty program, making appropriations, and including an effective date provision.

Read first time and placed on the **ways and means calendar**.

SENATE MESSAGES CONSIDERED

Senate File 457, by committee on judiciary, a bill for an act relating to the rights of peace officers and public safety and emergency personnel.

Read first time and referred to committee on **public safety**.

Senate File 538, by committee on judiciary, a bill for an act relating to a parent's cause of action for the recovery of expenses and actual loss of services, companionship, and society resulting from the injury to or death of a child and including an applicability date provision.

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

Senate File 543, by committee on agriculture, a bill for an act relating to the state interagency Missouri river authority, by providing for the participation in or withdrawal from interstate associations, providing for the appointment of a vice chairperson, and providing for duties of member agencies.

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

Senate File 573, by committee on appropriations, a bill for an act creating an interim commission on affordable health care plans for small businesses and families and a health care data research advisory council, and providing an effective date.

Read first time and referred to committee on **human resources**.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 4, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 298, a bill for an act relating to the conveyance or encumbrance of a homestead and providing an effective and applicability date.

Also: That the Senate has on April 4, 2007, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 451, a bill for an act relating to a single point of entry long-term living resources system.

Also: That the Senate has on April 4, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 591, a bill for an act providing procedures to increase the number of city council members in certain cities.

Also: That the Senate has on April 4, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 610, a bill for an act relating to acquired immune deficiency syndrome and the human immunodeficiency virus.

Also: That the Senate has on April 4, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 740, a bill for an act regulating the administration of drugs to wildlife under the jurisdiction of the department of natural resources and providing a penalty.

Also: that the Senate has on April 4, 2007, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 849, a bill for an act concerning the department of administrative services and providing an effective date.

MICHAEL E. MARSHALL, Secretary

MOTION TO RECONSIDER PREVAILED

Thomas of Clayton called up for consideration the motion to reconsider **Senate File 339**, filed on March 27, 2007, and moved to reconsider the vote by which Senate File 339, a bill for an act relating to county general obligation bonds by modifying the definition of essential county purpose and by changing the requirements under which a county may issue general county purpose bonds without an election, passed the House and was placed on its last reading on March 27, 2007.

A non-record roll call was requested.

The ayes were 54, nays 1.

The motion prevailed and the House reconsidered Senate File 339.

Thomas of Clayton offered the following amendment H-1571 filed by Hoffman, et al., and moved its adoption:

H-1571

1 Amend Senate File 339, as passed by the Senate, as
 2 follows:
 3 1. Page 1, line 21, by inserting after the word
 4 "culverts" the following: "if such capital projects
 5 assist in economic development which creates jobs and
 6 wealth".

Amendment H-1571 was adopted, placing out of order amendment H-1535 filed by Thomas of Clayton on March 29, 2007.

Thomas of Clayton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 339)

The ayes were, 90:

Abdul-Samad	Anderson	-Arnold	Bailey
Bell	Berry	Boal	Bukta
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forrinstall	Frevert	Gaskill
Gayman	Gipp	Granzow	Grassley
Greiner	Heaton	Heddens	Hoffman
Horbach	Hunter	Huseman	Huser
Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	Mascher	May
McCarthy	Mertz	Miller, H.	Miller, L.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Palmer	Petersen	Pettengill
Quirk	Raecker	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Schickel	Schueller	Shomshor	Smith
Soderberg	Staed	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Upmeyer	Van Engelenhoven	Watts	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Wiencek	Winckler	Windschitl	Wise
Worthan	Mr. Speaker		
	Murphy		

The nays were, 6:

Alons	Paulsen	Sands	Struyk
Tymeson	Van Fossen		

Absent or not voting, 4:

Baudler	Chambers	Clute	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

CONSIDERATION OF BILLS Regular Calendar

House File 758, a bill for an act relating to the racing and gaming commission by modifying provisions regulating horses involved in horse racing and providing an effective date, was taken up for consideration.

SENATE FILE 129 SUBSTITUTED FOR HOUSE FILE 758

Quirk of Chickasaw asked and received unanimous consent to substitute Senate File 129 for House File 758.

Senate File 129, a bill for an act relating to the racing and gaming commission by modifying provisions regulating horses involved in horse racing and providing an effective date, was taken up for consideration.

Quirk of Chickasaw moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 129)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Bell	Berry	Boal
Bukta	Cohoon	Dandekar	Davitt
De Boef	Deyoe	Dolecheck	Drake
Foege	Ford	Forristall	Frevert
Gaskill	Gayman	Gipp	Granzow
Grassley	Greiner	Heaton	Heddens
Hoffman	Horbach	Hunter	Huseman
Huser	Jacobs	Jacoby	Jochum

Kaufmann	Kelley	Kressig	Kuhn
Lensing	Lukan	Lykam	Mascher
May	McCarthy	Mertz	Miller, H.
Miller, L.	Oldson	Olson, D.	Olson, R.
Olson, S.	Olson, T.	Palmer	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rants	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schuelller	Shomshor	Smith	Soderberg
Staed	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Wienczek	Winckler
Windschitl	Wise	Worthan	Mr. Speaker Murphy

The nays were, none.

Absent or not voting, 4:

Baudler	Chambers	Clute	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 788, a bill for an act relating to mortgage release certificates issued by the Iowa finance authority, was taken up for consideration.

SENATE FILE 400 SUBSTITUTED FOR HOUSE FILE 788

Quirk of Chickasaw asked and received unanimous consent to substitute Senate File 400 for House File 788.

Senate File 400, a bill for an act relating to mortgage release certificates issued by the Iowa finance authority, was taken up for consideration.

Quirk of Chickasaw moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 400)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold .
Bailey	Bell	Berry	Boal
Bukta	Cohoon	Dandekar	Davitt
De Boef	Deyoe	Dolecheck	Drake
Foege	Ford	Forristall	Frevert
Gaskill	Gayman	Gipp	Granzow
Grassley	Greiner	Heaton	Heddens
Hoffman	Horbach	Hunter	Huseman
Huser	Jacobs	Jacoby	Jochum
Kaufmann	Kelley	Kressig	Kuhn
Lensing	Lukan	Lykam	Mascher
May	McCarthy	Mertz	Miller, H.
Miller, L.	Oldson	Olson, D.	Olson, R.
Olson, S.	Olson, T.	Palmer	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rants	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Smith	Soderberg
Staed	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Wiencsek	Winckler
Windschitl	Wise	Worthan	Mr. Speaker
			Murphy

The nays were, none.

Absent or not voting, 4:

Baudler	Chambers	Clute	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 522, a bill for an act concerning employees subject to unannounced drug or alcohol testing, with report of committee recommending passage, was taken up for consideration.

SENATE FILE 284 SUBSTITUTED FOR HOUSE FILE 522

T. Taylor of Linn asked and received unanimous consent to substitute Senate File 284 for House File 522, placing out of order amendment H-1541 filed by Struyk of Pottawattamie on March 29, 2007.

Senate File 284, a bill for an act concerning employees subject to unannounced drug or alcohol testing, was taken up for consideration.

Struyk of Pottawattamie asked and received unanimous consent to withdraw amendment H-1540 filed by him on March 29, 2007.

T. Taylor of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 284)

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Cohoon	Dandekar
Davitt	De Boef	Deyoe	Dolecheck
Drake	Foegen	Ford	Forristall
Frevert	Gaskill	Gayman	Gipp
Granzow	Grassley	Greiner	Heaton
Heddens	Hoffman	Horbach	Hunter
Huseman	Huser	Jacobs	Jacoby
Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Oldson	Olson, D.
Olson, R.	Olson, S.	Olson, T.	Palmer
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rants	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Smith
Soderberg	Staed	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wienczek
Winckler	Windschitl	Wise	Worthan
Mr. Speaker			
Murphy			

The nays were and none.

Absent or not voting and 3:

Chambers	Clute	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 522 WITHDRAWN

T. Taylor of Linn asked and received unanimous consent to withdraw House File 522 from further consideration by the House.

HOUSE FILE 788 WITHDRAWN

Quirk of Chickasaw asked and received unanimous consent to withdraw House File 788 from further consideration by the House.

HOUSE FILE 758 WITHDRAWN

Quirk of Chickasaw asked and received unanimous consent to withdraw House File 758 from further consideration by the House.

HOUSE FILE 825 WITHDRAWN

Kressig of Black Hawk asked and received unanimous consent to withdraw House File 825 from further consideration by the House.

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 129, 284, 339 and 400.**

HOUSE FILE 365 WITHDRAWN

Kuhn of Floyd asked and received unanimous consent to withdraw House File 365 from further consideration by the House.

HOUSE FILE 416 REFERRED

The Speaker announced that House File 416, previously placed on the **calendar** was referred to committee on **appropriations**.

HOUSE FILE 842 REFERRED

The Speaker announced that House File 842, previously placed on the **calendar** was referred to committee on **ways and means**.

SENATE FILE 566 REFERRED

The Speaker announced that Senate File 566, previously placed on the **calendar** was referred to committee on **ways and means**.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- 2007\2619 Monsignor Paul Steimel, Waterloo – For celebrating his 80th birthday.
- 2007\2620 George Stevens, Waterloo – For celebrating his 80th birthday.
- 2007\2621 Kenneth Penning, Waterloo – For celebrating his 80th birthday.
- 2007\2622 Howard Smack, Waterloo – For celebrating his 80th birthday.
- 2007\2623 Mary Frehse, Waterloo – For celebrating her 80th birthday.
- 2007\2624 Kenneth and Juanita McFarlan, What Cheer – For celebrating their 64th wedding anniversary.
- 2007\2625 Elmer Thurm, Denver – For celebrating his 90th birthday.
- 2007\2626 Jim Potter, Ames – For celebrating his 80th birthday.
- 2007\2627 Peter Montag, Iowa City – For receiving the Presidential Scholarship Award from the University of Iowa.
- 2007\2628 Paul Alexander Nelson, Iowa City – For receiving the Presidential Scholarship Award from the University of Iowa.
- 2007\2629 Christopher Michael Page, Iowa City – For receiving the Presidential Scholarship Award from the University of Iowa.
- 2007\2630 James Larson, Greenfield – For being named to the All-State All-Tournament Team.

- 2007\2631 Tyler Raasch, Bridgewater – For being named to the All-State All-Tournament Team.
- 2007\2632 T.J. Moen, Saydel High School – For winning the 145 lb. weight class in the 2-A division of the State Wrestling Tournament and for being the 1st two-time state champion in the Class 2-A division of the State Wrestling Tournament.
- 2007\2633 George Anderson, Dows – For celebrating 50 years of dedicated service to the community of Dows as a member of the Dows Fire Department.
- 2007\2634 Jeff Yoder, New Vienna – For receiving the 2004-2006 Iowa Quality Initiative Structures Award from Associated General Contractors of Iowa and the Iowa Department of Transportation.
- 2007\2635 Eric Steger, New Vienna – For receiving the 2004-2006 Iowa Quality Initiative Structures Award from Associated General Contractors of Iowa and the Iowa Department of Transportation.
- 2007\2636 Steve Kluesner, New Vienna – For receiving the 2004-2006 Iowa Quality Initiative Structures Award from Associated General Contractors of Iowa and the Iowa Department of Transportation.
- 2007\2637 Terry McDowell, New Vienna – For receiving the 2004-2006 Iowa Quality Initiative Structures Award from Associated General Contractors of Iowa and the Iowa Department of Transportation.
- 2007\2638 Johanna DeGroot, Keokuk – For receiving a Division II rating for a vocal solo at the Iowa State Solo and Ensemble Contest.
- 2007\2639 Suzanne Williams, Keokuk – For receiving a Division II rating for a vocal solo at the Iowa State Solo and Ensemble Contest.
- 2007\2640 Emily Barrett, Keokuk – For receiving a Division II rating for a vocal solo at the Iowa State Solo and Ensemble Contest.
- 2007\2641 Taylor Breuer, Keokuk – For receiving a Division II rating for a vocal solo at the Iowa State Solo and Ensemble Contest.
- 2007\2642 Nicole Kelly, Keokuk – For receiving a Division II rating for a vocal solo at the Iowa State Solo and Ensemble Contest.
- 2007\2643 Andrea Califf, Keokuk – For receiving a Division II rating for a vocal solo at the Iowa State Solo and Ensemble Contest.
- 2007\2644 Brianna Walden, Keokuk – For receiving a Division I rating for a vocal solo at the Iowa State Solo and Ensemble Contest.
- 2007\2645 Doug Reed, Keokuk – For receiving a Division I rating for a vocal solo at the Iowa State Solo and Ensemble Contest.

- 2007\2646 Kealoh Proctor, Keokuk – For receiving a Division I rating for a vocal solo at the Iowa State Solo and Ensemble Contest.
- 2007\2647 Raina Hogberg, Keokuk – For receiving a Division I rating for a vocal solo at the Iowa State Solo and Ensemble Contest.
- 2007\2648 Deavan Swainey, Keokuk – For receiving a Division I rating for a vocal solo at the Iowa State Solo and Ensemble Contest.
- 2007\2649 Betty McKay, Keokuk – For receiving the 2006 Award of Merit from the River Valley District of the Mississippi Valley Council Boy Scouts of America.
- 2007\2650 Jill Lucas, Fort Madison – For receiving the 2006 Award of Merit from the River Valley District of the Mississippi Valley Council Boy Scouts of America.
- 2007\2651 James Hurt, Keokuk– For being named to the Southeast Conference First Team in basketball.
- 2007\2652 Brett Azinger, Donnellson – For being named to the Iowa Newspaper Association All-State Class 2A Boys Basketball Team.
- 2007\2653 James Vandenberg, Keokuk – For being named to the All-Conference Second Team.
- 2007\2654 Wilma and Vance Anderson, Cantril – For celebrating their 60th wedding anniversary.
- 2007\2655 Anika Cousins, Shell Rock – For being selected to attend the annual session of the Iowa American Legion Auxiliary Girls State.

SUBCOMMITTEE ASSIGNMENTS

Senate File 457

Public Safety: Bell, Chair; Alons, Baudler, Berry, Gayman, Heddens, Hunter, Kressig, Kuhn, Lukan, Lykam, Mascher, R. Olson, S. Olson, Rayhons, Sands, Swaim, Tjepkes, Tomenga, Whitaker and Worthan.

Senate File 488

Local Government: Schueller, Chair; Hoffman and Whitead.

Senate File 510 Reassigned

State Government: Quirk, Chair; Abdul-Samad, Boal, Drake, Gaskill, Gipp, Greiner, Jacobs, Jacoby, Jochum, Kaufmann, Lensing, L. Miller, Raecker, Reasoner, Roberts, Shomshor, T. Taylor, Wendt, Wessel-Kroeschell and Whitead.

Senate File 514

Human Resources: Mascher, Chair; Heddens and Upmeyer.

Senate File 537

Transportation: Dandekar, Chair; Mertz and Rasmussen.

Senate File 545

Public Safety: Kressig, Chair; Alons, Baudler, Bell, Berry, Gayman, Heddens, Hunter, Kuhn, Lukan, Lykam, Mascher, R. Olson, S. Olson, Rayhons, Sands, Swaim, Tjepkes, Tomenga, Whitaker and Worthan.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS**H.S.B. 301 Appropriations**

Relating to and making appropriations for health and human services and including other related provisions and appropriations, and including effective date provisions.

H.S.B. 302 Judiciary

Creating the asbestos and silica claims medical criteria Act and providing for its applicability.

H.S.B. 303 Ways and Means

Imposing a satellite video services equalization tax, and providing effective and retroactive applicability dates.

H.S.B. 304 Ways and Means

Establishing the office of energy independence and the Iowa power fund and related provisions, making appropriations, and providing an effective date.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON AGRICULTURE

Senate File 200, a bill for an act providing for the liability of a landowner of land where livestock are kept or an owner of adjoining land for erecting and maintaining a fence, and providing for the assessment of property taxes.

Fiscal Note is not required.

Recommended **Do Pass** April 3, 2007.

COMMITTEE ON COMMERCE

Senate File 518, a bill for an act reorganizing Code chapter provisions relating to the authority to engage in the business of insurance other than life insurance by transferring provisions, eliminating outdated provisions, and amending corresponding provisions, as necessary.

Fiscal Note is not required.

Recommended **Do Pass** April 3, 2007.

COMMITTEE ON HUMAN RESOURCES

Senate File 248, a bill for an act relating to the membership of the board of physician assistant examiners.

Fiscal Note is not required.

Recommended **Amend and Do Pass with Amendment H—1588** April 3, 2007.

Senate File 254, a bill for an act revising family investment program requirements.

Fiscal Note is not required.

Recommended **Amend and Do Pass with Amendment H—1587** April 3, 2007.

Senate File 489, a bill for an act creating an Alzheimer's disease task force.

Fiscal Note is not required.

Recommended **Amend and Do Pass with Amendment H—1586** April 3, 2007.

COMMITTEE ON JUDICIARY

Senate File 199, a bill for an act granting the civil rights commission additional subpoena power to investigate unfair or discriminatory practices and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** April 3, 2007.

Senate File 333, a bill for an act relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and including effective and retroactive applicability date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass with Amendment H—1580** April 3, 2007.

Senate File 373, a bill for an act relating to the postsecondary education subsidy.

Fiscal Note is not required.

Recommended **Do Pass** April 3, 2007.

Senate File 505, a bill for an act relating to civil liability for damages relating to the use of an automated external defibrillator in sudden cardiac arrest emergencies.

Fiscal Note is not required.

Recommended **Amend and Do Pass with Amendment H—1581** April 3, 2007.

COMMITTEE ON LABOR

Senate File 341, a bill for an act concerning work-related injuries suffered and claims made outside of this state.

Fiscal Note is not required.

Recommended **Do Pass** April 3, 2007.

COMMITTEE ON LOCAL GOVERNMENT

Senate File 90, a bill for an act concerning local emergency management commission communications.

Fiscal Note is not required.

Recommended **Do Pass** April 3, 2007.

COMMITTEE ON NATURAL RESOURCES

Senate File 558, a bill for an act providing for an increase in the wildlife habitat fee, making an appropriation, and creating a game bird habitat development program.

Fiscal Note is not required.

Recommended **Amend and Do Pass with Amendment H—1583** April 4, 2007.

COMMITTEE ON TRANSPORTATION

Senate File 463, a bill for an act concerning the licensing and operations of a manufacturer of ambulances, rescue vehicles, or fire vehicles.

Fiscal Note is not required.

Recommended **Do Pass** March 29, 2007.

RESOLUTION FILED

HR 40, by Winckler, a resolution to recognize and honor Charlotte Nelson upon her retirement as the executive director of the Iowa Commission on the Status of Women after 22 years of service.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-1576	H.F.	891	Reichert of Muscatine Wise of Lee Quirk of Chickasaw
H-1577	H.F.	451	Senate Amendment
H-1578	H.F.	883	Tymeson of Madison
H-1579	H.F.	883	Tymeson of Madison
H-1580	S.F.	333	Committee on Judiciary
H-1581	S.F.	505	Committee on Judiciary
H-1582	H.F.	849	Senate Amendment
H-1583	S.F.	558	Committee on Natural Resources
H-1584	S.F.	347	Tomenga of Polk
H-1585	H.F.	500	Tomenga of Polk
H-1586	S.F.	489	Committee on Human Resources
H-1587	S.F.	254	Committee on Human Resources
H-1588	S.F.	248	Committee on Human Resources
H-1589	S.F.	277	Boal of Polk
H-1590	S.F.	200	Whitaker of Van Buren
H-1591	S.F.	277	Wise of Lee R. Olson of Polk Boal of Polk Raecker of Polk

H—1592

S.J.R 2

Raecker of Polk
Mertz of Kossuth

On motion by McCarthy of Polk the House adjourned at 2:16 p.m., until 9:00 a.m., Thursday, April 5, 2007.

JOURNAL OF THE HOUSE

Eighty-eighth Calendar Day - Sixtieth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, April 5, 2007

The House met pursuant to adjournment at 9:11 a.m., Speaker Murphy in the chair.

Prayer was offered by Sister Cheryl Demmer, Principal of Bishop Hayes Catholic Elementary School, Muscatine. She was the guest of Representative Nathan Reichert of Muscatine County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Whitney Burkhardt, Legislative Service Agency Page from Woodward.

The Journal of Wednesday, April 4, 2007 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Chambers of O'Brien and Clute of Polk on request of Rants of Woodbury.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 4, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 508, a bill for an act requiring health care benefit coverage for certain prosthetic devices and providing an applicability date.

MICHAEL E. MARSHALL, Secretary

CONSIDERATION OF BILLS

Regular Calendar

Senate File 277, a bill for an act relating to the state's educational standards regarding teacher librarians and qualified

guidance counselors, and to teacher and administrator quality, including the student achievement and teacher quality program and an administrator quality program, making appropriations, and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Winckler of Scott asked and received unanimous consent that the committee amendment H-1486 be deferred.

Winckler of Scott offered amendment H-1557 filed by the committee on appropriations as follows:

H-1557

- 1 Amend Senate File 277, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, by inserting after line 6 the
- 4 following:
- 5 "Sec. ____ Section 256.44, subsection 1, paragraph
- 6 a, Code 2007, is amended to read as follows:
- 7 a. If a teacher registers for national board for
- 8 professional teaching standards certification ~~prior to~~
- 9 ~~June 30~~ by December 31, 2007, a one-time initial
- 10 reimbursement award in the amount of up to one-half of
- 11 the registration fee paid by the teacher for
- 12 registration for certification by the national board
- 13 for professional teaching standards. The teacher
- 14 shall apply to the department of education within one
- 15 year of registration, submitting to the department any
- 16 documentation the department requires. A teacher who
- 17 receives an initial reimbursement award shall receive
- 18 a one-time final registration award in the amount of
- 19 the remaining national board registration fee paid by
- 20 the teacher if the teacher notifies the department of
- 21 the teacher's certification achievement and submits
- 22 any documentation requested by the department."
- 23 2. Page 1, line 12, by striking the word and
- 24 figures "January 1, ~~2006~~ 2008" and inserting the
- 25 following: "~~January 1, 2006~~ December 31, 2007".
- 26 3. Page 1, lines 13 and 14, by striking the words
- 27 "three years from the date of initial score
- 28 notification" and inserting the following: "~~three~~
- 29 ~~years from the date of initial score notification the~~
- 30 timelines and policies established by the national
- 31 board for professional teaching standards".
- 32 4. Page 1, line 18, by striking the word "career"
- 33 and inserting the following: "professional".
- 34 5. Page 3, by inserting after line 2 the
- 35 following:

36 "Sec. ____ Section 256.44, subsection 1, paragraph
37 b, subparagraph (2), unnumbered paragraph 1, Code
38 2007, is amended to read as follows:

39 If the teacher registers for national board for
40 professional teaching standards certification between
41 January 1, 1999, and January 1, ~~2006~~ 2008, and
42 achieves certification within three years from the
43 date of initial score notification, an annual award in
44 the amount of two thousand five hundred dollars upon
45 achieving certification by the national board of
46 professional teaching standards."

47 6. Page 3, by inserting after line 9 the
48 following:

49 "Sec. ____ Section 272.2, subsection 10, Code
50 2007, is amended to read as follows:

Page 2

1 10. Issue statements of professional recognition
2 to school service personnel who have attained a
3 minimum of a baccalaureate degree and who are licensed
4 by another professional licensing board."

5 7. Page 3, line 22, by striking the word "career"
6 and inserting the following: "professional".

7 8. Page 4, line 9, by striking the words "REPORTS
8 AND FINAL STUDY" and inserting the following:
9 "INTERIM AND FINAL REPORTS".

10 9. Page 4, line 13, by striking the words "
11 excluding school nurses".

12 10. Page 4, by striking lines 17 and 18 and
13 inserting the following: "directors under section
14 279.13. A teacher may be".

15 11. Page 5, by inserting before line 25 the
16 following: "However, if a school district can
17 demonstrate that an existing professional development,
18 curriculum, or student improvement committee has
19 significant stakeholder involvement and a leadership
20 role in the school district, the appointing
21 authorities may mutually agree to assign to the
22 existing committee the responsibilities set forth in
23 this paragraph "c", to appoint members of the existing
24 committee to the teacher quality committee, or to
25 authorize the existing committee to serve in an
26 advisory capacity to the teacher quality committee."

27 12. Page 6, by striking lines 4 and 5 and
28 inserting the following:

29 "(3) Determine, following the adoption of the Iowa
30 professional development model by the state board of
31 education, the use and distribution of the
32 professional".

33 13. Page 9, line 11, by inserting after the word
34 "The" the following: "goal for the use of the funds

- 35 is to provide one additional contract day or the
36 equivalent thereof for professional development and".
37 14. Page 9, line 14, by striking the word
38 "agreement," and inserting the following:
39 "agreement";.
40 15. Page 9, by striking line 16 and inserting the
41 following: "speakers, and professional development
42 content; and costs".
43 16. Page 13, by striking lines 22 through 25 and
44 inserting the following:
45 "NEW SUBSECTION. 4. A teacher who is not meeting
46 the applicable standards and criteria based on a
47 determination made pursuant to subsection 3 shall
48 participate in an intensive assistance program."
49 17. Page 16, line 21, by inserting after the word
50 "purposes" the following: "and for not more than four

Page 3

- 1 full-time equivalent positions".
2 18. Page 18, line 16, by striking the word
3 "program" and inserting the following: "program and
4 career ladder pilots".
5 19. Page 18, line 17, by striking the word and
6 figure "section 284.14" and inserting the following:
7 "section 284.14 sections 284.14 and 284.14A".
8 20. Page 18, by striking line 29 and inserting
9 the following: "be used by the department for
10 oversight".
11 21. Page 18, line 30, by striking the word
12 "projects" and inserting the following: "pilots".
13 22. Page 18, line 31, by striking the word and
14 figure "section 284.14" and inserting the following:
15 "sections 284.14 and 284.14A".
16 23. Page 18, by striking lines 34 and 35 and
17 inserting the following:
18 "(3) For the fiscal year beginning July 1, 2008,
19 and ending June 30, 2009, the sum".
20 24. Page 19, line 2, by striking the word "each"
21 and inserting the following: "the".
22 25. Page 19, lines 5 and 6, by striking the words
23 "distributed to the department of education" and
24 inserting the following: "used by the department".
25 26. Page 19, by striking line 7 and inserting the
26 following: "administration of the implementation
27 pilots as".
28 27. Page 19, line 8, by striking the word and
29 figure "section 284.14" and inserting the following:
30 "sections 284.14 and 284.14A".
31 28. By striking page 20, line 4, through page 21,
32 line 35.
33 29. Page 22, by striking lines 7 through 11 and

34 inserting the following: "career ladders and
35 performance pay models."

36 30. Page 22, line 34, by striking the words
37 "planning projects" and inserting the following:
38 "projects planning pilots".

39 31. Page 23, line 2, by striking the words
40 "planning projects" and inserting the following:
41 "projects planning pilots".

42 32. Page 23, by striking lines 4 through 6 and
43 inserting the following: "pay-for-performance program
44 design,".

45 33. Page 23, by striking lines 18 through 29 and
46 inserting the following:

47 "b. The Commencing with the school year beginning
48 July 1, 2007, the commission shall select ten two
49 school districts as demonstration projects planning
50 pilots. To the extent practicable, participants shall

Page 4

1 ~~represent geographically distinct rural, urban, and~~
2 ~~suburban areas of the state.~~ Participants shall
3 provide reports or other information as required by
4 the commission.

5 c. Commencing with the school year beginning July
6 1, 2008, the commission shall ~~select twenty additional~~
7 administer two implementation pilots in the school
8 districts as demonstration projects selected for
9 planning pilots under paragraph "b".

10 34. Page 23, lines 31 and 32, by striking the
11 words "planning or implementation projects" and
12 inserting the following: "projects planning and
13 implementation pilots".

14 35. Page 24, by striking line 3 and inserting the
15 following: "demonstration projects planning and
16 implementation pilots. The".

17 36. Page 24, by inserting after line 9 the
18 following:

19 "Sec. NEW SECTION. 284.14A CAREER LADDER
20 PILOTS.

21 1. INTENT. The intent of this section is to
22 create a process by which select Iowa school districts
23 research, develop, and implement pilots designed to
24 identify promising practices related to enhanced
25 teacher compensation career ladder models.

26 2. PILOT ESTABLISHED. A career ladder pilot is
27 established to be designed, implemented, and
28 administered by the department. The department shall
29 gather sufficient information to identify a career
30 ladder pilot.

31 a. For the school year beginning July 1, 2007, and
32 ending June 30, 2008, the department shall select up

33 to eight school districts as planning pilots.
 34 Participants shall provide reports or other
 35 information as required by the department.
 36 b. For the school year beginning July 1, 2008, and
 37 ending June 30, 2009, the department shall administer
 38 up to eight implementation pilots in the school
 39 districts selected for planning pilots under paragraph
 40 "a".
 41 3. REPORTS AND FINAL STUDY. Based on the
 42 information generated by the planning and
 43 implementation pilots, the department shall submit an
 44 interim report to the general assembly by January 14
 45 annually, and shall submit a final report summarizing
 46 the effectiveness of the pilots in raising student
 47 achievement levels to the general assembly no later
 48 than six months after the completion of the planning
 49 and implementation pilots. Upon completion of the
 50 career ladder planning and implementation pilots,

Page 5

1 subject to the sufficiency of funds, the state board
 2 of education shall adopt rules requiring
 3 implementation of the successful components of the
 4 pilots by school districts statewide."
 5 37. Page 26, line 30, by striking the word
 6 "career" and inserting the following: "professional".
 7 38. Page 27, line 9, by striking the word
 8 "career" and inserting the following: "professional".
 9 39. Page 27, line 15, by striking the word
 10 "career" and inserting the following: "professional".
 11 40. Page 27, line 16, by striking the word
 12 "CAREER" and inserting the following: "PROFESSIONAL".
 13 41. Page 27, line 30, by striking the word
 14 "career" and inserting the following: "professional".
 15 42. Page 27, line 33, by striking the word
 16 "career" and inserting the following: "professional".
 17 43. Page 28, line 4, by striking the word
 18 "career" and inserting the following: "professional".
 19 44. Page 28, line 6, by striking the word
 20 "career" and inserting the following: "professional".
 21 45. Page 29, line 3, by striking the word
 22 "career" and inserting the following: "professional".
 23 46. Page 29, line 5, by striking the word
 24 "career" and inserting the following: "professional".
 25 47. By renumbering, relettering, or redesignating
 26 and correcting internal references as necessary.

Winckler of Scott asked and received unanimous consent that
 amendment H-1563 be deferred.

Winckler of Scott offered the following amendment H-1593, to the committee amendment H-1557, filed by her from the floor and moved its adoption:

H-1593

1 Amend the amendment, H-1557, to Senate File 277, as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, by striking lines 3 through 31.

5 2. Page 1, by inserting after line 35 the
6 following:

7 ""Sec. ____ Section 256.44, subsection 1,
8 paragraph a, Code 2007, is amended to read as follows:

9 a. If a teacher registers for national board for
10 professional teaching standards certification ~~prior to~~
11 ~~June 30~~ by December 31, 2007, a one-time initial
12 reimbursement award in the amount of up to one-half of
13 the registration fee paid by the teacher for
14 registration for certification by the national board
15 for professional teaching standards. The teacher
16 shall apply to the department of education within one
17 year of registration, submitting to the department any
18 documentation the department requires. A teacher who
19 receives an initial reimbursement award shall receive
20 a one-time final registration award in the amount of
21 the remaining national board registration fee paid by
22 the teacher if the teacher notifies the department of
23 the teacher's certification achievement and submits
24 any documentation requested by the department."

25 3. Page 1, by striking lines 4I through 43 and
26 inserting the following: "January 1, 1999, and
27 ~~January 1, 2006~~ December 31, 2007, and achieves
28 certification within ~~three years from the date of~~
29 ~~initial score notification~~ the timelines and policies
30 established by the national board for professional
31 teaching standards, an annual award in".

32 4. Page 2, by striking lines 7 through 9.

33 5. Page 2, by inserting after line 48 the
34 following:

35 " ____ Page 14, by striking lines 17 and 18 and
36 inserting the following: "subject-area shortages, or
37 improving the racial or ethnic diversity on local
38 teaching staffs, funding to prepare a".

39 6. Page 4, line 41, by striking the words
40 "REPORTS AND FINAL STUDY" and inserting the following:
41 "INTERIM AND FINAL REPORTS".

42 7. By renumbering as necessary.

Amendment H-1593 was adopted, placing out of order amendment H-1563, previously deferred, filed by Winckler of Scott on April 3, 2007.

Dolecheck of Ringgold offered the following amendment H-1567, to the committee amendment H-1557, filed by him and moved its adoption:

H-1567

1 Amend the amendment, H-1557, to Senate File 277, as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, by inserting after line 46 the
5 following:

6 "____. Page 3, by striking lines 3 through 9."

7 2. Page 1, line 47, by striking the words and
8 figure "after line 9" and inserting the following:
9 "before line 10".

10 3. Page 2, by inserting after line 6 the
11 following:

12 "____. Page 3, by inserting after line 34 the
13 following:

14 "Sec. ____ Section 279.13, subsection 1, Code
15 2007, is amended to read as follows:

16 1. a. Contracts with teachers, which for the
17 purpose of this section means all licensed employees
18 of a school district and nurses employed by the board,
19 excluding superintendents, assistant superintendents,
20 principals, and assistant principals, shall be in
21 writing and shall state the number of contract days,
22 the annual compensation to be paid, and any other
23 matters as may be mutually agreed upon. The contract
24 may include employment for a term not exceeding the
25 ensuing school year, except as otherwise authorized.

26 b. Prior to entering into an initial contract with
27 a teacher who holds a license other than an initial
28 license issued by the board of educational examiners
29 under chapter 272, the school district shall request
30 the division of criminal investigation of the
31 department of public safety to conduct a background
32 investigation of the applicant. The school district
33 shall require the teacher to submit a completed
34 fingerprint packet, which shall be used to facilitate
35 a national criminal history check. The school
36 district shall submit the packet to the division of
37 criminal investigation of the department of public
38 safety which shall conduct a thorough background

39 investigation of the teacher. The superintendent of a
40 school district or the superintendent's designee shall
41 have access to and shall review the sex offender
42 registry information under section 692A.13, the
43 central registry for child abuse information
44 established under section 235A.14, and the central
45 registry for dependent adult abuse information
46 established under section 235B.5 for information
47 regarding applicants for employment as a teacher. The
48 school district may charge the teacher a fee for the
49 background investigation, which shall not exceed the
50 fee charged by the division of criminal investigation

Page 2

1 for conducting the background investigation.
2 c. The contract is invalid if the teacher is under
3 contract with another board of directors to teach
4 during the same time period until a release from the
5 other contract is achieved. The contract shall be
6 signed by the president of the board, or by the
7 superintendent if the board has adopted a policy
8 authorizing the superintendent to sign teaching
9 contracts, when tendered, and after it is signed by
10 the teacher, the contract shall be filed with the
11 secretary of the board before the teacher enters into
12 performance under the contract."
13 4. By renumbering as necessary.

Division was requested as follows:

Page 1, lines 4 through 9, Division A.

Page 1, lines 10 through 50 and

Page 2 lines 1 through 12, Division B.

Dolecheck of Ringgold moved the adoption of amendment H-1567A.

Roll call was requested by Dolecheck of Ringgold and Rants of Woodbury.

Rule 75 was invoked.

On the question "Shall amendment H-1567A be adopted?" (S.F. 277)

The ayes were, 46:

Alons	Anderson	Arnold	Baudler
Boal	De Boef	Deyoe	Dolecheck
Drake	Forristall	Gipp	Granzow
Grassley	Greiner	Heaton	Hoffman
Horbach	Huseman	Huser	Jacobs
Kaufmann	Lukan	May	Miller, L.
Olson, S.	Paulsen	Pettengill	Raecker
Rants	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wienczek
Windschitl	Worthan		

The nays were, 51:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Mertz	Miller, H.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Quirk	Reasoner	Reichert	Schueller
Shomshor	Smith	Staed	Swaim
Taylor, D.	Taylor, T.	Thomas	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Winckler	Wise	Mr. Speaker	
	Murphy		

Absent or not voting, 3:

Chambers	Clute	Zirkelbach
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Amendment H-1567A lost.

Dolecheck of Ringgold moved the adoption of amendment H-1567B to the committee amendment H-1557.

Amendment H-1567B was adopted.

Granzow of Hardin asked and received unanimous consent that amendment H-1570 be deferred.

Tymeson of Madison offered amendment H-1569, to the committee amendment H-1557, filed by her and requested division as follows:

H-1569

- 1 Amend the amendment, H-1557, to Senate File 277, as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:

H-1569A

- 4 1. Page 2, by inserting after line 14 the
- 5 following:
- 6 "____. Page 5, line 4, by striking the words "may
- 7 shall" and inserting the following: "may"."

H-1569B

- 8 2. Page 2, by striking lines 27 through 32 and
- 9 inserting the following:
- 10 "____. Page 6, by striking lines 4 through 9."

H-1569A

- 11 3. Page 2, by striking lines 33 through 42 and
- 12 inserting the following:
- 13 "____. Page 9, by striking lines 12 and 13 and
- 14 inserting the following: "use of the funds is limited
- 15 to providing two additional contract days or the
- 16 equivalent for professional development for teachers,
- 17 including providing for additional salaries for".
- 18 _____. Page 9, by striking lines 18 through 20 and
- 19 inserting the following: "development plans. Each
- 20 school district shall use the funds for quality
- 21 professional development related to the student
- 22 learning goals of the school district, making every
- 23 reasonable effort"."
- 24 4. Page 2, by inserting after line 42 the
- 25 following:
- 26 "____. Page 11, by striking lines 3 and 4.
- 27 _____. Page 12, lines 23 and 24, by striking the
- 28 words and figures "subsections 1 and 2, Code 2007,
- 29 are" and inserting the following: "subsection 1, Code
- 30 2007, is".
- 31 _____. By striking page 12, line 35, through page
- 32 13, line 1, and inserting the following: "development
- 33 plan; and shall include supporting documentation".
- 34 _____. Page 13, by striking lines 5 through 19."
- 35 5. Page 3, by inserting after line 1 the
- 36 following:
- 37 "____. Page 17, by striking lines 2 through 4 and

- 38 inserting the following: "extracurricular activities.
 39 School districts shall distribute funds to teachers
 40 based on individual teacher per diem amounts. These
 41 funds shall not supplant existing funding for."
 42 6. By renumbering as necessary.

Roll call was requested by Tymeson of Madison and Paulsen of Linn.

On the question "Shall amendment H-1569A be adopted?" (S.F. 277)

The ayes were, 46:

Alons	Anderson	Arnold	Baudler
Boal	De Boef	Deyoe	Dolecheck
Drake	Forristall	Gipp	Granzow
Grassley	Greiner	Heaton	Hoffman
Horbach	Huseman	Huser	Jacobs
Kaufmann	Lukan	May	Miller, L.
Olson, S.	Paulsen	Pettengill	Raecker
Rants	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wiencek
Windschitl	Worthan		

The nays were, 50:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Mertz	Miller, H.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Quirk
Reasoner	Reichert	Schueller	Shomshor
Smith	Staed	Swaim	Taylor, D.
Taylor, T.	Thomas	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Winckler
Wise	Mr. Speaker		
	Murphy		

Absent or not voting, 4:

Chambers	Clute	Petersen	Zirkelbach
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Amendment H-1569A lost.

McCarthy of Polk asked and received unanimous consent that Senate File 277 be deferred and that the bill retain its place on the calendar.

On motion by McCarthy of Polk, the House was recessed at 10:39 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened at 1:12 p.m., Speaker Murphy in the chair.

The House resumed consideration of **Senate File 277**, a bill for an act relating to the state's educational standards regarding teacher librarians and qualified guidance counselors, and to teacher and administrator quality, including the student achievement and teacher quality program and an administrator quality program, making appropriations, and providing an effective date, previously deferred.

T. Olson of Linn offered the following amendment H-1575, to the committee amendment H-1557, filed by him and Dandekar of Linn and moved its adoption:

H-1575

- 1 Amend the amendment, H-1557, to Senate File 277, as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 2, line 31, by inserting after the word
- 5 "education" the following: "and subject to the
- 6 approval of the school board".

Amendment H-1575 was adopted, placing out of order amendment H-1589 filed by Boal of Polk on April 4, 2007.

SPECIAL PRESENTATION

Jacobs of Polk introduced to the House the Honorable Ralph Klemme, former representative from Plymouth County.

The House rose and expressed its welcome.

Tymeson of Madison asked and received unanimous consent to withdraw amendment H-1569B, to the committee amendment H-1557, filed by her on April 3, 2007.

May of Dickinson offered the following amendment H-1564, to the committee amendment H-1557, filed by him and moved its adoption:

H-1564

1 Amend the amendment, H-1557, to Senate File 277, as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 2, by inserting after line 42 the
5 following:

6 "____. Page 12, by inserting after line 22 the
7 following:

8 "Sec.____. Section 284.7, Code 2007, is amended by
9 adding the following new subsection:

10 NEW SUBSECTION. 7. By January 15, 2009, for the
11 school year beginning July 1, 2009, the state board
12 shall adopt rules to implement the career II teacher
13 and advanced teacher levels in accordance with this
14 section. The rules shall include a career ladder
15 component rewarding teachers for accomplishing student
16 achievement goals that result in year-end academic
17 growth for the majority of students receiving
18 instruction from the teachers. In developing the
19 rules, the department shall include input from
20 education stakeholders including but not limited to
21 school districts selected as career ladder pilots
22 pursuant to section 284.14A, if enacted by this Act,
23 and the institute for tomorrow's workforce.""

24 2. By striking page 4, line 49, through page 5,
25 line 4, and inserting the following: "and
26 implementation pilots.""

27 3. By renumbering as necessary.

Bukta of Clinton in the chair at 1:35 p.m.

May of Dickinson moved the adoption of amendment H-1564 to the committee amendment H-1557.

Roll call was requested by Dolecheck of Ringgold and Rants of Woodbury.

On the question "Shall amendment H-1564 be adopted?" (S.F. 277)

The ayes were, 46:

Alons	Anderson	Arnold	Baudler
Boal	De Boef	Deyoe	Dolecheck
Drake	Forristall	Gipp	Granzow

Grassley	Greiner	Heaton	Hoffman
Horbach	Huseman	Huser	Jacobs
Kaufmann	Lukan	May	Miller, L.
Olson, S.	Paulsen	Pettengill	Raecker
Rants	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wienczek
Windschitl	Worthan		

The nays were, 50:

Abdul-Samad	Bailey	Bell	Berry
Cohoon	Dandekar	Davitt	Foege
Ford	Frevert	Gaskill	Gayman
Heddens	Hunter	Jacoby	Jochum
Kelley	Kressig	Kuhn	Lensing
Lykam	Mascher	McCarthy	Mertz
Miller, H.	Murphy, Spkr.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Quirk	Reasoner	Reichert	Schueller
Shomshor	Smith	Staed	Swaim
Taylor, D.	Taylor, T.	Thomas	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Winckler	Bukta, Presiding		

Absent or not voting, 4:

Chambers	Clute	Wise	Zirkelbach
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Amendment H-1564 lost.

Boal of Polk offered the following amendment H-1596, to the committee amendment H-1557, filed by her from the floor and moved its adoption:

H-1596

- 1 Amend the amendment, H-1557, to Senate File 277, as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 2, by inserting after line 48 the
- 5 following:
- 6 " —. Page 14, line 21 by striking the words "The
- 7 school district shall have" and inserting the
- 8 following: "The school district shall have".
- 9 —. Page 14, by striking lines 22 through 24 and
- 10 inserting the following: "the sole discretion to
- 11 award funds received by the school district in

- 12 accordance with section 284.13, subsection 1,
 13 paragraph "f", to classroom teachers on an annual
 14 basis. The".
 15 ____ Page 14, by striking lines 31 and 32 and
 16 inserting the following: "recommendations to the
 17 school board regarding the expenditures of market".
 18 2. Page 3, by inserting after line 1 the
 19 following:
 20 "____ Page 18, by striking lines 1 through 12."
 21 3. By renumbering as necessary.

Roll call was requested by Boal of Polk and Rants of Woodbury.

On the question "Shall amendment H-1596, to the committee amendment H-1557, be adopted?" (S.F. 277)

The ayes were, 45:

Alons	Anderson	Arnold	Baudler
Boal	De Boef	Deyoe	Dolecheck
Drake	Forristall	Gipp	Granzow
Grassley	Greiner	Heaton	Hoffman
Horbach	Huseman	Huser	Jacobs
Kaufmann	Lukan	May	Miller, L.
Olson, S.	Paulsen	Raecker	Rants
Rasmussen	Rayhons,	Roberts	Sands
Schickel	Soderberg	Struyk	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wienczek	Windschitl
Worthan			

The nays were, 52:

Abdul-Samad	Bailey	Bell	Berry
Cohoon	Dandekar	Davitt	Foege
Ford	Frevert	Gaskill	Gayman
Heddens	Hunter	Jacoby	Jochum
Kelley	Kressig	Kuhn	Lensing
Lykam	Mascher	McCarthy	Mertz
Miller, H.	Murphy, Spkr.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Pettengill	Quirk	Reasoner	Reichert
Schueller	Shomshor	Smith	Staed
Swaim	Taylor, D.	Taylor, T.	Thomas
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	Bukta, Presiding

Absent or not voting, 3:

Chambers	Clute	Zirkelbach
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Amendment H-1596 lost.

Granzow of Hardin offered amendment H-1597, to the committee amendment H-1557, filed by her from the floor as follows:

H-1597

1 Amend the amendment, H-1557, to Senate File 277, as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 5, by inserting after line 4 the
5 following:

6 "Sec. NEW SECTION. 284.15 DEPARTMENT OF
7 HUMAN SERVICES INSTITUTIONS – PRACTITIONERS.

8 1. For purposes of this chapter, an individual who
9 holds a practitioner's license issued under chapter
10 272 and who is employed in a nonadministrative
11 position by the department of human services at the
12 state training school, the Iowa juvenile home, or the
13 state mental health institutes located in Cherokee and
14 Independence shall be considered a teacher if the
15 individual and the institution in which the individual
16 practices meet the requirements of this chapter. If
17 an institution and a practitioner employed by the
18 institution are determined by the department to meet
19 the requirements of this chapter, the department shall
20 annually distribute funds to the institution in the
21 manner prescribed for school districts pursuant to
22 section 284.13.

23 2. The area education agencies in which the
24 institutions are located shall work with the
25 institutions to develop a plan for meeting the
26 requirements of this chapter, which shall be submitted
27 to the department of education, the department of
28 human services, and the general assembly by January
29 14, 2008.

30 3. This subsection is repealed July 1, 2008."

31 2. By renumbering as necessary.

Jochum of Dubuque rose on a point of order that amendment H-1597 was not germane, to amendment H-1557.

The Speaker ruled the point well taken and amendment H-1597 not germane, to amendment H-1557.

Granzow of Hardin moved to suspend the rules to consider amendment H-1597.

Roll call was requested by Granzow of Hardin and Paulsen of Linn.

On the question "Shall the rules be suspended to consider amendment H-1597?" (S.F. 277)

The ayes were, 44:

Alons	Arnold	Bailey	Baudler
Boal	De Boef	Deyoe	Dolecheck
Drake	Forristall	Gipp	Granzow
Grassley	Greiner	Heaton	Hoffman
Horbach	Huseman	Jacobs	Kaufmann
Lukan	May	Miller, L.	Olson, S.
Paulsen	Pettengill	Raecker	Rants
Rasmussen	Rayhons	Roberts	Sands
Schickel	Soderberg	Struyk	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wiencek	Windschitl	Worthan

The nays were, 52:

Abdul-Samad	Bell	Berry	Cohoon
Dandekar	Davitt	Foege	Ford
Frevert	Gaskill	Gayman	Heddens
Hunter	Huser	Jacoby	Jochum
Kelley	Kressig	Kuhn	Lensing
Lykam	Mascher	McCarthy	Mertz
Miller, H.	Murphy, Spkr.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Quirk	Reasoner	Reichert	Schueller
Shomshor	Smith	Staed	Swaim
Taylor, D.	Taylor, T.	Thomas	Tomenga
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	Bukta, Presiding

Absent or not voting, 4:

Anderson	Chambers	Clute	Zirkelbach
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The motion to suspend the rules lost.

Speaker Murphy in the chair at 2:28 p.m.

Granzow of Hardin asked and received unanimous consent to withdraw amendment H-1570, previously deferred, to amendment H-1557, filed by her on April 3, 2007.

On motion by Winkler of Scott, the committee amendment H-1557, as amended, was adopted.

Wise of Lee asked and received unanimous consent that amendment H-1591 be deferred.

Boal of Polk asked and received unanimous consent to withdraw amendments H-1565 and H-1566, filed by her on April 3, 2007.

Wise of Lee asked and received unanimous consent to withdraw amendment H-1591, previously deferred, filed by Wise of Lee, et al., on April 4, 2007.

Wendt of Woodbury asked and received unanimous consent to withdraw the committee amendment H-1486 filed by the committee on education on March 27, 2007.

Winckler of Scott moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 277)

The ayes were, 90:

Abdul-Samad	Anderson	Arnold	Bailey
Baudler	Bell	Berry	Boal
Bukta	Cohoon	Dandekar	Davitt
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevort	Gaskill
Gayman	Gipp	Grassley	Heaton
Heddens	Hoffman	Horbach	Hunter
Huseman	Huser	Jacobs	Jacoby
Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Oldson	Olson, D.
Olson, R.	Olson, S.	Olson, T.	Palmer
Paulsen	Petersen	Pettengill	Quirk
Rants	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Smith	Soderberg
Staed	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Fossen	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead

Wienczek
Worthan

Winckler
Mr. Speaker
Murphy

Windschitl

Wise

The nays were, 7:

Alons
Raecker

De Boef
Van Engelenhoven

Granzow
Watts

Greiner

Absent or not voting, 3:

Chambers

Clute

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **Senate File 277** be immediately messaged to the Senate.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 5, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 777, a bill for an act relating to judicial branch practices and procedures including but not limited to adoption petitions, clerk of the district court duties, and recordkeeping affecting real estate and change of name records.

Also: that the Senate has on April 5, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 562, a bill for an act relating to and making appropriations to the department of cultural affairs, the department of economic development, certain board of regents institutions, the department of workforce development, the Iowa finance authority, and the public employment relations board, and related matters.

MICHAEL E. MARSHALL, Secretary

INTRODUCTION OF BILL

House File 894, by McCarthy, a bill for an act relating to locally administered human services programs involving county mental

health, mental retardation, and developmental disabilities services funding and the decategorization of the child welfare and juvenile justice funding initiative by making an appropriation, authorizing nonreversion of certain funding, and providing effective date and retroactive applicability provisions.

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

HOUSE FILES PLACED ON UNFINISHED BUSINESS CALENDAR

McCarthy of Polk asked and received unanimous consent that the following House Files be placed on the unfinished business calendar.

House File 223	House File 776
House File 492	House File 786
House File 500	House File 789
House File 538	House File 791
House File 609	House File 792
House File 616	House File 798
House File 669	House File 802
House File 744	House File 830
House File 756	House File 865
House File 763	House File 892
House File 772	

HOUSE FILE 838 REFERRED

The Speaker announced that House File 838, previously placed on the **calendar** was referred to committee on **ways and means**.

HOUSE FILE 845 REFERRED

The Speaker announced that House File 845, previously placed on the **calendar** was referred to committee on **appropriations**.

HOUSE FILE 850 REFERRED

The Speaker announced that House File 850, previously placed on the **calendar** was referred to committee on **ways and means**.

HOUSE FILE 873 REREFERRED

The Speaker announced that House File 873, previously referred to committee on **agriculture** was rereferred to committee on **ways and means**.

SENATE FILE 369 REFERRED

The Speaker announced that Senate File 369, previously **passed on file** was referred to committee on **appropriations**.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 4, 2007, he approved and transmitted to the Secretary of State the following bills:

House File 317, an Act relating to an on-site fiscal review to be conducted under phase II of the accreditation process upon recommendation by the school budget review committee.

House File 647, an Act relating to the designation of Iowa great places and financial and technical assistance to projects in Iowa great places.

Senate File 116, an Act relating to the labor commissioner's regulation of fire fighter clothing and personal protection equipment.

Senate File 202, an Act relating to the disposition of certain unclaimed property.

Senate File 204, an Act relating to the department of public safety practices and procedures.

Senate File 361, an Act concerning investment of certain public funds in companies doing business in Sudan by the treasurer of state, public retirement systems in Iowa, and the state board of regents.

Senate File 450, an Act relating to limitations of actions as applied to county collection of delinquent real property taxes.

Senate File 535, an Act relating to general provisions of the uniform commercial code relating to the construction and application of its subject matter, and providing for a contingent effective date.

Also: the Governor announced that on April 5, 2007, he approved and transmitted to the Secretary of State the following bills:

House File 617, an Act creating a generation Iowa commission.

House File 650, an Act relating to the sales of beer kegs by requiring an identification number on each keg of beer, recording of the purchase of beer by the keg, and providing penalties.

Senate File 509, an Act relating to a revised uniform anatomical gift Act, and providing penalties.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

A group of student council students from Van Allen School, Mt. Pleasant, Iowa, accompanied by Patricia File, Sally Olson, Cindy Smith, Michelle Skubal and Tevi Cam. By Heaton of Henry.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- 2007\2656 Caitlin Rae Hardee, Shell Rock – For being selected to attend the annual session of the Iowa American Legion Auxiliary Girls State.
- 2007\2657 Danielle Heeren, Allison – For being named National PAS President-Elect.
- 2007\2658 David and Alice Kramer, Clarksville – For celebrating their 50th wedding anniversary.
- 2007\2659 Lois Wiebke Koester, Allison – For celebrating her 80th birthday.
- 2007\2660 Elmer Nolte, Dumont – For celebrating his 85th birthday.
- 2007\2661 Amelia Destival, Janesville – For celebrating her 90th birthday.
- 2007\2662 Lewis Manor, Des Moines – For celebrating his 80th birthday.
- 2007\2663 Evelyn Lester, Des Moines – For celebrating her 80th birthday.
- 2007\2664 Dominic Armentaro, Des Moines – For celebrating his 80th birthday.
- 2007\2665 Warren Hutchinson, Des Moines – For celebrating his 75th birthday.
- 2007\2666 Floyd Walters, Des Moines – For celebrating his 80th birthday.

- 2007\2667 Dorothy Miller, Des Moines – For celebrating her 80th birthday.
- 2007\2668 Barbra Amos, Des Moines – For celebrating her 80th birthday.
- 2007\2669 Virginia Butorac, Des Moines – For celebrating her 80th birthday.
- 2007\2670 Merle Carter, Des Moines – For celebrating his 80th birthday.
- 2007\2671 Carl Bell, Des Moines – For celebrating her 80th birthday.
- 2007\2672 Dorothy Curtis, Des Moines – For celebrating her 75th birthday.
- 2007\2673 Richard Powell, Des Moines – For celebrating his 75th birthday.
- 2007\2674 Dale Krumbholz, Des Moines – For celebrating his 80th birthday.
- 2007\2675 Helen Warrick, Des Moines – For celebrating her 80th birthday.
- 2007\2676 Charles Whitfield, Des Moines – For celebrating his 75th birthday.
- 2007\2677 Raymond Andrews, Des Moines – For celebrating his 80th birthday.
- 2007\2678 Junela Ades, Webster City – For celebrating her 85th birthday.
- 2007\2679 Howard Anderson, Goldfield – For celebrating his 75th birthday.
- 2007\2680 Jennie Arends, Kanawha – For celebrating her 90th birthday.
- 2007\2681 Arlene Bohning, Belmont – For celebrating her 90th birthday.
- 2007\2682 George Bollig, Dows – For celebrating his 80th birthday.
- 2007\2683 Phyllis Boughton, Webster City – For celebrating her 80th birthday.
- 2007\2684 Eldoris Bunnell, Belmont – For celebrating her 80th birthday.
- 2007\2685 Jean Burt, Rowan – For celebrating her 80th birthday.
- 2007\2686 Marguerite Coursey, Webster City – For celebrating her 101st birthday.
- 2007\2687 Owen Crosby, Webster City – For celebrating his 90th birthday.
- 2007\2688 Wyona Denger, Clarion – For celebrating her 80th birthday.
- 2007\2689 Ayleen Eggers, Webster City – For celebrating her 85th birthday.
- 2007\2690 Marvin Fawcett, Goldfield – For celebrating his 75th birthday.
- 2007\2691 Herbert Heiden, Williams – For celebrating his 90th birthday.
- 2007\2692 Doris Hill, Alexander – For celebrating her 75th birthday.

- 2007\2693 Loyola Hocraffer, Clarion – For celebrating her 90th birthday.
- 2007\2694 Lois Holm, Clarion – For celebrating her 80th birthday.
- 2007\2695 Shirley Johnston, Belmond – For celebrating her 80th birthday.
- 2007\2696 Robert Kalkwarf, Belmond – For celebrating his 80th birthday.
- 2007\2697 Marian Kinseth, Belmond – For celebrating her 75th birthday.
- 2007\2698 Charles Kruger, Belmond – For celebrating his 90th birthday.
- 2007\2699 Donna Longhenry, Webster City – For celebrating her 75th birthday.
- 2007\2700 Ramona McLaughlin, Belmond – For celebrating her 75th birthday.
- 2007\2701 Frank Middleton, Clarion – For celebrating his 90th birthday.
- 2007\2702 Bernice Milliken, Fort Dodge – For celebrating her 90th birthday.
- 2007\2703 Arvilla Nunley, Stratford – For celebrating her 80th birthday.
- 2007\2704 Lois Orvick, Eagle Grove – For celebrating her 85th birthday.
- 2007\2705 Peter Pals, Belmond – For celebrating his 90th birthday.
- 2007\2706 Georgia Schulz, Eagle Grove – For celebrating her 85th birthday.
- 2007\2707 Leonard Severson, Webster City – For celebrating his 80th birthday.
- 2007\2708 Norbert Speth, Belmond – For celebrating his 85th birthday.
- 2007\2709 Donald Stoffer, Belmond – For celebrating his 85th birthday.
- 2007\2710 Burdette Thompson, Clarion – For celebrating his 90th birthday.
- 2007\2711 Arnold Thompson, Goldfield – For celebrating his 85th birthday.
- 2007\2712 Elmer Timm, Webster City – For celebrating his 90th birthday.
- 2007\2713 Emmett Timm, Webster City – For celebrating his 75th birthday.
- 2007\2714 Mable Warwick, Webster City – For celebrating her 90th birthday.
- 2007\2715 Hillis Wilson, Webster City – For celebrating his 90th birthday.
- 2007\2716 Donna Wolfgram, Clarion – For celebrating her 80th birthday.
- 2007\2717 Wilma Johnson, Clarion – For celebrating her 85th birthday.

- 2007\2718 Marguerite Williams VanArsdale, Waterloo – For celebrating her 92nd birthday.
- 2007\2719 Dennis Miller, Waterloo – For his 30 years of dedicated service with John Deere.
- 2007\2720 Darlene Morgan, Des Moines – For celebrating her 75th birthday.
- 2007\2721 Ruth Morris, Des Moines – For celebrating her 75th birthday.
- 2007\2722 Margaret Ashman, Des Moines – For celebrating her 75th birthday.
- 2007\2723 William Teply, Des Moines – For celebrating his 75th birthday.
- 2007\2724 Everett Oatts, Des Moines – For celebrating his 80th birthday.
- 2007\2725 Thomas Hildebrand, Pleasant Hill – For celebrating his 85th birthday.
- 2007\2726 Virginia Moore, Des Moines – For celebrating her 75th birthday.
- 2007\2727 Angeline Hogan, Des Moines – For celebrating her 90th birthday.
- 2007\2728 Dena Anderson, Des Moines – For celebrating her 80th birthday.
- 2007\2729 Apalonia Cantu, Des Moines – For celebrating her 95th birthday.
- 2007\2730 Shirley Gifford, Des Moines – For celebrating her 75th birthday.
- 2007\2731 Richard Abell, Pleasant Hill – For celebrating his 80th birthday.
- 2007\2732 Betty Franklin, Des Moines – For celebrating her 75th birthday.
- 2007\2733 Jessie Rivera, Des Moines – For celebrating her 75th birthday.
- 2007\2734 Frances Curry, Des Moines – For celebrating her 80th birthday.
- 2007\2735 A. Cahhal, Des Moines – For celebrating her 80th birthday.
- 2007\2736 Alta Wallace, Pleasant Hill – For celebrating her 101st birthday.
- 2007\2737 Verona Plew, Des Moines – For celebrating her 85th birthday.
- 2007\2738 Ione Hall, Des Moines – For celebrating her 80th birthday.
- 2007\2739 Louise Rosenkrans, Des Moines – For celebrating her 101st birthday.
- 2007\2740 Wyjean Chumbley, Pleasant Hill – For celebrating her 85th birthday.
- 2007\2741 Cathleen Kramer, Pleasant Hill – For celebrating her 90th birthday.

- 2007\2742 Costello Grenz, Des Moines – For celebrating his 75th birthday.
- 2007\2743 Juanita Booth, Des Moines – For celebrating her 80th birthday.
- 2007\2744 Kenneth Pies, Madrid – For celebrating his 80th birthday.
- 2007\2745 James Graham, Ames – For celebrating his 75th birthday.
- 2007\2746 Edna Gibson, Madrid – For celebrating her 85th birthday.
- 2007\2747 Holly Burkhalter, Ames – For celebrating her 85th birthday.
- 2007\2748 Donald Setterberg, Ames – For celebrating his 75th birthday.
- 2007\2749 Marlys Ladd, Ames – For celebrating her 80th birthday.
- 2007\2750 James Potter, Ames – For celebrating his 80th birthday.
- 2007\2751 Don Johnson, Madrid – For celebrating her 80th birthday.
- 2007\2752 Randine Shepard, Boone – For celebrating her 80th birthday.
- 2007\2753 Elizabeth Wright, Ames – For celebrating her 75th birthday.
- 2007\2754 Frederick Brown, Ames – For celebrating his 75th birthday.
- 2007\2755 Donald Phipps, Ames – For celebrating his 80th birthday.
- 2007\2756 Marian Hudson, Ames – For celebrating her 75th birthday.
- 2007\2757 Marcel Aurand, Ames – For celebrating her 90th birthday.
- 2007\2758 Esther Hanson, Ames – For celebrating her 85th birthday.
- 2007\2759 Barbra Rusk, Ames – For celebrating her 80th birthday.
- 2007\2760 Orris Lane, Ames – For celebrating his 75th birthday.
- 2007\2761 Elaine Brown, Ames – For celebrating her 75th birthday.
- 2007\2762 Marianna Berhow, Ames – For celebrating her 75th birthday.
- 2007\2763 Marjorie Rolf, Ames – For celebrating her 85th birthday.
- 2007\2764 Betty Hemstreet, Ames – For celebrating her 85th birthday.
- 2007\2765 Hjalmar Nelson, Ames – For celebrating his 90th birthday.
- 2007\2766 Elmer Aurand, Ames – For celebrating his 85th birthday.
- 2007\2767 Virginia McFarland, Ames – For celebrating her 85th birthday.

- 2007\2768 John Brayton, Ames – For celebrating his 75th birthday.
- 2007\2769 Elizabeth Kiser, Ames – For celebrating 85th birthday.
- 2007\2770 Conrad Anderson, Ames – For celebrating his 85th birthday.
- 2007\2771 Kenneth Hohenberger, Ames – For celebrating his 80th birthday.
- 2007\2772 Efrain Pardo Codina, Ames – For celebrating his 85th birthday.
- 2007\2773 Clara Ihle, Madrid – For celebrating her 85th birthday.
- 2007\2774 Blanche Robertson, Malcom – For celebrating 92nd birthday.
- 2007\2775 Ted and Hazel Augustine, Center Point – For celebrating their 70th wedding anniversary.
- 2007\2776 Martin and Marcia Sackett, Walker – For celebrating their 50th wedding anniversary.
- 2007\2777 Leta Wall, Cedar Rapids – For celebrating her 85th birthday.
- 2007\2778 Charles Gordon Bourjaily, Iowa City – For receiving the Presidential Scholarship Award from the University of Iowa.
- 2007\2779 Allison Michaela Panther, Iowa City – For receiving the Presidential Scholarship Award from the University of Iowa.
- 2007\2780 Ran Zhang, Iowa City – For receiving the Presidential Scholarship Award from the University of Iowa.
- 2007\2781 Bethany Lynn Patten, Coralville – For receiving the Presidential Scholarship Award from the University of Iowa.
- 2007\2782 Carly Reisch Stahmer, Coralville – For receiving the Presidential Scholarship Award from the University of Iowa.
- 2007\2783 Aurelia High School, Aurelia – For winning the Class 1A division of the 2007 Iowa Jazz Championship.

SUBCOMMITTEE ASSIGNMENTS

House File 498

Ways and Means: Reasoner, Chair; Deyoe, Grassley, T. Olson and Wise.

House File 800

Ways and Means: Frevert, Chair; Deyoe and Jochum.

House File 839

Ways and Means: Quirk, Chair; Shomshor and Wiencek.

Senate File 369

Appropriations: Cohoon, Chair; Huseman and Wenthe.

Senate File 538

Judiciary: Huser, Chair; Struyk and Swaim.

Senate File 539

Ways and Means: Frevert, Chair; Sands and Schueller.

Senate File 543

Agriculture: Wenthe, Chair; Huseman and Pettengill.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT**House Study Bill 303**

Ways and Means: Huser, Chair; Shomshor and Struyk.

HOUSE STUDY BILL COMMITTEE ASSIGNMENT**H.S.B. 305 Ways and Means**

Establishing the office of energy independence and the Iowa power fund and related provisions, and providing an effective date.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Committee Bill (Formerly House File 357), creating a disaster aid individual assistance grant fund.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 4, 2007.

COMMITTEE ON COMMERCE

Senate File 554, a bill for an act relating to franchises for the provision of cable service or video service including providing for fees and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass with Amendment H—1598** April 3, 2007.

COMMITTEE ON ENVIRONMENTAL PROTECTION

Senate File 485, a bill for an act requiring consideration of greenhouse gas emissions in issuing specified air quality permits.

Fiscal note is not required.

Recommended **Amend and Do Pass with Amendment H—1603** April 4, 2007.

Senate File 493, a bill for an act relating to plans and financial assurance requirements for certain sanitary landfill projects.

Fiscal Note is not required.

Recommended **Do Pass** April 4, 2007.

COMMITTEE ON HUMAN RESOURCES

Senate File 249, a bill for an act relating to the conference of eligibility on and conditions of eligibility for individuals for certain programs under the purview of the department of human services.

Fiscal Note is not required.

Recommended **Do Pass** April 3, 2007.

Senate File 260, a bill for an act relating to dependent adult abuse.

Fiscal Note is not required.

Recommended **Do Pass** April 3, 2007.

Senate File 427, a bill for an act relating to the Iowa civil rights Act and discrimination based upon a person's sexual orientation or gender identity.

Fiscal Note is not required.

Recommended **Do Pass** April 3, 2007.

COMMITTEE ON NATURAL RESOURCES

Senate Joint Resolution 2, a joint resolution designating the channel catfish as the official state fish for the State of Iowa.

Fiscal note is not required.

Recommended **Do Pass** April 4, 2007.

Senate File 203, a bill for an act requiring certain children to wear personal flotation devices while on board certain vessels operated on state waters and providing for a penalty and an effective date.

Fiscal Note is not required.

Recommended **Do Pass** April 4, 2007.

Senate File 304, a bill for an act relating to the exercise of regulatory authority by the department of natural resources and the natural resource commission within the boundaries of the Sac and Fox tribe settlement in Tama county, and providing for applicability and effective dates.

Fiscal Note is not required.

Recommended **Do Pass** April 4, 2007.

Senate File 308, a bill for an act authorizing the governor to designate April of each year as Aldo Leopold month.

Fiscal Note is not required.

Recommended **Do Pass** April 4, 2007.

Senate File 435, a bill for an act relating to youth deer hunting licenses.

Fiscal Note is not required.

Recommended **Do Pass** April 4, 2007.

COMMITTEE ON PUBLIC SAFETY

Senate File 457, a bill for an act relating to the rights of peace officers and public safety and emergency personnel.

Fiscal Note is not required.

Recommended **Do Pass** April 4, 2007.

COMMITTEE ON STATE GOVERNMENT

House File 538, a bill for an act concerning the licensure, operation, and taxation of card game tournaments by organizations representing veterans.

Fiscal Note is not required.

Recommended **Amend and Do Pass with Amendment H—1618** April 4, 2007.

Senate File 465, a bill for an act relating to leaves of absence for service in elective office.

Fiscal Note is not required.

Recommended **Do Pass** April 4, 2007.

COMMITTEE ON TRANSPORTATION

Senate File 469, a bill for an act providing for the sale of motor homes by a manufacturer at a camping rally sponsored by the manufacturer.

Fiscal Note is not required.

Recommended **Amend and Do Pass with Amendment H—1611** April 5, 2007.

Senate File 472, a bill for an act requiring the posting of close-clearance warning devices along railroad tracks and providing a penalty.

Fiscal Note is not required.

Recommended **Amend and Do Pass with Amendment H—1610** April 5, 2007.

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly House File 795), establishing statewide licensure of electricians and installers, providing for inspections, establishing fees, and providing penalties.

Fiscal Note is required.

Recommended **Amend and Do Pass** April 4, 2007.

Committee Bill (Formerly House Study Bill 300), relating to the amendment of the bylaws of a horizontal property regime.

Fiscal Note is not required.

Recommended **Do Pass** April 4, 2007.

AMENDMENTS FILED

H—1594	H.F.	890	Lukan of Dubuque
H—1595	H.F.	789	Pettengill of Benton
H—1598	S.F.	554	Committee on Commerce
H—1599	S.F.	62	May of Dickinson

H-1600	H.F.	368	T. Taylor of Linn
H-1601	H.F.	883	Sands of Louisa
H-1602	H.F.	883	Lukan of Dubuque
H-1603	S.F.	485	Committee on Environmental Protection
H-1604	S.F.	414	Raecker of Polk
H-1605	S.F.	414	Raecker of Polk Quirk of Chickasaw
H-1606	S.F.	414	Raecker of Polk
H-1607	S.F.	413	Gipp of Winneshiek
H-1608	S.F.	413	Tjepkes of Webster
H-1609	S.F.	413	Gipp of Winneshiek
H-1610	S.F.	472	Committee on Transportation
H-1611	S.F.	469	Committee on Transportation
H-1612	S.F.	564	Palmer of Mahaska
H-1613	S.F.	465	Kaufmann of Cedar
H-1614	S.F.	540	Huser of Polk
H-1615	H.F.	883	Alons of Sioux
H-1616	S.J.R.	2	May of Dickinson
H-1617	S.J.R.	2	May of Dickinson
H-1618	H.F.	538	Committee on State Government
H-1619	S.F.	406	Swaim of Davis

On motion by McCarthy of Polk the House adjourned at 3:35 p.m.,
until 1:00 p.m., Monday, April 9, 2007.

JOURNAL OF THE HOUSE

Ninety-second Calendar Day - Sixty-first Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, April 9, 2007

The House met pursuant to adjournment at 1:00 p.m., Speaker Murphy in the chair.

Prayer was offered by Reverend Mark Reasoner of St. Jude Catholic Church, Cedar Rapids. He was the guest of Representative Dick Taylor of Linn County and brother of Representative Mike Reasoner of Union County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Garner Service Unit of the Girl Scouts from Garner. They were the guests of Representative Henry Rayhons of Hancock County, and Representative Linda Upmeyer of Hancock County.

The Journal of Thursday, April 5, 2007 was approved.

INTRODUCTION OF BILL

House File 895, by committee on ways and means, a bill for an act relating to the amendment of the bylaws of a horizontal property regime.

Read first time and placed on the **ways and means calendar**.

SENATE MESSAGES CONSIDERED

Senate File 508, by committee on commerce, a bill for an act requiring health care benefit coverage for certain prosthetic devices and providing an applicability date.

Read first time and **passed on file**.

Senate File 562, by committee on appropriations, a bill for an act relating to and making appropriations to the department of cultural affairs, the department of economic development, certain board of

regents institutions, the department of workforce development, the Iowa finance authority, and the public employment relations board, and related matters.

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

SPECIAL PRESENTATION

Murphy of Dubuque introduced to the House the Honorable former state representative, Robert Osterhaus of Jackson County.

The House rose and expressed its' welcome.

RULE 57 SUSPENDED

McCarthy of Polk asked and received unanimous consent to suspend Rule 57, related to committee notice and agenda, for a meeting for the committee on appropriations today.

McCarthy of Polk asked and received unanimous consent for the immediate consideration of House Concurrent Resolution 9.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 9

Cohon of Des Moines called up for consideration **House Concurrent Resolution 9**, a concurrent resolution relating to Pioneer Lawmakers, and moved its adoption.

The motion prevailed and the resolution was adopted.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Schickel of Cerro Gordo for the week of April 9 through the 13th, on request of Roberts of Carroll.

CONSIDERATION OF BILLS Unfinished Business Calendar

House File 776, a bill for an act relating to information required to be indexed in the records of the county recorder, was taken up for consideration.

SENATE FILE 337 SUBSTITUTED FOR HOUSE FILE 776

Gaskill of Wapello asked and received unanimous consent to substitute Senate File 337 for House File 776.

Senate File 337, a bill for an act relating to information required to be indexed in the records of the county recorder, was taken up for consideration.

Gaskill of Wapello moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 337)

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Gipp	Granzow	Grassley
Greiner	Heaton	Heddens	Hoffman
Horbach	Hunter	Huseman	Huser
Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	Mascher	May
McCarthy	Mertz	Miller, H.	Miller, L.
Oldson	Olson, D.	Olson, R.	Olson, S.
Palmer	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schueller	Shomshor	Smith
Soderberg	Staed	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wiencek
Winckler	Windschitl	Wise	Worthan
Mr. Speaker			
Murphy			

The nays were, none.

Absent or not voting, 3:

Olson, T. Schickel Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 776 WITHDRAWN

Gaskill of Wapello asked and received unanimous consent to withdraw House File 776 from further consideration by the House.

Regular Calendar

Senate File 140, a bill for an act relating to the time period for which peace officers' investigative reports and specific portions of electronic mail and telephone billing records are to be kept confidential, with report of committee recommending passage, was taken up for consideration.

Tjepkes of Webster moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 140)

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Gipp	Granzow	Grassley
Greiner	Heaton	Heddens	Hoffman
Horbach	Hunter	Huseman	Huser
Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	Mascher	May
McCarthy	Mertz	Miller, H.	Miller, L.
Oldson	Olson, D.	Olson, R.	Olson, S.
Palmer	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants	Rasmussen

Rayhons	Reasoner	Reichert	Roberts
Sands	Schueller	Shomshor	Smith
Soderberg	Staed	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wiencek
Winckler	Windschitl	Wise	Worthan
Mr. Speaker			
Murphy			

The nays were, none.

Absent or not voting, 3:

Olson, T. Schickel Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Baudler of Adair in the chair at 1:39 p.m.

Senate File 200, a bill for an act providing for the liability of a landowner of land where livestock are kept or an owner of adjoining land for erecting and maintaining a fence, and providing for the assessment of property taxes, with report of committee recommending passage, was taken up for consideration.

Whitaker of Van Buren asked and received unanimous consent to withdraw amendment H-1590 filed by him on April 4, 2007.

Dolecheck of Ringgold moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 200)

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Bell	Berry	Boal
Bukta	Chambers	Clute	Cohoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach

Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Murphy, Spkr.
Oldson	Olson, D.	Olson, R.	Olson, S.
Palmer	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schueller	Shomshor	Smith
Soderberg	Staed	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wiencek
Winckler	Windschitl	Wise	Worthan
Baudler, Presiding			

The nays were, none.

Absent or not voting, 3:

Olson, T. Schickel Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 175, a bill for an act relating to the disposition of seized property in a criminal proceeding, with report of committee recommending amendment and passage, was taken up for consideration.

Palmer of Mahaska offered the following amendment H-1548 filed by the committee on judiciary and moved its adoption:

H-1548

1 Amend Senate File 175, as passed by the Senate, as
2 follows:

3 1. Page 1, by striking lines 9 through 12 and
4 inserting the following: "by regular ~~restricted~~
5 ~~certified~~ mail, if the value of the property is less
6 than fifty dollars, or certified mail, if the value of
7 the property is equal to or greater than fifty
8 dollars, ~~return receipt requested~~, to the last known
9 address of any person having an".

10 2. Page 1, lines 14 and 15, by striking the words
11 "~~of the mailing~~" and inserting the following: "from

- 12 the date of receipt of the notice. Refusal of
 13 restricted certified mail, return receipt requested,
 14 shall be construed as receipt".
 15 3. Page 1, line 17, by striking the words "after
 16 the mailing of" and inserting the following: "after
 17 the mailing of from the date of receipt of the".

The committee amendment H-1548 was adopted.

Palmer of Mahaska moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 175)

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Bell	Berry	Boal
Bukta	Chambers	Clute	Cohoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Murphy, Spkr.
Oldson	Olson, D.	Olson, R.	Olson, S.
Palmer	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schueller	Shomshor	Smith
Soderberg	Staed	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wiencek
Winckler	Windschitl	Wise	Worthan
Baudler, Presiding			

The nays were, none.

Absent or not voting, 3:

Olson, T.	Schickel	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 333, a bill for an act relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and including effective and retroactive applicability date provisions, with report of committee recommending amendment and passage, was taken up for consideration.

Palmer of Mahaska offered the following amendment H-1580 filed by the committee on judiciary and moved its adoption:

H-1580

1 Amend Senate File 333, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 47, by inserting after line 2 the
4 following:
5 "Sec. ____ Section 571.1A, subsection 3, Code
6 2007, is amended to read as follows:
7 3. "Harvesting services" means baling, chopping,
8 combining, cutting, husking, picking, shelling,
9 stacking, threshing, or ~~winnowing~~ windrowing a crop,
10 regardless of the means or method employed."
11 2. Page 50, by inserting after line 5 the
12 following:
13 "Sec. ____ Section 715.6, Code 2007, is amended to
14 read as follows:
15 715.6 EXCEPTIONS.
16 Sections 715.4 and 715.5 shall not apply to the
17 monitoring of, or interaction with, an owner's or an
18 operator's internet or other network connection,
19 service, or computer, by a telecommunications carrier,
20 cable operator, computer hardware or software
21 provider, or provider of information service or
22 interactive computer service for network or computer
23 security purposes, diagnostics, technical support,
24 maintenance, repair, authorized updates of computer
25 software or system firmware, authorized remote system
26 management, or detection or prevention of the
27 ~~unauthorized~~ use of or fraudulent or other illegal
28 activities prohibited in this chapter in connection
29 with a network, service, or computer software,
30 including scanning for and removing computer software
31 prescribed under this chapter. Nothing in this

- 32 chapter shall limit the rights of providers of wire
 33 and electronic communications under 18 U.S.C. § 2511."
 34 3. By renumbering as necessary.

The committee amendment H-1580 was adopted.

Palmer of Mahaska moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 333)

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Bell	Berry	Boal
Bukta	Chambers	Clute	Cphoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Murphy, Spkr.
Oldson	Olson, D.	Olson, R.	Olson, S.
Palmer	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schueller	Shomshor	Smith
Soderberg	Staed	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wiencek
Winckler	Windschitl	Wise	Worthan
Baudler, Presiding			

The nays were, none.

Absent or not voting, 3:

Olson, T. Schickel Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 161, a bill for an act relating to the confidentiality of security procedures or emergency preparedness information discussed at a meeting of a governmental body and providing an effective date, with report of committee recommending passage, was taken up for consideration.

D. Olson of Boone moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 161)

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Bell	Berry	Boal
Bukta	Chambers	Clute	Cohoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford
Forristall	Frevort	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Murphy, Spkr.
Oldson	Olson, D.	Olson, R.	Olson, S.
Palmer	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schueller	Shomshor	Smith
Soderberg	Staed	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wienczek
Winckler	Windschitl	Wise	Worthan
Baudler, Presiding			

The nays were, none.

Absent or not voting, 3:

Olson, T.	Schickel	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Concurrent Resolution 9** and **Senate Files 140, 161, 175, 200, 333 and 337.**

On motion by McCarthy of Polk, the House was recessed at 2:14 p.m., until the conclusion of the meeting of the committee on appropriations.

AFTERNOON SESSION

The House reconvened at 3:22 p.m., Speaker pro tempore Bukta in the chair.

INTRODUCTION OF BILL

House File 896, by committee on appropriations, a bill for an act creating a disaster aid individual assistance grant fund.

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

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 9th day of April, 2007: House Files 591, 740, 790, 803 and 848.

MARK W. BRANDSGARD
Chief Clerk of the House

Report adopted.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- 2007\2784 Blake Arrington, West Des Moines – For obtaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\2785 Earl and Wanda Lohr, Winterset – For celebrating their 50th wedding anniversary.
- 2007\2786 Charlotte Halvorsen, Dubuque – For being selected at the University of Iowa College of Nursing as one of Iowa's 100 Great Nurses.
- 2007\2787 Deb Mueller, Dubuque – For being selected at the University of Iowa College of Nursing as one of Iowa's 100 Great Nurses.
- 2007\2788 Connie Wessels, Dubuque – For being selected at the University of Iowa College of Nursing as one of Iowa's 100 Great Nurses.
- 2007\2789 Christian English, Dubuque – For winning the 2007 Chemistry Olympiad.
- 2007\2790 Rachel Scott, Dubuque – For receiving 2nd place in the 2007 Chemistry Olympiad.
- 2007\2791 Richard and Mary Lou Bradley, Dubuque – For celebrating their 50th wedding anniversary.

SUBCOMMITTEE ASSIGNMENT

Senate File 573

Human Resources: Smith, Chair; Heaton and T. Olson.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

House Study Bill 305

Ways and Means: Reasoner, Chair; Deyoe, Grassley, T. Olson and Wise.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON AGRICULTURE

Senate File 543, a bill for an act relating to the state interagency Missouri river authority, by providing for the participation in or withdrawal from interstate associations, providing for the appointment of a vice chairperson, and providing for duties of member agencies.

Fiscal Note is not required.

Recommended **Do Pass** April 5, 2007.

COMMITTEE ON COMMERCE

Senate File 346, a bill for an act providing for the development of a uniform health insurance application form for use by small employers.

Fiscal Note is not required.

Recommended **Do Pass** April 5, 2005.

Senate File 466, a bill for an act allowing certain associations to qualify as self-insurers for purposes of Iowa's motor vehicle financial responsibility laws.

Fiscal Note is not required.

Recommended **Do Pass** April 5, 2007.

Senate File 517, a bill for an act relating to the state building code by providing for training, administration, and enforcement of energy conservation requirements.

Fiscal Note is not required.

Recommended **Amend and Do Pass with Amendment H—1628** April 5, 2007.

Senate File 530, a bill for an act relating to prohibited business practices by a real estate broker or salesperson.

Fiscal Note is not required.

Recommended **Do Pass** April 5, 2007.

Senate File 544, a bill for an act relating to the development, management, and efficient use of energy resources in the state and including effective and retroactive applicability date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass with Amendment H—1624** April 5, 2007.

Senate File 559, a bill for an act relating to cemetery and funeral merchandise, funeral services, and cemeteries and providing fees and penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass with Amendment H—1627** April 5, 2007.

COMMITTEE ON JUDICIARY

Senate File 264, a bill for an act relating to grandparent and great-grandparent visitation.

Fiscal Note is not required.

Recommended **Amend and Do Pass with Amendment H—1631** April 5, 2007.

Senate file 340, a bill for an act relating to the consideration of inherited or gifted property in dissolution-of-marriage property division proceedings and including an effective date and an applicability provision.

Fiscal Note is not required.

Recommended **Amend and Do Pass with Amendment H—1633** April 5, 2007.

Senate File 546, a bill for an act relating to a hospital lien.

Fiscal Note is not required.

Recommended **Amend and Do Pass with Amendment H—1632** April 5, 2007.

COMMITTEE ON LABOR

Senate File 385, a bill for an act excluding unarmed combat fighting from boxing and wrestling regulation.

Fiscal Note is not required.

Recommended **Amend and Do Pass with Amendment H—1620** April 5, 2007.

Pursuant to Rule 31.7, **Senate File 385** was referred to the committee on ways and means.

Senate File 421, a bill for an act relating to workers' compensation laws by regulating insurance policy exclusions and debt collection practices.

Fiscal Note is not required.

Recommended **Amend and Do Pass with Amendment H—1621** April 5, 2007.

Senate File 488, a bill for an act concerning assessments for funding of municipal utility retirement systems.

Fiscal Note is not required.

Recommended **Do Pass** April 5, 2007.

COMMITTEE ON LOCAL GOVERNMENT

Senate File 208, a bill for an act relating to documents recorded with the county recorder.

Fiscal Note is not required.

Recommended **Do Pass** April 5, 2007.

COMMITTEE ON STATE GOVERNMENT

Senate File 446, a bill for an act relating to certain elections regarding city utilities or combined utility systems.

Fiscal Note is not required.

Recommended **Amend and Do Pass with Amendment H—1622** April 4, 2007.

Senate File 487, a bill for an act requiring the state fire marshal to assess the practice and impact of selling novelty lighters.

Fiscal Note is not required.

Recommended **Do Pass** April 4, 2007.

Senate File 510, a bill for an act concerning electrical and mechanical amusement devices and providing penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass with Amendment H—1623** April 4, 2007.

AMENDMENTS FILED

H—1620	S.F.	385	Committee on Labor
H—1621	S.F.	421	Committee on Labor
H—1622	S.F.	446	Committee on State Government
H—1623	S.F.	510	Committee on State Government

H—1624	S.F.	544	Committee on Commerce
H—1625	S.F.	540	Huser of Polk
			Upmeyer of Hancock
H—1626	S.F.	427	Rants of Woodbury
			Soderberg of Plymouth
			Grassley of Butler
			Watts of Dallas
			Huseman of Cherokee
			L. Miller of Scott
			Forristall of Pottawattamie
			Jacobs of Polk
			Sands of Louisa
			Drake of Pottawattamie
			Dolecheck of Ringgold
			S. Olson of Clinton
			Anderson of Page
H—1627	S.F.	559	Committee on Commerce
H—1628	S.F.	517	Committee on Commerce
H—1629	S.F.	155	Ford of Polk
H—1630	S.F.	406	Swaim of Davis
H—1631	S.F.	264	Committee on Judiciary
H—1632	S.F.	546	Committee on Judiciary
H—1633	S.F.	340	Committee on Judiciary
H—1634	S.F.	406	Baudler of Adair

On motion by Speaker pro temp Bukta the House adjourned at 3:23 p.m., until 9:00 a.m., Tuesday, April 10, 2007.

JOURNAL OF THE HOUSE

Ninety-third Calendar Day - Sixty-second Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, April 10, 2007

The House met pursuant to adjournment at 9:09 a.m., Speaker Murphy in the chair.

Prayer was offered by Reverend Walter Helms, pastor of St Thomas Moore Catholic Church, Iowa City. He was the guest of Representative Dave Jacoby of Johnson County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Abby Finkenauer, Speaker Murphy's Page.

The Journal of Monday, April 9, 2007 was approved.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 9, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 158, a bill for an act relating to a requirement that children receive a blood lead test by age six or prior to enrollment in an elementary school.

Also: That the Senate has on April 9, 2007, passed the following bill in which the concurrence of the Senate is asked:

House File 314, a bill for an act relating to a peace officer's statements to a person operating a noncommercial motor vehicle and holding a commercial driver's license who has been requested to submit to a chemical test in an operating-while-intoxicated case.

Also: That the Senate has on April 9, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 590, a bill for an act relating to the application and enforcement of the state building code and providing an applicability date.

Also: That the Senate has on April 9, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 787, a bill for an act appropriating federal funds made available from federal block grants and other federal grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated.

Also: That the Senate has on April 9, 2007, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 793, a bill for an act relating to administration of regional transportation by regional transit districts and of highways and regulation of motor vehicles by the state department of transportation, including provisions relating to the placement of advertising devices along primary highways, qualifications of property appraisers, state standards for land surveying, destruction of suspended or revoked driver's licenses, requirements for a temporary restricted driver's license, registration and titling of vehicles, special registration plates related to military service and allocation of fees, antique motor vehicle registration plates and fees, licensing of motor vehicle dealers, motor carrier registration and fuel tax liability, motor vehicle enforcement near construction areas, the maximum length limitation for single trucks, requirements for operation of certain self-propelled implements of husbandry on secondary roads, and disposition of regional transit district tax revenues collected by a county treasurer, and providing effective dates.

MICHAEL E. MARSHALL, Secretary

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Forristall of Pottawattamie on request of Roberts of Carroll; Winckler of Scott on request of McCarthy of Polk.

CONSIDERATION OF BILLS

Regular Calendar

Senate File 42, a bill for an act relating to campaign finance by revising the requirements for filing reports and for the use of certain resources for political purposes, with report of committee recommending passage, was taken up for consideration.

Wessel-Kroeschell of Story moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 42)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schueller	Shomshor	Smith
Soderberg	Staed	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wiencek
Windschitl	Wise	Worthan	Mr. Speaker Murphy

The nays were, none.

Absent or not voting, 4:

Forristall	Schickel	Winckler	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 41, a bill for an act relating to the disposition of unclaimed property concerning minerals, with report of committee recommending passage, was taken up for consideration.

Whitead of Woodbury moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 41)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foegen
Ford	Frevort	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schueller	Shomshor	Smith
Soderberg	Staed	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wiencek
Windschitl	Wise	Worthan	Mr. Speaker Murphy

The nays were, none.

Absent or not voting, 4:

Forristall	Schickel	Winckler	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 407, a bill for an act relating to the home ownership assistance program for Iowa residents who are eligible members of the armed forces of the United States, with report of committee recommending passage, was taken up for consideration.

Bukta of Clinton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 407)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schueller	Shomshor	Smith
Soderberg	Staed	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wiencek
Windschitl	Wise	Worthan	Mr. Speaker Murphy

The nays were, none.

Absent or not voting, 4:

Forristall	Schickel	Winckler	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 41, 42 and 407.**

Unfinished Business Calendar

House File 892, a bill for an act creating a film, television, and video project promotion program, providing tax credits and income

exclusions, and including effective and retroactive applicability dates, was taken up for consideration.

T. Olson of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 892)

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Huseman	Huser	Jacobs	Jacoby
Jochuin	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Oldson	Olson, D.
Olson, R.	Olson, S.	Olson, T.	Palmer
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rants	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schueller	Shomshor	Smith	Soderberg
Staed	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Wiencek	Windschitl
Wise	Worthan	Mr. Speaker	
		Murphy	

The nays were, 1:

Hunter

Absent or not voting, 4:

Forristall

Schickel

Winckler

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Regular Calendar

Senate File 137, a bill for an act providing for the registration of associate real estate appraisers, prohibiting improper influence over an appraiser's evaluation opinion, and imposing a penalty, with report of committee recommending passage, was taken up for consideration.

Shomshor of Pottawattamie moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 137)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schueller	Shomshor	Smith
Soderberg	Staed	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wiencek
Windschitl	Wise	Worthan	Mr. Speaker
			Murphy

The nays were, none.

Absent or not voting, 4:

Forristall	Schickel	Winckler	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 351, a bill for an act requiring a political committee expressly advocating the passage or defeat of a ballot issue to file five disclosure reports in an election year, with report of committee recommending passage, was taken up for consideration.

Lensing of Johnson moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 351)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foegel
Ford	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schueller	Shomshor	Smith
Soderberg	Staed	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wiencek
Windschitl	Wise	Worthan	Mr. Speaker Murphy

The nays were, none.

Absent or not voting, 4:

Forristall	Schickel	Winckler	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 311, a bill for an act relating to an action for satisfaction of a mortgage, with report of committee recommending passage, was taken up for consideration.

Lensing of Johnson moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 311)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schueller	Shomshor	Smith
Soderberg	Staed	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wiencsek
Windschitl	Wise	Worthan	Mr. Speaker Murphy

The nays were, none.

Absent or not voting, 4:

Forristall	Schickel	Winckler	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 270, a bill for an act relating to the military code by amending the powers of the adjutant general and by allowing the armory board to enter into design-build contracts for the construction of certain national guard facilities, with report of committee recommending passage, was taken up for consideration.

Jacoby of Johnson moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 270)

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schueller	Shomshor	Smith
Soderberg	Staed	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Wiencek	Windschitl
Wise	Worthan	Mr. Speaker	
		Murphy	

The nays were, none.

Absent or not voting, 5:

Forristall	Schickel	Struyk	Winckler
Zirkelbach			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House File 892** and **Senate Files 137, 270, 311 and 351.**

On motion by McCarthy of Polk, the House was recessed at 10:30 a.m., until 2:00 p.m.

AFTERNOON SESSION

The House reconvened at 2:16 p.m., Speaker Murphy in the chair.

INTRODUCTION OF BILL

House File 897, by committee on ways and means, a bill for an act establishing statewide licensure and certification of electricians and installers, providing for inspections, establishing fees, and providing penalties.

Read first time and placed on the **ways and means calendar.**

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 10, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 559, a bill for an act relating to the midwest interstate passenger rail compact and providing an effective date.

Also: That the Senate has on April 10, 2007, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 566, a bill for an act relating to the definition of a free clinic for the purposes of the volunteer health care provider program.

Also: That the Senate has on April 10, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 585, a bill for an act relating to the selection of board members by area agencies on aging.

Also: That the Senate has on April 10, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 765, a bill for an act relating to animal feeding operations, by providing for the enforcement of regulatory provisions.

Also: That the Senate has on April 10, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 774, a bill for an act relating to mechanics' liens.

Also: That the Senate has on April 10, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 826, a bill for an act establishing an Iowa Abraham Lincoln bicentennial commission and fund and providing for its prospective repeal.

Also: That the Senate has on April 10, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 846, a bill for an act providing for an Iowa farmers' market nutrition program.

MICHAEL E. MARSHALL, Secretary

CONSIDERATION OF BILLS Regular Calendar

Senate File 265, a bill for an act relating to asbestos removal and encapsulation regulations as enforced by the labor commissioner, with report of committee recommending amendment and passage, was taken up for consideration.

Staed of Linn offered the following amendment H-1553 filed by the committee on labor and moved its adoption:

H-1553

1 Amend Senate File 265, as passed by the Senate, as
2 follows:

3 1. Page 1, line 6, by inserting after the word

4 "site" the following: "and all activities".

5 2. Page 1, by striking line 10 and inserting the
6 following: "structure renovation, demolition, or
7 collapse."

8 3. Page 1, by striking line 21 and inserting the

- 9 following: "asbestos contractor."
 10 4. Page 1, by inserting after line 21 the
 11 following:
 12 "Sec. ____. NEW SECTION. 88B.2 JURISDICTION OF
 13 OTHER AGENCIES.
 14 This chapter shall not be construed to prevent the
 15 department of natural resources from implementing and
 16 enforcing the federal national emission standard for
 17 asbestos under 40 C.F.R. pt. 61, subpt. M, and other
 18 relevant provisions of environmental law."
 19 5. By renumbering as necessary.

The committee amendment H-1553 was adopted.

Staed of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 265)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schueller	Shomshor	Smith
Soderberg	Staed	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wiencek
Windschitl	Wise	Worthan	Mr. Speaker Murphy

The nays were, none.

Absent or not voting, 4:

Forristall Schickel Winckler Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 477, a bill for an act authorizing the issuance of additional special nonresident deer hunting licenses, with report of committee recommending passage, was taken up for consideration.

Tjepkes of Webster in the chair at 2:30 p.m.

Bell of Jasper moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 477)

The ayes were, 61:

Abdul-Samad	Anderson	Arnold	Bailey
Bell	Berry	Bukta	Cohoon
Dandekar	Davitt	Dolecheck	Foege
Ford	Frevert	Gaskill	Gayman
Gipp	Heaton	Heddens	Hoffman
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	May	Mertz	Miller, H.
Oldson	Olson, D.	Olson, T.	Palmer
Petersen	Pettengill	Quirk	Rasmussen
Rayhons	Reasoner	Reichert	Schueller
Shomshor	Smith	Staed	Swaim
Taylor, D.	Taylor, T.	Thomas	Tomenga
Wenthe	Wessel-Kroeschell	Whitead	Wise
Tjepkes, Presiding			

The nays were, 34:

Alons	Baudler	Boal	Chambers
Clute	De Boef	Deyoe	Drake
Granzow	Grassley	Greiner	Horbach
Kaufmann	McCarthy	Miller, L.	Olson, R.
Olson, S.	Paulsen	Raecker	Rants
Roberts	Sands	Soderberg	Struyk
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen

Watts
Windschitl

Wendt
Worthan

Whitaker

Wienczek

Absent or not voting, 5:

Forristall
Zirkelbach

Murphy, Spkr.

Schickel

Winckler

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 448, a bill for an act relating to confidential information regarding unemployment insurance benefits and providing penalties, with report of committee recommending passage, was taken up for consideration.

T. Taylor of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 448)

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foegen
Ford	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schueller	Shomshor	Smith
Soderberg	Staed	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Wienczek	Windschitl
Wise	Worthan	Tjepkes, Presiding	

The nays were, none.

Absent or not voting, 5:

Forristall	Murphy, Spkr.	Schickel	Winckler
Zirkelbach			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 155, a bill for an act relating to local governments by creating a local government innovation commission and fund, creating a center for governing excellence, and including an effective date, with report of committee recommending passage, was taken up for consideration.

Ford of Polk offered the following amendment H-1629 filed by him and moved its adoption:

H-1629

- 1 Amend Senate File 155, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 2, by inserting after line 23 the
- 4 following:
- 5 "d. To the extent feasible, in making the
- 6 appointments under paragraphs "a" through "c", the
- 7 persons authorized to appoint shall give consideration
- 8 to the appointment of minority persons to the
- 9 commission."
- 10 2. By renumbering as necessary.

Amendment H-1629 was adopted.

Kressig of Black Hawk moved that the bill be read a last time ^{now} and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 155)

The ayes were, 88:

Abdul-Samad	Alons	Anderson	Bailey
Baudler	Bell	Berry	Boal
Bukta	Chambers	Clute	Cohoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford

Frevert	Gaskill	Gayman	Gipp
Granzow	Grassley	Greiner	Heaton
Heddens	Hoffman	Horbach	Hunter
Huseman	Jacobs	Jacoby	Jochum
Kaufmann	Kelley	Kressig	Kuhn
Lensing	Lukan	Lykam	Mascher
May	McCarthy	Mertz	Miller, H.
Miller, L.	Oldson	Olson, D.	Olson, R.
Olson, S.	Olson, T.	Palmer	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rants	Rayhons	Reasoner	Reichert
Roberts	Schueller	Shomshor	Smith
Soderberg	Staed	Swaim	Taylor, D.
Taylor, T.	Thomas	Tomenga	Tymeson
Upmeyer	Van Fossen	Watts	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Wiencek	Wise	Worthan	Tjepkes, Presiding

The nays were, 7:

Arnold	Huser	Rasmussen	Sands
Struyk	Van Engelenhoven	Windschitl	

Absent or not voting, 5:

Forristall	Murphy, Spkr.	Schickel	Winckler
Zirkelbach			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 223 WITHDRAWN

Kressig of Black Hawk asked and received unanimous consent to withdraw House File 223 from further consideration by the House.

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 155, 265, 354, 448 and 477.**

Senate File 444, a bill for an act relating to councils of governments by designating a new council of governments area, with report of committee recommending passage, was taken up for consideration.

Gaskill of Wapello moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 444)

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schueller	Shomshor	Smith
Soderberg	Staed	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Wiencck	Windschitl
Wise	Worthan	Tjepkes, Presiding	

The nays were, none.

Absent or not voting, 5:

Forristall	Murphy, Spkr.	Schickel	Winckler
Zirkelbach			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 147 WITHDRAWN

Gaskill of Wapello asked and received unanimous consent to withdraw House File 147 from further consideration by the House.

Unfinished Business Calendar

House File 772, a bill for an act making changes to the time frames and the duties of the legislative services agency concerning the process of congressional and legislative redistricting, was taken up for consideration.

SENATE FILE 479 SUBSTITUTED FOR HOUSE FILE 772

Jochum of Dubuque asked and received unanimous consent to substitute Senate File 479 for House File 772.

Senate File 479, a bill for an act making changes to the time frames and the duties of the legislative services agency concerning the process of congressional and legislative redistricting, was taken up for consideration.

Jochum of Dubuque moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 479)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Murphy, Spkr.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Palmer	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schueller	Shomshor
Smith	Soderberg	Staed	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tomenga	Tymeson	Upmeyer	Van Engelenhoven

Van Fossen	Watts	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wiencek
Windschitl	Wise	Worthan	Tjepkes, Presiding

The nays were, none.

Absent or not voting, 4:

Forristall	Schickel	Winckler	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 772 WITHDRAWN

Jochum of Dubuque asked and received unanimous consent to withdraw House File 772 from further consideration by the House.

Regular Calendar

Senate File 205, a bill for an act relating to the use of moneys in the Iowa cultural trust grant account by the board of trustees of the Iowa cultural trust, with report of committee recommending passage, was taken up for consideration.

- H. Miller of Webster moved that the bill be read a last time ^{now} and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 205)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foegen
Ford	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Murphy, Spkr.

Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Palmer	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schueller	Shomshor
Smith	Soderberg	Staed	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wiencek
Windschitl	Wise	Worthan	Tjepkes, Presiding

The nays were, none.

Absent or not voting, 4:

Forristall	Schickel	Winckler	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 529, a bill for an act expanding the criminal offense of possessing contraband in correctional institutions to include possessing contraband in a secure facility for the detention or custody of juveniles, a detention facility, or a jail, and providing a penalty, with report of committee recommending passage, was taken up for consideration.

Hunter of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 529)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan

Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Murphy, Spkr.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Palmer	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schueller	Shomshor
Smith	Soderberg	Staed	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wienczek
Windschitl	Wise	Worthan	Tjepkes, Presiding

The nays were, none.

Absent or not voting, 4:

Forristall	Schickel	Winckler	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 205, 444, 479 and 529.**

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- 2007\2792 Margaret Alton-Herr, Iowa City – For celebrating her 90th birthday.
- 2007\2793 Bill Potter, Coralville – For celebrating his 80th birthday.
- 2007\2794 Gene and Carol Catus, Ames – For celebrating their 60th wedding anniversary.
- 2007\2795 Hazel I. Paglia, Albion – For celebrating her 84th birthday.
- 2007\2796 Oren E. Peterson, Marshalltown – For celebrating his 86th birthday.

- 2007\2797 Betty M. Warnell, Marshalltown – For celebrating her 84th birthday.
- 2007\2798 Faye E. Smith, Marshalltown – For celebrating her 78th birthday.
- 2007\2799 Frank Tichy, Marshalltown – For celebrating his 75th birthday.
- 2007\2800 Elva M. Weaver, Marshalltown – For celebrating her 77th birthday.
- 2007\2801 Marvin L. Zaiger, Marshalltown – For celebrating his 76th birthday.
- 2007\2802 Jim Vollink, Sheldon – For celebrating his 90th birthday.
- 2007\2803 Robert and Marlis Tesch, Everly – For celebrating their 50th wedding anniversary.
- 2007\2804 Genelle Assink, Kanawha – For celebrating her 80th birthday.
- 2007\2805 Josephine Ellefson, Clear Lake – For celebrating her 85th birthday.
- 2007\2806 Hans “Jim” Brood, Clear Lake – For celebrating his 80th birthday.
- 2007\2807 Jennie Arends, Kanawha – For celebrating her 90th birthday.
- 2007\2808 Ruth Wiele, Hampton – For celebrating her 90th birthday.
- 2007\2809 Mark and Sherry Schoneman, Clear Lake – For celebrating their 50th wedding anniversary.
- 2007\2810 David and Patricia Klinge, Clear Lake – For celebrating their 50th wedding anniversary.
- 2007\2811 Julia Daily, Park View – For celebrating her 85th birthday.
- 2007\2812 Janet Kluever, Eldridge – For celebrating her 80th birthday.
- 2007\2813 Glenn and Jane Underwood, Princeton – For celebrating their 50th wedding anniversary.
- 2007\2814 Melvin and Joanne Puck, Dixon – For celebrating their 50th wedding anniversary.
- 2007\2815 Lyle and Doris Ellis, DeWitt – For celebrating their 60th wedding anniversary.
- 2007\2816 Pearl Hullermann, Lamont – For celebrating her 80th birthday.
- 2007\2817 Betty Brown, Marshalltown – For celebrating her 89th birthday.
- 2007\2818 S. Kenneth Knudson, Marshalltown – For celebrating his 87th birthday.

- 2007\2819 Robert J. Merrill, Marshalltown – For celebrating his 83rd birthday.
- 2007\2820 Charlotte E. Shetler, Marshalltown – For celebrating her 84th birthday.
- 2007\2821 Marjorie F. Wengert, Marshalltown – For celebrating her 88th birthday.
- 2007\2822 Edward J. White, Marshalltown – For celebrating his 90th birthday.
- 2007\2823 Doris M. Connley, Marshalltown – For celebrating her 78th birthday.
- 2007\2824 Donna M. Gilbert, Marshalltown – For celebrating her 80th birthday.
- 2007\2825 Paul and Nellie Tomson, Wapello – For celebrating their 50th wedding anniversary.
- 2007\2826 Frances “Fran” Lowe, Winfield – For celebrating her 80th birthday.

SUBCOMMITTEE ASSIGNMENTS

House File 838

Ways and Means: Quirk, Chair; Jochum and Sands.

House File 842

Ways and Means: Huser, Chair; T. Olson and Struyk.

House File 850

Ways and Means: Jochum, Chair; Jacobs and Shomshor.

House File 873

Ways and Means: Frevert, Chair; Deyoe, Sands, Schueller and Shomshor.

House File 894

Appropriations: Foege, Chair; Heaton and Oldson.

Senate File 385

Ways and Means: Jochum, Chair; Van Fossen and Wendt.

Senate File 566

Ways and Means: Thomas, Chair; T. Olson and Van Fossen.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Senate File 563, a bill for an act relating to and making appropriations to the judicial branch.

Fiscal Note is not required.

Recommended **Do Pass** April 9, 2007.

COMMITTEE ON COMMERCE

Senate File 557, a bill for an act relating to the regulation of credit unions by revising and reorganizing the Iowa credit union Act, making conforming changes, and providing for taxes, fees, and penalties.

Fiscal Note is not required.

Recommended **Do Pass** April 5, 2007.

Pursuant to Rule 31.7, Senate file 557 was referred to the committee on ways and means.

COMMITTEE ON HUMAN RESOURCES

Senate File 514, a bill for an act requiring insurers offering certain individual or group health insurance contracts, policies, or plans to provide coverage for vaccinations for human papilloma virus and requesting an interim study committee on health benefit mandates.

Fiscal Note is not required.

Recommended **Amend and Do Pass with Amendment H—1635** April 5, 2007.

COMMITTEE ON JUDICIARY

Senate File 429, a bill for an act relating to conciliation proceedings in a dissolution of marriage case and domestic abuse.

Fiscal Note is not required.

Recommended **Do Pass** April 5, 2007.

Senate File 445, a bill for an act increasing punitive damages that may be awarded for wrongful retention of certain rental deposits.

Fiscal Note is not required.

Recommended **Do Pass** April 5, 2007.

Senate File 534, a bill for an act relating to civil protective orders and criminal no-contact orders.

Fiscal Note is not required.

Recommended **Do Pass** April 5, 2007.

Senate File 538, a bill for an act relating to a parent's cause of action for the recovery of expenses and actual loss of services, companionship, and society resulting from the injury to or death of a child and including an applicability date provision.

Fiscal Note is not required.

Recommended **Do Pass** April 5, 2007.

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly House File 75), relating to the sales and use taxes on the operation of bingo games.

Fiscal Note is required.

Recommended **Amend and Do pass** April 10, 2007.

RESOLUTION FILED

HR 41, by Berry, Abdul-Samad, Ford, T. Olson, Lensing, Cohoon, Wendt, Kelley, H. Miller, Kressig, Gayman and Jacoby, a resolution recognizing the Ongoing Covenant With Black Iowa Initiative for its role in improving the life and the future of Black Iowans.

Laid over under **Rule 25**.

AMENDMENTS FILED

H—1635	S.F.	514	Committee on Human Resources
H—1636	H.F.	793	Senate Amendment
H—1637	S.F.	530	Wise of Lee
			Kressig of Black Hawk
H—1638	S.F.	381	Kaufmann of Cedar
			Schueller of Jackson
H—1639	S.F.	503	Swaim of Davis
H—1640	S.F.	341	R. Olson of Polk

H—1641	S.F.	341	R. Olson of Polk
H—1642	S.F.	341	R. Olson of Polk
H—1643	S.F.	373	R. Olson of Polk
H—1644	S.F.	485	Alons of Sioux Watts of Dallas Mertz of Kossuth
H—1645	S.F.	485	Alons of Sioux Watts of Dallas Mertz of Kossuth
H—1646	S.F.	485	Alons of Sioux Mertz of Kossuth
H—1647	S.F.	264	Heaton of Henry
H—1648	S.F.	341	Horbach of Tama
H—1649	H.F.	566	Senate Amendment
H—1650	S.F.	414	D. Taylor of Linn
H—1651	S.F.	514	Upmeyer of Hancock
H—1652	S.F.	430	Anderson of Page
H—1653	S.F.	430	Anderson of Page
H—1654	S.F.	430	Anderson of Page
H—1655	S.F.	430	Anderson of Page
H—1656	H.F.	881	Thomas of Clayton
H—1657	H.F.	368	T. Taylor of Linn
H—1658	H.F.	893	Raecker of Polk
H—1659	S.F.	381	Granzow of Hardin Tomenga of Polk
H—1660	S.F.	559	Paulsen of Linn
H—1661	S.F.	485	Alons of Sioux Watts of Dallas Mertz of Kossuth
H—1662	H.F.	798	Boal of Polk
H—1663	S.F.	485	Alons of Sioux Watts of Dallas Mertz of Kossuth
H—1664	S.F.	485	Alons of Sioux Watts of Dallas Mertz of Kossuth

On motion by McCarthy of Polk the House adjourned at 3:25 p.m., until 9:00 a.m., Wednesday, April 11, 2007.

State of Iowa

2007

JOURNAL OF THE HOUSE

2007 REGULAR SESSION EIGHTY-SECOND GENERAL ASSEMBLY

Convened January 8, 2007

Adjourned April 28, 2007

Volume II

April 11, 2007—April 28, 2007

CHESTER J. CULVER, Governor
PATRICK MURPHY, Speaker of the House
JOHN P. KIBBIE, President of the Senate

Published by the

STATE OF IOWA

Des Moines

JOURNAL OF THE HOUSE

Ninety-fourth Calendar Day - Sixty-third Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, April 11, 2007

The House met pursuant to adjournment at 9:14 a.m., Speaker Murphy in the chair.

Prayer was offered by Chaplain Marilyn Rensink, wife of the Honorable Wilmer Rensink, former state senator from State Center.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Allison Hansen, House Journal Page from Story City.

The Journal of Tuesday, April 10, 2007 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Schickel of Cerro Gordo on request of Rants of Woodbury; Quirk of Chickasaw, until his arrival, on request of Dandekar of Linn.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 10, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 353, a bill for an act relating to public safety communications by establishing an Iowa statewide interoperable communications system board.

Also: That the Senate has on April 10, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 413, a bill for an act relating to electronic filing of campaign finance organizational statements, dissolution reports, and disclosure reports by candidates for statewide office or for the general assembly, establishing a filing deadline for all statements and reports, providing a penalty, and providing applicability dates.

Also: That the Senate has on April 10, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 528, a bill for an act relating to the regulation of hospitals and health care facilities by the department of inspections and appeals, including investigations of complaints against health care facilities and rules relating to authentication of certain orders by practitioners, and providing an immediate effective date.

Also: That the Senate has on April 10, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 611, a bill for an act relating to human growth and development and health education under the educational standards, requiring school districts to provide curricular information to agencies and organizations upon request, and providing related duties for the director of the department of education.

Also: That the Senate has on April 11, 2007, adopted the following resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 9, a concurrent resolution relating to Pioneer Lawmakers.

MICHAEL E. MARSHALL, Secretary

ADOPTION OF HOUSE RESOLUTION 22

Winckler of Scott called up for consideration **House Resolution 22**, a resolution designating March 2007 as Iowa Women's History Month, and moved its adoption.

The motion prevailed and the resolution was adopted.

SPECIAL PRESENTATION

Write Women Back Into History Essay Contest Winners

In celebration of "March Women's History Month" the Iowa Commission on the Status of Women, the Iowa Department of Education and the State Historical Society of Iowa sponsored a "Write Women Back Into History" essay contest. Winkler of Scott presented the following winners of the contest.

Sixth and Seventh Grade Category

First Place — Kaylyn Barrett, Taft Middle School, Cedar Rapids.

Second Place — Laurel Fraser, Urbandale Middle School, Urbandale.
Third Place — Matthew Lee, Prairie Middle School, Cedar Rapids.

Eighth and Ninth Grade Category

First Place — Erica Christensen, Thomas Jefferson High School,
Council Bluffs.
Second Place — Emily Raecker, Urbandale Middle School,
Urbandale.
Third Place — Bobi Jo Rockwell, Glenwood Middle School, Glenwood.

Best Essays on Women in Science and Engineering Six and Seventh Grade Category

First Place — Tylor Soeken, Prairie Middle School, Cedar Rapids.

Eighth and Ninth Grade Category

First Place — Kaylene Carlson, Thomas Jeffereson High School,
Council Bluffs.
Second Place — Katie Jobes, Ames Middle School, Ames.

ADOPTION OF HOUSE RESOLUTION 40

Winckler of Scott called up for consideration **House Resolution 40**, a resolution to recognize and honor Charlotte Nelson upon her retirement as the executive director of the Iowa Commission on the Status of Women after 22 years of service, and moved its adoption.

The motion prevailed and the resolution was adopted.

CONSIDERATION OF BILLS Regular Calendar

Senate File 360, a bill for an act relating to the regulatory duties of the division of banking of the department of commerce regarding banking, debt management, mortgage banking, industrial loan companies, and professional licensing, with report of committee recommending amendment and passage, was taken up for consideration.

Jacoby of Johnson offered the following amendment H-1538 filed by the committee on commerce and moved its adoption:

H-1538

- 1 Amend Senate File 360, as passed by the Senate, as
- 2 follows:
- 3 1. Page 1, by striking lines 1 through 13.
- 4 2. By renumbering as necessary.

The committee amendment H-1538 was adopted.

Jacoby of Johnson moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 360)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Bell	Berry	Boal
Bukta	Chambers	Clute	Cohoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill
Raecker	Rants	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schueller	Shomshor	Smith	Soderberg
Staed	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Wiencek	Winckler
Windschitl	Wise	Worthan	Mr. Speaker
			Murphy

The nays were, none.

Absent or not voting, 4:

Baudler Quirk Schickel Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Unfinished Business Calendar

House File 744, a bill for an act relating to a debtor's exempt personal injury payments in state court debt collection and federal bankruptcy actions, was taken up for consideration.

R. Olson of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 744)

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Bell	Berry	Boal
Bukta	Chambers	Clute	Cohoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill
Raecker	Rants	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schueller	Shomshor	Smith	Soderberg
Staed	Struyk	Swaim	Taylor, D.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wiencek	Winckler	Windschitl
Wise	Worthan	Mr. Speaker	
		Murphy	

The nays were, none.

Absent or not voting, 5:

Baudler
Zirkelbach

Quirk

Schickel

Taylor, T.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Regular Calendar

Senate File 502, a bill for an act relating to the regulation of savings and loan associations by the division of banking of the department of commerce, with report of committee recommending passage, was taken up for consideration.

Jacoby of Johnson moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 502)

The ayes were, 92:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Bell	Berry	Boal
Bukta	Chambers	Cohoon	Dandekar
Davitt	De Boef	Deyoe	Dolecheck
Drake	Foege	Ford	Forristall
Frevert	Gaskill	Gayman	Gipp
Granzow	Grassley	Greiner	Heaton
Heddens	Hoffman	Horbach	Hunter
Huseman	Huser	Jacoby	Jochum
Kaufmann	Kelley	Kressig	Kuhn
Lensing	Lukan	Lykam	Mascher
May	McCarthy	Mertz	Miller, H.
Miller, L.	Oldson	Olson, D.	Olson, R.
Olson, S.	Olson, T.	Palmer	Paulsen
Petersen	Pettengill	Raecker	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schueller	Shomshor
Smith	Soderberg	Staed	Struyk
Swaim	Taylor, D.	Thomas	Tjepkes
Tomenga	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Whited	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Wiencsek	Winckler
Windschitl	Wise	Worthan	Mr. Speaker
			Murphy

The nays were, none.

Absent or not voting, 8:

Baudler	Clute	Jacobs	Quirk
Schickel	Taylor, T.	Tymeson	Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House File 744** and **Senate Files 360** and **502**.

The House stood at ease at 9:50 a.m., until the fall of the gavel.

The House resumed session at 12:09 p.m., Speaker Murphy in the chair.

INTRODUCTION OF BILL

House File 898, by committee on ways and means, a bill for an act relating to the sales and use taxes on the operation of bingo games.

Read first time and placed on the **ways and means calendar**.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Dandekar of Linn on request of McCarthy of Polk; Horbach of Tama on request of Roberts of Carroll.

On motion by McCarthy of Polk, the House was recessed at 12:10 p.m., until 1:00 p.m.

The House resumed session at 1:17 p.m., Speaker pro tempore Bukta in the chair.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed seventy-two members present, twenty-eight absent.

CONSIDERATION OF BILLS Unfinished Business Calendar

House File 865, a bill for an act relating to trusts and estates including fiduciaries and beneficiaries and including applicability provisions, was taken up for consideration.

Huser of Polk offered the following amendment H-1441 filed by her and moved its adoption:

H-1441

- 1 Amend House File 865 as follows:
- 2 1. Page 14, line 3, by striking the figure
- 3 "635.11,".
- 4 2. Page 14, line 29, by striking the word "July"
- 5 and inserting the following: "September".
- 6 3. Page 14, line 30, by striking the figure "1"
- 7 and inserting the following: "30".
- 8 4. Page 14, line 32, by striking the figure
- 9 "635.11,".
- 10 5. By renumbering as necessary.

Amendment H-1441 was adopted.

Upmeyer of Hancock asked and received unanimous consent to withdraw amendment H-1547 filed by her on April 2, 2007.

SENATE FILE 540 SUBSTITUTED FOR HOUSE FILE 865

Huser of Polk asked and received unanimous consent to substitute Senate File 540 for House File 865.

Senate File 540, a bill for an act relating to trusts and estates including fiduciaries and beneficiaries and including applicability provisions, was taken up for consideration.

Huser of Polk asked and received unanimous consent to withdraw amendment H-1614 filed by her on April 5, 2007.

Huser of Polk offered the following amendment H-1625 filed by her and Upmeyer of Hancock and moved its adoption:

H-1625

1 Amend Senate File 540, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 7, by inserting after line 20 the
4 following:

5 "Sec. ____ Section 633.231, Code 2007, is amended
6 to read as follows:

7 633.231 NOTICE IN INTESTATE ESTATES – MEDICAL
8 ASSISTANCE CLAIMS.

9 Upon opening administration of an intestate estate,
10 the administrator ~~may~~ shall, in accordance with
11 section 633.410, provide by ordinary mail to the
12 entity designated by the department of human services,
13 a notice of opening administration of the estate and
14 of the appointment of the administrator, which shall
15 include a notice to file claims with the clerk within
16 the later to occur of ~~fifteen~~ four months from the
17 second publication of the notice to creditors or ~~two~~
18 six months from the date of mailing of this notice, or
19 thereafter be forever barred.

20 The notice shall be in substantially the following
21 form:

22 NOTICE OF OPENING ADMINISTRATION OF ESTATE, OF
23 APPOINTMENT OF ADMINISTRATOR, AND NOTICE TO CREDITOR

24 In the District Court of Iowa

25 In and for County.

26 In the Estate of, Deceased

27 Probate No.

28 To the Department of Human Services Who May Be
29 Interested in the Estate of, Deceased, who died
30 on or about (date):

31 You are hereby notified that on the ... day of ...
32 (month), ... (year), an intestate estate was opened in
33 the above-named court and that was appointed
34 administrator of the estate.

35 You are further notified that the birthdate of the
36 deceased is and the deceased's social security
37 number is The name of the spouse is
38 The birthdate of the spouse is and the
39 spouse's social security number is, and
40 that the spouse of the deceased is alive as of the
41 date of this notice, or deceased as of (date).

42 You are further notified that the deceased was/was

43 not a disabled or a blind child of the medical
 44 assistance recipient by the name of, who had
 45 a birthdate of and a social security number of
 46 and the medical assistance debt of that
 47 medical assistance recipient was waived pursuant to
 48 section 249A.5, subsection 2, paragraph "a",
 49 subparagraph (1), and is now collectible from this
 50 estate pursuant to section 249A.5, subsection 2,

Page 2

1 paragraph "b".
 2 Notice is hereby given that if the department of
 3 human services has a claim against the estate for the
 4 deceased person or persons named in this notice, the
 5 claim shall be filed with the clerk of the above-named
 6 district court, as provided by law, duly
 7 authenticated, for allowance, and unless so filed by
 8 the later to occur of ~~fifteen~~ four months from the
 9 second publication of the notice to creditors or ~~two~~
 10 six months from the date of the mailing of this
 11 notice, unless otherwise allowed or paid, the claim is
 12 thereafter forever barred.

13 Dated this ... day of (month), ... (year)

14
 15 Administrator of estate
 16
 17 Address

18
 19 Attorney for administrator

20
 21 Address
 22 Date of second publication
 23 ... day of (month), ... (year)".

24 2. Page 7, by inserting after line 33 the
 25 following:

26 "Sec. ____ Section 633.304A, Code 2007, is amended
 27 to read as follows:

28 633.304A NOTICE OF PROBATE OF WILL – MEDICAL
 29 ASSISTANCE CLAIMS.

30 On admission of a will to probate, the executor ~~may~~
 31 shall, in accordance with section 633.410, provide by
 32 ordinary mail to the entity designated by the
 33 department of human services, a notice of admission of
 34 the will to probate and of the appointment of the
 35 executor, which shall include a notice to file claims
 36 with the clerk within the later to occur of ~~fifteen~~
 37 four months from the second publication of the notice
 38 to creditors or ~~two~~ six months from the date of
 39 mailing of this notice, or thereafter be forever
 40 barred.

41 The notice shall be in substantially the following

42 form:

43 NOTICE OF PROBATE OF WILL, OF APPOINTMENT OF EXECUTOR,
44 AND NOTICE TO CREDITORS

45 In the District Court of Iowa

46 In and for County.

47 In the Estate of, Deceased

48 Probate No.

49 To the Department of Human Services, Who May Be

50 Interested in the Estate of, Deceased, who died

Page 3

1 on or about (date):

2 You are hereby notified that on the .. day of

3 (month), .. (year), the last will and testament of

4, deceased, bearing date of the .. day of

5 (month), .. (year), was admitted to probate in the

6 above-named court and that was appointed

7 executor of the estate.

8 You are further notified that the birthdate of the

9 deceased is and the deceased's social security

10 number is The name of the spouse is

11 The birthdate of the spouse is and

12 the spouse's social security number is

13 and that the spouse of the deceased is alive as of the

14 date of this notice, or deceased as of (date).

15 You are further notified that the deceased was/was

16 not a disabled or a blind child of the medical

17 assistance recipient by the name of, who had a

18 birthdate of and a social security number of

19, and the medical assistance debt of that

20 medical assistance recipient was waived pursuant to

21 section 249A.5, subsection 2, paragraph "a",

22 subparagraph (1), and is now collectible from this

23 estate pursuant to section 249A.5, subsection 2,

24 paragraph "b".

25 Notice is hereby given that if the department of

26 human services has a claim against the estate for the

27 deceased person or persons named in this notice, the

28 claim shall be filed with the clerk of the above-named

29 district court, as provided by law, duly

30 authenticated, for allowance, and unless so filed by

31 the later to occur of ~~fifteen~~ four months from the

32 second publication of the notice to creditors or ~~two~~

33 six months from the date of mailing of this notice,

34 unless otherwise allowed or paid, the claim is

35 thereafter forever barred.

36 Dated this .. day of (month), .. (year)

37

38 Executor of estate

39

40 Address

- 41
- 42 Attorney for executor
- 43
- 44 Address
- 45 Date of second publication
- 46 .. day of (month), .. (year)
- 47 Sec. Section 633.410, subsection 2, Code
- 48 2007, is amended to read as follows:
- 49 2. Notwithstanding subsection 1, claims for debts
- 50 created under section 249A.5, subsection 2, relating

Page 4

- 1 to the recovery of medical assistance payments shall
- 2 be barred under this section unless filed with the
- 3 clerk within the later to occur of ~~fifteen~~ four month
- 4 after the date of the second publication of the notice
- 5 to creditors, or ~~two~~ six months after service of
- 6 notice by ordinary mail, on the form prescribed in
- 7 section 633.231 for intestate estates or on the form
- 8 prescribed in section 633.304A for testate estates, to
- 9 the entity designated by the department of human
- 10 services to receive notice."
- 11 3. By renumbering as necessary.

Amendment H-1625 was adopted, placing out of order amendment H-1562 filed by Upmeyer of Hancock on April 3, 2007.

Huser of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 540)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Chambers	Clute	Cohoon
Davitt	De Boef	Deyoe	Dolecheck
Drake	Foege	Ford	Forristall
Frevrt	Gaskill	Gayman	Gipp
Granzow	Grassley	Greiner	Heaton
Heddens	Hoffman	Hunter	Huseman
Huser	Jacobs	Jacoby	Jochum
Kaufmann	Kelley	Kressig	Kuhn
Lensing	Lukan	Lykam	Mascher
May	McCarthy	Mertz	Miller, H.
Miller, L.	Murphy, Spkr.	Oldson	Olson, D.

Olson, R.	Olson, S.	Olson, T.	Palmer
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rants	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schueller	Shomshor	Smith	Soderberg
Staed	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Wiencsek	Winckler
Windschitl	Wise	Worthan	Bukta, Presiding

The nays were, none.

Absent or not voting, 4:

Dandekar Horbach Schickel Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Regular Calendar

Senate File 406, a bill for an act relating to dogs, including the right to kill a tagged dog and the liability of a dog's owner for damages caused by the dog, with report of committee recommending passage, was taken up for consideration.

Swaim of Davis offered amendment H-1619 filed by him as follows:

H-1619

- 1 Amend Senate File 406, as passed by the Senate, as
- 2 follows:
- 3 1. Page 1, by striking lines 11 through 21.
- 4 2. Title page, line 1, by striking the words
- 5 "tagged dog" and inserting the following: "tagged
- 6 dog."
- 7 3. Title page, by striking lines 2 and 3.
- 8 4. By renumbering as necessary.

Swaim of Davis offered the following amendment H-1630, to amendment H-1619, and moved its adoption:

H-1630

- 1 Amend the amendment, H-1619, to Senate File 406, as
- 2 passed by the Senate, as follows:
- 3 1. Page 1, line 3, by striking the figure "11"
- 4 and inserting the following: "9".
- 5 2. By renumbering as necessary.

Amendment H-1630 was adopted.

McCarthy of Polk asked and received unanimous consent that Senate File 406 be deferred and that the bill retain its place on the calendar. (Amendment H-1619, as amended, pending.)

COMMITTEE TO NOTIFY THE SENATE

Cohoon of Des Moines moved that a committee of three be appointed to notify the Senate that the House was ready to receive it in joint convention.

The motion prevailed and the Speaker appointed as such committee, Cohoon of Des Moines, Wise of Lee and May of Dickinson.

Cohoon of Des Moines, chair of the committee appointed to notify the Senate that the House was ready to receive it in joint convention, reported the committee had performed its duty. The report was received and the committee discharged.

The Sergeant-at-Arms announced the arrival of the President of the Senate, the Secretary of the Senate and the honorable body of the Senate.

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

JOINT CONVENTION PIONEER LAWMAKERS FIFTY-NINTH BIENNIAL SESSION

In accordance with House Concurrent Resolution 9, duly adopted, the joint convention was called to order at 2:02 p.m., President Kibbie presiding.

President Kibbie announced a quorum present and the joint convention duly organized.

Courtney of Des Moines moved that a committee of eight be appointed to escort the Pioneer Lawmakers into the House chamber.

The motion prevailed and the President appointed as such committee Connolly of Dubuque, Courtney of Des Moines, Boettger of Shelby and Putney of Tama, on the part of the Senate, and Lensing of Johnson, Mertz of Kossuth, Sands of Louisa and Boal of Polk, on the part of the House.

The committee escorted the Pioneer Lawmakers into the House chamber.

President Kibbie presented Senator pro tempore Jeff Danielson, who welcomed the Pioneer Lawmakers on behalf of the Senate.

President Kibbie presented Representative Polly Bukta, Speaker pro tempore of the House, who welcomed the Pioneer Lawmakers on behalf of the House.

President Kibbie presented the Honorable Senator Mike Connolly of Dubuque member of the Senate who responded to the welcome.

Senator Mike Connolly introduced Mike Glover, Senior Correspondent of the Associated Press.

Thank you for that kind introduction—a rare moment of kindness between my profession and yours. Actually, it's not really all that rare, but more about that later.

I hope you will pardon me if I struggle a bit with this sort of role reversal. The concept of my speaking to the Iowa Legislature, and not the Iowa Legislature speaking to me and my colleagues, is enough to bring a journalist painfully close to hyperventilation. Like many of you, I come from an earlier generation where the rules were a bit clearer and things were a bit more black and white. I didn't do what you did and you didn't do what I did. Things are a bit more gray these days.

I'm often reminded by the character played by Holly Hunter in the movie "Broadcast News" when she accuses her romantic interest of violating ethical standards with the classic charge, "You crossed the line." To that charge he replies, "How do you know? They keep moving the sucker."

For the generations most of us come from it was simpler. But this isn't about me, this is about you and this institution which you have served and I have witnessed for more than a quarter of a century.

There's a lot of talk in these halls about how things have changed—how money and other factors have changed the character of this institution. There is, or course, some basis for those dire predictions, but let's not rush too far and let's think about some things which have not changed.

I bring to this discussion, after all, an outsider's view. Contrary to what has come to be the conventional wisdom, I was not installed in the press room during the run-up to the Civil War—it just seems that way.

As many of you know, I am a native of Illinois where the practice of politics is a much different creature. For instance, in that fair state we never hear the returns from Cook County until all the returns from downstate are complete. That's because Mayor Daley can't report returns until he knows what number he needs—and then he can go find it. We once had a secretary of state named Paul Powell who pushed through the legislature a minor measure changing the way you made out checks for license plates to include the name of the secretary of state. When he died they found scores of shoe boxes buried at this house stuffed with checks, and to this day no one knows how many he cashed.

With that background, we turn to Iowa. Is money changing the way business is conducted in this building? Without a doubt. But I would argue there is much more to the story. Politicians are, indeed, forced to spend more time raising and spending money, but most people I know in this room spend even more time dealing with the very real people they represent.

There's always considerable tension between your profession and mind on openness, and we won't relax on that front. I am often struck, however, how open this process is. I was walking through the halls just this week and passed by two lawmakers from opposite parties haggling over a bill and cutting the deal in a public hallway. To save their reputations, I won't name them.

And this can be one of the most partisan places in this very partisan environment. It isn't hard to get Republicans and Democrats shouting at each other. In fact it happens at a drop of a hat. What has struck me since the first day I walked into this place, however, is that the overwhelming bulk of the work done in this building happens because those exchanges take place. It doesn't make headlines because headlines are all about conflict.

Folks in this room are lucky to be part of that process, and there's another piece of luck you should ponder. We have lived in a state that has experienced one of the most remarkable political stretches in American political history. Since the 1970s, Iowa has lived at the center of the nation's political drama, and that's colored your political life and my professional career. The state, and I believe the nation's politics, are better for it.

Having said all that, the path has not always been smooth. There have been times when by all accounts things didn't go so well here. I'm fond of telling friends that I've seen more sunrises from this building than from any other spot in America.

I'd hate to try to count the number of shouting matches I've had with people, probably in almost every room of this very large building. Conflict is inevitable between my profession and yours, and it is equally inevitable within yours.

But the years sure have brought a whole bunch of memories, and I think it's important every now and then to stop and take stock of those memories. Those of us who don't learn from history are doomed to repeat it. I guess that means we'll all try again and maybe, just maybe, this time we'll get it, if not right, at least a little better.

Enjoy your time.

Thank you.

The Honorable Mike Connolly announced the 1987 class of legislators who were eligible to become members of the Pioneer Lawmakers.

Honorary members of the 2007 class were the following:

Judy Dierenfeld, Chuck Gifford, Joe O'Hern, Virginia Petersen, Diane Reid, Jan Reinicke, Don Rowen and David Yepsen.

McCarthy of Polk moved that the joint convention be dissolved at 2:33 p.m.

The House resumed session at 3:08 p.m., Speaker Murphy in the chair.

SPECIAL PRESENTATION

The Speaker announced the following Pioneer Lawmakers qualified to receive the traditional "chair" given in honor of their 20 years of service to the House:

The Honorable Phil Wise, state representative from Lee County.

The Honorable Dennis Cohoon, state representative from Des Moines County.

The Honorable Don Shoultz, former state representative from Black Hawk County.

The House rose and expressed its appreciation.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 10, 2007, he approved and transmitted to the Secretary of State the following bills:

House File 591, an Act providing procedures to increase the number of city council members in certain cities.

House File 740, an Act regulating the administration of drugs to wildlife under the jurisdiction of the Department of Natural Resources and providing a penalty.

House File 790, an Act allowing certain association group health care plans and wellness initiatives, and providing an effective date.

House File 803, an Act relating to civil service for deputy county sheriffs by allowing a county to appeal certain decisions of the civil service commission.

House File 848, an Act relating to the conduct of elections and voter registration and including effective and applicability date provisions.

Senate File 110, an Act relating to the standardized training and state certification of reserve peace officers.

Senate File 129, an Act relating to the racing and gaming commission by modifying provisions regulating horses involved in horse racing and providing an effective date.

Senate File 169, an Act providing for county eligibility for state payment of certain mental health, mental retardation, and developmental disabilities services funding and providing an effective and retroactive applicability dates.

Senate File 284, an Act concerning employees subject to unannounced drug or alcohol testing.

Senate File 358, an Act establishing preclicensing and continuing education requirements for used motor vehicle dealers.

Senate File 400, an Act relating to mortgage release certificates issued by the Iowa finance authority.

Senate File 405, an Act relating to national pollutant discharge elimination system permits for disposal systems.

Senate File 431, an Act relating to programs, funds, authority, and duties of the Iowa finance authority.

GOVERNOR'S VETO MESSAGE

A copy of the following was received and placed on file:

April 11, 2007

The Honorable John P. Kibbie
President of the Senate
State Capitol
L O C A L

Dear President Kibbie:

"Our liberties we prize and our rights we will maintain." This concise summary of our most basic and traditional values, set forth in our state's motto, is inscribed on the Great Seal of the State of Iowa, pursuant to The Act of the First General Assembly of the State of Iowa, approved February 25, 1847. The motto is also inscribed on our state flag, a banner that greets legislators, visitors and our citizens every day as they enter into and exit from our Capitol.

Because I am convinced that Senate File 139, an Act related to a criminal defendant filing an application for postconviction relief, is contrary to these values, I hereby disapprove and transmit to you that bill, without my signature, in accordance with Article III, Section 16, of the Constitution of the State of Iowa.

I have not taken this step—the first veto of my first term as Governor of this great state—lightly. I do so respectfully and with the full knowledge that this law was proposed by our distinguished Attorney General, supported by the County Attorneys Association and received the unanimous vote of every House and Senate member present. However, I am firmly of the conviction that this Act, if allowed to become a part of the laws of our state, would erode some of those fundamental liberties that we prize and the rights that all of us, as public servants, have pledged to maintain.

Further, this Administration is appreciative of the public service rendered by the Attorney General, Assistant Attorneys General and the County Attorneys of Iowa, all of whom assume the difficult task of prosecuting crimes in this state using limited resources. I understand that the goal of Senate File 139 was to reduce frivolous lawsuits and thereby minimize the wasting of judicial resources, a goal that this Administration shares.

However, as public servants, we must be careful when seeking to obtain these particular aims that we do not inadvertently diminish citizens' rights. I am convinced that if codified, Senate File 139 would erode and diminish one of our most cherished legal rights: the right to challenge the legal basis for incarcerating citizens. Senate File 139 removes from Iowa Code chapter 822 the ability of a person convicted of a simple misdemeanor to later challenge that conviction using postconviction relief remedies historically allowed to all persons convicted for any criminal offense.

In addition, history teaches us it is not a good practice to tamper with our constitutional and legal rights. The constitutions of the United States and Iowa guarantee that the *writ of habeas corpus* will not be suspended, except in cases of rebellion or invasion. Sometimes known as "the Great Writ," this common law precept

allows a detained person to be brought before a court at a stated time and place to decide the legality of his or her detention or imprisonment.

More than thirty years ago, in 1970, Iowa lawmakers codified the common law *writ of habeas corpus* under the Uniform Postconviction Procedure Act by establishing a separate postconviction relief procedure for individuals who have been convicted of or sentenced for any public offense. That Act, currently found at Iowa Code chapter 822, has permitted "[a]ny person who has been convicted of, or sentenced for, a public offense" to seek postconviction relief since its enactment. Under chapter 822, the state's power to incarcerate a citizen can be stopped if the conviction or sentence was for any reason unlawful or unconstitutional or if newly discovered evidence requires the vacation of the conviction or sentence in the interest of justice.

Senate File 139, if enacted, would eliminate the availability of postconviction relief for all simple misdemeanor convictions. Although the lowest level offense in our criminal code, a simple misdemeanor prosecution brings with it the potential for injustice and unforeseen collateral consequences—the very situation that postconviction relief procedures have been created to remedy.

The need to assure fair and just criminal prosecution outcomes on even the most minor offenses is no less important now than it was in 1970, when the General Assembly enacted chapter 822. Many citizens, particularly young adults, plead guilty to simple misdemeanor offenses without consulting an attorney or having a firm grounding in legal process. Sometimes those persons learn of adverse collateral consequences later, when they are denied the opportunity to obtain a professional license or other employment due to the uncounseled guilty plea. Such scenarios are likely to occur more frequently, not less often, in a future characterized by electronic criminal records databases that are accessible to potential employers at little cost. These employers may be deterred from hiring an otherwise qualified candidate when confronted by wrongful simple misdemeanor convictions that cannot be corrected under our postconviction relief statute. A simple misdemeanor also can result in deportation, or a permanent ban on a citizen's ability to possess firearms. Given that such drastic consequences can follow from a simple misdemeanor conviction, those who govern must be certain that convictions that may have been imposed in error are allowed formal legal challenge.

For example, a citizen charged with a simple misdemeanor offense may have the unfortunate experience of being represented by incompetent legal counsel, resulting in an unjust conviction. In 2004, the General Assembly recognized that direct appeals were not a good place to raise complaints of ineffective assistance of counsel. For that reason, Iowa Code section 814.7 now permits a party to raise a claim of ineffective assistance of counsel during postconviction relief proceedings without having raised the matter first on direct appeal. Senate File 139 would deny this important right to those wrongfully convicted of simple misdemeanors.

Even if represented by competent legal counsel, there may be instances in which a magistrate judge—the venue where most simple misdemeanor cases are tried—commits legal error. Indeed, in our state formal legal training is not required for a person to preside in magistrate court.

The Culver-Judge Administration is committed to the prosecution and punishment of those who convict crimes. Similarly, the frivolous use of our judicial system will not

be tolerated. Just as important, however, is the commitment to assure that people have recourse to all traditional procedures and remedies when, for whatever reason, they have been wrongfully convicted and sentenced.

Because Senate File 139 diminishes the liberties and rights that we, as office holders, both prize and feel duty-bound to maintain, I hereby respectfully disapprove Senate File 139.

Sincerely,
Chester J. Culver
Governor

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- 2007\2834 Leonard Marienau, Ireton – For celebrating his 80th birthday.
- 2007\2835 Harold and Arta VanderSchoor, Hawarden – For celebrating their birthdays.
- 2007\2836 Catherine Dreeszen, Akron – For celebrating 80th birthday.
- 2007\2837 Bernice Grosenheider, Le Mars – For celebrating her 90th birthday.
- 2007\2838 Dick Hatz, Remsen – For celebrating his 80th birthday.
- 2007\2839 Norman and Lois VarenBhorst, Le Mars – For celebrating their 60th wedding anniversary.
- 2007\2840 Eddis and Roberta Winstead, Elk Run Heights – For celebrating their 50th wedding anniversary.
- 2007\2841 Lucille Vorrath, Greenfield – For celebrating her 90th birthday.
- 2007\2842 Zola Summerson, Dawson – For celebrating her 80th birthday.
- 2007\2843 Delbert and Virginia Grove, Panora – For celebrating their 60th wedding anniversary.
- 2007\2844 Caitlin Krater, Panorama High School – For receiving and Outstanding Performance Award for her vocal solo at the State Contest.

- 2007\2845 Jon Kempf, Jamaica – For being selected to participate in the National 4-H Conference in Washington, D.C., and for being selected as an Intern at the National 4-H Center.
- 2007\2846 Wiona Morrison, La Porte City – For celebrating her 85th birthday.
- 2007\2847 Roger Gutknecht, Dike – For celebrating his 90th birthday.
- 2007\2848 Jerry Jerome, Keokuk – For being named Coach of the Year by the Basketball Coaches Association in Class 3A, Region 7.
- 2007\2849 Miles Brewer, Keokuk – For his 44 years of service with the Royal Rangers scouting program; being presented the Silver Eagle Award for the 11th consecutive year and for receiving the Gold Eagle Award.
- 2007\2850 Maryln and Connie Dieken, Waverly – For celebrating their 50th wedding anniversary.
- 2007\2851 Delbert and Gladys Timion, Janesville – For celebrating their 60th wedding anniversary.
- 2007\2852 Paula Wehling, Waverly – For celebrating her 90th birthday.
- 2007\2853 Myrtle Schapley, Greene – For celebrating her 90th birthday.
- 2007\2854 Brianna Speedy, Allison – For receiving the Girl Scout Silver Award.
- 2007\2855 Caleb Smith, Rock Run Elementary School, Alden – For winning the 2007 Iowa Energy Poster Contest.
- 2007\2856 Barbra Guss, Davenport – For her 31 years of dedication as an educator to Iowa students.
- 2007\2857 Barbra Sturgell, Davenport – For her 37 years of dedication as an educator.
- 2007\2858 Paul and Janet Drumm, Wilton – For celebrating their 50th wedding anniversary.
- 2007\2859 Beth Baudler, Fontanelle – For being selected to participate in the National 4-H Conference in Washington, D.C.
- 2007\2860 Bertha Ireland, Dallas – For celebrating her 89th birthday.
- 2007\2861 Gary and Janice Basler, Renwick – For celebrating their 50th wedding anniversary.
- 2007\2862 Eugene R. Allen, Clarion – For celebrating his 98th birthday.
- 2007\2863 Frank and Theresa Greene, Keswick – For celebrating their 60th wedding anniversary.

COMMITTEE RECOMMENDATION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Senate File 562, a bill for an act relating to and making appropriations to the department of cultural affairs, the department of economic development, certain board of regents institutions, the department of workforce development, the Iowa finance authority, and the public employment relations board, and related matters.

Fiscal Note is not required.

Recommended **Do Pass** April 10, 2007.

RESOLUTIONS FILED

HR 42, by Upmeyer and D. Taylor, a resolution honoring the activities and commitment of the Patriot Guard Riders.

Laid over under **Rule 25**.

HR 43, by Berry, Abdul-Samad, Alons, Anderson, Arnold, Bailey, Baudler, Bell, Boal, Bukta, Chambers, Clute, Cohoon, Dandekar, Davitt, De Boef, Deyoe, Dolecheck, Drake, Foege, Ford, Forristall, Frevert, Gaskill, Gayman, Gipp, Granzow, Grassley, Greiner, Heaton, Heddens, Hoffman, Horbach, Hunter, Huseman, Huser, Jacobs, Jacoby, Jochum, Kaufmann, Kelley, Kressig, Kuhn, Lensing, Lukan, Lykam, Mascher, May, McCarthy, Mertz, H. Miller, L. Miller, Murphy, Oldson, D. Olson, R. Olson, S. Olson, T. Olson, Palmer, Paulsen, Petersen, Pettengill, Quirk, Raecker, Rants, Rasmussen, Rayhons, Reasoner, Reichert, Roberts, Sands, Schickel, Schueller, Shomshor, Smith, Soderberg, Staed, Struyk, Swaim, D. Taylor, T. Taylor, Thomas, Tjepkes, Tomenga, Tymeson, Upmeyer, Van Engelenhoven, Van Fossen, Watts Wendt, Wenthe, Wessel-Kroeschell, Whitaker, Whitead, Wiencek, Winckler, Windschitl, Wise and Worthan, a resolution to honor the life and work of George Washington Carver.

Laid over under **Rule 25**.

AMENDMENTS FILED

H—1665	S.F.	485	Alons of Sioux Mertz of Kossuth
H—1666	S.F.	554	Jacoby of Johnson
H—1667	S.F.	554	Kaufmann of Cedar
H—1668	S.F.	445	R. Olson of Polk
H—1669	S.F.	445	R. Olson of Polk
H—1670	H.F.	793	Huser of Polk
H—1671	H.F.	793	Huser of Polk Watts of Dallas Clute of Polk Staed of Linn Struyk of Pottawattamie
H—1672	S.F.	554	Jacoby of Johnson
H—1673	S.F.	62	Raecker of Polk Boal of Polk Tymeson of Madison
H—1674	H.F.	538	Raecker of Polk
H—1675	S.F.	563	Lukan of Dubuque Boal of Polk
H—1676	S.F.	514	Pettengill of Benton
H—1677	H.F.	893	Paulsen of Linn
H—1678	S.F.	530	Wise of Lee
H—1679	S.F.	485	Watts of Dallas Alons of Sioux Mertz of Kossuth
H—1680	S.F.	485	Alons of Sioux Mertz of Kossuth
H—1681	S.F.	485	Watts of Dallas Alons of Sioux Mertz of Kossuth
H—1682	S.F.	485	Watts of Dallas Alons of Sioux Mertz of Kossuth
H—1683	H.F.	798	Quirk of Chickasaw Pettengill of Benton Boal of Polk
H—1684	H.F.	798	Quirk of Chickasaw Pettengill of Benton Boal of Polk

H—1685	H.F.	798	Quirk of Chickasaw Pettengill of Benton Boal of Polk
H—1686	H.F.	798	Pettengill of Benton Quirk of Chickasaw Boal of Polk
H—1687	H.F.	798	Pettengill of Benton Quirk of Chickasaw Boal of Polk
H—1688	H.F.	798	Pettengill of Benton Quirk of Chickasaw Boal of Polk
H—1689	H.F.	798	Pettengill of Benton Quirk of Chickasaw Boal of Polk
H—1690	H.F.	798	Pettengill of Benton Quirk of Chickasaw Boal of Polk
H—1691	H.F.	798	Pettengill of Benton Quirk of Chickasaw Boal of Polk

On motion by McCarthy of Polk the House adjourned at 3:20 p.m., until 9:00 a.m., Thursday, April 12, 2007.

**JOINT MEMORIAL SERVICE
 EIGHTY SECOND GENERAL ASSEMBLY
 SENATE CHAMBER
 WEDNESDAY, APRIL 11, 2007**

PROGRAM

Senator John P. Kibbie, Presiding

Prelude.....Small Group Choir
 "Iowa, My Iowa".....Memorial Choir
 Invocation.....Senator John P. Kibbie

MEMORIALS

Readers: Senator Putney, Senator Johnson, Senator Fraise,
 Senator Beall

Hon. Carlson (S)	Hon. Lodwick (S)	Hon Doderer (S/H)
Hon. Gallagher (S/H)	Hon. Curran (S/H)	Hon. Freeman (S/H)
Hon. Kruck (S)	Hon. Murray (S)	Hon. Hagie (S/H)
Hon. Lord (S/H)	Hon. Munger (S/H)	Hon. Shawver (S)
Hon. Schwieger (S/H)		

"Amazing Grace".....Memorial Choir

MEMORIALS

Readers: Representative Pettengill, Representative Hunter,
 Representative Frevert, Representative Taylor

Hon. Binneboese (H)	Hon. Grandia (H)	Hon. Clark (H)
Hon. Kiser (H)	Hon. Evans (H)	Hon. Greimann (H)
Hon. Hanson (H)	Hon. Lonergan (H)	Hon. Glenn (H)
Hon. Hagen (H)	Hon. Kimball (H)	Hon. Milroy (H)

MEMORIALS

Readers: Representative Winckler, Representative Wendt,
 Representative Drake

Hon. Pavich (H)	Hon. Reed (H)	Hon. Wood (H)
Hon. Pelton (H)	Hon. Stueland (H)	Hon. Resnick (H)
Hon. Petruccelli (H)	Hon. Weichman (H)	Hon. Yoder (H)

Responsorial Reading.....Led by Senator Kibbie

"Let There Be Peace On Earth".....Memorial Choir

Senate — (S) and House — (H)

IN MEMORIAM

SERVED IN THE SENATE

Honorable Reinhold O. Carlson (Polk County): 64th

Honorable Warren "Bud" J. Kruck (Boone County): 61st, 62nd

Honorable Seeley Lodwick (Lee County): 60th, 61st, 62nd, 1st half of 63rd

Honorable Donald W. Murray (Dallas County): 61st, 62nd

Honorable George L. Shawver (Chicasaw County): 64th

SERVED IN THE SENATE AND IN THE HOUSE OF REPRESENTATIVES

Honorable Leigh R. Curran (Cerro Gordo County): 59th, 60th, 62nd, 63rd, 64th

Honorable Minnette F. Doderer (Johnson County): 60th X, 61st, 62nd, 63rd, 64th, 65th, 66th, 67th, 69th, 70th, 71st, 72nd, 73rd, 74th, 75th, 76th, 77th, 78th

Honorable Mary Louise Freeman (Buena Vista County): 76th, 77th, 78th, 79th, 79th X, 79th 2nd X, 80th, 80th X, 80th 2nd X, 81st

Honorable James V. Gallagher (Black Hawk County): 61st, 62nd, 65th, 66th, 67th, 68th, 69th, 70th

Honorable Raymond W. Hagie (Wright County): 59th, 60th, 61st

Honorable David Lord (Dallas County): 76th, 77th, 78th, 2nd half of 79th

Honorable Robert P. Munger (Woodbury County): 49th, 53rd, 54th

Honorable Barton L. Schwieger (Black Hawk County): 64th, 65th

SERVED IN THE HOUSE OF REPRESENTATIVES

Honorable Donald H. Binneboese (Woodbury County): 2nd half 66th, 67th, 67th X, 68th, 69th, 69th X, 69th 2nd X

Honorable Betty Jean Clark (Cerro Gordo County): 67th, 67th X, 68th, 69th, 69th X, 69th 2nd X, 70th, 71st, 72nd, 73rd

Honorable Thomas Cooper Evans (Grundy County): 66th, 67th, 67th X, 1st half 68th

Honorable Charles F. Glenn (Polk County): 62nd

Honorable Robert J. Grandia (Marion County): 70th, 71st

Honorable Jane Greimann (Story County): 2nd half 78th, 79th, 79th X, 79th 2nd X, 80th, 80th X, 82nd

Honorable Walter Hagen (Allamakee County): 59th, 60th, 60th X

Honorable Harley S. Hanson (Benton County): 62nd

Honorable Donald L. Kimball (Fayette County): 57th, 58th

Honorable E. Jean E. Kiser (Scott County): 65th

Honorable Joyce Lonergan (Boone County): 66th, 67th, 67th X, 68th, 69th, 69th X, 69th 2nd X, 70th, 71st

Honorable Jack N. Milroy (Benton County): 56th, 57th, 58th

Honorable Emil S. Pavich (Pottawattamie County): 66th, 67th, 67th X, 68th, 69th, 69th X, 69th 2nd X, 70th, 71st, 72nd, 72nd X, 72nd 2nd X, 73rd, 74th, 74th X, 74th 2nd X

Honorable John Pelton (Clinton County): 67th, 67th X, 68th, 69th, 69th X, 69th 2nd X

Honorable Don A. Petruccelli (Scott County): 56th, 57th

Honorable Cecil A. Reed (Linn County): 62nd

Honorable James D. Resnick (Scott County): 61st

Honorable Vic Stueland (Clinton County): 69th, 69th X, 69th 2nd X, 70th, 71st, 72nd, 72nd X, 72nd 2nd X, 73rd

Honorable David E. Weichman (Benton County): 59th, 63rd

Honorable Warren K. Wood (Scott County): 62nd

Honorable Earl Yoder (Johnson County): 62nd

Candle Lighters

Representative Sandra Greiner
Representative Wes Whitead
Representative Carmine Boal

Hosts

Senator Nancy Boettger
Representative Sandra Greiner
Representative Vicki Lensing

Senate Memorial Committee

Senator Wally Horn, Chair
Senator Nancy Boettger
Senator Gene Fraise
Senator Thurman Gaskill
Senator Becky Schmitz
Senator Pat Ward

House Memorial Committee

Representative Vicki Lensing, Chair
Representative Sandra Greiner
Representative Dolores Mertz
Representative Rod Roberts

JOURNAL OF THE HOUSE

Ninety-fifth Calendar Day - Sixty-fourth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, April 12, 2007

The House met pursuant to adjournment at 9:14 a.m., Speaker Murphy in the chair.

Prayer was offered by the Honorable Rod Roberts, state representative from Carroll County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Jase Jensen, Clerk of Representative Deborah Berry of Black Hawk County. The Memorial Choir sang "Let There Be Peace on Earth".

The Journal of Wednesday, April 11, 2007 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Baudler of Adair on request of Paulsen of Linn.

INTRODUCTION OF BILL

House File 899, by Ford, a bill for an act requiring the state board of regents to establish an urban institute to assist minority students, and making an appropriation.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 11, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 615, a bill for an act relating to the membership of the board of educational examiners.

Also: That the Senate has on April 11, 2007, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 651, a bill for an act relating to business corporations, by providing for information required to be filed with the secretary of state and providing for shareholder voting.

Also: That the Senate has on April 11, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 759, a bill for an act specifying the functions of the Clarinda correctional facility.

Also: That the Senate has on April 11, 2007, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 767, a bill for an act relating to eligible veterans for purposes of the injured veterans grant program.

Also: That the Senate has on April 11, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 780, a bill for an act relating to the issuance of temporary orders modifying an order of child support.

MICHAEL E. MARSHALL, Secretary

SPECIAL PRESENTATION

Heaton of Henry and Shomshor of Pottawattamie introduced to the House, Candace Carlson, 13 of Council Bluffs and Matthew Wettach, 17, of Mt. Pleasant whom received the 2007 Prudential Spirit of Community Award.

The House rose and expressed its welcome.

SENATE AMENDMENT CONSIDERED

Smith of Marshall called up for consideration **House File 566**, a bill for an act relating to the definition of a free clinic for the purposes of the volunteer health care provider program, amended by the Senate, and moved that the House concur in the following Senate amendment H-1649:

H-1649

1 Amend House File 566, as passed by the House, as
2 follows:

3 1. By striking everything after the enacting
4 clause, and inserting the following:

5 "Section 1. Section 135.24, Code 2007, is amended
6 to read as follows:

7 135.24 VOLUNTEER HEALTH CARE PROVIDER PROGRAM
8 ESTABLISHED – IMMUNITY FROM CIVIL LIABILITY.

9 1. The director shall establish within the
10 department a program to provide to eligible hospitals,
11 clinics, free clinics, field dental clinics, or other
12 health care facilities, health care referral programs,
13 or charitable organizations, free medical, dental,
14 chiropractic, pharmaceutical, nursing, optometric,
15 psychological, social work, behavioral science,
16 podiatric, physical therapy, occupational therapy,
17 respiratory therapy, and emergency medical care
18 services given on a voluntary basis by health care
19 providers. A participating health care provider shall
20 register with the department and obtain from the
21 department a list of eligible, participating
22 hospitals, clinics, free clinics, field dental
23 clinics, or other health care facilities, health care
24 referral programs, or charitable organizations.

25 2. The department, in consultation with the
26 department of human services, shall adopt rules to
27 implement the volunteer health care provider program
28 which shall include the following:

29 a. Procedures for registration of health care
30 providers deemed qualified by the board of medical
31 examiners, the board of physician assistant examiners,
32 the board of dental examiners, the board of nursing,
33 the board of chiropractic examiners, the board of
34 psychology examiners, the board of social work
35 examiners, the board of behavioral science examiners,
36 the board of pharmacy examiners, the board of
37 optometry examiners, the board of podiatry examiners,
38 the board of physical and occupational therapy
39 examiners, the state board for respiratory care, and
40 the Iowa department of public health, as applicable.

41 b. Procedures for registration of free clinics and
42 field dental clinics.

43 c. Criteria for and identification of hospitals,
44 clinics, free clinics, field dental clinics, or other
45 health care facilities, health care referral programs,
46 or charitable organizations, eligible to participate
47 in the provision of free medical, dental,
48 chiropractic, pharmaceutical, nursing, optometric,
49 psychological, social work, behavioral science,
50 podiatric, physical therapy, occupational therapy,

Page 2

1 respiratory therapy, or emergency medical care
2 services through the volunteer health care provider
3 program. A free clinic, a field dental clinic, a
4 health care facility, a health care referral program,
5 a charitable organization, or a health care provider
6 participating in the program shall not bill or charge
7 a patient for any health care provider service
8 provided under the volunteer health care provider
9 program.

10 d. Identification of the services to be provided
11 under the program. The services provided may include,
12 but shall not be limited to, obstetrical and
13 gynecological medical services, psychiatric services
14 provided by a physician licensed under chapter 148,
15 150, or 150A, dental services provided under chapter
16 153, or other services provided under chapter 147A,
17 148A, 148B, 148C, 149, 151, 152, 152B, 152E, 154,
18 154B, 154C, 154D, or 155A.

19 3. A health care provider providing free care
20 under this section shall be considered an employee of
21 the state under chapter 669 and shall be afforded
22 protection as an employee of the state under section
23 669.21, provided that the health care provider has
24 done all of the following:

25 a. Registered with the department pursuant to
26 subsection 1.

27 b. Provided medical, dental, chiropractic,
28 pharmaceutical, nursing, optometric, psychological,
29 social work, behavioral science, podiatric, physical
30 therapy, occupational therapy, respiratory therapy, or
31 emergency medical care services through a hospital,
32 clinic, free clinic, field dental clinic, or other
33 health care facility, health care referral program, or
34 charitable organization listed as eligible and
35 participating by the department pursuant to subsection
36 1.

37 4. A free clinic providing free care under this
38 section shall be considered a state agency solely for
39 the purposes of this section and chapter 669 and shall
40 be afforded protection under chapter 669 as a state
41 agency for all claims arising from the provision of
42 free care by a health care provider registered under
43 subsection 3 who is providing services at the free
44 clinic in accordance with this section or from the
45 provision of free care by a health care provider who
46 is covered by adequate medical malpractice insurance
47 as determined by the department, if the free clinic
48 has registered with the department pursuant to
49 subsection 1.

50 4A. A field dental clinic providing free care

Page 3

1 under this section shall be considered a state agency
2 solely for the purposes of this section and chapter
3 669 and shall be afforded protection under chapter 669
4 as a state agency for all claims arising from the
5 provision of free care by a health care provider
6 registered under subsection 3 who is providing
7 services at the field dental clinic in accordance with
8 this section or from the provision of free care by a
9 health care provider who is covered by adequate
10 medical malpractice insurance as determined by the
11 department, if the field dental clinic has registered
12 with the department pursuant to subsection 1.

13 5. For the purposes of this section:

14 a. "Charitable organization" means a charitable
15 organization within the meaning of section 501(c)(3)
16 of the Internal Revenue Code which has as its primary
17 purpose the sponsorship or support of programs
18 designed to improve the quality, awareness, and
19 availability of chiropractic, dental, medical,
20 pharmaceutical, nursing, optometric, psychological,
21 social work, behavioral science, podiatric, physical
22 therapy, occupational therapy, respiratory therapy, or
23 emergency medical care services to children and to
24 serve as a funding mechanism for provision of
25 chiropractic, dental, medical, pharmaceutical,
26 nursing, optometric, psychological, social work,
27 behavioral science, podiatric, physical therapy,
28 occupational therapy, respiratory therapy, or
29 emergency medical care services, including but not
30 limited to immunizations, to children in this state.

31 b. "Field dental clinic" means a dental clinic
32 temporarily or periodically erected at a location
33 utilizing mobile dental equipment, instruments, or
34 supplies, as necessary, to provide dental services.

35 b. c. "Free clinic" means a facility, other than a
36 hospital or health care provider's office which is
37 exempt from taxation under section 501(c)(3) of the
38 Internal Revenue Code and which has as its sole
39 purpose the provision of health care services without
40 charge to individuals who are otherwise unable to pay
41 for the services.

42 e. d. "Health care provider" means a physician
43 licensed under chapter 148, 150, or 150A, a
44 chiropractor licensed under chapter 151, a physical
45 therapist licensed pursuant to chapter 148A, an
46 occupational therapist licensed pursuant to chapter
47 148B, a podiatrist licensed pursuant to chapter 149, a
48 physician assistant licensed and practicing under a
49 supervising physician pursuant to chapter 148C, a
50 licensed practical nurse, a registered nurse, or an

Page 4

- 1 advanced registered nurse practitioner licensed
 2 pursuant to chapter 152 or 152E, a respiratory
 3 therapist licensed pursuant to chapter 152B, a
 4 dentist, dental hygienist, or dental assistant
 5 registered or licensed to practice under chapter 153,
 6 an optometrist licensed pursuant to chapter 154, a
 7 psychologist licensed pursuant to chapter 154B, a
 8 social worker licensed pursuant to chapter 154C, a
 9 mental health counselor or a marital and family
 10 therapist licensed pursuant to chapter 154D, a
 11 pharmacist licensed pursuant to chapter 155A, or an
 12 emergency medical care provider certified pursuant to
 13 chapter 147A."
 14 2. Title page, line 1, by striking the words "the
 15 definition of a free clinic" and inserting the
 16 following: "field dental clinics".

The motion prevailed and the House concurred in the Senate amendment H-1649.

Smith of Marshall moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 566)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Bell	Berry	Boal
Bukta	Chambers	Clute	Cohoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Oldson
Olson, D.	Olson, S.	Olson, T.	Palmer
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rants	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schueller	Shomshor	Smith	Soderberg

Staed	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Wiencek	Winckler
Windschitl	Wise	Worthan	Mr. Speaker
			Murphy

The nays were, none.

Absent or not voting, 4:

Baudler	Olson, R.	Schickel	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

CONSIDERATION OF BILLS Regular Calendar

Senate File 381, a bill for an act relating to judicial branch procedures, including appointments of court of appeals judges, district judges, district associate judges, associate juvenile judges, associate probate judges, magistrates, and patient advocates, and compensation to judges and other court personnel serving as fiduciaries, with report of committee recommending passage, was taken up for consideration.

Kaufmann of Cedar asked and received unanimous consent to withdraw amendment H-1638 filed by him and Schueller of Jackson on April 10, 2007.

Granzow of Hardin asked and received unanimous consent to withdraw amendment H-1659 filed by her and Tomenga of Polk on April 10, 2007.

Winckler of Scott moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 381)

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Bell	Berry	Boal
Bukta	Chambers	Clute	Cohoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Oldson
Olson, D.	Olson, S.	Olson, T.	Palmer
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rants	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schueller	Smith	Soderberg	Staed
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wiencek	Winckler	Windschitl
Wise	Worthan	Mr. Speaker	
		Murphy	

The nays were, none.

Absent or not voting, 5:

Baudler	Olson, R.	Schickel	Shomshor
Zirkelbach			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Unfinished Business Calendar

House File 830, a bill for an act relating to the construction bidding procedures Act by modifying procedures and requirements for letting public improvement contracts, and making corrections, was taken up for consideration.

Abdul-Samad of Polk offered the following amendment H-1427 filed by him and moved its adoption:

H-1427

1 Amend House File 830 as follows:

2 1. Page 1, by striking line 1 and inserting the
3 following:

4 "Section 1. Section 26.2, subsection 1, Code 2007,
5 is amended to read as follows:

6 1. "Estimated total cost of a public improvement"
7 or "estimated total cost" means the estimated total
8 cost to the governmental entity to construct a public
9 improvement, including cost of labor, materials,
10 equipment, and supplies, but excluding the cost of
11 architectural, landscape architectural, or engineering
12 design services and inspection.

13 Sec. 2. Section 26.3, subsections 1 and 2, Code
14 2007, are".

15 2. Page 1, by inserting after line 20 the
16 following:

17 "2. A governmental entity shall have an engineer
18 licensed under chapter 542B, a landscape architect
19 licensed under chapter 544B, or an architect
20 registered under chapter 544A prepare plans and
21 specifications, and calculate the estimated total cost
22 of a proposed public improvement.

23 Sec. ____ Section 26.4, Code 2007, is amended to
24 read as follows:

25 26.4 EXEMPTIONS FROM COMPETITIVE BIDS AND
26 QUOTATIONS.

27 Architectural, landscape architectural, or
28 engineering design services procured for a public
29 improvement are not subject to sections 26.3 and
30 26.14."

31 3. Page 4, line 12, by inserting after the word
32 "architect" the following: ", landscape architect,".

33 4. Page 4, line 12, by inserting after the figure
34 "542B" the following: ", 544B,".

35 5. By renumbering as necessary.

Amendment H-1427 was adopted.

Abdul-Samad of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 830)

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Bell	Berry	Boal

Bukta	Chambers	Clute	Cohoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Oldson
Olson, D.	Olson, S.	Olson, T.	Palmer
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rants	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schueller	Smith	Soderberg	Staed
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wiencek	Winckler	Windschitl
Wise	Worthan	Mr. Speaker	
		Murphy	

The nays were, none.

Absent or not voting, 5:

Baudler	Olson, R.	Schickel	Shomshor
Zirkelbach			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 566, 830 and Senate File 381.**

SENATE AMENDMENT CONSIDERED

Huser of Polk called up for consideration **House File 793**, a bill for an act relating to administration of regional transportation by regional transit districts and of highways and regulation of motor vehicles by the state department of transportation, including provisions relating to the placement of advertising devices along primary highways, qualifications of property appraisers, state

standards for land surveying, destruction of suspended or revoked driver's licenses, requirements for a temporary restricted driver's license, registration and titling of vehicles, legion of merit special registration plates, antique motor vehicle registration plates and fees, licensing of motor vehicle dealers, motor carrier registration and fuel tax liability, motor vehicle enforcement near construction areas, the maximum length limitation for single trucks, requirements for operation of certain self-propelled implements of husbandry on secondary roads, and disposition of regional transit district tax revenues collected by a county treasurer, and providing effective dates, amended by the Senate amendment H-1636 as follows:

H-1636

- 1 Amend House File 793, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 7, by inserting after line 11 the
- 4 following:
- 5 "Sec. NEW SECTION. 321.258A RED LIGHT
- 6 CAMERAS PROHIBITED.
- 7 The department or a local authority shall not place
- 8 or cause to be placed on or adjacent to a highway, or
- 9 maintain or employ the use of, a red light camera.
- 10 For purposes of this section, "red light camera" means
- 11 a device installed on or in proximity to an official
- 12 traffic control signal to produce recorded images for
- 13 the purpose of enforcement of traffic laws."
- 14 2. Page 8, line 24, by striking the word
- 15 "unladen".
- 16 3. Title page, line 12, by inserting after the
- 17 word "liability," the following: "use of red light
- 18 cameras for traffic enforcement,".
- 19 4. By renumbering, relettering, or redesignating
- 20 and correcting internal references as necessary.

Huser of Polk asked and received unanimous consent that amendment H-1670, to Senate amendment H-1636, be deferred.

Huser of Polk offered amendment H-1671, to the Senate amendment H-1636, filed by Huser, et al., as follows:

H-1671

- 1 Amend the Senate amendment, H-1636, to House File
- 2 793, as amended, passed, and reprinted by the House,
- 3 as follows:

- 4 1. Page 1, by striking lines 3 through 13.
5 2. Page 1, by striking lines 16 through 18.
6 3. By renumbering as necessary.

McCarthy of Polk asked and received unanimous consent that House File 793 be deferred and that the bill retain its place on the calendar. (Senate amendment H-1636 and amendment H-1671 to the Senate amendment pending.)

On motion by McCarthy of Polk, the House was recessed at 10:36 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened at 1:25 p.m., Speaker Murphy in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 12, 2007, amended and passed the following bill in which the concurrence of the House was asked:

House File 499, a bill for an act relating to various matters under the purview of the insurance division of the department of commerce including workers' compensation self-insurance, premium taxes, the uniform securities Act, powers and duties of the insurance division, regulation of insurance sales to military personnel, domestic insurance companies, life insurance companies, nonprofit health service corporations, external review of health care coverage decisions, investment limitations on insurers other than life insurers, property and casualty insurers' reserves, motor vehicle service contracts, county and state mutual associations, reciprocal or interinsurance contracts, licensing of insurance producers and public adjusters, and life and fire insurance company boards of directors, and providing penalties.

Also: That the Senate has on April 12, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 587, a bill for an act relating to advisory boards created pursuant to emergency services agreements and providing an effective date.

Also: That the Senate has on April 12, 2007, amended and passed the following bill in which the concurrence of the House was asked:

House File 844, a bill for an act relating to inspection of absentee ballot affidavit envelopes by the county commissioner of elections.

MICHAEL E. MARSHALL, Secretary

SENATE AMENDMENT CONSIDERED

The House resumed consideration of **House File 793**, a bill for an act relating to administration of regional transportation by regional transit districts and of highways and regulation of motor vehicles by the state department of transportation, including provisions relating to the placement of advertising devices along primary highways, qualifications of property appraisers, state standards for land surveying, destruction of suspended or revoked driver's licenses, requirements for a temporary restricted driver's license, registration and titling of vehicles, legion of merit special registration plates, antique motor vehicle registration plates and fees, licensing of motor vehicle dealers, motor carrier registration and fuel tax liability, the maximum length limitation for single trucks, requirements for operation of certain self-propelled implements of husbandry on secondary roads, and disposition of regional transit district tax revenues collected by a county treasurer, and providing effective dates, previously deferred. (Senate amendment H-1636 and amendment H-1671 to the Senate amendment pending, and found on page 1354 of the House Journal.)

Huser of Polk moved the adoption of amendment H-1671 to the Senate amendment H-1636.

A non-record roll call was requested.

The ayes were 56, nays 27.

Amendment H-1671 was adopted.

Huser of Polk offered the following amendment H-1670, to the Senate amendment H-1636, previously deferred, filed by her and moved its adoption:

H-1670

- 1 Amend the Senate amendment, H-1636, to House File
- 2 793, as amended, passed, and reprinted by the House,
- 3 as follows:
- 4 1. Page 1, by inserting after line 2 the
- 5 following:
- 6 "____. Page 1, by inserting after line 23 the
- 7 following:
- 8 "Sec.____. The section of this division of this
- 9 Act that amends section 543D.3 is void if 2007 Iowa

- 10 Acts, Senate File 137, section 1, amending section
 11 543D.3, is enacted."
 12 2. By renumbering as necessary.

Amendment H-1670 was adopted.

On motion by Huser of Polk, the House concurred in the Senate amendment H-1636, as amended.

Huser of Polk moved that the bill, as amended by the Senate, further amended and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 793)

The ayes were, 81:

Abdul-Samad	Anderson	Bailey	Bell
Berry	Boal	Bukta	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Granzow	Heddens	Hoffman
Horbach	Hunter	Huser	Jacoby
Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	McCarthy	Mertz	Miller, H.
Miller, L.	Oldson	Olson, D.	Olson, R.
Olson, S.	Olson, T.	Palmer	Paulsen
Petersen	Pettengill	Quirk	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schueller	Shomshor	Smith
Soderberg	Staed	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Wiencek	Winckler	Windschitl	Wise
Mr. Speaker			
Murphy			

The nays were, 15:

Alons	Arnold	Chambers	Gipp
Grassley	Greiner	Heaton	Huseman
May	Raecker	Rants	Upmeyer
Van Engelenhoven	Whitead	Worthan	

Absent or not voting, 4:

Baudler	Jacobs	Schickel	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

Unfinished Business Calendar

The House resumed consideration of **Senate File 406**, a bill for an act relating to dogs, including the right to kill a tagged dog and the liability of a dog's owner for damages caused by the dog, previously deferred and found on pages 1328 through 1329 of the House Journal. (Amendment H-1619, as amended, pending.)

On motion by Swaim of Davis, amendment H-1619, as amended, was adopted.

Paulsen of Linn offered amendment H-1558 filed by Baudler of Adair as follows:

H-1558

1 Amend Senate File 406, as passed by the Senate, as
2 follows:

3 1. Page 1, by inserting after line 21 the
4 following:

5 "Sec. ____ Section 351.37, Code 2007, is amended
6 to read as follows:

7 **351.37 DOGS RUNNING AT LARGE – IMPOUNDMENT OR**
8 **DESTRUCTION – DISPOSITION.**

9 **1. A dog shall be apprehended and impounded by a**
10 **local board of health or law enforcement official, or**
11 **the dog may be destroyed by the law enforcement**
12 **official, if the dog is running at large and the dog**
13 **is not wearing a valid rabies vaccination tag or a**
14 **rabies vaccination certificate is not presented to the**
15 **local board of health or law enforcement official.**

16 **2. The After the dog is impounded or destroyed,**
17 **the local board of health or law enforcement official**
18 **shall provide written notice to the owner if the local**
19 **board of health or law enforcement official can**
20 **reasonably determine the owner's name and current**
21 **address by accessing a tag or other device that is on**
22 **or a part of the dog. The notice shall be sent within**
23 **two days after the dog has been impounded or**
24 **destroyed. The If the dog is impounded the notice**
25 **shall provide that if the owner does not redeem the**
26 **dog within seven days from the date that the notice is**
27 **delivered, the dog may be humanely destroyed or**
28 **otherwise disposed of in accordance with law. For**
29 **purposes of this section, notice is delivered when the**

30 local board of health or law enforcement official
 31 mails the notice which may be by regular mail. An
 32 owner may redeem a an impounded dog by having it
 33 immediately vaccinated and paying the cost of
 34 impoundment.
 35 3. If the owner of the impounded dog fails to
 36 redeem the dog within seven days from the date of the
 37 delivery of the notice to the dog's owner as provided
 38 in this section, the impounded dog may be disposed of
 39 in accordance with law. If the impounded dog is
 40 destroyed, it must be destroyed by euthanasia as
 41 defined in section 162.2."

Mascher of Johnson rose on a point of order that amendment H-1558 was not germane.

The Speaker ruled the point well taken and amendment H-1558 not germane.

Paulsen of Linn asked and received unanimous consent to withdraw amendment H-1634 filed by Baudler of Adair on April 9, 2007.

Smith of Marshall moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 406)

The ayes were, 89:

Abdul-Samad	Anderson	Bailey	Bell
Berry	Boal	Bukta	Chambers
Clute	Cohon	Dandekar	Davitt
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Gipp	Granzow	Grassley
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Huser	Jacoby
Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Pettengill	Quirk	Raecker	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Schueller	Shomshor	Smith
Soderberg	Staed	Struyk	Swaim

Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wiencek
Winckler	Windschitl	Wise	Worthan
Mr. Speaker			
Murphy			

The nays were, 7:

Alons	Arnold	De Boef	Greiner
Olson, S.	Paulsen	Sands	

Absent or not voting, 4:

Baudler	Jacobs	Schickel	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House File 793** and **Senate File 406**.

Regular Calendar

Senate File 489, a bill for an act creating an Alzheimer's disease task force, with report of committee recommending amendment and passage, was taken up for consideration.

The following amendment, H-1704 filed by T. Olson from the floor, was adopted by unanimous consent.

H-1704

- 1 Amend the amendment, H-1586, to Senate File
- 2 489 as passed by the Senate as follows:
- 3 1. Page 1, line 5 by inserting after the word "of" the
- 4 following: "Iowa".

T. Olson of Linn offered the following amendment H-1586 filed by the committee on human resources and moved its adoption:

H-1586

- 1 Amend Senate File 489, as passed by the Senate, as
 2 follows:
 3 1. Page 1, by inserting after line 17 the
 4 following:
 5 "() A representative of AARP.
 6 () A licensed health care provider specializing
 7 in the practice of gerontology."
 8 2. By renumbering as necessary.

The committee amendment H-1586 was adopted.

T. Olson of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 489)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Bell	Berry	Boal
Bukta	Chambers	Clute	Cohoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Huser	Jacoby
Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Oldson	Olson, D.
Olson, R.	Olson, S.	Olson, T.	Palmer
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rants	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schueller	Shomshor	Smith	Soderberg
Staed	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Wiencek	Winckler
Windschitl	Wise	Worthan	Mr. Speaker Murphy

The nays were, none.

Absent or not voting, 4:

Baudler Jacobs Schickel Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 463, a bill for an act concerning the licensing and operations of a manufacturer of ambulances, rescue vehicles, or fire vehicles, with report of committee recommending passage, was taken up for consideration.

Cohoon of Des Moines moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 463)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Bell	Berry	Boal
Bukta	Chambers	Clute	Cohoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Huser	Jacoby
Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Oldson	Olson, D.
Olson, R.	Olson, S.	Olson, T.	Palmer
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rants	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schueller	Shomshor	Smith	Soderberg
Staed	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Wiencck	Winckler
Windschitl	Wise	Worthan	Mr. Speaker
			Murphy

The nays were, none.

Absent or not voting, 4:

Baudler

Jacobs

Schickel

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Unfinished Business Calendar

House File 492, a bill for an act prohibiting the department of corrections from entering into an agreement with a private sector for-profit entity for the purpose of housing inmates, was taken up for consideration.

SENATE FILE 528 SUBSTITUTED FOR HOUSE FILE 492

R. Olson of Polk asked and received unanimous consent to substitute Senate File 528 for House File 492.

Senate File 528, a bill for an act prohibiting the department of corrections from entering into an agreement with a private sector for-profit entity for the purpose of housing inmates, was taken up for consideration.

R. Olson of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 528)

The ayes were, 60:

Abdul-Samad	Anderson	Bailey	Bell
Berry	Bukta	Cohoon	Dandekar
Davitt	Foege	Ford	Frevert
Gaskill	Gayman	Granzow	Heaton
Heddens	Hunter	Huser	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lukan	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Pettengill	Quirk	Reasoner
Reichert	Schueller	Shomshor	Smith
Staed	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga

Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	Mr. Speaker Murphy

The nays were, 36:

Alons	Arnold	Boal	Chambers
Clute	De Boef	Deyoe	Dolecheck
Drake	Forristall	Gipp	Grassley
Greiner	Hoffman	Horbach	Huseman
Kaufmann	May	Miller, L.	Olson, S.
Paulsen	Raecker	Rants	Rasmussen
Rayhons	Roberts	Sands	Soderberg
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wienczek	Windschitl	Worthan

Absent or not voting and 4:

Baudler	Jacobs	Schickel	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 492 WITHDRAWN

R. Olson of Polk asked and received unanimous consent to withdraw House File 492 from further consideration by the House.

SENATE AMENDMENT CONSIDERED

Upmeyer of Hancock called up for consideration **House File 451**, a bill for an act relating to a single point of entry long-term living resources system, amended by the Senate, and moved that the House concur in the following Senate amendment H-1577:

H-1577

- 1 Amend House File 451 as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 2, by inserting after line 7 the
- 4 following:
- 5 "() A consumer member of the senior living
- 6 coordinating unit created in section 231.58 selected
- 7 by the senior living coordinating unit."
- 8 2. Page 3, line 1, by inserting after the word
- 9 "access." the following: "The team shall also receive
- 10 input regarding the benefits of the use of electronic
- 11 health records."

- 12 3. Page 3, line 4, by inserting after the word
 13 "system." the following: "The team shall also make
 14 recommendations regarding the use of electronic health
 15 records."
 16 4. Page 3, line 20, by inserting after the word
 17 "sources." the following: "The report shall also
 18 include recommendations regarding the use of
 19 electronic health records."
 20 5. By renumbering as necessary.

The motion prevailed and the House concurred in the Senate amendment H-1577.

Upmeyer of Hancock moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 451)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Bell	Berry	Boal
Bukta	Chambers	Clute	Cohoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Huser	Jacoby
Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Oldson	Olson, D.
Olson, R.	Olson, S.	Olson, T.	Palmer
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rants	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schueller	Shomshor	Smith	Soderberg
Staed	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Wiencek	Winckler
Windschitl	Wise	Worthan	Mr. Speaker
			Murphy

The nays were, none.

Absent or not voting, 4:

Baudler

Jacobs

Schickel

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Appropriations Calendar

Senate File 563, a bill for an act relating to and making appropriations to the judicial branch, with report of committee recommending passage, was taken up for consideration.

Lukan of Dubuque offered the following amendment H-1675 filed by him and Boal of Polk and moved its adoption:

H-1675

1 Amend Senate File 563, as passed by the Senate, as
2 follows:

3 1. Page 4, by inserting after line 29 the
4 following:

5 "Sec. ____ Section 607A.8, Code 2007, is amended
6 by striking the section and inserting in lieu thereof
7 the following:

8 607A.8 FEES AND EXPENSES FOR JURORS.

9 1. A grand juror and a petit juror in all courts
10 shall receive thirty dollars as compensation for each
11 day's service or attendance, including attendance
12 required for the purpose of being considered for
13 service. The supreme court may adopt rules that allow
14 additional compensation for jurors whose attendance
15 and service exceeds seven days.

16 2. A grand juror and a petit juror in all courts
17 shall receive reimbursement for mileage expenses at
18 the rate specified in section 602.1509 for each mile
19 traveled each day to and from the residence of the
20 juror to the place of service or attendance, and shall
21 receive reimbursement for actual expenses of parking,
22 as determined by the clerk of the district court. A
23 juror who is a person with a disability may receive
24 reimbursement for the costs of alternate
25 transportation from the residence of the juror to the
26 place of service or attendance. A juror shall not
27 receive reimbursement for mileage expenses or actual
28 expenses of parking when the juror travels in a
29 vehicle for which another juror is receiving
30 reimbursement for mileage and parking expenses.

31 3. A grand juror or a petit juror in all courts

32 may waive the right of the juror to receive
 33 compensation under subsection 1 or reimbursement under
 34 subsection 2.
 35 Sec. _____. NEW SECTION. 607A.47 JUROR
 36 QUESTIONNAIRE.
 37 The court may, on its own motion, or upon the
 38 motion of a party to the case or upon the request of a
 39 juror, order the sealing or partial sealing of a
 40 completed juror questionnaire, if the court finds that
 41 it is necessary to protect the safety or privacy of a
 42 juror or a family member of a juror."

Amendment H-1675 was adopted.

Pursuant to Rule 31.8, relating to the timely filing of amendments, amendment H-1692 filed by Upmeyer of Hancock from the floor was placed out of order.

T. Taylor of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 563)

The ayes were, 73:

Abdul-Samad	Alons	Anderson	Bailey
Bell	Berry	Bukta	Clute
Cohoon	Dandekar	Davitt	De Boef
Dolecheck	Foege	Ford	Frevert
Gaskill	Gayman	Gipp	Granzow
Heaton	Heddens	Hoffman	Horbach
Hunter	Huser	Jacoby	Jochum
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	Mascher	McCarthy
Mertz	Miller, H.	Miller, L.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Petersen	Pettengill	Quirk
Rayhons	Reasoner	Reichert	Roberts
Schueller	Shomshor	Smith	Staed
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Van Engelenhoven	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Wiencek	Winckler	Wise	Worthan
Mr. Speaker			
Murphy			

The nays were, 23:

Arnold	Boal	Chambers	Deyoe
Drake	Forristall	Grassley	Greiner
Huseman	Kaufmann	May	Paulsen
Raecker	Rants	Rasmussen	Sands
Soderberg	Struyk	Tymeson	Upmeyer
Van Fossen	Watts	Windschitl	

Absent or not voting, 4:

Baudler	Jacobs	Schickel	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House File 451 and Senate Files 463, 489, 528 and 563.**

SENATE FILES PLACED ON THE UNFINISHED BUSINESS CALENDAR

McCarthy of Polk asked unanimous consent that the following Senate Files be placed on the unfinished business calendar.

Senate File 48	Senate File 435
Senate File 49	Senate File 457
Senate File 62	Senate File 465
Senate File 199	Senate File 469
Senate File 212	Senate File 472
Senate File 248	Senate File 482
Senate File 254	Senate File 485
Senate File 263	Senate File 488
Senate File 264	Senate File 505
Senate File 304	Senate File 510
Senate File 308	Senate File 514
Senate File 336	Senate File 517
Senate File 340	Senate File 518
Senate File 341	Senate File 527
Senate File 346	Senate File 530
Senate File 348	Senate File 538

Senate File 373	Senate File 543
Senate File 384	Senate File 544
Senate File 413	Senate File 546
Senate File 416	Senate File 558
Senate File 421	Senate File 559
Senate File 427	Senate File 566

Rants of Woodbury amended the previous motion, moving to place the following Senate Files on the unfinished business calendar:

Senate File 48	Senate File 435
Senate File 49	Senate File 457
Senate File 62	Senate File 465
Senate File 199	Senate File 469
Senate File 212	Senate File 472
Senate File 248	Senate File 482
Senate File 254	Senate File 485
Senate File 263	Senate File 488
Senate File 264	Senate File 505
Senate File 304	Senate File 510
Senate File 308	Senate File 514
Senate File 336	Senate File 517
Senate File 340	Senate File 518
Senate File 341	Senate File 527
Senate File 346	Senate File 530
Senate File 348	Senate File 538
Senate File 373	Senate File 543
Senate File 384	Senate File 544
Senate File 416	Senate File 546
Senate File 421	Senate File 558
Senate File 427	Senate File 559
Senate File 428	Senate File 566

Roll call was requested by Rants of Woodbury and Raecker of Polk.

Rule 75 was invoked.

On the question "Shall the substitution of Senate Files be placed on the unfinished business calendar?"

The ayes were, 46:

Alons	Anderson	Arnold	Boal
Chambers	Clute	De Boef	Deyoe
Dolecheck	Drake	Forristall	Gipp
Granzow	Grassley	Greiner	Heaton
Hoffman	Horbach	Huseman	Kaufmann
Lukan	May	Mertz	Miller, L.
Olson, S.	Paulsen	Pettengill	Quirk
Raecker	Rants	Rasmussen	Rayhons
Roberts	Sands	Soderberg	Struyk
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wiencck
Windschitl	Worthan		

The nays were, 49:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Miller, H.	Oldson	Olson, D.	Olson, R.
Olson, T.	Palmer	Petersen	Reasoner
Reichert	Schueller	Shomshor	Smith
Staed	Swaim	Taylor, D.	Taylor, T.
Thomas	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise
Mr. Speaker			
Murphy			

Absent or not voting, 5:

Baudler	Huser	Jacobs	Schickel
Zirkelbach			

The motion to substitute lost.

Rants of Woodbury moved to divide the list of Senate Files to be placed on the unfinished business calendar.

The Speaker ruled the motion out of order.

McCarthy of Polk moved that the original list of Senate Files be placed on the unfinished business calendar.

Roll call was requested by McCarthy of Polk and Paulsen of Linn.

On the question "Shall the original list of Senate Files be placed on the unfinished business calendar?"

Rule 75 was invoked.

The ayes were, 52:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Quirk	Reasoner	Reichert
Schueller	Shomshor	Smith	Staed
Swaim	Taylor, D.	Taylor, T.	Thomas
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	Mr. Speaker Murphy

The nays were, 44:

Alons	Anderson	Arnold	Boal
Chambers	Clute	De Boef	Deyoe
Dolecheck	Drake	Forristall	Gipp
Granzow	Grassley	Greiner	Heaton
Hoffman	Horbach	Huseman	Kaufmann
Lukan	May	Miller, L.	Olson, S.
Paulsen	Pettengill	Raecker	Rants
Rasmussen	Rayhons	Roberts	Sands
Soderberg	Struyk	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wienczek	Windschitl	Worthan

Absent or not voting, 4:

Baudler	Jacobs	Schickel	Zirkelbach
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The motion prevailed.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 12, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 309, a bill for an act requiring development of a uniform cost report for certain services reimbursed through the department of human services and counties.

Also: That the Senate has on April 12, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 432, a bill for an act relating to abuse of a human corpse and providing penalties.

Also: That the Senate has on April 12, 2007, amended and passed the following bill in which the concurrence of the House is asked:

House File 546, a bill for an act relating to membership on election boards.

MICHAEL E. MARSHALL, Secretary

On motion by McCarthy of Polk, the House was recessed at 4:20 p.m., until the completion of the 4:30 committee block.

EVENING SESSION

The House reconvened at 6:14 p.m., Speaker Murphy in the chair.

McCarthy of Polk asked and received unanimous consent that Senate File 90 be placed on the unfinished business calendar.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 12th day of April, 2007: House Files 298, 314, 610 and 777.

MARK W. BRANDSGARD
Chief Clerk of the House

Report adopted.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on Tuesday, April 10, 2007. Had I been present, I would have voted "aye" on House File

892 and Senate Files 41, 42, 137, 155, 205, 265, 270, 311, 351, 354, 407, 444, 448, 477, 479 and 529.

WINCKLER of Scott

COMMUNICATION RECEIVED

The following communication was received and filed in the office of the Chief Clerk:

IOWA WORKFORCE DEVELOPMENT

Annual status report, pursuant to Chapter 96.35, Code of Iowa.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- 2007\2864 Matthew Wettach, Mount Pleasant – For receiving the 2007 Prudential Spirit of Community Award.
- 2007\2865 Candace Carlson, Council Bluffs – For receiving the 2007 Prudential Spirit of Community Award.
- 2007\2866 Joe and Irene Armbrecht, Clemons – For celebrating their 60th wedding anniversary.
- 2007\2867 Twyla Miller, Des Moines – For her more than twenty years of dedicated service as a Legislative Secretary with the Iowa House of Representatives.
- 2007\2868 Hazel Greedy, Shenandoah – For celebrating her 100th birthday.
- 2007\2869 Everette and Rose Ann Standage, Shenandoah – For celebrating their 65th wedding anniversary.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 306 Ways and Means

Relating to the streamlined sales and use tax agreement and administration of the tax and related laws by the department of

revenue, including administration of sales and use taxes, and providing an effective date.

H.S.B. 307 Ways and Means

Relating to the movement and health of swine by providing for the taking of estray swine, the registration of game swine, the imposition of fees, and by providing for penalties and an effective date.

H.S.B. 308 Ways and Means

Concerning native wine manufacturers and permit fees.

H.S.B. 309 Ways and Means

Providing a biodiesel blended fuel tax credit for consumers, and providing effective and applicability dates.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Committee Bill (Formerly House File 511), relating to the waste tire management fund and making appropriations.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 12, 2007.

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly House File 832), providing for individual and corporate income tax credits for the charitable conveyance of real property for conservation purposes and including a retroactive applicability date provision.

Fiscal Note is required.

Recommended **Amend and Do Pass** April 12, 2007.

Committee Bill (Formerly House File 850), concerning the training and certification of designated security personnel working at commercial establishments with a liquor control license or wine or beer permit.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 12, 2007.

Committee Bill (Formerly House Study Bill 292), relating to the repeal of the loan agencies tax.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 12, 2007.

RESOLUTION FILED

HR 44, by Kaufmann and Jacoby, a resolution to acknowledge and commend the Herbert Hoover Presidential Library Association for establishing the Uncommon Public Service Award to annually recognize the service of members of the Iowa General Assembly.

Laid over under **Rule 25**.

AMENDMENTS FILED

H—1693	H.F.	767	Senate Amendment
H—1694	H.F.	651	Senate Amendment
H—1695	S.F.	62	May of Dickinson
H—1696	H.F.	883	Grassley of Butler
H—1697	H.F.	883	Upmeyer of Hancock
H—1698	H.F.	893	Van Fossen of Scott
H—1699	S.F.	341	Rants of Woodbury
H—1700	H.F.	499	Senate Amendment
H—1701	H.F.	844	Senate Amendment
H—1702	S.F.	373	Smith of Marshall
H—1703	H.F.	883	Van Fossen of Scott
H—1705	S.F.	538	Horbach of Tama
H—1706	S.F.	264	Paulsen of Linn
H—1707	H.F.	546	Senate Amendment
H—1708	H.F.	883	Lukan of Dubuque
			May of Dickinson
			Heaton of Henry
			Clute of Polk
			Struyk of Pottawattamie
			Roberts of Carroll

Hoffman of Crawford			Worthan of Buena Vista
Boal of Polk			Windschitl of Harrison
Paulsen of Linn			Chambers of O'Brien
De Boef of Keokuk			Wiencek of Black Hawk
Kaufmann of Cedar			Watts of Dallas
Alons of Sioux			Grassley of Butler
Forristall of Pottawattamie			Rayhons of Hancock
Tymeson of Madison			Soderberg of Plymouth
Rasmussen of Buchanan			
H—1709	H.F.	883	Lukan of Dubuque
Paulsen of Linn			Sands of Louisa
Wiencek of Black Hawk			Upmeyer of Hancock
Alons of Sioux			Deyoe of Story
Drake of Pottawattamie			Hoffman of Crawford
Granzow of Hardin			Soderberg of Plymouth
Rasmussen of Buchanan			Grassley of Butler
Tymeson of Madison			May of Dickinson
Clute of Polk			Kaufmann of Cedar
L. Miller of Scott			Forristall of Pottawattamie
Windschitl of Harrison			Van Fossen of Scott
H—1710	H.F.	888	Greiner of Washington
H—1711	S.F.	564	Greiner of Washington
H—1712	H.F.	890	Ford of Polk
H—1714	S.F.	485	Alons of Sioux
			Watts of Dallas
			Mertz of Kossuth
H—1715	S.F.	485	Alons of Sioux
			Watts of Dallas
			Mertz of Kossuth
H—1716	S.F.	485	Alons of Sioux
			Watts of Dallas
			Mertz of Kossuth

On motion by McCarthy of Polk the House adjourned at 6:15 p.m., until 9:00 a.m., Friday, April 13, 2007.

JOURNAL OF THE HOUSE

Ninety-sixth Calendar Day - Sixty-fifth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, April 13, 2007

The House met pursuant to adjournment at 9:17 a.m., Speaker Murphy in the chair.

Prayer was offered by the Honorable Mike Reasoner, state representative from Union County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Majority Leader, Kevin McCarthy of Polk County.

The Journal of Thursday, April 12, 2007 was approved.

INTRODUCTION OF BILLS

House File 900, by committee on appropriations, a bill for an act relating to the waste tire management fund and making appropriations.

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

House File 901, by committee on ways and means, a bill for an act concerning the training and certification of designated security personnel working at commercial establishments with a liquor control license or wine or beer permit.

Read first time and placed on the **ways and means calendar**.

House File 902, by committee on ways and means, a bill for an act providing for individual and corporate income tax credits for the charitable conveyance of real property for conservation purposes and including a retroactive applicability date provision.

Read first time and placed on the **ways and means calendar**.

House File 903, by committee on ways and means, a bill for an act creating an insurance industry new jobs tax credit.

Read first time and placed on the **ways and means calendar**.

House File 904, by committee on ways and means, a bill for an act relating to withholding tax and the repeal of the loan agencies tax.

Read first time and placed on the **ways and means calendar**.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- 2007\2870 Phyllis I. Arends, Marshalltown – For celebrating her 82nd birthday.
- 2007\2871 Lorene C. Havig, Marshalltown – For celebrating her 77th birthday.
- 2007\2872 Donna M. Holl, Conrad – For celebrating her 78th birthday.
- 2007\2873 Glen R. Ytzen, Marshalltown – For celebrating his 77th birthday.
- 2007\2874 Jared Walker, Crawfordsville – For being chosen to attend the American Legion Hawkeye Boys State.
- 2007\2875 Larry Kress, Waterloo – For celebrating his 75th birthday.
- 2007\2876 Thelma Long, Waterloo – For celebrating her 90th birthday.
- 2007\2877 David Duncan, Libertyville – For his 25 years of dedicated service with Agri-Industrial Plastics.
- 2007\2878 Ned and Lorene Gaston, Kepsauqua – For celebrating their 50th wedding anniversary.
- 2007\2879 Wanda Mary Ramsey, Marshalltown – For celebrating her 91st birthday.
- 2007\2880 Jerry and Nancy Akers, Central City – For celebrating their 50th wedding anniversary.

SUBCOMMITTEE ASSIGNMENT

Senate File 557

Ways and Means: Kelley, Chair; Pettengill and Van Fossen.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 306

Ways and Means: Olson, T, Chair; Kelley and Wiencek.

House Study Bill 307

Ways and Means: Quirk, Chair; Pettengill and Sands.

House Study Bill 308

Ways and Means: Davitt, Chair; Jacobs and Wise.

House Study Bill 309

Ways and Means: Reasoner, Chair; Huser, Quirk, Sands and Soderberg.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON ADMINISTRATION AND RULES

Senate Joint Resolution 4, a joint resolution authorizing the temporary use and consumption of wine in the State Capitol, and the temporary display of ceremonial banners, in conjunction with the awards ceremony of State Capitol.

Fiscal Note is not required.

Recommended **Do Pass** April 10, 2007.

COMMITTEE ON WAYS AND MEANS

Senate File 539, a bill for an act establishing uniform finance procedures for obligations issued by the state.

Fiscal Note is not required.

Recommended **Do Pass** April 12, 2007.

Senate File 566, a bill for an act relating to historic preservation and cultural and entertainment district tax credits, and providing applicability date provisions.

Fiscal Note is required.

Recommended **Do Pass** April 12, 2007.

On motion by McCarthy of Polk the House adjourned at 9:20 a.m., until 1:00 p.m., Monday, April 16, 2007.

JOURNAL OF THE HOUSE

Ninety-ninth Calendar Day - Sixty-sixth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, April 16, 2007

The House met pursuant to adjournment at 1:16 p.m., Speaker Murphy in the chair.

Prayer was offered by Reverend Connie McWilliams, pastor of the Community Church of Christ, Crescent. She was the guest of Representative Matt Windschitl of Harrison County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Grant Wood All City Drum Corps from Cedar Rapids. They also sang God Bless America and have performed in two presidential inaugural parades. They were the guests of Representative Tyler Olson of Linn County.

The Journal of Friday, April 13, 2007 was approved.

ADOPTION OF HOUSE RESOLUTION 43

Berry of Black Hawk called up for consideration **House Resolution 43**, a resolution to honor the life and work of George Washington Carver, and moved its adoption.

The motion prevailed and the resolution was adopted.

SPECIAL PRESENTATION

Berry of Black Hawk introduced to the House, Dr. George Jack of Iowa State University, Dr. John Byrd from Simpson College, Ambassador Ken Quinn and Pakston Williams (portrays George Washington Carver) for recognition in honoring the life accomplishments of George Washington Carver.

The House rose and expressed its welcome.

ADOPTION OF HOUSE RESOLUTION 44

Jacoby of Johnson called up for consideration **House Resolution 44**, a resolution to acknowledge and commend the Herbert Hoover Presidential Library Association for establishing the Uncommon Public Service Award to annually recognize the service of members of the Iowa General Assembly, and moved its adoption.

The motion prevailed and the resolution was adopted.

SPECIAL PRESENTATION

Speaker Murphy requested Senate President Jack Kibbie, Representative Raecker of Polk and former Governor Robert Ray to approach the podium. Former Governor Ray addressed the House regarding the "Uncommon Public Service Award" recognizing Senate President Jack Kibbie and Representative Scott Raecker as the first recipients' of the award.

The House rose and expressed its gratitude.

The House stood at ease at 1:49 p.m., until the fall of the gavel.

The House resumed session at 3:58 p.m. and Speaker Murphy in the chair.

INTRODUCTION OF BILL

House File 905, by Wise, a bill for an act relating to state and local budgets and taxes by authorizing a commercial property tax credit for individual and corporate income tax, reducing the assessment limitation for commercial and industrial property, repealing authorization of a city or county to levy property taxes except for debt service, repealing authorization of a school district or merged area to levy property taxes except for debt service, increasing the maximum rate for local hotel and motel taxes, setting a specific appropriation for and making an appropriation to the statewide fire and police retirement system, establishing a legislative property tax study committee, and including effective and retroactive applicability date provisions.

Read first time and referred to committee on **ways and means**.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 16, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 397, a bill for an act relating to the expenditures allowable from medical assistance income trusts.

Also: That the Senate has on April 16, 2007, amended and passed the following bill in which the concurrence of the House is asked:

House File 874, a bill for an act relating to and making appropriations to certain state departments, agencies, funds, and certain other entities and providing an effective date.

Also: That the Senate has on April 9, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 551, a bill for an act relating to and making appropriations involving state government, by providing for agriculture, natural resources, and environmental protection.

Also: That the Senate has on April 9, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 569, a bill for an act relating to entities and activities regulated by the Iowa department of public health, including the practices of optometry and mortuary science, establishment of a state public health dental director and an oral health bureau, membership on the child death review team, and immunity for emergency response, and providing for the revision of fees.

Also: That the Senate has on April 9, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 580, a bill for an act relating to a tax amnesty program, making appropriations, and including an effective date provision.

MICHAEL E. MARSHALL, Secretary

HOUSE FILE 865 WITHDRAWN

Huser of Polk asked and received unanimous consent to withdraw House File 865 from further consideration by the House.

CONSIDERATION OF BILLS
Appropriations Calendar

House File 896, a bill for an act creating a disaster aid individual assistance grant fund, was taken up for consideration.

T. Olson of Linn in the chair at 4:05 p.m.

Mascher of Johnson moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 896)

The ayes were, 98:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Clute	Cohoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Murphy, Spkr.
Oldson	Olson, D.	Olson, R.	Olson, S.
Palmer	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor
Smith	Soderberg	Staed	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Wiencek	Winckler	Windschitl	Wise
Worthan	Olson, T., Presiding		

The nays were, none.

Absent or not voting, 2:

Chambers Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Unfinished Business Calendar

House File 616, a bill for an act relating to moneys appropriated to the department of economic development for regional tourism marketing purposes, was taken up for consideration.

SENATE FILE 302 SUBSTITUTED FOR HOUSE FILE 616

May of Dickinson asked and received unanimous consent to substitute Senate File 302 for House File 616, placing out of order amendment H-1172 filed by Dandekar of Linn, et al., on March 13, 2007.

Senate File 302, a bill for an act relating to moneys appropriated to the department of economic development for regional tourism marketing purposes, was taken up for consideration.

Dandekar of Linn asked and received unanimous consent to withdraw amendment H-1395 filed by Dandekar of Linn, et al., on March 19, 2007.

May of Dickinson moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 302)

The ayes were, 98:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Clute	Cohoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Murphy, Spkr.
Oldson	Olson, D.	Olson, R.	Olson, S.

Palmer	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor
Smith	Soderberg	Staed	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Wiencek	Winckler	Windschitl	Wise
Worthan	Olson, T., Presiding		

The nays were, none.

Absent or not voting, 2:

Chambers Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 616 WITHDRAWN

May of Dickinson asked and received unanimous consent to withdraw House File 616 from further consideration by the House.

Senate File 416, a bill for an act relating to city elections by providing procedures for filling a city council vacancy by special election and by providing satellite absentee voting at certain city elections, with report of committee recommending passage, was taken up for consideration.

Gaskill of Wapello moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 416)

The ayes were, 91:

Abdul-Samad	Anderson	Bailey	Baudler
Bell	Berry	Boal	Bukta
Clute	Cohoon	Dandekar	Davitt
De Boef	Deyoe	Dolecheck	Drake
Foege	Ford	Forristall	Frevrt
Gaskill	Gayman	Gipp	Granzow

Grassley	Greiner	Heaton	Heddens
Hoffman	Horbach	Hunter	Huseman
Huser	Jacobs	Jacoby	Jochum
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	Mascher	May
McCarthy	Mertz	Miller, H.	Miller, L.
Murphy, Spkr.	Oldson	Olson, D.	Olson, R.
Olson, S.	Palmer	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rants
Rayhons	Reasoner	Reichert	Roberts
Schickel	Schueller	Shomshor	Smith
Soderberg	Staed	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wiencek	Winckler	Windschitl
Wise	Worthan	Olson, T., Presiding	

The nays were, 7:

Alons	Arnold	Kaufmann	Rasmussen
Sands	Van Engelenhoven	Van Fossen	

Absent or not voting, 2:

Chambers	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

SENATE AMENDMENT CONSIDERED

Lensing of Johnson called up for consideration **House File 849**, a bill for an act concerning the department of administrative services and providing an effective date, amended by the Senate, and moved that the House concur in the following Senate amendment H-1582:

H-1582

- 1 Amend House File 849, as passed by the House, as
- 2 follows:
- 3 1. Page 1, by inserting after line 29 the
- 4 following:
- 5 "Sec. ____ Section 8A.311, Code 2007, is amended
- 6 by adding the following new subsection:
- 7 **NEW SUBSECTION.** 21. a. The state, through the
- 8 department, shall give a preference to purchasing
- 9 equipment, supplies, or services from or awarding

10 public improvement contracts pursuant to subsection 11
11 to an Iowa-based business as provided under paragraph
12 "b", as appropriate, if the bid submitted is
13 comparable in price to those submitted by other
14 bidders and meets the required specifications.
15 However, before giving the preference, the department
16 shall confirm with the Iowa employer support of the
17 guard and reserve committee that the requirements of
18 paragraph "b" have been met by the Iowa-based
19 business.

20 b. To receive a preference as provided by this
21 subsection, the Iowa-based business employer shall
22 have adopted policies beyond those otherwise required
23 by law to support employees who are officers or
24 enlisted persons in the national guard and organized
25 reserves of the armed forces of the United States
26 consistent with standards adopted by the Iowa employer
27 support of the guard and reserve committee. To be
28 eligible for such preference, an employer shall submit
29 to the committee a copy of the applicable policies
30 adopted by the employer and shall sign and submit to
31 the committee a statement of support of persons in the
32 employ of the employer who serve in the national guard
33 and the reserves, recognizing the vital role of the
34 national guard and the reserves, and pledging all of
35 the following:

36 (1) To neither deny employment nor limit or reduce
37 job opportunities because of an employee's service in
38 the national guard or organized reserves of the armed
39 forces of the United States.

40 (2) To grant leaves of absence during a period of
41 military duty or training.

42 (3) To ensure that all employees are aware of the
43 employer's policies and the requirements of section
44 29A.43."

45 2. Page 2, line 33, by striking the word "DATE."
46 and inserting the following: "DATES.
47 1."

48 3. Page 2, by inserting after line 35 the
49 following:

50 "2. The section of this Act amending section

Page 2

1 8A.311 takes effect January 1, 2008."

2 4. Title page, by striking line 2 and inserting
3 the following: "including an effective date
4 provision."

5 5. By renumbering as necessary.

The motion prevailed and the House concurred in the Senate amendment H-1582.

Lensing of Johnson moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 849)

The ayes were, 98:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Clute	Cohoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Murphy, Spkr.
Oldson	Olson, D.	Olson, R.	Olson, S.
Palmer	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor
Smith	Soderberg	Staed	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Wiencek	Winckler	Windschitl	Wise
Worthan	Olson, T., Presiding		

The nays were, none.

Absent or not voting, 2:

Chambers Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

House File 538, a bill for an act concerning the licensure, operation, and taxation of card game tournaments by organizations representing veterans, was taken up for consideration.

Whitead of Woodbury offered the following amendment H-1618 filed by the committee on state government and moved its adoption:

H-1618

1 Amend House File 538 as follows:

2 1. Page 2, by striking lines 4 through 6 and
3 inserting the following: "participating in the
4 tournament, subject to the requirements of this
5 section. The total number of members and guests
6 participating in a card game tournament shall not
7 exceed the occupancy limit of the premises where the
8 card game tournament is being conducted."

9 2. Page 2, line 7, by striking the word
10 "tournament."

11 3. Page 2, line 9, by inserting before the word
12 "Cash" the following: "(1) If the card game
13 tournament is limited to one guest for each member of
14 the qualified organization representing veterans
15 participating in the tournament, then the requirements
16 of this subparagraph shall apply. The cost to
17 participate in a card game tournament shall be limited
18 to one hundred dollars and shall be the same for every
19 participant in the card game tournament."

20 4. Page 2, line 12, by inserting after the word
21 "dollars." the following:

22 "(2) If the card game tournament is not limited to
23 one guest for each member of the qualified
24 organization representing veterans participating in
25 the tournament, then the requirements of this
26 subparagraph shall apply. The cost to participate in
27 a card game tournament shall be limited to twenty-five
28 dollars and shall be the same for every participant in
29 the card game tournament. Cash or merchandise prizes
30 may be awarded during a card game tournament and shall
31 not exceed three hundred dollars and no participant
32 shall win more than a total of two hundred dollars.

33 (3)".

34 5. Page 2, line 22, by inserting after the word
35 "tournament." the following: "In addition, the card
36 game tournament and any card game conducted during the
37 tournament shall be conducted on the premises of the
38 qualified organization representing veterans as
39 identified in the license application pursuant to
40 subsection 4."

41 6. Page 2, line 29, by striking the word "one"

42 and inserting the following: "two".

43 7. Page 2, line 30, by striking the words

44 "tournament per week" and inserting the following:

45 "tournaments per month and shall not hold a card game

46 tournament within seven calendar days of another card

47 game tournament conducted by that qualified

48 organization representing veterans".

49 8. Page 2, by striking line 35 and inserting the

50 following: "period of twenty-four consecutive hours,

Page 2

1 starting from the time the card game tournament

2 begins."

3 9. Page 3, by striking lines 20 through 22 and

4 inserting the following:

5 "a. The qualified organization representing

6 veterans shall dedicate and distribute the net

7 receipts from each card game tournament as provided in

8 section 99B.7, subsection 3, paragraph "b"."

9 10. Page 4, line 14, by inserting after the word

10 "department." the following: "The application shall

11 identify the premises where the card game tournaments

12 are to be conducted and the occupancy limit of the

13 premises, and shall include documentation that the

14 qualified organization representing veterans has

15 conducted regular meetings of the organization at the

16 premises during the previous eight months."

17 11. Page 4, by inserting after line 14 the

18 following:

19 "5. a. A person under twenty-one years of age who

20 participates in a card game tournament in violation of

21 this section is deemed to violate the legal age for

22 gambling wagering provisions under section 725.19,

23 subsection 1.

24 b. The department shall revoke, for a period of

25 one year, the license of a qualified organization

26 representing veterans to conduct card game tournaments

27 under this section if the licensee knowingly permits a

28 person under the age of twenty-one years to

29 participate in a card game tournament."

30 12. Page 4, by inserting before line 15 the

31 following:

32 "Sec. ____ Section 99B.8, subsection 1, unnumbered
33 paragraph 1, Code 2007, is amended to read as follows:

34 Games of skill, games of chance, and card games

35 lawfully may be conducted during a period of ~~twelve~~

36 sixteen consecutive hours within a period of

37 twenty-four consecutive hours once each year by any

38 person. The games may be conducted at any location

39 except one for which a license is required pursuant to

40 section 99B.3 or section 99B.5, but only if all of the

41 following are complied with:

42 Sec.____. Section 99B.8, Code 2007, is amended by
 43 adding the following new subsection:
 44 **NEW SUBSECTION. 6. a.** Notwithstanding any
 45 provision of section 99B.7 to the contrary, if the
 46 games are conducted by an eligible qualified
 47 organization issued a license pursuant to subsection
 48 3, the sponsor may award cash or merchandise prizes in
 49 any game of skill, game of chance, or card game
 50 lawfully conducted during the annual game night in an

Page 3

1 amount not to exceed ten thousand dollars and no
 2 participant shall win more than a total of five
 3 thousand dollars.

4 b. For purposes of this subsection, an "eligible
 5 qualified organization" means any of the following:

6 (1) A qualified organization representing veterans
 7 as defined in section 99B.7B.

8 (2) A qualified organization that represents
 9 volunteer emergency services providers as defined in
 10 section 100B.31.

11 (3) A qualified organization that is exempt from
 12 federal income tax under section 501(c)(3) of the
 13 Internal Revenue Code and that has conducted an annual
 14 game night during the period beginning January 1,
 15 2001, and ending December 31, 2006."

16 13. Title page, line 2, by inserting after the
 17 word "veterans" the following: "and allowable prizes
 18 at annual game nights by certain qualified
 19 organizations and making penalties applicable".

20 14. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 46, nays 41.

The committee amendment H-1618 was adopted.

SENATE FILE 414 SUBSTITUTED FOR HOUSE FILE 538

Whitead of Woodbury asked and received unanimous consent to substitute Senate File 414 for House File 538, placing out of order amendment H-1674 filed by Raecker of Polk.

Senate File 414, a bill for an act concerning the licensure, operation, and taxation of card game tournaments by organizations

representing veterans and allowable prizes at annual game nights by certain qualified organizations and making penalties applicable, was taken up for consideration.

Raecker of Polk asked and received unanimous consent that amendment H-1606 and amendment H-1604 be deferred.

Raecker of Polk offered the following amendment H-1605 filed by him and Quirk of Chickasaw and moved its adoption:

H-1605

- 1 Amend Senate File 414, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 6, by striking line 1 and inserting the
- 4 following: "prizes in any games of skill, games of
- 5 chance, or card games".
- 6 2. Page 6, line 2, by inserting before the word
- 7 "amount" the following: "aggregate".

Speaker Murphy in the chair at 5:20 p.m.

Amendment H-1605 was adopted.

D. Taylor of Linn asked and received unanimous consent to withdraw amendment H-1650 filed by D. Taylor of Linn, et al., on April 10, 2007.

Raecker of Polk offered the following amendment H-1606, previously deferred, filed by him and moved its adoption:

H-1606

- 1 Amend Senate File 414, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 2, line 9, by inserting after the word
- 4 "age." the following: "However, a veteran who is at
- 5 least eighteen years of age shall be permitted to
- 6 participate in a card game tournament."
- 7 2. Page 5, line 12, by inserting after the word
- 8 "age" the following: "or, if applicable, a veteran
- 9 under eighteen years of age".
- 10 3. Page 5, line 20, by inserting after the word
- 11 "years" the following: "or, if applicable, a veteran
- 12 under the age of eighteen years".
- 13 4. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 32, nays 53.

Amendment H-1606 lost.

Raecker of Polk offered the following amendment H-1604, previously deferred, filed by him and moved its adoption:

H-1604

- 1 Amend Senate File 414, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 6, line 4, by inserting after the word
- 4 "dollars." the following: "However, of the cash and
- 5 merchandise prizes awarded during the annual game
- 6 night, the total amount of cash prizes awarded shall
- 7 not exceed five thousand dollars and no participant
- 8 shall win more than a total of two thousand five
- 9 hundred dollars in cash prizes."

A non-record roll call was requested.

The ayes were 47, nays 48.

Amendment H-1604 lost.

Whitead of Woodbury moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 414)

The ayes were, 54:

Abdul-Samad	Bailey	Baudler	Bell
Berry	Bukta	Cohoon	Dandekar
Davitt	Ford	Frevert	Gaskill
Gayman	Heaton	Hoffman	Horbach
Hunter	Jacoby	Jochum	Kelley
Kressig	Lensing	Lukan	Lykam
Mascher	McCarthy	Mertz	Miller, H.
Oldson	Olson, D.	Olson, R.	Olson, T.
Palmer	Petersen	Pettengill	Quirk
Reasoner	Schueller	Shomshor	Smith
Staed	Struyk	Swaim	Taylor, T.

Thomas	Tjepkes	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Winckler
Wise	Mr. Speaker		
	Murphy		

The nays were, 44:

Alons	Anderson	Arnold	Boal
Clute	De Boef	Deyoe	Dolecheck
Drake	Foege	Forristall	Gipp
Granzow	Grassley	Greiner	Heddens
Huseman	Huser	Jacobs	Kaufmann
Kuhn	May	Miller, L.	Olson, S.
Paulsen	Raecker	Rants	Rasmussen
Rayhons	Reichert	Roberts	Sands
Schickel	Soderberg	Taylor, D.	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wiencek	Windschitl	Worthan

Absent or not voting, 2:

Chambers	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 16, 2007, amended and passed the following bill in which the concurrence of the House is asked:

House File 752, a bill for an act relating to and making transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund.

Also: That the Senate has on April 16, 2007, amended the House amendment, concurred in the House amendment as amended, and passed the following bill in which the concurrence of the House is asked:

Senate File 277, a bill for an act relating to the state's educational standards regarding teacher librarians and qualified guidance counselors, and to teacher and administrator quality, including the student achievement and teacher quality program and an administrator quality program, making appropriations, and providing an effective date.

Also: That the Senate has on April 16, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 578, a bill for an act creating a Vietnam Conflict veterans bonus for a certain period of active duty military service, making an appropriation, and providing a tax exemption and a penalty.

Also: That the Senate has on April 16, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 579, a bill for an act relating to a pharmaceutical collection and disposal pilot project.

MICHAEL E. MARSHALL, Secretary

SENATE MESSAGES CONSIDERED

Senate File 551, by committee on appropriations, a bill for an act relating to and making appropriations involving state government, by providing for agriculture, natural resources, and environmental protection.

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

Senate File 580, by committee on ways and means, a bill for an act relating to a tax amnesty program, making appropriations, and including an effective date provision.

Read first time and **passed on file**.

Rants of Woodbury rose on a point of order stating that Senate File 551 should not be read in as it was passed in the Senate in violation of Joint Rule 20.

The Speaker ruled the point not well taken.

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 849 and 896 and Senate Files 302, 414 and 416**.

On motion by McCarthy of Polk, the House was recessed at 6:59 p.m., until the completion of the meetings of the committees on appropriations and ways and means.

The House resumed session at 12:45 a.m., Speaker Murphy in the chair.

INTRODUCTION OF BILLS

House File 906, by committee on appropriations, a bill for an act requiring children enrolling in elementary or high school to have a dental screening and providing an effective date.

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

House File 907, by committee on appropriations, a bill for an act relating to and making appropriations from the healthy Iowans tobacco trust and the tobacco settlement trust fund and providing an effective date.

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

House File 908, by committee on ways and means, a bill for an act relating to the licensing and regulation of plumbers and mechanical professionals, and providing an appropriation and penalties.

Read first time and placed on the **ways and means calendar**.

House File 909, by committee on appropriations, a bill for an act relating to and making appropriations for health and human services and including other related provisions and appropriations, and including effective date provisions.

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

House File 910, by committee on appropriations, a bill for an act relating to the creation of a task force on postnatal tissue and fluid banking, related postnatal procedures, and providing an effective date.

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

SENATE MESSAGES CONSIDERED

Senate File 578, by committee on appropriations, a bill for an act creating a Vietnam Conflict veterans bonus for a certain period of active duty military service, making an appropriation, providing a tax exemption and a penalty, and including a retroactive applicability provision.

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

Senate File 579, by committee on appropriations, a bill for an act relating to a pharmaceutical collection and disposal pilot project.

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

HOUSE FILE 893 REFERRED

The Speaker announced that House File 893, previously placed on the **ways and means calendar** was referred to committee on **appropriations**.

SENATE FILE 442 REFERRED

The Speaker announced that Senate File 442, previously **passed on file** was referred to committee on **ways and means**.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on Thursday, April 12, 2007. Had I been present, I would have voted "aye" on House Files 451 and 793, Senate Files 406, 463, 489 and 563 and on shall the substitution of Senate Files be placed on the unfinished business calendar found on page 1369 of the House Journal. I would have voted "nay" on Senate File 528

JACOBS of Polk

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 16th day of April, 2007: House Files 158, 413, 585, 765, 774 and 846.

MARK W. BRANDSGARD
Chief Clerk of the House

Report adopted.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 16, 2007, he approved and transmitted to the Secretary of State the following bills:

House File 298, an Act relating to the conveyance or encumbrance of a homestead and providing an effective and applicability date.

House File 314, an Act relating to a peace officer's statements to a person operating a noncommercial motor vehicle and holding a commercial driver's license who has been requested to submit to a chemical test in an operating-while-intoxicated case.

House File 610, an Act relating to acquired immune deficiency syndrome and the human immunodeficiency virus.

House File 777, an Act relating to judicial branch practices and procedures including but not limited to adoption petitions, clerk of the district court duties, and recordkeeping affecting real estate and change of name records.

Senate File 41, an Act relating to the disposition of unclaimed property concerning minerals.

Senate File 42, an Act relating to campaign finance by revising the requirements for filing reports and for the use of certain resources for political purposes.

Senate File 140, an Act relating to the time period for which peace officers' investigative reports and specific portions of electronic mail and telephone billing records are to be kept confidential.

Senate File 161, an Act relating to the confidentiality of security procedures or emergency preparedness information discussed at a meeting of a governmental body and providing an effective date.

Senate File 200, an Act providing for the liability of a landowner of land where livestock are kept or an owner of adjoining land for erecting and maintaining a fence, and providing for the assessment of property taxes.

Senate File 351, an Act requiring a political committee expressly advocating the passage or defeat of a ballot issue to file five disclosure reports in an election year.

Senate File 477, an Act authorizing the issuance of additional special nonresident deer hunting licenses.

Senate File 480, an Act relating to children who are subject to a court order for temporary or permanent out-of-home placement by providing for visitation or ongoing interaction between the children and siblings.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- 2007\2881 Pioneer United Methodist Church, Rock Valley – For celebrating its 125th anniversary.
- 2007\2882 St. Thomas Aquinas Elementary School, Webster City – For their student cash contribution to Operation May Basket.
- 2007\2883 Thomas Michael Flynn, Epworth – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\2884 Bill and Delores Loeb sack, Sioux City – For celebrating their 60th wedding anniversary.
- 2007\2885 Mildred Ryan, Marshalltown – For celebrating her 88th birthday.
- 2007\2886 Kenneth and Ann Niedermann, Marshalltown – For celebrating their 60th wedding anniversary.
- 2007\2887 Rich Verburg, Rock Valley – For celebrating his 90th birthday.
- 2007\2888 Emma Woelber, George – For celebrating her 92nd birthday.
- 2007\2889 Raymond and Louise Nelson, Truro – For celebrating their 50th wedding anniversary.
- 2007\2890 Don McKee, Gilman – For his dedicated years of public service, including his service in the United States Navy, serving as a Senior Correctional Officer at Anamosa State Penitentiary, and as President of the American Federation of State, County, and Municipal Employees (AFSCME) from 1981-1994.
- 2007\2891 Harold Schurr, Bettendorf – For celebrating his 90th birthday.
- 2007\2892 Ray Koth, Garnavillo – For celebrating his 90th birthday.
- 2007\2893 Mary Franzen, Arlington – For celebrating her 80th birthday.
- 2007\2894 James and Kathleen Funke, Edgewood – For celebrating their 50th wedding anniversary.
- 2007\2895 Henry and LaVonne Christianson, Elgin – For celebrating their 60th wedding anniversary.

- 2007\2896 Neal D. Webb, Brayton – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\2897 Dominic and Ida Faye Lickteig, Defiance – For celebrating their 65th wedding anniversary.
- 2007\2898 Simon Burke, Madrid – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\2899 Dennis and Wilma Williams, Lisbon – For celebrating their 50th wedding anniversary.
- 2007\2900 Vernon and Helen Burge, Mount Vernon – For celebrating their 65th wedding anniversary.
- 2007\2901 Jo Den Beste, Sheldon – For celebrating her 85th birthday.
- 2007\2902 Marion and Wilma Jasper, Sioux Center – For celebrating their 65th wedding anniversary.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 310 Appropriations

Relating to and making appropriations from the healthy Iowans tobacco trust and the tobacco settlement trust fund and providing an effective date.

H.S.B. 311 Ways and Means

Relating to providing sales, use, and property tax exemptions for a certain web search portal business.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Committee Bill (Formerly House File 337), relating to the creation of a task force on postnatal tissue and fluid banking, providing an appropriation, and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 16, 2007.

Committee Bill (Formerly House File 517), requiring children to have a dental screening as a condition of enrollment in elementary or high school and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 16, 2007.

Committee Bill (Formerly House Study Bill 301), relating to and making appropriations for health and human services and including other related provisions and appropriations, and including effective date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 16, 2007.

Committee Bill (Formerly House Study Bill 310), relating to and making appropriations from the healthy Iowans tobacco trust and the tobacco settlement trust fund and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** April 16, 2007.

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly House File 839), relating to the licensing and regulation of plumbers and mechanical professionals, and providing an appropriation and penalties.

Fiscal Note is required.

Recommended **Amend and Do Pass** April 16, 2007.

RESOLUTION FILED

HR 45, by Upmeyer, D. Taylor, Wessel-Kroeschell, Palmer, Smith, Bell, Van Fossen, H. Miller, Jacoby, Whitead, Gaskill, Quirk, Whitaker, Swaim, Dandekar, Wise, Rayhons, Paulsen, Bukta, T. Taylor, Oldson, Greiner, L. Miller, Tymeson, Boal, Mertz, Lukan, Alons, Worthan, De Boef, Deyoe, T. Olson, Granzow, Dolecheck, Roberts, Watts, Huseman, Windschitl, Chambers, Drake, Clute, Hoffman and Struyk, a resolution honoring the activities and commitment of the Patriot Guard Riders.

Laid over under **Rule 25**.

AMENDMENTS FILED

H—1717	H.F.	890	Rants of Woodbury Raecker of Polk
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H—1718	H.F.	889	Rants of Woodbury Raecker of Polk
H—1719	S.F.	447	Rants of Woodbury Raecker of Polk
H—1720	S.F.	447	Deyoe of Story
H—1721	H.F.	889	Deyoe of Story
H—1722	S.F.	530	Wise of Lee
H—1723	S.F.	203	Baudler of Adair
H—1724	S.F.	203	Baudler of Adair
H—1725	S.F.	203	Baudler of Adair
H—1726	S.F.	554	Mascher of Johnson
H—1727	H.F.	876	Ford of Polk
H—1728	S.F.	447	Raecker of Polk
H—1729	H.F.	889	Raecker of Polk
H—1730	S.F.	554	Wise of Lee
H—1731	S.F.	554	Kelley of Black Hawk
H—1732	S.F.	554	Pettengill of Benton
H—1733	H.F.	874	Senate Amendment
H—1734	S.F.	264	Swaim of Davis
H—1735	H.F.	752	Senate Amendment
H—1736	S.F.	554	Jochum of Dubuque
H—1737	H.F.	890	Alons of Sioux
H—1738	S.F.	277	Senate Amendment
H—1739	S.F.	485	Alons of Sioux Watts of Dallas
H—1740	S.F.	554	Jacoby of Johnson
H—1741	S.F.	554	Jacoby of Johnson
H—1742	S.F.	554	Jacoby of Johnson
H—1743	S.F.	554	Jacoby of Johnson
H—1744	S.F.	564	Whitaker of Van Buren

On motion by McCarthy of Polk the House adjourned at 12:48 a.m., until 9:00 a.m., Tuesday, April 17, 2007.

JOURNAL OF THE HOUSE

One-hundredth Calendar Day - Sixty-seventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, April 17, 2007

The House met pursuant to adjournment at 9:16 a.m., Speaker Murphy in the chair.

Prayer was offered by Reverend Wayne Pfannkuch, pastor of Emanuel-St. John Lutheran and Lytton Presbyterian Church, Lytton. He was the guest of Representative Dave Tjepkes of Webster County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Desmond Grady, House Page from Dunlap.

The Journal of Monday, April 16, 2007 was approved.

SENATE MESSAGE CONSIDERED

Senate File 569, by committee on ways and means, a bill for an act relating to entities and activities regulated by the Iowa department of public health, including the practices of optometry and mortuary science, establishment of a state public health dental director and an oral health bureau, membership on the child death review team, and immunity for emergency response, and providing for the revision of fees.

Read first time and referred to committee on **ways and means**.

The House stood at ease at 9:26 a.m., until the fall of the gavel.

The House resumed session at 12:09 p.m., Kelley of Black Hawk in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 17, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 744, a bill for an act relating to a debtor's exempt personal injury payments in state court debt collection and federal bankruptcy actions.

Also: That the Senate has on April 17, 2007, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 155, a bill for an act relating to local governments by creating a local government innovation commission and fund, creating a center for governing excellence, and including an effective date.

Also: That the Senate has on April 17, 2007, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 175, a bill for an act relating to the disposition of seized property in a criminal proceeding.

Also: That the Senate has on April 17, 2007, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 265, a bill for an act relating to asbestos removal and encapsulation regulations as enforced by the labor commissioner.

Also: That the Senate has on April 17, 2007, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 333, a bill for an act relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and including effective and retroactive applicability date provisions.

Also: That the Senate has on April 17, 2007, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 339, a bill for an act relating to county general obligation bonds by modifying the definition of essential county purpose and by changing the requirements under which a county may issue general county purpose bonds without an election.

Also: That the Senate has on April 17, 2007, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 406, a bill for an act relating to dogs, including the right to kill a tagged dog and the liability of a dog's owner for damages caused by the dog.

Also: That the Senate has on April 17, 2007, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 489, a bill for an act creating an Alzheimer's disease task force.

Also: That the Senate has on April 17, 2007, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 540, a bill for an act relating to trusts and estates including fiduciaries and beneficiaries and including applicability provisions.

Also: That the Senate has on April 17, 2007, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 563, a bill for an act relating to and making appropriations to the judicial branch.

Also: That the Senate has on April 17, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 570, a bill for an act modifying the fee structure relating to amusement ride safety inspections conducted by the division of labor services of the department of workforce development, and providing an effective date.

Also: That the Senate has on April 17, 2007, passed the following bill in which the concurrence of the House was asked:

Senate File 572, a bill for an act extending state tax benefits for use of soy-based transformer fluid by electric utilities and including effective and applicability date provisions.

Also: That the Senate has on April 17, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 575, a bill for an act relating to and making appropriations to the justice system.

Also: That the Senate has on April 17, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 581, a bill for an act relating to certain property eligible for an exemption from property taxation, providing a refund of property taxes in certain circumstances, and including effective and retroactive applicability date provisions.

MICHAEL E. MARSHALL, Secretary

On motion by McCarthy of Polk, the House was recessed at 12:10 p.m., until the completion of the committees on appropriations and ways and means.

AFTERNOON SESSION

The House reconvened at 3:25 p.m., Lukan of Dubuque in the chair.

SENATE MESSAGES CONSIDERED

Senate File 570, by committee on ways and means, a bill for an act modifying the fee structure relating to amusement ride safety inspections conducted by the division of labor services of the department of workforce development, and providing an effective date.

Read first time and referred to committee on **ways and means**.

Senate File 572, by committee on ways and means, a bill for an act extending state tax benefits for use of soy-based transformer fluid by electric utilities and including effective and applicability date provisions.

Read first time and **passed on file**.

Senate File 575, by committee on appropriations, a bill for an act relating to and making appropriations to the justice system.

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

Senate File 581, by committee on ways and means, a bill for an act relating to certain property eligible for an exemption from property taxation, providing a refund of property taxes in certain circumstances, and including effective and retroactive applicability date provisions.

Read first time and referred to committee on **ways and means**.

HOUSE REFUSED TO CONCUR

Winckler of Scott called up for consideration **Senate File 277**, a bill for an act relating to the state's educational standards regarding teacher librarians and qualified guidance counselors, and to teacher and administrator quality, including the student achievement and teacher quality program and an administrator quality program, making appropriations, and providing an effective date, amended by the House, further amended by the Senate and moved that the House concur in the following Senate amendment H-1738 to the House amendment:

H-1738

1 Amend the House amendment, S-3298, to Senate File
2 277, as amended, passed, and reprinted by the Senate,
3 as follows:

4 1. Page 1, by inserting after line 39 the
5 following:

6 ""Sec. ____. Section 257.31, Code 2007, is amended
7 by adding the following new subsection:

8 NEW SUBSECTION. 18. Subject to appropriation of
9 sufficient funds by the general assembly, the school
10 budget review committee shall establish a grant
11 assistance program and application process to provide
12 one-time grants to eligible school districts for
13 purposes of adding one or more teacher librarians
14 pursuant to section 256.11, subsection 9, one or more
15 guidance counselors pursuant to section 256.11,
16 subsection 9A, or one or more school nurses pursuant
17 to section 256.11, subsection 9B.

18 a. The committee shall establish criteria to be
19 used in evaluating the applications for grant
20 assistance submitted by school districts in accordance
21 with this subsection. The criteria shall include but
22 is not limited to requirements that an eligible school
23 district have a cash reserve of twenty-five percent or
24 less and a demonstrated need for the funding.

25 b. A professional support fund is created in the
26 state treasury to be administered by the school budget
27 review committee for purposes of this subsection.
28 Notwithstanding section 8.33, any balance in the fund
29 on June 30 of any fiscal year shall not revert to the
30 general fund of the state but shall remain available
31 to the committee for purposes of this subsection.
32 Notwithstanding section 12C.7, any interest and
33 earnings on investments from money in the fund shall
34 be credited to the fund."

35 2. Page 3, by striking lines 20 and 21 and
36 inserting the following: "education, the use and
37 distribution of the professional".

38 3. Page 3, by inserting after line 41 the
39 following:

40 " _____. Page 15, line 34, by striking the words
41 "four hundred" and inserting the following:
42 "hundred".

43 _____. Page 16, line 7, by inserting after the
44 figure "256.45" the following: "and not less than one
45 million dollars shall be deposited in the professional
46 support fund created pursuant to section 257.31,
47 subsection 18, as enacted by this Act".

48 4. Page 6, by inserting after line 17 the
49 following:

50 " _____. Page 29, by striking line 14 and inserting

Page 2

- 1 the following: "173,943,894".
- 2 ____ Page 29, by striking line 16 and inserting
- 3 the following: "248,943,894"."
- 4 5. By renumbering, relettering, or redesignating
- 5 and correcting internal references as necessary.

The motion lost and the House refused to concur in the Senate amendment H-1738, to the House amendment.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **Senate File 277** be immediately messaged to the Senate.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 17, 2007, concurred in the House amendment to the Senate amendment, and passed the following bill in which the concurrence of the Senate was asked:

House File 793, a bill for an act relating to administration of regional transportation by regional transit districts and of highways and regulation of motor vehicles by the state department of transportation, including provisions relating to the placement of advertising devices along primary highways, qualifications of property appraisers, state standards for land surveying, destruction of suspended or revoked driver's licenses, requirements for a temporary restricted driver's license, registration and titling of vehicles, special registration plates related to military service and allocation of fees, antique motor vehicle registration plates and fees, licensing of motor vehicle dealers, motor carrier registration and fuel tax liability, motor vehicle enforcement near construction areas, the maximum length limitation for single trucks, requirements for operation of certain self-propelled implements of husbandry on secondary roads, and disposition of regional transit district tax revenues collected by a county treasurer, and providing effective dates.

Also: That the Senate has on April 17, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 851, a bill for an act relating to expenditure approval requirements applicable to the purchase of telecommunications equipment or services by the Iowa communications network.

Also: That the Senate has on April 17, 2007, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 360, a bill for an act relating to the regulatory duties of the division of banking of the department of commerce regarding banking, debt management, mortgage banking, industrial loan companies, and professional licensing.

MICHAEL E. MARSHALL, Secretary

CONSIDERATION OF BILLS Ways and Means Calendar

House File 781, a bill for an act relating to changes in the utility replacement tax law by redefining a new electric power generating plant, extending the life of the utility replacement tax task force, and requiring notification by the taxpayer to the department of revenue and local taxing district upon transfer of utility property, was taken up for consideration.

SENATE FILE 278 SUBSTITUTED FOR HOUSE FILE 781

T. Olson of Linn asked and received unanimous consent to substitute Senate File 278 for House File 781.

Senate File 278, a bill for an act relating to changes in the utility replacement tax law by redefining a new electric power generating plant, extending the life of the utility replacement tax task force, and requiring notification by the taxpayer to the department of revenue and local taxing district upon transfer of utility property, was taken up for consideration.

T. Olson of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 278)

The ayes were, 99:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foegel
Ford	Forristall	Frevert	Gaskill
Gayman	Gipp	Granzow	Grassley
Greiner	Heaton	Heddens	Hoffman
Horbach	Hunter	Huseman	Huser

Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Murphy, Spkr.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Palmer	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Smith	Soderberg	Staed
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wienczek	Winckler	Windschitl
Wise	Worthan	Lukan, Presiding	

The nays were, none.

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 781 WITHDRAWN

T. Olson of Linn asked and received unanimous consent to withdraw House File 781 from further consideration by the House.

SENATE AMENDMENT CONSIDERED

T. Taylor of Linn called up for consideration **House File 368**, a bill for an act relating to the boiler and pressure vessel safety program enforced by the division of labor services of the department of workforce development, amended by the Senate amendment H-1429:

H-1429

- 1 Amend House File 368, as passed by the House, as
- 2 follows:
- 3 1. Page 1, by inserting after line 16 the
- 4 following:
- 5 "Sec. ____ Section 89.4, subsection 1, Code 2007,
- 6 is amended by adding the following new paragraph:
- 7 NEW PARAGRAPH. i. Water heaters used for potable

- 8 water if the capacity is less than fifty gallons, the
 9 burner input is less than fifty thousand British
 10 thermal units, and the maximum allowable working
 11 pressure is less than one hundred sixty pounds per
 12 square inch."
 13 2. By renumbering as necessary.

McCarthy of Polk asked and received unanimous consent that House File 368 be deferred and that the bill retain its place on the calendar. (Senate amendment H-1429 pending.)

Unfinished Business Calendar

Senate File 472, a bill for an act requiring the posting of close-clearance warning devices along railroad tracks and providing a penalty, with report of committee recommending amendment and passage, was taken up for consideration.

Huser of Polk offered the following amendment H-1610 filed by the committee on transportation and moved its adoption:

H-1610

- 1 Amend Senate File 472, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 1, by inserting after line 20 the
 4 following:
 5 "____. This section does not apply to railroad
 6 spurs constructed or under construction prior to July
 7 1, 2007."
 8 2. Page 1, by inserting after line 30 the
 9 following:
 10 "Sec.____. The sections of 2007 Iowa Acts, Senate
 11 File 403, amending section 260C.14, subsection 6, and
 12 section 313.2, unnumbered paragraph 5, if enacted, are
 13 repealed.
 14 Sec.____. EFFECTIVE DATE. The section of this Act
 15 repealing sections of 2007 Iowa Acts, Senate File 403,
 16 if enacted, being deemed of immediate importance,
 17 takes effect upon enactment."
 18 3. Title page, line 1, by inserting after the
 19 word "Act" the following: "concerning financial and
 20 regulatory matters, including by".
 21 4. Title page, line 2, by inserting after the
 22 word "penalty" the following: ", and providing an
 23 effective date".
 24 5. By renumbering as necessary.

The committee amendment H-1610 was adopted.

Lykam of Scott moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 472)

The ayes were, 99:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevort	Gaskill
Gayman	Gipp	Granzow	Grassley
Greiner	Heaton	Heddens	Hoffman
Horbach	Hunter	Huseman	Huser
Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Murphy, Spkr.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Palmer	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Smith	Soderberg	Staed
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wienczek	Winckler	Windschitl
Wise	Worthan	Lukan,	
		Presiding	

The nays were, none.

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

Senate File 543, a bill for an act relating to the state interagency Missouri river authority, by providing for the participation in or

withdrawal from interstate associations, providing for the appointment of a vice chairperson, and providing for duties of member agencies, with report of committee recommending passage, was taken up for consideration.

Wenthe of Fayette moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 543)

The ayes were, 99:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Gipp	Granzow	Grassley
Greiner	Heaton	Heddens	Hoffman
Horbach	Hunter	Huseman	Huser
Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Murphy, Spkr.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Palmer	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Smith	Soderberg	Staed
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wienczek	Winckler	Windschitl
Wise	Worthan	Lukan,	
		Presiding	

The nays were, none.

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 518, a bill for an act reorganizing Code chapter provisions relating to the authority to engage in the business of insurance other than life insurance by transferring provisions, eliminating outdated provisions, and amending corresponding provisions, as necessary, with report of committee recommending passage, was taken up for consideration.

Hoffman of Crawford moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 518)

The ayes were, 99:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Gipp	Granzow	Grassley
Greiner	Heaton	Heddens	Hoffman
Horbach	Hunter	Huseman	Huser
Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Murphy, Spkr.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Palmer	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Smith	Soderberg	Staed
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wiencek	Winckler	Windschitl
Wise	Worthan	Lukan,	
		Presiding	

The nays were, none.

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 278, 472, 518 and 543.**

Speaker Murphy in the chair at 4:02 p.m.

Appropriations Calendar

House File 890, a bill for an act relating to assistance for small businesses, making appropriations, and providing an effective date provision, was taken up for consideration.

Ford of Polk offered the following amendment H-1712 filed by him and moved its adoption:

H-1712

1 Amend House File 890 as follows:

2 1. Page 1, lines 28 and 29, by striking the words

3 "December 31, 2007" and inserting the following:

4 "March 1, 2008".

5 2. Page 2, by inserting after line 11 the

6 following:

7 "Sec. ____ Section 15.102, subsection 5, paragraph

8 b, subparagraph (3), Code 2007, is amended to read as

9 follows:

10 (3) "Minority person" means an individual who is a

11 Black, Hispanic Latino, Asian or Pacific Islander,

12 American Indian, or Alaskan native American."

13 3. Page 2, by striking lines 18 and 19 and

14 inserting the following: "~~The duties of the director~~

15 ~~under this paragraph include the following:~~"

16 4. Page 6, line 22, by inserting after the word

17 "be" the following: "successful".

18 5. Page 6, line 23, by inserting after the word

19 "sector." the following: "At least one member shall

20 be a member of the economic development board

21 appointed by the economic development board."

22 6. Page 6, by striking line 25 and inserting the

23 following:

24 "(1) Latino."

25 7. Page 6, by striking line 28.

- 26 8. Page 6, line 33, by striking the word "fourth"
27 and inserting the following: "third".
28 9. Page 6, line 34, by striking the word "fourth"
29 and inserting the following: "third".
30 10. Page 7, line 6, by inserting after the word
31 "reappointed." the following: "A member shall not
32 serve more than two terms."
33 11. By renumbering as necessary.

Amendment H-1712 was adopted.

Lukan of Dubuque offered amendment H-1594 filed by him as follows:

H-1594.

- 1 Amend House File 890 as follows:
2 1. Page 1, by inserting after line 30 the
3 following:
4 "Sec.____. Section 12.43, subsection 5, unnumbered
5 paragraph 1, Code 2007, is amended to read as follows:
6 In order to qualify under this program, all owners
7 of the business or borrowers must not have a combined
8 net worth exceeding ~~seven~~ one million five hundred
9 fifty thousand dollars as defined in rules adopted by
10 the treasurer of state pursuant to chapter 17A and the
11 small business must meet all of the following
12 criteria:
13 Sec.____. Section 12.43, subsection 5, paragraph
14 b, Code 2007, is amended to read as follows:
15 b. If an application involves an existing business
16 or the transfer of an existing business to a new
17 owner, the business must have annual gross sales of
18 ~~two~~ four million dollars or less at the time the
19 application is submitted under section 12.35."
20 2. By renumbering as necessary.

Ford of Polk rose on a point of order that amendment H-1594 was not germane.

The Speaker ruled the point well taken and amendment H-1594 not germane.

Alons of Sioux asked and received unanimous consent to withdraw amendment H-1737 filed by him on April 16, 2007.

Rants of Woodbury offered the following amendment H-1717 filed by him and Raecker of Polk and moved its adoption:

H-1717

- 1 Amend House File 890 as follows:
- 2 1. Page 9, line 4, by striking the figure "2006"
- 3 and inserting the following: "2007".
- 4 2. Page 9, line 4, by striking the figure "2007"
- 5 and inserting the following: "2008".
- 6 3. Page 9, line 22, by striking the figure "2006"
- 7 and inserting the following: "2007".
- 8 4. Page 9, line 22, by striking the figure "2007"
- 9 and inserting the following: "2008".
- 10 5. Page 10, line 1, by striking the figure "2006"
- 11 and inserting the following: "2007".
- 12 6. Page 10, line 1, by striking the figure "2007"
- 13 and inserting the following: "2008".
- 14 7. Page 10, line 33, by striking the figure
- 15 "2006" and inserting the following: "2007".
- 16 8. Page 10, line 33, by striking the figure
- 17 "2007" and inserting the following: "2008".
- 18 9. Page 11, line 22, by striking the figure
- 19 "2006" and inserting the following: "2007".
- 20 10. Page 11, line 22, by striking the figure
- 21 "2007" and inserting the following: "2008".

A non-record roll call was requested.

The ayes were 46, nays 50.

Amendment H-1717 lost.

Ford of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 890)

The ayes were, 99:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Gipp	Granzow	Grassley

Greiner	Heaton	Heddens	Hoffman
Horbach	Hunter	Huseman	Huser
Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	Mascher	May
McCarthy	Mertz	Miller, H.	Miller, L.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Palmer	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Smith	Soderberg	Staed
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wiencek	Winckler	Windschitl
Wise	Worthan	Mr. Speaker	
		Murphy	

The nays were, none.

. Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 17, 2007, amended and passed the following bill in which the concurrence of the House is asked:

House File 608, a bill for an act relating to notice of meetings of the board of township trustees.

Also: That the Senate has on April 17, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 742, a bill for an act relating to the regulation of snowmobiles and all-terrain vehicles, and providing fees and penalties.

Also: That the Senate has on April 17, 2007, amended and passed the following bill in which the concurrence of the House is asked:

House File 773, a bill for an act establishing an energy city designation program.

Also: That the Senate has on April 17, 2007, amended and passed the following bill in which the concurrence of the House is asked:

House File 808, a bill for an act concerning accountability requirements for entities and boards created for joint exercise of governmental powers and providing an effective date.

MICHAEL E. MARSHALL, Secretary

Senate File 90, a bill for an act concerning local emergency management commission communications, with report of committee recommending passage, was taken up for consideration.

Lykam of Scott moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 90)

The ayes were, 99:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Gipp	Granzow	Grassley
Greiner	Heaton	Heddens	Hoffman
Horbach	Hunter	Huseman	Huser
Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	Mascher	May
McCarthy	Mertz	Miller, H.	Miller, L.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Palmer	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Smith	Soderberg	Staed
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wiencek	Winckler	Windschitl
Wise	Worthan	Mr. Speaker	
		Murphy	

The nays were, none.

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

SENATE AMENDMENT CONSIDERED

Hoffman of Crawford called up for consideration **House File 499**, a bill for an act relating to various matters under the purview of the insurance division of the department of commerce including workers' compensation self-insurance, premium taxes, the uniform securities Act, powers and duties of the insurance division, regulation of insurance sales to military personnel, domestic insurance companies, life insurance companies, nonprofit health service corporations, external review of health care coverage decisions, investment limitations on insurers other than life insurers, property and casualty insurers' reserves, motor vehicle service contracts, county and state mutual associations, reciprocal or interinsurance contracts, licensing of insurance producers and public adjusters, and life and fire insurance company boards of directors, and providing penalties, amended by the Senate, and moved that the House concur in the following Senate amendment H-1700:

H-1700

1 Amend House File 499, as passed by the House, as
2 follows:

3 1. Page 15, by inserting after line 13, the
4 following:

5 "Sec. ____ Section 521G.6, subsection 6, Code
6 2007, is amended to read as follows:

7 6. A protected cell company shall only attribute
8 to a protected cell account the insurance obligations
9 relating to the protected cell company's general
10 account. A protected cell company shall not issue an
11 insurance or reinsurance contract directly to a
12 policyholder or reinsured, and shall not have an
13 obligation to a policyholder or reinsured of the
14 protected cell company's general account."

15 2. Page 19, by striking line 9, and inserting the
16 following:

17 "Sec. ____ Sections 505.26, 523.5, and 523.6, Code
18 2007, are".

19 3. Title page, line 12, by inserting after the

- 20 word "contracts," the following: "protected cell
 21 companies,"
 22 4. By renumbering as necessary.

The motion prevailed and the House concurred in the Senate amendment H-1700.

Hoffman of Crawford moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 499)

The ayes were, 99:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Gipp	Granzow	Grassley
Greiner	Heaton	Heddens	Hoffman
Horbach	Hunter	Huseman	Huser
Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	Mascher	May
McCarthy	Mertz	Miller, H.	Miller, L.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Palmer	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Smith	Soderberg	Staed
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wiencek	Winckler	Windschitl
Wise	Worthan	Mr. Speaker	
		Murphy	

The nays were, none.

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 499, 890 and Senate File 90.**

The House resumed consideration of House File 368

SENATE AMENDMENT CONSIDERED

The House resumed consideration of **House File 368**, a bill for an act relating to the boiler and pressure vessel safety program enforced by the division of labor services of the department of workforce development, amended by the Senate amendment H-1429, previously deferred and found on page 1412 of the House Journal:

T. Taylor of Linn offered the following amendment H-1657, to the Senate amendment H-1429, filed by him and moved its adoption:

H-1657

- 1 Amend the Senate amendment, H-1429, to House File
- 2 368, as passed by the House, as follows:
- 3 1. Page 1, line 8, by inserting after the word
- 4 "than" the following: "or equal to".
- 5 2. Page 1, line 9, by inserting after the word
- 6 "than" the following: "or equal to".

Amendment H-1657 was adopted.

T. Taylor of Linn asked and received unanimous consent to withdraw amendment H-1600, to the Senate amendment H-1429, filed by him on April 5, 2007.

On motion by T. Taylor of Linn the House concurred in the Senate amendment H-1429, as amended.

T. Taylor of Linn moved that the bill, as amended by the Senate, further amended and concurred in by the House, be read a last time

now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 368)

The ayes were, 99:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Gipp	Granzow	Grassley
Greiner	Heaton	Heddens	Hoffman
Horbach	Hunter	Huseman	Huser
Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	Mascher	May
McCarthy	Mertz	Miller, H.	Miller, L.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Palmer	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Smith	Soderberg	Staed
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wiencek	Winckler	Windschitl
Wise	Worthan	Mr. Speaker	
		Murphy	

The nays were, none.

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **House File 368** be immediately messaged to the Senate.

Ways and Means Calendar

House File 888, a bill for an act regulating dangerous wild animals, including their ownership and possession, requiring registration, providing for fees and appropriations, and providing penalties, was taken up for consideration.

T. Taylor of Linn offered the following amendment H-1574 filed by him and moved its adoption:

H-1574

- 1 Amend House File 888 as follows:
2 1. By striking everything after the enacting
3 clause and inserting the following:
4 "Section 1. NEW SECTION. 717F.1 DEFINITIONS.
5 As used in this chapter, unless the context
6 otherwise requires:
7 1. "Agricultural animal" means the same as defined
8 in section 717A.1.
9 2. "Assistive animal" means the same as defined in
10 section 216C.11.
11 3. a. "Circus" means a person who is all of the
12 following:
13 (1) The holder of a class "C" license issued by
14 the United States department of agriculture as
15 provided in 9 C.F.R., pt. 2, subpt. A.
16 (2) Is temporarily in this state as an exhibitor
17 as defined in 9 C.F.R., pt. 1, for purposes of
18 providing skilled performances by dangerous wild
19 animals, clowns, or acrobats for public entertainment.
20 b. "Circus" does not include a person, regardless
21 of whether the person is a holder of a class "C"
22 license as provided in paragraph "a", who does any of
23 the following:
24 (1) Keeps a dangerous wild animal which is a
25 member of the order carnivora within the family
26 felidae or the family ursidae, as described in this
27 section.
28 (2) Uses the dangerous wild animal for any of the
29 following purposes:
30 (a) A presentation to children at a public or
31 nonpublic school as defined in section 280.2.
32 (b) Entertainment that involves an activity in
33 which a member of the public is in close proximity to
34 the dangerous wild animal, including but not limited
35 to a contest or a photographic opportunity.
36 4. "Custody" means to possess, control, keep, or
37 harbor a dangerous wild animal in this state by a

- 38 public agency.
- 39 5. a. "Dangerous wild animal" means any of the
40 following:
- 41 (1) A member of the family canidae of the order
42 carnivora, including but not limited to wolves,
43 coyotes, and jackals. However, a dangerous wild
44 animal does not include a domestic dog.
- 45 (2) A member of the family hyaenidae of the order
46 of carnivora, including but not limited to hyenas.
- 47 (3) A member of the family felidae of the order
48 carnivora, including but not limited to lions, tigers,
49 cougars, leopards, cheetahs, ocelots, and servals.
50 However, a dangerous wild animal does not include a

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- 1 domestic cat.
- 2 (4) A member of the family ursidae of the order
3 carnivora, including bears and pandas.
- 4 (5) A member of the family rhinocerotidae order
5 perissodactyla, which is a rhinoceros.
- 6 (6) A member of the order proboscidea, which are
7 any species of elephant.
- 8 (7) A member of the order of primates other than
9 humans, and including the following families:
10 callitrichidae, cebidae, cercopithecidae,
11 cheirogaleidae, daubentoniidae, galagonidae,
12 hominidae, hylobatidae, indridae, lemuridae, loridae,
13 megaladapidae, or tarsiidae. A member includes but is
14 not limited to marmosets, tamarins, monkeys, lemurs,
15 galagos, bushbabies, great apes, gibbons, lesser apes,
16 indris, sifakas, and tarsiers.
- 17 (8) A member of the order crocodylia, including
18 but not limited to alligators, caimans, crocodiles,
19 and gharials.
- 20 (9) A member of the family varanidae of the order
21 squamata, which are limited to water monitors and
22 crocodile monitors.
- 23 (10) A member of the order squamata which is any
24 of the following:
- 25 (a) A member of the family varanidae, which are
26 limited to water monitors and crocodile monitors.
- 27 (b) A member of the family atractaspidae,
28 including but not limited to mole vipers and burrowing
29 asps.
- 30 (c) A member of the family helodermatidae,
31 including but not limited to beaded lizards and gila
32 monsters.
- 33 (d) A member of the family elapidae, voperidae,
34 crotalidae, atractaspidae, or hydrophidae which are
35 venomous, including but not limited to cobras, mambas,
36 coral snakes, kraits, adders, vipers, rattlesnakes,

37 copperheads, pit vipers, keelbacks, cottonmouths, and
38 sea snakes.
39 (e) A member of the superfamily henophidia, which
40 are limited to reticulated pythons, anacondas, and
41 African rock pythons.
42 b. "Dangerous wild animal" includes an animal
43 which is the offspring of an animal provided in
44 paragraph "a", and another animal provided in that
45 paragraph or any other animal. It also includes
46 animals which are the offspring of each subsequent
47 generation. However, a dangerous wild animal does not
48 include the offspring of a domestic dog and a wolf, or
49 the offspring from each subsequent generation in which
50 at least one parent is a domestic dog.

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1 6. "Department" means the department of
2 agriculture and land stewardship.
3 7. "Electronic identification device" means a
4 device which when installed is designed to store
5 information regarding an animal or the animal's owner
6 in a digital format which may be accessed by a
7 computer for purposes of reading or manipulating the
8 information.
9 8. "Possess" means to own, keep, or control a
10 dangerous wild animal, or supervise or provide for the
11 care and feeding of a dangerous wild animal, including
12 any activity relating to confining, handling,
13 breeding, transporting, or exhibiting the dangerous
14 wild animal.
15 9. "Public agency" means the same as defined in
16 section 28E.2.
17 10. "Research facility" means any of the
18 following:
19 a. A federal research facility as provided in 9
20 C.F.R. ch. I.
21 b. A research facility that is required to be
22 registered by the United States department of
23 agriculture pursuant to 9 C.F.R. ch. I.
24 c. A research facility which is certified by the
25 department of agriculture and land stewardship as
26 provided in section 162.10.
27 11. "Wildlife sanctuary" means an organization
28 exempt from taxation pursuant to section 501(c) of the
29 Internal Revenue Code that operates a place of refuge
30 where abused, neglected, unwanted, impounded,
31 abandoned, orphaned, or displaced wildlife are
32 provided care for their lifetime, if all of the
33 following apply:
34 a. The organization does not buy, sell, trade,
35 auction, lease, loan, or breed any animal of which the

36 organization is an owner.

37 b. The organization is accredited by the American
38 sanctuary association, the association of sanctuaries,
39 or another similar organization recognized by the
40 department.

41 Sec. 2. NEW SECTION. 717F.2 RULEMAKING —
42 CHAPTER 28E AGREEMENTS — ASSISTANCE OF ANIMAL WARDEN.

43 1. The department shall administer this chapter by
44 doing all of the following:

45 a. Adopting rules as provided in chapter 17A for
46 the administration and enforcement of this chapter.

47 b. Entering into agreements with public agencies
48 pursuant to chapter 28E as the department determines
49 necessary for the administration and enforcement of
50 this chapter.

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1 2. An animal warden as defined in section 162.2
2 shall assist the department in seizing and maintaining
3 custody of dangerous wild animals.

4 Sec. 3. NEW SECTION. 717F.3 DANGEROUS WILD
5 ANIMALS — PROHIBITIONS.

6 Except as otherwise provided in this chapter, a
7 person shall not do any of the following:

8 1. Own or possess a dangerous wild animal.

9 2. Cause or allow a dangerous wild animal owned by
10 a person or in the person's possession to breed.

11 3. Transport a dangerous wild animal into this
12 state.

13 Sec. 4. NEW SECTION. 717F.4 OWNING OR POSSESSING
14 DANGEROUS WILD ANIMALS ON THE EFFECTIVE DATE OF THIS
15 ACT.

16 A person who owns or possesses a dangerous wild
17 animal on the effective date of this Act may continue
18 to own or possess the dangerous wild animal subject to
19 all of the following:

20 1. The person must be eighteen years old or older.

21 2. a. The person must not have been convicted of
22 an offense involving the abuse or neglect of an animal
23 pursuant to a law of this state or another state,
24 including but not limited to chapter 717, 717B, 717C,
25 or 717D or an ordinance adopted by a city or county.

26 b. The department, another state, or the federal
27 government must not have suspended an application for
28 a permit or license or revoked a permit or license
29 required to operate a commercial establishment for the
30 care, breeding, or sale of animals, including as
31 provided in chapter 162.

32 c. The person must not have been convicted of a
33 felony for an offense committed within the last ten
34 years, as provided by this Code, under the laws of

35 another state, or under federal law.

36 d. The person must not have been convicted of a
37 misdemeanor or felony for an offense committed within
38 the last ten years involving a controlled substance as
39 defined in section 124.101 in this state, under the
40 laws of another state, or under federal law.

41 3. Within sixty days after the effective date of
42 this Act, the person must have an electronic
43 identification device implanted beneath the skin or
44 hide of the dangerous wild animal, unless a licensed
45 veterinarian states in writing that the implantation
46 would endanger the comfort or health of the dangerous
47 wild animal. In such case, an electronic
48 identification device may be otherwise attached to the
49 dangerous wild animal as required by the department.

50 4. Not later than December 31, 2007, the person

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1 must notify the department using a registration form
2 prepared by the department. The registration form
3 shall include all of the following information:

4 a. The person's name, address, and telephone
5 number.

6 b. A sworn affidavit that the person meets the
7 requirements necessary to own or possess a dangerous
8 wild animal as provided in this section.

9 c. A complete inventory of each dangerous wild
10 animal which the person owns or possesses. The
11 inventory shall include all of the following
12 information:

13 (1) The number of the dangerous wild animals
14 according to species.

15 (2) The manufacturer and manufacturer's number of
16 the electronic device implanted in or attached to each
17 dangerous wild animal.

18 (3) The location where each dangerous wild animal
19 is kept. The person must notify the department in
20 writing within ten days of a change of address or
21 location where the dangerous wild animal is kept.

22 (4) The approximate age, sex, color, weight,
23 scars, and any distinguishing marks of each dangerous
24 wild animal.

25 (5) The name, business mailing address, and
26 business telephone number of the licensed veterinarian
27 who is responsible for providing care to the dangerous
28 wild animal. The information shall include a
29 statement signed by the licensed veterinarian
30 certifying that the dangerous wild animal is in good
31 health.

32 (6) A color photograph of the dangerous wild
33 animal.

- 34 (7) A copy of a current liability insurance policy
35 as required in this section. The person shall send a
36 copy of the current liability policy to the department
37 each year.
- 38 5. The person must pay the department a
39 registration fee as provided in section 717F.8.
- 40 6. The person must maintain health and ownership
41 records for the dangerous wild animal for the life of
42 the dangerous wild animal.
- 43 7. The person must confine the dangerous wild
44 animal in a primary enclosure as required by the
45 department on the person's premises. The person must
46 not allow the dangerous wild animal outside of the
47 primary enclosure unless the dangerous wild animal is
48 moved pursuant to any of the following:
- 49 a. To receive veterinary care from a licensed
50 veterinarian.'

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- 1 b. To comply with the directions of the department
2 or an animal warden.
- 3 c. To transfer ownership and possession of the
4 dangerous wild animal to a wildlife sanctuary or
5 provide for its destruction by euthanasia as required
6 by the department.
- 7 8. The person must display at least one sign on
8 the person's premises where the dangerous wild animal
9 is kept warning the public that the dangerous wild
10 animal is confined there. The sign must include a
11 symbol warning children of the presence of the
12 dangerous wild animal.
- 13 9. The person must immediately notify an animal
14 warden or other local law enforcement official of any
15 escape of a dangerous wild animal.
- 16 10. The person must maintain liability insurance
17 coverage in an amount of not less than one hundred
18 thousand dollars with a deductible of not more than
19 two hundred fifty dollars, for each occurrence of
20 property damage, bodily injury, or death caused by
21 each dangerous wild animal kept by the person.
- 22 11. The person who owns or possesses the dangerous
23 wild animal is strictly liable for any damages,
24 injury, or death caused by the dangerous wild animal.
25 The person must reimburse the department or other
26 public agency for actual expenses incurred by
27 capturing and maintaining custody of the dangerous
28 wild animal.
- 29 12. If the person is no longer able to care for
30 the dangerous wild animal, all of the following apply:
- 31 a. The person must so notify the department,
32 stating the planned disposition of the dangerous wild

33 animal.

34 b. The person must dispose of the dangerous wild
35 animal by transferring ownership and possession to a
36 wildlife sanctuary or providing for its destruction by
37 euthanasia as required by the department.

38 Sec. 5. NEW SECTION. 717F.5 SEIZURE, CUSTODY,
39 AND DISPOSAL OF DANGEROUS WILD ANIMALS.

40 1. a. Except as provided in paragraph "b", the
41 department shall seize a dangerous wild animal which
42 is in the possession of a person if the person is not
43 in compliance with the requirements of this chapter.

44 b. Upon request, the department may provide that
45 the person retain possession of the dangerous wild
46 animal for not more than fourteen days, upon
47 conditions required by the department. During that
48 period, the person shall take all necessary actions to
49 comply with this chapter. The department shall
50 inspect the premises where the dangerous wild animal

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1 is kept during reasonable times to ensure that the
2 person is complying with the conditions.

3 2. If the person fails to comply with the
4 conditions of the department at any time or is not in
5 compliance with this chapter following the
6 fourteen-day period, the department shall seize the
7 dangerous wild animal.

8 a. The dangerous wild animal shall be considered
9 to be a threatened animal which has been rescued as
10 provided in chapter 717B. The court may authorize the
11 return of the dangerous wild animal to the person from
12 whom the dangerous wild animal was seized if the court
13 finds all of the following:

14 (1) The person is capable of providing the care
15 required for the dangerous wild animal.

16 (2) There is a substantial likelihood that the
17 person will provide the care required for the
18 dangerous wild animal.

19 (3) The dangerous wild animal has not been abused,
20 neglected, or tortured, as provided in chapter 717B.

21 b. If the court orders a permanent disposition of
22 the dangerous wild animal, the dangerous wild animal
23 shall be subject to disposition as provided in section
24 717B.4 and the responsible party shall be assessed
25 costs associated with its seizure, custody, and
26 disposition as provided in that section. The
27 department may find long-term placement for the
28 dangerous wild animal with a wildlife sanctuary or
29 institution accredited or certified by the American
30 zoo and aquarium association.

31 Sec. 6. NEW SECTION. 717F.6 CAUSE OF THE ESCAPE

32 OF A DANGEROUS WILD ANIMAL — PROHIBITION.

33 A person shall not intentionally cause a dangerous
34 wild animal to escape from its place of confinement,
35 including as provided in section 717F.4.

36 Sec. 7. NEW SECTION. 717F.7 EXEMPTIONS.

37 This chapter does not apply to any of the
38 following:

39 1. An institution accredited or certified by the
40 American zoo and aquarium association.

41 2. A wildlife sanctuary.

42 3. A person who has been issued a falconry license
43 by the department of natural resources pursuant to
44 section 483A.1.

45 4. A person who owns or possesses a dangerous wild
46 animal as an agricultural animal. The person shall
47 not transfer the dangerous wild animal to another
48 person, unless the person to whom the dangerous wild
49 animal is transferred will own or possess it as an
50 agricultural animal or the person is a wildlife

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1 sanctuary.

2 5. A person who owns or possesses a dangerous wild
3 animal as an assistive animal. The person shall not
4 transfer the dangerous wild animal to another person,
5 unless the person to whom the dangerous wild animal is
6 transferred will own or possess it as an assistive
7 animal or the person is a wildlife sanctuary.

8 6. A person who harvests the dangerous wild animal
9 as a hunter or trapper pursuant to state law and as
10 regulated by the department of natural resources.

11 7. A person who has been issued a wildlife
12 rehabilitation permit by the department of natural
13 resources pursuant to section 481A.65.

14 8. A circus that obtains a permit from a city in
15 which it will be temporarily operating, if the city
16 issues permits.

17 9. A city.

18 10. A nonprofit corporation governed under chapter
19 504 that is an organization described in section
20 501(c)(3) of the Internal Revenue Code and that is
21 exempt from taxation under section 501(a) of the
22 Internal Revenue Code if the nonprofit corporation was
23 a party to a contract executed with a city prior to
24 the effective date of this Act to provide for the
25 exhibition of dangerous wild animals at a municipal
26 zoo. The nonprofit corporation shall not transfer the
27 dangerous wild animal to another person, unless the
28 person to whom the dangerous wild animal is
29 transferred is a wildlife sanctuary.

30 11. The state fair as provided in chapter 173 or

- 31 any fair as provided in chapter 174.
32 12. A research facility.
33 13. A location operated by a person licensed to
34 practice veterinary medicine pursuant to chapter 169.
35 14. A pound as defined in section 162.2.
36 15. An animal shelter as defined in section 162.2.
37 16. A county conservation board as provided in
38 chapter 350.
39 17. An employee of the department responsible for
40 the administration of this chapter, an animal warden
41 as defined in section 162.2, or an animal care
42 provider or law enforcement officer as defined in
43 section 717B.1.
44 18. A person temporarily transporting a dangerous
45 wild animal through this state if the transit time is
46 not more than ninety-six hours and the dangerous wild
47 animal is maintained within a confined area sufficient
48 to prevent its escape or injuring members of the
49 traveling public.
50 19. A public agency which maintains permanent

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- 1 custody of a dangerous wild animal, if the person to
2 whom the public agency assigns the duty to manage the
3 custody of the dangerous wild animal complies with the
4 provisions of section 717F.4.
5 20. A person who keeps a dangerous wild animal
6 pursuant to all of the following conditions:
7 a. The person is licensed by the United States
8 department of agriculture as provided in 9 C.F.R. ch.
9 I.
10 b. The person is registered by the department of
11 agriculture and land stewardship. Upon a complaint
12 filed with the department of agriculture and land
13 stewardship, the department may inspect the premises
14 or investigate the practices of the registered person
15 and suspend or revoke the registration for the same
16 causes and in the same manner as provided in section
17 162.12.
18 Sec. 8. NEW SECTION. 717F.8 DANGEROUS WILD
19 ANIMAL REGISTRATION FEES.
20 The department may charge a registration fee for
21 each dangerous wild animal owned or possessed by a
22 person required to be registered pursuant to section
23 717F.4.
24 1. The department shall collect an annual
25 registration fee which is an original registration fee
26 or a renewal of an original registration fee. The
27 amount of the renewal registration fee is one-half of
28 the amount of the original registration fee. Moneys
29 collected in registration fees shall be deposited in

- 30 the dangerous wild animal registration fund created in
31 section 717F.9.
- 32 2. The amount of the original registration fees
33 shall be as follows:
- 34 a. Five hundred dollars for a member of the order
35 proboscidea, which are any species of elephant.
- 36 b. Five hundred dollars for a member of the family
37 rhinocerotidae order perissodactyla, which is a
38 rhinoceros.
- 39 c. Three hundred dollars for a member of the
40 family ursidae of the order carnivora, which is
41 limited to bears.
- 42 d. For a member of the family felidae of the order
43 carnivora, all of the following:
- 44 (1) Three hundred dollars for a member of the
45 subfamily pantherinae, limited to leopards other than
46 snow leopards, lions, and tigers; and for a member of
47 the subfamily felinae limited to pumas, jaguars, and
48 cougars.
- 49 (2) Two hundred dollars for a member of the
50 subfamily felinae limited to bobcats, clouded

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- 1 leopards, cheetahs, and lynx.
- 2 (3) One hundred dollars for a member of the
3 subfamily felinae limited to caracals, desert cats,
4 Geoffroy's cats, jungle cats, margays, ocelots,
5 servals, and wild cats.
- 6 e. For a member of the order of primates other
7 than humans, all of the following:
- 8 (1) Three hundred dollars for a member commonly
9 referred to as an ape, belonging to the hylobatidae
10 family such as gibbons and siamangs, or to the
11 pongidae family including gorillas, orangutans, or
12 chimpanzees.
- 13 (2) One hundred fifty dollars for a member
14 commonly referred to as an old world monkey, belonging
15 to the family cercopithecidae, including but not
16 limited to macaques, rhesus, mangabeys, mandrills,
17 guenons, patas monkeys, langurs, and proboscis
18 monkeys.
- 19 (3) Fifty dollars for a member commonly referred
20 to as a new world monkey belonging to the family
21 cebidae, including but not limited to cebids,
22 including capuchin monkeys, howlers, woolly monkeys,
23 squirrel monkeys, night monkeys, titis, uakaris, or to
24 the family callitrichidae, including but not limited
25 to marmosets and tamarins.
- 26 f. One hundred dollars for a member of the order
27 crocodylia, including but not limited to alligators,
28 caimans, crocodiles, and gharials.

- 29 g. Fifty dollars for a member of the family
30 varanidae of the order squamata, which are limited to
31 water monitors and crocodile monitors.
- 32 h. Fifty dollars for a member of the family
33 atractaspidae, including but not limited to mole
34 vipers and burrowing asps.
- 35 i. Fifty dollars for a member of the family
36 helodermatidae, including but not limited to beaded
37 lizards and gila monsters.
- 38 j. Fifty dollars for a member of the family
39 elapidae, voperidae, crotalidae, atractaspidae, or
40 hydrophidae which are venomous, including but not
41 limited to cobras, mambas, coral snakes, kraits,
42 adders, vipers, rattlesnakes, copperheads, pit vipers,
43 keelbacks, cottonmouths, and sea snakes.
- 44 k. One hundred dollars for a member of the
45 superfamily henophidia, which are limited to
46 reticulated pythons, anacondas, and African rock
47 pythons.
- 48 Sec. 9. NEW SECTION. 717F.9 DANGEROUS WILD
49 ANIMAL REGISTRATION FUND.
- 50 1. A dangerous wild animal registration fund is

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- 1 created in the state treasury under the control of the
2 department. The fund is composed of moneys
3 appropriated by the general assembly and moneys
4 available to and obtained or accepted by the
5 department from the United States or private sources
6 for placement in the fund. The fund shall include
7 moneys deposited into the fund from registration fees
8 collected by the department pursuant to section
9 717F.8.
- 10 2. Moneys in the dangerous wild animal
11 registration fund are appropriated to the department
12 exclusively to administer and enforce the provisions
13 of this chapter. The moneys shall not be transferred,
14 used, obligated, appropriated, or otherwise encumbered
15 except as provided in this subsection.
- 16 3. Section 8.33 shall not apply to moneys in the
17 dangerous wild animal registration fund.
18 Notwithstanding section 12C.7, moneys earned as income
19 or interest from the fund shall remain in the fund
20 until expended as provided in this section.
- 21 Sec. 10. NEW SECTION. 717F.10 ENFORCEMENT.
22 The department is the principal agency charged with
23 enforcing the provisions of this chapter. An animal
24 warden as defined in section 162.2, or an animal care
25 provider or law enforcement officer as defined in
26 section 717B.1, shall enforce this chapter as directed
27 by the department.

28 Sec. 11. NEW SECTION. 717F.11 CIVIL PENALTY.

29 A person owning or possessing a dangerous wild
30 animal who violates a provision of this chapter is
31 subject to a civil penalty of not less than two
32 hundred dollars and not more than two thousand dollars
33 for each dangerous wild animal involved in the
34 violation. Each day that a violation continues shall
35 be considered as a separate offense. The civil
36 penalties shall be deposited into the general fund of
37 the state.

38 Sec. 12. NEW SECTION. 717F.12 INJUNCTIVE RELIEF.

39 The courts of this state may prevent and restrain
40 violations of this chapter through the issuance of an
41 injunction. The attorney general or a county attorney
42 may institute suits on behalf of the state to prevent
43 and restrain violations of this chapter.

44 Sec. 13. NEW SECTION. 717F.13 CRIMINAL
45 PENALTIES.

46 A person who intentionally causes a dangerous wild
47 animal to escape in violation of this chapter is
48 guilty of an aggravated misdemeanor.

49 Sec. 14. INTENT OF THE GENERAL ASSEMBLY —

50 ELIMINATION OF FULL-TIME EQUIVALENT POSITIONS. It is

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1 the intent of the general assembly that any additional
2 full-time equivalent positions authorized to be filled
3 by the department of agriculture and land stewardship
4 relating to the regulation of persons required to
5 register with the department as a condition of owning
6 or possessing a dangerous wild animal pursuant to
7 section 717F.4, as enacted in this Act, be eliminated
8 once the regulation is no longer necessary."

Amendment H-1574 was adopted, placing out of order amendment
H-1710 filed by Greiner of Washington on April 12, 2007.

SENATE FILE 564 SUBSTITUTED FOR HOUSE FILE 888

T. Taylor of Linn asked and received unanimous consent to
substitute Senate File 564 for House File 888.

Senate File 564, a bill for an act regulating dangerous wild
animals, including their ownership and possession, requiring
registration, providing for fees and appropriations, and providing
penalties, was taken up for consideration.

Greiner of Washington asked and received unanimous consent to withdraw amendment H-1711 filed by her on April 12, 2007.

Whitaker of Van Buren asked and received unanimous consent to withdraw amendment H-1744 filed by him on April 16, 2007.

Palmer of Mahaska offered the following amendment H-1612 filed by him and moved its adoption:

H-1612

- 1 Amend Senate File 564, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 2, line 2, by inserting after the word
- 4 "dog" the following: "or fox".
- 5 2. Page 3, line 14, by inserting after the word
- 6 "wolf" the following: "or a domestic dog and a fox".
- 7 3. By renumbering as necessary.

Amendment H-1612 lost.

T. Taylor of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 564)

The ayes were, 80:

Abdul-Samad	Alons	Anderson	Bailey
Bell	Berry	Boal	Bukta
Clute	Cphoon	Dandekar	Davitt
Deyoe	Dolecheck	Foege	Ford
Frevert	Gaskill	Gayman	Gipp
Granzow	Grassley	Greiner	Heddens
Hoffman	Hunter	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Oldson	Olson, D.
Olson, R.	Olson, S.	Olson, T.	Petersen
Pettengill	Quirk	Raecker	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Smith	Soderberg
Staed	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tomenga	Upmeyer
Van Fossen	Watts	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wiencek

Winckler	Windschitl	Wise	Mr. Speaker Murphy
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The nays were, 19:

Arnold	Baudler	Chambers	De Boef
Drake	Forristall	Heaton	Horbach
Huseman	Lukan	Palmer	Paulsen
Rants	Rasmussen	Rayhons	Tjepkes
Tymeson	Van Engelenhoven	Worthan	

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Unfinished Business Calendar

Senate File 384, a bill for an act relating to statute of limitations provisions relating to minors and persons with mental illness and tort claims against a municipality and providing an applicability date, was taken up for consideration.

Swaim of Davis moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 384)

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Berry	Boal
Bukta	Chambers	Clute	Cohoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	May	McCarthy	Mertz
Miller, H.	Oldson	Olson, D.	Olson, R.
Olson, S.	Olson, T.	Palmer	Paulsen
Petersen	Pettengill	Quirk	Raecker

Rants	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Schickel	Schueller
Shomshor	Smith	Soderberg	Staed
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wienczek	Winckler	Windschitl
Wise	Worthan	Mr. Speaker	
		Murphy	

The nays were, 2:

Miller, L. Sands

Absent or not voting, 3:

Bell Mascher Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 17, 2007, insisted on its amendment to Senate File 277, a bill for an act relating to the state's educational standards regarding teacher librarians and qualified guidance counselors, and to teacher and administrator quality, including the student achievement and teacher quality program and an administrator quality program, making appropriations, and providing an effective date.

MICHAEL E. MARSHALL, Secretary

CONFERENCE COMMITTEE APPOINTED (Senate File 277)

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning Senate File 277: Winckler of Scott, Chair; Wendt of Woodbury, Cohoon of Des Moines, May of Dickinson and Chambers of O'Brien.

Berry of Black Hawk in the chair at 5:26 p.m.

Senate File 212, a bill for an act relating to the salary of deputy officers in certain county offices and providing an applicability date, with report of committee recommending passage, was taken up for consideration.

Lykam of Scott offered the following amendment H-1754 filed by him from the floor and moved its adoption:

H-1754

1 Amend Senate File 212, as passed by the Senate, as
2 follows:

3 1. Page 1, by inserting before line 1 the
4 following:

5 "Section 1. Section 331.606A, Code 2007, is
6 amended by striking the section and inserting in lieu
7 thereof the following:

8 331.606A DOCUMENT CONTENT – PERSONALLY
9 IDENTIFIABLE INFORMATION.

10 1. DEFINITIONS.

11 a. "Personally identifiable information" means one
12 or more of the following specific unique identifiers
13 when combined with an individual's name:

14 (1) Social security number.

15 (2) Checking, savings, or share account number,
16 credit, debit, or charge card number.

17 b. "Preparer" means the person or entity who
18 creates, drafts, edits, revises, or last changes the
19 documents that are recorded with the recorder.

20 c. "Redact" or "redaction" means the process of
21 removing personally identifiable information from
22 documents.

23 2. INCLUSION OF PERSONALLY IDENTIFIABLE
24 INFORMATION. The preparer of a document shall not
25 include an individual's personally identifiable
26 information in a document that is prepared and
27 presented for recording in the office of the recorder.
28 This subsection shall not apply to documents that were
29 executed by an individual prior to July 1, 2007.
30 Unless provided otherwise by law, all documents
31 described by this section are subject to inspection
32 and copying by the public.

33 3. REDACTION ON A RECORDER'S INTERNET WEBSITE. If
34 a document that includes an individual's personally
35 identifiable information was recorded with the
36 recorder and is available on the recorder's internet
37 website, the individual may request that the recorder
38 redact such information from the website. The
39 recorder shall establish a procedure by which
40 individuals may request that such personally

41 identifiable information be redacted from the internet
 42 record available on the recorder's internet website,
 43 at no fee to the requesting individual. The recorder
 44 shall comply with an individual's request to redact
 45 personally identifiable information.
 46 4. LIABILITY OF PREPARER. A preparer who, in
 47 violation of subsection 2, enters personally
 48 identifiable information in a document that is
 49 prepared and presented for recording is liable to the
 50 individual whose personally identifiable information

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1 appears in the recorded public document for actual
 2 damages of up to five hundred dollars for each act of
 3 recording.

4 5. APPLICABILITY. This section shall not apply to
 5 a preparer of a state or federal tax lien, a military
 6 separation or discharge record, or a death certificate
 7 that is prepared for recording in the office of county
 8 recorder. If a military separation or discharge
 9 record or a death certificate is recorded in the
 10 office of the county recorder, the military separation
 11 or discharge record or the death certificate shall not
 12 be accessible through the internet."

13 2. Title page, by striking lines 1 and 2 and
 14 inserting the following: "An Act relating to county
 15 offices, by protecting certain identity information
 16 contained in documents recorded with the county
 17 recorder and by increasing salary limits for certain
 18 deputy officers and providing an applicability date."

19 3. By renumbering as necessary.

Amendment H-1754 was adopted.

D. Olson of Boone moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 212)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Boal	Bukta
Chambers	Clute	Cohoon	Dandekar
Davitt	De Boef	Deyoe	Dolecheck
Drake	Foege	Ford	Forrinstall
Frevert	Gaskill	Gayman	Gipp
Granzow	Grassley	Greiner	Heaton

Heddens	Hoffman	Horbach	Hunter
Huseman	Huser	Jacobs	Jacoby
Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
May	McCarthy	Mertz	Miller, H.
Miller, L.	Oldson	Olson, D.	Olson, R.
Olson, S.	Olson, T.	Palmer	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rants	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Smith	Soderberg
Staed	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Wiencek	Winckler
Windschitl	Wise	Worthan	Berry, Presiding

The nays were, none.

Absent or not voting, 4:

Bell Mascher Murphy, Spkr. Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 212, 384 and 564.**

HOUSE FILE 888 WITHDRAWN

T. Taylor of Linn asked and received unanimous consent to withdraw House File 888 from further consideration by the House.

HOUSE FILE 538 WITHDRAWN

Whitead of Woodbury asked and received unanimous consent to withdraw House File 538 from further consideration by the House.

Ways and Means Calendar

Senate File 554, a bill for an act relating to franchises for the provision of cable service or video service including providing for fees

and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Speaker Murphy in the chair at 5:44 p.m.

Wise of Lee offered amendment H-1598 filed by the committee on commerce as follows:

H-1598

1 Amend Senate File 554, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 1, by inserting after line 29 the
4 following:

5 "___ "Franchise fee" means the fee imposed under
6 section 477A.7."

7 2. Page 2, line 1, by inserting after the word
8 "jurisdiction." the following: "Gross revenues are
9 limited to the following:

10 (1) Recurring charges for cable service or video
11 service.

12 (2) Event-based charges for cable service or video
13 service, including but not limited to pay-per-view and
14 video-on-demand charges.

15 (3) Rental of set-top boxes and other cable
16 service or video service equipment.

17 (4) Service charges related to the provision of
18 cable service or video service, including but not
19 limited to activation, installation, and repair
20 charges.

21 (5) Administrative charges related to the
22 provision of cable service or video service, including
23 but not limited to service order and service
24 termination charges.

25 (6) A pro rata portion of all revenue derived,
26 less refunds, rebates, or discounts, by a cable
27 service provider or a video service provider for
28 advertising over the cable service or video service
29 network to subscribers within the franchise area where
30 the numerator is the number of subscribers within the
31 franchise area, and the denominator is the total
32 number of subscribers reached by such advertising.
33 This subparagraph applies only to municipalities that
34 include this provision in their franchise agreements
35 as of January 1, 2007."

36 3. Page 2, lines 17 and 18, by striking the words
37 "revenue received in connection with advertising,".

38 4. Page 3, by inserting after line 25 the
39 following:

- 40 "(14) Late payment charges.
41 (15) Maintenance charges."
42 5. Page 3, line 28, by striking the word "July"
43 and inserting the following: "January".
44 6. Page 3, by inserting after line 28 the
45 following:
46 "____. "Institutional network" means the system of
47 dedicated fibers, coaxial cables, or wires constructed
48 and maintained by an incumbent cable provider which is
49 reserved and dedicated by the municipality for
50 noncommercial purposes."

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- 1 7. Page 3, by striking lines 33 through 35 and
2 inserting the following: "greater than five percent.
3 However, if the incumbent cable provider is a".
4 8. Page 5, line 27, by inserting after the word
5 "area" the following: ", and to the incumbent cable
6 provider,".
7 9. Page 5, lines 31 and 32, by striking the words
8 "offers or intends to" and inserting the following:
9 "will".
10 10. Page 5, line 33, by inserting after the word
11 "municipality" the following: ", and shall not
12 provide service without having provided such thirty
13 days' notice".
14 11. Page 6, by striking lines 6 through 18 and
15 inserting the following:
16 "6. If a competitive cable service provider or a
17 competitive video service provider receives a
18 certificate of franchise authority to operate within a
19 municipality, the incumbent cable provider may, at its
20 discretion, apply for a certificate of franchise
21 authority for that same municipality. Such
22 application shall be automatically granted on the same
23 day as a competitive cable service provider or
24 competitive video service provider files a thirty
25 days' notice of offering service as required pursuant
26 to subsection 4. The franchise agreement with the
27 municipality is terminated on the date the board
28 issues the certificate of franchise authority to an
29 incumbent cable provider. The terms and conditions of
30 the certificate of franchise authority shall be the
31 same as the terms and conditions of a competitive
32 cable service provider or a competitive video service
33 provider pursuant to this chapter and shall replace
34 the terms and conditions of the franchise agreement
35 previously granted by the municipality."
36 12. Page 6, line 34, by inserting after the words
37 "laws and" the following: "nondiscriminatory".
38 13. Page 8, by striking lines 3 through 11 and

39 inserting the following:

40 "4. A certificate of franchise authority issued by
41 the board is fully transferable to any successor of
42 the applicant to which the certificate was initially
43 issued. A notice of transfer shall be filed by the
44 holder of the certificate of franchise authority with
45 the board and the affected municipality and shall be
46 effective fourteen business days after submission.
47 The notice of transfer shall include the address of
48 the successor's principal place of business and the
49 names of the successor's principal executive officers.
50 The successor shall assume all regulatory rights and

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1 responsibilities of the holder of the certificate.

2 Neither the board nor an affected municipality shall
3 have authority to review or require approval of such
4 transfer."

5 14. Page 10, line 15, by inserting after the word
6 "services." the following: "At its election the
7 municipality may reasonably request any cable service
8 provider or video service provider to make any
9 necessary change to the form of any programming,
10 furnished for transmission, which shall be charged to
11 the municipality, not to exceed the provider's
12 incremental costs. The municipality shall have up to
13 twelve months to reimburse the cable service provider
14 or video service provider."

15 15. Page 11, by striking lines 20 through 26 and
16 inserting the following:

17 "b. All cable service providers and video service
18 providers shall pay a franchise fee at the same
19 percent of gross revenues as had been assessed on the
20 incumbent cable provider by the municipality as of
21 January 1, 2007, and such percentage shall continue to
22 apply for the period of the remaining term of the
23 existing franchise agreement with the municipality.
24 Upon expiration of the period of the remaining term of
25 the agreement with the incumbent cable service
26 provider, a municipality may request an increase in
27 the franchise fee up to five percent of gross
28 revenues."

29 16. Page 12, line 5, by striking the word "eight"
30 and inserting the following: "five".

31 17. Page 12, by striking lines 12 through 29.

32 18. Page 12, line 35, by inserting after the word
33 "municipality" the following: ", even if the
34 incumbent cable provider elects to convert to a
35 certificate of franchise authority pursuant to section
36 477A.2".

37 19. Page 13, by striking lines 3 through 14 and

38 inserting the following:

39 "4. a. If an incumbent cable provider is required
40 by a franchise agreement as of January 1, 2007, to
41 provide institutional network capacity to a
42 municipality for use by the municipality for
43 noncommercial purposes, the incumbent cable provider
44 and any subsequent holder of a certificate of
45 franchise authority shall provide support only for the
46 existing institutional network on a pro rata basis per
47 customer. Any financial support provided for an
48 institutional network shall be limited to ongoing
49 maintenance and support of the existing institutional
50 network. This subsection shall be applicable only to

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1 a cable service provider's or video service provider's
2 first certificate of franchise authority issued under
3 this chapter, and shall not apply to any subsequent
4 renewals. For the purposes of this subsection,
5 maintenance and support shall only include the
6 reasonable incremental cost of moves, changes, and
7 restoring connectivity of the fiber or coaxial cable
8 lines up to a demarcation point at the building.
9 b. For purposes of this subsection, the number of
10 customers of a cable service provider or video service
11 provider shall be determined based on the relative
12 number of subscribers in that municipality at the end
13 of the prior calendar year as reported to the
14 municipality by all incumbent cable providers and
15 holders of a certificate of franchise authority. Any
16 records showing the number of subscribers shall be
17 considered confidential records pursuant to section
18 22.7. The incumbent cable provider shall provide to
19 the municipality, on an annual basis, the maintenance
20 and support costs of the institutional network,
21 subject to an independent audit. A municipality
22 acting under this subsection shall notify and present
23 a bill to competitive cable service providers or
24 competitive video service providers for the amount of
25 such support on an annual basis, beginning one year
26 after issuance of the certificate of franchise
27 authority. The annual institutional network support
28 shall be due and paid by the providers to the
29 municipality in four quarterly payments, not later
30 than forty-five days after the close of each quarter.
31 The municipality shall reimburse the incumbent cable
32 provider for the amounts received from competitive
33 cable service providers or competitive video service
34 providers.
35 c. This subsection shall not apply if the
36 incumbent cable service provider is a municipal

37 utility providing telecommunications services under
38 section 388.10."

39 20. Page 13, by inserting before line 15 the
40 following:

41 "5. A franchise fee may be assessed or imposed by
42 a municipality without regard to the municipality's
43 cost of inspecting, supervising, or otherwise
44 regulating the franchise, and the fees collected may
45 be credited to the municipality's general fund and
46 used for municipal general fund purposes.

47 6. To the extent that any amount of franchise fees
48 assessed by and paid to a municipality prior to the
49 effective date of this Act, pursuant to a franchise
50 agreement between a municipality and any person to

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1 erect, maintain, and operate plants and systems for
2 cable television, exceeds the municipality's
3 reasonable costs of inspecting, supervising, or
4 otherwise regulating the franchise, such amount is
5 deemed and declared to be authorized and legally
6 assessed by and paid to the municipality."

7 21. Page 14, line 24, by striking the words "four
8 thousand" and inserting the following: "two thousand
9 five hundred".

10 22. Page 15, by inserting after line 14 the
11 following:

12 "Sec. ___. FRANCHISES FOR PROVISION OF CABLE
13 SERVICE OR VIDEO SERVICE – SEVERABILITY. If any
14 provision of this Act, or its application thereof to
15 any person or circumstance is held invalid, the
16 invalidity shall not affect other provisions or
17 applications of this Act which can be given effect
18 without the invalid provision or application, and to
19 this end the provisions of this Act are severable as
20 provided in section 4.12."

21 23. By renumbering, redesignating, and correcting
22 internal references as necessary.

Berry of Black Hawk in the chair at 5:49 p.m.

Jacoby of Johnson offered the following amendment H-1743, to the
committee amendment H-1598, filed by him and moved its adoption:

H-1743

1 Amend the amendment, H-1598, to Senate File 554, as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, by striking lines 33 through 35.

Amendment H-1743 lost.

Jacoby of Johnson asked and received unanimous consent to withdraw amendment H-1741, to the committee amendment H-1598, filed by him on April 16, 2007.

Wise of Lee offered the following amendment H-1730, to the committee amendment H-1598, filed by him and moved its adoption:

H-1730

1 Amend the amendment, H-1598, to Senate File 554, as
2 amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 2, line 17, by striking the word
5 "receives" and inserting the following: "applies
6 for".

Amendment H-1730 was adopted.

Mascher of Johnson asked and received unanimous consent that amendment H-1726 be deferred.

Jacoby of Johnson offered the following amendment H-1666, to the committee amendment H-1598, filed by him and moved its adoption:

H-1666

1 Amend the amendment, H-1598, to Senate File 554, as
2 amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 3, by striking lines 5 through 14 and
5 inserting the following:
6 " ____ . Page 9, line 30, by striking the figure
7 "a."
8 ____ . Page 10, by striking lines 2 through 35 and
9 inserting the following:
10 "2. A competitive cable service provider or
11 competitive video service provider that is a holder of
12 a certificate of franchise authority and an incumbent
13 cable provider shall take all actions necessary to
14 interconnect the cable or video communications network
15 systems of the certificate holder and incumbent cable
16 provider for the purpose of providing public,
17 educational, and governmental programming. A
18 competitive cable service provider or competitive
19 video service provider shall perform any required

20 signal or format conversion necessary to carry public,
21 educational, or governmental programming that
22 originates on the incumbent cable provider's cable
23 system. An incumbent cable provider shall perform any
24 required signal or format conversion necessary to
25 carry public, educational, or governmental programming
26 that originates on the competitive provider's cable or
27 video system. Interconnection may be accomplished by
28 direct cable, microwave link, satellite, or other
29 reasonable method of connection. Neither an incumbent
30 cable provider nor a competitive cable service
31 provider or competitive video service provider shall
32 withhold interconnection of public, educational, or
33 governmental channels.""

Amendment H-1666 lost.

Jacoby of Johnson asked and received unanimous consent to withdraw amendment H-1742, to the committee amendment H-1598, filed by him on April 16, 2007.

Kressig of Black Hawk offered the following amendment H-1748, to the committee amendment H-1598, filed by him from the floor and moved its adoption:

H-1748

1 Amend the amendment, H-1598, to Senate File 554, as
2 amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 3, line 20, by inserting after the words
5 "as of" the following: "or at anytime prior to".
6 2. Page 3, line 26, by inserting after the word
7 "provider," the following: "or if an incumbent cable
8 provider applies for a certificate of franchise
9 authority pursuant to section 477A.2, subsection 6,".

Amendment H-1748 lost.

Jacoby of Johnson asked and received unanimous consent to withdraw amendment H-1672, to the committee amendment H-1598, filed by him on April 11, 2007.

Jochum of Dubuque offered amendment H-1736, to the committee amendment H-1598, filed by her as follows:

H-1736

1 Amend the amendment, H-1598, to Senate File 554, as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 5, by striking lines 7 through 9 and
5 inserting the following:
6 "___ Page 14, by striking lines 14 through 35
7 and inserting the following:
8 "3. A cable service provider or video service
9 provider operating under a certificate of franchise
10 authority that is using a cable system to provide
11 cable services or that is using telecommunication
12 facilities to provide video services shall, commencing
13 five years after initially obtaining a certificate of
14 franchise authority, and every three years thereafter,
15 increase by twenty percent the number of households in
16 any municipality in its franchise service area to
17 which it offers cable service or video service by the
18 beginning of the next three-year period, if it has in
19 the preceding three-year period offered cable service
20 or video service to at least fifteen percent of the
21 households in the municipality, until such cable
22 service provider or video service provider is capable
23 of providing cable service or video service to all
24 households in the municipality."

Wise of Lee rose on a point of order that amendment H-1736 was not germane, to amendment H-1598.

The Speaker ruled the point well taken and amendment H-1736 not germane, to amendment H-1598.

Mascher of Johnson offered the following amendment H-1726, previously deferred, to the committee amendment H-1598, filed by her and moved its adoption:

H-1726

1 Amend the amendment, H-1598, to Senate File 554, as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 2, by striking lines 16 through 35 and
5 inserting the following:
6 "6. If a competitive cable service provider or a
7 competitive video service provider has obtained a
8 certificate of franchise authority to operate within a
9 municipality, and has offered cable or video service
10 to at least fifteen percent of the households in that

- 11 municipality, an incumbent cable provider in that
- 12 municipality may apply for a certificate of franchise
- 13 authority for that municipality.""

A non-record roll call was requested.

The ayes were 25, nays 53.

Amendment H-1726 lost.

On motion by Wise of Lee the committee amendment H-1598 was adopted.

Ford of Polk asked and received unanimous consent to withdraw amendment H-1762 filed by him from the floor.

Kaufmann of Cedar offered amendment H-1667 filed by him as follows:

H-1667

- 1 Amend Senate File 554, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, by inserting after line 5 the
- 4 following:
- 5 "Sec. ____ Section 422.33, Code 2007, is amended
- 6 by adding the following new subsection:
- 7 **NEW SUBSECTION. 24. a.** The taxes imposed under
- 8 this division shall be reduced by a public,
- 9 educational, and governmental access channel equipment
- 10 donation tax credit. The holder of a franchise
- 11 granted pursuant to chapter 477A for the construction
- 12 or operation of a cable system or video service
- 13 provider's network is eligible to receive a public,
- 14 educational, and governmental access channel equipment
- 15 donation tax credit in an amount equivalent to the
- 16 value of equipment donated to a municipality for
- 17 public, educational, and governmental access channel
- 18 programming, not to exceed ten thousand dollars.
- 19 b. If a holder of a franchise elects to take the
- 20 public, educational, and governmental access channel
- 21 equipment donation tax credit, the holder shall not
- 22 deduct for Iowa tax purposes any amount of equipment
- 23 donated which is deductible for federal tax purposes,
- 24 and a deduction pursuant to section 170 of the
- 25 Internal Revenue Code shall not be allowed for the
- 26 amount of the donation.
- 27 c. Any credit in excess of the tax liability is

28 not refundable but the excess for the tax year may be
 29 credited to the tax liability for the following five
 30 tax years or until depleted, whichever is the
 31 earlier."

32 2. Page 15, line 15, by inserting after the word
 33 "EFFECTIVE" the following: "AND APPLICABILITY".

34 3. Page 15, line 16, by inserting after the word
 35 "enactment." the following: "The section of this Act
 36 establishing a public, educational, and governmental
 37 access channel equipment donation tax credit is
 38 retroactively applicable to tax years beginning on or
 39 after January 1, 2007."

40 4. Title page, line 2, by inserting after the
 41 word "fees" the following: ", providing a tax credit
 42 for specified donations of equipment,".

43 5. Title page, line 5, by inserting after the
 44 word "effective" the following: "and applicability".

Wise of Lee rose on a point of order that amendment H-1667 was not germane, to amendment H-1598.

The Speaker ruled the point well taken and amendment H-1667 not germane.

Pettengill of Benton offered amendment H-1732 filed by her as follows:

H-1732

1 Amend Senate File 554, as amended, passed, and
 2 reprinted by the Senate, as follows:

3 1. Page 1, by inserting after line 5 the
 4 following:

5 "Sec. ____ Section 476.55, subsection 2, Code
 6 2007, is amended by striking the subsection."

7 2. Page 14, by inserting after line 35 the
 8 following:

9 "4. A cable service provider or video service
 10 provider shall not engage in unlawful discrimination
 11 in relation to the establishment of rates.

12 a. A cable service provider or video service
 13 provider shall be prohibited from subsidizing its
 14 lower rate offerings with rates paid by customers in
 15 higher rate exchange areas. Any person who provides
 16 cable service pursuant to a franchise granted under
 17 this chapter shall be prohibited from selling such
 18 service or a bundle of services that includes cable
 19 service or video services at a price that is more than
 20 two hundred percent of the lowest price that provider

21 charges for a functionally equivalent service or
22 bundle of services to another customer in this state.
23 A cable service provider or video service provider
24 that offers a price to a customer in the franchised
25 area in violation of this subsection shall be deemed
26 to have engaged in predatory pricing. If the lowest
27 price meets a bona fide price offered to a customer in
28 the franchised area by an unrelated or unaffiliated
29 competitor, such price shall not be used to determine
30 a violation of this subsection.

31 b. A cable service provider or video service
32 provider found by a court of competent jurisdiction to
33 have failed to materially comply with this subsection
34 shall be subject to the following:

35 (1) An injunction ordering compliance with this
36 subsection.

37 (2) For each franchised area in which a violation
38 occurs, a civil penalty in an amount not exceeding ten
39 thousand dollars.

40 c. If the court finds that the noncompliance with
41 this subsection has resulted in a loss of customers to
42 a competitive provider, the injured provider may bring
43 a civil action on behalf of the customer or customers
44 seeking recovery of damages.

45 d. If the court finds that noncompliance with this
46 subsection has resulted in a loss of customers to a
47 competitive cable service provider or competitive
48 video service provider, the injured competitive cable
49 service provider or competitive video service provider
50 may bring a civil action to recover the consequential

Page 2

1 damages of economic loss suffered by the injured
2 provider as a result of the loss of customers who
3 changed to a noncompliant competitive cable service
4 provider or noncompliant competitive video service
5 provider while that noncompliant provider was in
6 violation of this subsection."

7 3. Page 15, by inserting after line 14 the
8 following:

9 "Sec. . **NEW SECTION. 551.1A. UNFAIR**
10 **DISCRIMINATION IN LOCAL EXCHANGE RATES.**

11 1. A telecommunications provider holding a
12 certificate of public convenience and necessity for
13 providing local telecommunications services under
14 section 476.29 and offering local exchange services in
15 this state shall be prohibited from selling such
16 services or a bundle of services including such
17 services at a price that is more than two hundred
18 percent of the lowest price that provider charges for
19 functionally equivalent services or a bundle of

20 services including equivalent services to another
21 customer in this state. A telecommunications provider
22 that offers a price to a customer in violation of this
23 subsection shall be deemed to have engaged in
24 predatory pricing. If the lowest price meets a bona
25 fide price offered to a customer in the local exchange
26 by an unrelated or unaffiliated competitor, such price
27 shall not be used to determine a violation of this
28 subsection.

29 2. A telecommunications provider found by a court
30 of competent jurisdiction to have failed to materially
31 comply with this section shall be subject to the
32 following:

33 a. An injunction ordering compliance with this
34 section.

35 b. For each franchised area in which a violation
36 occurs, a civil penalty in an amount not exceeding ten
37 thousand dollars.

38 3. If the court finds that the noncompliance with
39 this section has resulted in a loss or damage to a
40 customer, a person or class of persons may bring a
41 civil action on behalf of the customer or customers
42 seeking recovery of damages.

43 4. If the court finds that noncompliance with this
44 section has resulted in a loss of customers to a
45 competitive telecommunications service provider, the
46 injured telecommunications service provider may bring
47 a civil action to recover the consequential damages of
48 economic loss suffered by the injured provider as a
49 result of the loss of customers who changed to a
50 noncompliant telecommunications service provider while

Page 3

1 that noncompliant provider was in violation of this
2 section."

3 4. By renumbering as necessary.

Wise of Lee rose on a point of order that amendment H-1732 was not germane.

The Speaker ruled the point well taken and amendment H-1732 not germane.

Huser of Polk asked and received unanimous consent to withdraw amendment H-1764 filed by her from the floor.

Jacoby of Johnson offered amendment H-1740 filed by him as follows:

Division was requested as follows:

H-1740

1 Amend Senate File 554, as amended, passed, and
2 reprinted by the Senate, as follows:

H-1740A

3 1. Page 13, line 18, by inserting after the
4 figure "76.309" the following: ", and shall maintain
5 a local or toll-free telephone number for customer
6 service contact".

H-1740B

7 2. Page 13, by striking lines 23 through 27 and
8 inserting the following: "resolved through this
9 informal process, a municipality or a customer may, as
10 an exclusive and final remedy, request a confidential
11 binding arbitration by an arbitrator selected by the
12 parties, with the costs of arbitration assessed as
13 determined by the arbitrator."

On motion by Jacoby of Johnson, amendment H-1740A was adopted.

Jacoby of Johnson asked and received unanimous consent to withdraw amendment H-1740B.

Kelley of Black Hawk asked and received unanimous consent to withdraw amendment H-1731 filed by her on April 16, 2007.

Wise of Lee moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 554)

The ayes were, 78:

Abdul-Samad	Alons	Arnold	Bailey
Bell	Berry	Boal	Bukta
Chambers	Clute	Cohoon	Dandekar
Davitt	De Boef	Deyoe	Dolecheck
Drake	Foegan	Forristall	Frevert
Gaskill	Gayman	Gipp	Granzow

Grassley	Heaton	Heddens	Hoffman
Hunter	Huseman	Huser	Jacobs
Kaufmann	Kuhn	Lukan	Lykam
May	McCarthy	Miller, H.	Miller, L.
Oldson	Olson, D.	Olson, R.	Olson, S.
Palmer	Paulsen	Petersen	Quirk
Raecker	Rants	Rayhons	Reasoner
Reichert	Roberts	Schickel	Shomshor
Smith	Soderberg	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wendt	Wenthe
Whitaker	Whitead	Windschitl	Wise
Worthan	Mr. Speaker Murphy		

The nays were, 19:

Anderson	Baudler	Greiner	Jacoby
Jochum	Kelley	Kressig	Lensing
Mascher	Mertz	Olson, T.	Pettengill
Rasmussen	Sands	Schueller	Staed
Wessel-Kroeschell	Wienczek	Winckler	

Absent or not voting, 2:

Ford	Zirkelbach
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Under the provision of Rule 76, conflict of interest, Horbach of Tama refrained from voting.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 17, 2007, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 414, a bill for an act concerning the licensure, operation, and taxation of card game tournaments by organizations representing veterans and allowable prizes at annual game nights by certain qualified organizations and making penalties applicable.

Also: that the Senate has on April 17, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 585, a bill for an act relating to registration of construction contractors.

MICHAEL E. MARSHALL, Secretary

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **Senate File 554** be immediately messaged to the Senate.

Appropriations Calendar

Senate File 562, a bill for an act relating to and making appropriations to the department of cultural affairs, the department of economic development, certain board of regents institutions, the department of workforce development, the Iowa finance authority, and the public employment relations board, and related matters, with report of committee recommending passage, was taken up for consideration.

H. Miller of Webster in the chair at 8:10 p.m.

Struyk of Pottawattamie asked and received unanimous consent that amendment H-1750 be deferred.

Paulsen of Linn offered the following amendment H-1763 filed by him from the floor and moved its adoption:

H-1763

- 1 Amend Senate File 562, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 12, by striking lines 13 and 14 and
- 4 inserting the following: "additional safety
- 5 consultants within the consultation division of the
- 6 division of labor services."

Speaker Murphy in the chair at 8:18 p.m.

Roll call was requested by Paulsen of Linn and Rants of Woodbury.

On the question "Shall amendment H-1763 be adopted?" (S.F. 562)

The ayes were, 46:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Granzow	Grassley	Greiner
Hoffman	Horbach	Huseman	Jacobs
Kaufmann	Lukan	May	Miller, L.
Olson, S.	Paulsen	Raecker	Rants
Rasmussen	Rayhons	Roberts	Sands
Schickel	Soderberg	Struyk	Taylor, D.
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wiencek
Windschitl	Worthan		

The nays were, 53:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevort	Gaskill
Gayman	Heaton	Heddens	Hunter
Huser	Jacoby	Jochum	Kelley
Kressig	Kuhn	Lensing	Lykam
Mascher	McCarthy	Mertz	Miller, H.
Oldson	Olson, D.	Olson, R.	Olson, T.
Palmer	Petersen	Pettengill	Quirk
Reasoner	Reichert	Schueller	Shomshor
Smith	Staed	Swaim	Taylor, T.
Thomas	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise
Mr. Speaker			
Murphy			

Absent or not voting, 1:

Zirkelbach

Amendment H-1763 lost.

Watts of Dallas offered amendment H-1747 filed by him from the floor as follows:

H-1747

- 1 Amend Senate File 562, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 15, by inserting after line 6 the
- 4 following:
- 5 "Sec. ___, Section 15G.110, Code 2007, is amended
- 6 to read as follows:
- 7 15G.110 APPROPRIATION.
- 8 For the fiscal period beginning July 1, 2005, and

9 ending June 30, 2015 ~~2007~~, there is appropriated to
10 the department of economic development each fiscal
11 year fifty million dollars from the general fund of
12 the state for deposit in the grow Iowa values fund.
13 For the fiscal period beginning July 1, 2007, and
14 ending June 30, 2015, there is appropriated to the
15 department of economic development each fiscal year
16 seventy-five million dollars from the general fund of
17 the state for deposit in the grow Iowa values fund.

18 Sec. ____ Section 15G.111, Code 2007, is amended
19 by adding the following new subsection:

20 NEW SUBSECTION. 7A. For the fiscal period
21 beginning July 1, 2007, and ending June 30, 2015,
22 there is appropriated each fiscal year from the grow
23 Iowa values fund created in section 15G.108 to the
24 department of economic development twenty-five million
25 dollars for deposit in the Iowa power fund, if enacted
26 to be used by the office of energy independence, if
27 enacted. Moneys appropriated under this subsection
28 shall be used to further the goals of increasing the
29 development, production, and use of biofuels and other
30 sources of renewable energy, improve energy
31 efficiency, and shall encourage and provide for
32 research, development, commercialization, and the
33 implementation of energy technologies and practices.
34 The technologies and practices should reduce this
35 state's dependence on foreign sources of energy and
36 finite fossil fuels, and other environmental impacts,
37 and meet the demand for energy services in an
38 economically viable manner. The research,
39 development, commercialization, implementation, and
40 distribution of such technologies and practices are
41 intended to sustain the environment and develop
42 business in this state as Iowans market these
43 technologies and practices to the world."

44 2. By renumbering as necessary.

Dandekar of Linn rose on a point of order that amendment H-1747 was not germane.

The Speaker ruled the point well taken and amendment H-1747 not germane.

Watts of Dallas asked for unanimous consent to suspend the rules to consider amendment H-1747.

Objection was raised.

Watts of Dallas moved to suspend the rules to consider amendment H-1747.

Roll call was requested by Rants of Woodbury and Paulsen of Linn.

On the question "Shall the rules be suspended to consider amendment H-1747?" (S.F. 562)

The ayes were, 45:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Granzow	Grassley	Greiner
Heaton	Hoffman	Horbach	Huseman
Jacobs	Kaufmann	Lukan	May
Miller, L.	Olson, S.	Paulsen	Raecker
Rants	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Taylor, D.	Tjepkes	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wiencek
Worthan			

The nays were, 52:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Frevert	Gaskill	Gayman
Heddens	Hunter	Huser	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Mertz	Miller, H.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Pettengill	Quirk	Reasoner	Reichert
Schueller	Shomshor	Smith	Staed
Swaim	Taylor, T.	Thomas	Tomenga
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	Mr. Speaker
			Murphy

Absent or not voting, 3:

Ford	Windschitl	Zirkelbach
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The motion to suspend the rules lost.

Alons of Sioux offered amendment H-1752 filed by him, Baudler of Adair, Chambers of O'Brien, De Boef of Keokuk, Drake of Pottawattamie, Forristall of Pottawattamie, Huseman of Cherokee, May of Dickinson, Roberts of Carroll, Van Fossen of Scott, Watts of Dallas and Worthan of Buena Vista from the floor as follows:

H-1752

1 Amend Senate File 562, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 15, by inserting after line 6 the
4 following:

5 "Sec. 500. Section 422.7, Code 2007, is amended by
6 adding the following new subsection:

7 NEW SUBSECTION. 50. Subtract the capital gain
8 from the following:

9 a. The sale of an equity investment in a business
10 if all of the following requirements are met:

11 (1) The equity investment is held for a period of
12 thirty-six months or more from the date of
13 acquisition.

14 (2) A credit is not claimed on the investment
15 under section 15E.66, 422.11F, or 422.11G.

16 (3) The deduction under this paragraph "a" is in
17 lieu of any deduction under section 1202 of the
18 Internal Revenue Code.

19 b. If the adjusted gross income computed for
20 federal income tax purposes includes income or loss
21 from a business operated by the taxpayer, the sale of
22 a building, land, or machinery and equipment used in
23 the operation of the business if the building, land,
24 or machinery and equipment are held for a period of
25 thirty-six months or more from the date of
26 acquisition.

27 An individual may claim the capital gain deduction
28 of a partnership, S corporation, limited liability
29 company, estate, or trust electing to have the income
30 taxed directly to the individual. The amount claimed
31 by the individual shall be based upon the pro rata
32 share of the individual's earnings of a partnership, S
33 corporation, limited liability company, estate, or
34 trust.

35 Sec. 501. Section 422.35, Code 2007, is amended by
36 adding the following new subsection:

37 NEW SUBSECTION. 23. Subtract the capital gain
38 from the following:

39 a. The sale of an equity investment in a business
40 if all of the following requirements are met:

41 (1) The equity investment is held for a period of
42 thirty-six months or more from the date of
43 acquisition.

44 (2) A credit is not claimed on the investment
45 under section 15E.66 or section 422.33, subsection 12
46 or 13.

47 b. The sale of a building, land, or machinery and
48 equipment used in the operation of the business if the
49 building, land, or machinery and equipment are held
50 for a period of thirty-six months or more from the

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- 1 date of acquisition."
- 2 2. Page 17, by inserting after line 7 the
- 3 following:
- 4 "Sec. ____ APPLICABILITY DATE. Sections 500 and
- 5 501 of this Act apply retroactively to capital
- 6 investments made in or by businesses on or after
- 7 January 1, 2007, for tax years ending after that
- 8 date."
- 9 3. Title page, line 5, by inserting after the
- 10 word "matters" the following: "and including a
- 11 retroactive applicability date provision".
- 12 4. By renumbering as necessary.

Dandekar of Linn rose on a point of order that amendment H-1752 was not germane.

The Speaker ruled the point well taken and amendment H-1752 not germane.

Alons of Sioux moved to suspend the rules to consider amendment H-1752.

Roll call was requested by Rants of Woodbury and Alons of Sioux.

On the question "Shall the rules be suspended to consider amendment H-1752?" (S.F. 562)

The ayes were, 45:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Granzow	Grassley	Greiner
Heaton	Hoffman	Horbach	Huseman
Jacobs	Kaufmann	Lukan	May
Miller, L.	Olson, S.	Paulsen	Raecker
Rants	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wiencek	Windschitl
Worthan			

The nays were, 53:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt

Foege	Frevert	Gaskill	Gayman
Heddens	Hunter	Huser	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Mertz	Miller, H.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Pettengill	Quirk	Reasoner	Reichert
Schueller	Shomshor	Smith	Staed
Swaim	Taylor, D.	Taylor, T.	Thomas
Tomenga	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise
Mr. Speaker Murphy			

Absent or not voting, 2:

Ford Zirkelbach

The motion to suspend the rules lost.

Rants of Woodbury asked and received unanimous consent to withdraw amendment H-1751 filed by him from the floor.

Struyk of Pottawattamie asked and received unanimous consent to withdraw amendment H-1750, previously deferred, filed by him from the floor.

Dandekar of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 562).

The ayes were, 64:

Abdul-Samad	Anderson	Bailey	Bell
Berry	Bukta	Clute	Cphoon
Dandekar	Davitt	De Boef	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Heddens	Hoffman	Hunter
Huser	Jacoby	Jochum	Kelley
Kressig	Kuhn	Lensing	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Pettengill	Quirk	Reasoner	Reichert
Schickel	Schueller	Shomshor	Smith
Staed	Swaim	Taylor, D.	Taylor, T.

Thomas	Tomenga	Van Engelenhoven	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Wienczek	Winckler	Wise	Mr. Speaker Murphy

The nays were, 35:

Alons	Arnold	Baudler	Boal
Chambers	Deyoe	Dolecheck	Drake
Gipp	Granzow	Grassley	Greiner
Heaton	Horbach	Huseman	Jacobs
Kaufmann	Lukan	Olson, S.	Paulsen
Raecker	Rants	Rasmussen	Rayhons
Roberts	Sands	Soderberg	Struyk
Tjepkes	Tymeson	Upmeyer	Van Fossen
Watts	Windschitl	Worthan	

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

INTRODUCTION OF BILL

House File 911, by committee on appropriations, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, vertical infrastructure fund, the endowment for Iowa's health restricted capitals fund, and the technology reinvestment fund, and related matters, and providing an effective date.

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

SENATE MESSAGE CONSIDERED

Senate File 585, by committee on ways and means, a bill for an act relating to registration of construction contractors.

Read first time and referred to committee on **ways and means**.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **Senate File 562** be immediately messaged to the Senate.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 17 day of April, 2007: House Files 590, 787 and 826.

MARK W. BRANDSGARD
Chief Clerk of the House

Report adopted.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 17, 2007, he approved and transmitted to the Secretary of State the following bills:

House File 158, an Act relating to a requirement that children receive a blood lead test by age six or prior to enrollment in an elementary school.

House File 413, an Act relating to electronic filing of campaign finance organizational statements, dissolution reports, and disclosure reports by candidates for statewide office or for the General Assembly, establishing a filing deadline for all statements and reports, providing a penalty, and providing applicability dates.

House File 585, an Act relating to the selection of board members by area agencies on aging.

House File 765, an Act relating to animal feeding operations, by providing for the enforcement of regulatory provisions.

House File 774, an Act relating to mechanics' liens.

House File 846, an Act providing for an Iowa farmers' market nutrition program.

Senate File 137, an Act providing for the registration of associate real estate appraisers, prohibiting improper influence over an appraiser's evaluation opinion, and imposing a penalty.

Senate File 205, an Act relating to the use of moneys in the Iowa cultural trust grant account by the board of trustees of the Iowa cultural trust.

Senate File 270, an Act relating to the military code by amending the powers of the adjutant general and by allowing the armory board to enter into design-build contracts for the construction of certain national guard facilities.

Senate File 354, an Act relating to certain overpayments of moneys to a county.

Senate File 444, an Act relating to councils of governments by designating a new council of governments area.

Senate File 448, an Act relating to confidential information regarding unemployment insurance benefits and providing penalties.

Senate File 479, an Act making changes to the time frames and the duties of the legislative services agency concerning the process of congressional and legislative redistricting.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- | | |
|-----------|---|
| 2007\2902 | Marion and Wilma Jasper, Sioux Center – For celebrating their 65 th wedding anniversary. |
| 2007\2903 | John and Nancy Lee Siebenmann, Cedar Rapids – For celebrating their 50 th wedding anniversary. |
| 2007\2904 | Hazel L. Hickman, Marshalltown – For celebrating her 82 nd birthday. |
| 2007\2905 | William Ehrenreich Reiser, Marshalltown – For celebrating his 80 th birthday. |
| 2007\2906 | Ruby Dolores See, Marshalltown – For celebrating her 76 th birthday. |
| 2007\2907 | Joe and Lucille Cookman, Mason City – For celebrating their 60 th wedding anniversary. |
| 2007\2908 | Marcus and Eunice Connelly, Mason City – For celebrating their 65 th wedding anniversary. |
| 2007\2909 | Robert “Gunner” Berry, Mason City – For celebrating his 80 th birthday. |
| 2007\2910 | Mr. and Mrs. Vaughn Escher, Mason City – For celebrating their 60 th wedding anniversary. |
| 2007\2911 | Merlyn and Geneva Ulrich, Mason City – For celebrating their 60 th wedding anniversary. |

- 2007\2912 Ruth Abrams, Mason City – For celebrating her 80th birthday.
- 2007\2913 Eva Danner, Mason City – For celebrating her 80th birthday.
- 2007\2914 Jack Huffman, Iowa Falls – For celebrating his 90th birthday.
- 2007\2915 Dale and Charlene Keil, Independence – For celebrating their 50th wedding anniversary.
- 2007\2916 Lawrence and Geneviere Sadler, Dunkerton – For celebrating their 60th wedding anniversary.
- 2007\2917 William and Carole Conrad, Washburn – For celebrating their 50th wedding anniversary.
- 2007\2918 Pat Thompson, Mason City – For celebrating her 75th birthday.
- 2007\2919 Jerry and Charlotte Hamilton, Letts – For celebrating their 50th wedding anniversary.
- 2007\2920 Joe and Lois Wiegand, Burlington – For celebrating their 60th wedding anniversary.
- 2007\2921 Sara Sullivan, Iowa City – For being named Teacher of the Year.
- 2007\2922 Betty Weaver, Hampton – For celebrating her 80th birthday.
- 2007\2923 Bea Becker, Sheffield – For celebrating her 80th birthday.
- 2007\2924 Jean Ostendorf, Klemme – For celebrating her 80th birthday.
- 2007\2925 Charles and Irene Selensky, Dubuque – For celebrating their 50th wedding anniversary.
- 2007\2926 Jerry and Janine Koch, Dubuque – For celebrating their 50th wedding anniversary.
- 2007\2927 Mel and Dorothy McFarlane, Madrid – For celebrating their 60th wedding anniversary.
- 2007\2928 Lillian L. Buffett, Marshalltown – For celebrating her 89th birthday.
- 2007\2929 Virginia May Davis, Marshalltown – For celebrating her 82nd birthday.
- 2007\2930 Avis Fern Gummert, Marshalltown – For celebrating her 91st birthday.
- 2007\2931 Hazel E. Hauser, Marshalltown – For celebrating her 84th birthday.
- 2007\2932 Walter Herbert Horn, Marshalltown – For celebrating his 88th birthday.

- 2007\2933 Kathleen F. Luse, Marshalltown – For celebrating her 77th birthday.
- 2007\2934 M. Esther Miller, Marshalltown – For celebrating her 80th birthday.
- 2007\2935 Bernice Irene Price, Marshalltown – For celebrating her 85th birthday.
- 2007\2936 Florence Louise Renshaw, Marshalltown – For celebrating her 93rd birthday.
- 2007\2937 Calvin Schroeder, Tama – For celebrating his 78th birthday.
- 2007\2938 Marcella List, Tama – For celebrating her 92nd birthday.
- 2007\2939 Mildred Puls, Tama – For celebrating her 77th birthday.
- 2007\2940 Lucille Mears, Tama – For celebrating her 85th birthday.
- 2007\2941 Gladys Kubalek, Tama – For celebrating her 91st birthday.

SUBCOMMITTEE ASSIGNMENTS

House File 893

Appropriations: Hunter, Chair; Berry and Watts.

House File 905.

Ways and Means: Wise, Chair; Deyoe, T. Olson, Quirk, Reasoner, Struyk and Van Fossen.

Senate File 442

Ways and Means: Grassley, Chair; Kelley and Pettengill.

LSB 1134JA

Appropriations: Cohoon, Chair; Huseman and Reichert.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

House Study Bill 311

Ways and Means: Wise, Chair; Kelley and Sands.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports

that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Senate File 551, a bill for an act relating to and making appropriations involving state government, by providing for agriculture, natural resources, and environmental protection.

Fiscal Note is not required.

Recommended **Amend and Do Pass with Amendment H—1761** April 17, 2007.

Committee Bill (Formerly LSB 1134HC), relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, vertical infrastructure fund, the endowment for Iowa's health restricted capitals fund, and the technology reinvestment fund, and related matters, and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** April 17, 2007.

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly House Study Bill 306), relating to the streamlined sales and use tax agreement and administration of the tax and related laws by the department of revenue, including administration of sales and use taxes, and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** April 17, 2007.

Committee Bill (Formerly House Study Bill 311), relating to providing sales, use, and property tax exemptions for a certain web search portal business.

Fiscal Note is required.

Recommended **Do Pass** April 17, 2007.

RESOLUTIONS FILED

HR 46, by Mascher, a resolution honoring the life and accomplishments of Kurt Vonnegut.

Laid over under **Rule 25**.

HR 47, by Mascher, Abdul-Samad, Alons, Anderson, Arnold, Bailey, Baudler, Bell, Berry, Boal, Bukta, Chambers, Clute, Cohoon, Dandekar, Davitt, De Boef, Deyoe, Dolecheck, Drake, Foege, Ford, Forristall, Frevert, Gaskill, Gayman, Gipp, Granzow, Grassley, Greiner, Heaton, Heddens, Hoffman, Horbach, Hunter, Huseman, Jacobs, Jacoby, Jochum, Kaufmann, Kelley, Kressig, Kuhn, Lensing, Lukan, Lykam, May, McCarthy, Mertz, H. Miller, L. Miller, Murphy, Oldson, D. Olson, R. Olson, S. Olson, T. Olson, Palmer, Paulsen, Petersen, Pettengill, Quirk, Raecker, Rants, Rasmussen, Rayhons, Reasoner, Reichert, Roberts, Sands, Schickel, Schueller, Shomshor, Smith, Soderberg, Staed, Struyk, Swaim, D. Taylor, T. Taylor, Thomas, Tjepkes, Tomenga, Tymeson, Upmeyer, Van Engelenhoven, Van Fossen, Watts, Wendt, Wenthe, Wessel-Kroeschell, Whitaker, Whitead, Wiencek, Winckler, Windschitl, Wise, Worthan and Zirkelbach, a resolution to honor professional golfer and Iowa's own Zach Johnson on winning the 2007 Masters golf tournament.

Laid over under **Rule 25**.

AMENDMENTS FILED

H—1745	S.F.	430	Swaim of Davis
			Anderson of Page
			Schueller of Jackson
			R. Olson of Polk
			T. Olson of Linn
			Paulsen of Linn
H—1746	S.F.	430	Swaim of Davis
			Anderson of Page
			Schueller of Jackson
			R. Olson of Polk
			T. Olson of Linn
			Paulsen of Linn
H—1749	S.F.	430	Horbach of Tama
H—1753	H.F.	792	H. Miller of Webster
H—1755	S.F.	485	D. Olson of Boone
			Mertz of Kossuth
H—1756	H.F.	907	Raecker of Polk
H—1757	H.F.	773	Senate Amendment

H—1758	H.F.	808	Senate Amendment
H—1759	H.F.	608	Senate Amendment
H—1760	S.F.	49	R. Olson of Polk
H—1761	S.F.	551	Committee on Appropriations
H—1765	S.F.	551	Grassley of Butler S. Olson of Clinton Kaufman of Cedar
H—1766	H.F.	752	Rants of Woodbury

On motion by McCarthy of Polk the House adjourned at 8:57 p.m., until 9:00 a.m., Wednesday, April 18, 2007.

JOURNAL OF THE HOUSE

One Hundred First Calendar Day - Sixty-eighth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, April 18, 2007

The House met pursuant to adjournment at 9:14 a.m., Speaker Murphy in the chair.

Prayer was offered by Reverend Matthew Martens, pastor of Grace Lutheran Church, Fort Dodge. He was the guest of Representative Helen Miller of Webster County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Will Mason, clerk for Representative McKinley Bailey of Hamilton County.

The Journal of Tuesday, April 17, 2007 was approved.

INTRODUCTION OF BILLS

House File 912, by committee on ways and means, a bill for an act relating to providing sales, use, and property tax exemptions for a certain web search portal business.

Read first time and placed on the **ways and means calendar**.

House File 913, by committee on ways and means, a bill for an act relating to the streamlined sales and use tax agreement and administration of the tax and related laws by the department of revenue, including administration of sales and use taxes, and providing an effective date.

Read first time and placed on the **ways and means calendar**.

SPECIAL PRESENTATION

Lukan of Dubuque introduced to the House the Honorable Danny Carroll, former state representative from Poweshiek County.

The House rose and expressed its welcome.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Arnold of Lucas, until his arrival, on request of Gipp of Winneshiek.

SENATE AMENDMENT CONSIDERED

Cohoon of Des Moines called up for consideration **House File 752**, a bill for an act relating to and making transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund, amended by the Senate amendment H-1735 as follows:

H-1735

1 Amend House File 752, as passed by the House, as
2 follows:

3 1. Page 4, by inserting after line 28 the
4 following:

5 "Sec. ____ STATE EMPLOYEE TELECOMMUTING - POLICY
6 DEVELOPMENT - IMPLEMENTATION.

7 1. The director of a department or state agency to
8 which appropriations are made pursuant to the
9 provisions of this Act shall assess the extent to
10 which job classifications or individual employment
11 positions with the department or agency might be
12 effectively performed from an employee's residence or
13 other remote location through telecommuting, thereby
14 increasing office space within the department or
15 agency and reducing administrative costs. The
16 assessment shall include an estimate of the number of
17 department or agency employees whose job
18 responsibilities could be effectively performed on a
19 telecommuting basis, projected costs of establishing
20 and maintaining work stations at an employee's
21 residence or other remote location and providing
22 telecommuter support, anticipated savings to the
23 department or agency through a reduction in the
24 office-based workforce, and anticipated time and cost
25 savings to telecommuting employees. A report
26 summarizing the assessment shall be submitted to the
27 director of the department of administrative services,
28 and the members of the general assembly, by November
29 1, 2007.

- 30 2. Based on the assessment conducted pursuant to
 31 subsection 1, the director shall develop a
 32 telecommuter employment policy for the department or
 33 agency and a timeline for initial policy
 34 implementation and plans for expanding the number of
 35 telecommuting employees. Specific office-based
 36 workforce reduction percentages shall be left to the
 37 discretion of the director, but the director shall
 38 implement a policy transferring some number of
 39 office-based employees to telecommuter status by
 40 January 1, 2008. The director shall report to the
 41 director of the department of administrative services
 42 and the members of the general assembly on an annual
 43 basis beginning January 1, 2009, the number of
 44 telecommuting employees, cost savings achieved by the
 45 department or agency, and plans for continued transfer
 46 of office-based employees to telecommuter status."
 47 2. Title page, line 4, by inserting after the
 48 word "fund" the following: ", and related matters".
 49 3. By renumbering as necessary.

Rants of Woodbury offered amendment H-1766, to the Senate amendment H-1735, filed by him as follows:

H-1766

- 1 Amend the Senate amendment, H-1735, to House File
 2 752, as passed by the House, as follows:
 3 1. Page 1, by inserting after line 4 the
 4 following:
 5 ""Sec.____. 2007 Iowa Acts, Senate File 403,
 6 section 36, if enacted, is repealed."
 7 2. Page 1, line 5, by striking the word ""Sec."
 8 and inserting the following: "Sec."
 9 3. Page 1, line 46, by striking the word
 10 "status."" and inserting the following: "status."
 11 4. Page 1, by inserting after line 46 the
 12 following:
 13 "Sec.____. EFFECTIVE DATE. The section of this
 14 Act repealing 2007 Iowa Acts, Senate File 403, section
 15 36, if enacted, being deemed of immediate importance,
 16 takes effect upon enactment."
 17 5. Page 1, by striking line 48 and inserting the
 18 following: "words "road fund" the following: ", and
 19 related matters, and providing an effective date".
 20 6. By renumbering as necessary.

Cohon of Des Moines rose on a point of order that amendment H-1766 was not germane, to amendment the Senate amendment H-1735.

The Speaker ruled the point well taken and amendment H-1766 not germane, to amendment H-1735.

Cohoon of Des Moines moved that the House concur in the Senate amendment H-1735.

A non-record roll call was requested.

The ayes were 50, nays 43.

The House concurred in the Senate amendment H-1735.

Cohoon of Des Moines moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 752)

The ayes were, 53:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Pettengill	Quirk	Reasoner
Reichert	Schueller	Shomshor	Smith
Staed	Swaim	Taylor, D.	Taylor, T.
Thomas	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise
Mr. Speaker			
Murphy			

The nays were, 44:

Alons	Anderson	Baudler	Boal
Chambers	Clute	De Boef	Deyoe
Dolecheck	Drake	Forristall	Gipp
Granzow	Grassley	Greiner	Heaton
Hoffman	Horbach	Huseman	Jacobs
Kaufmann	Lukan	May	Miller, L.
Olson, S.	Paulsen	Raecker	Rants
Rasmussen	Rayhons	Roberts	Sands
Schickel	Soderberg	Struyk	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Fossen
Watts	Wienczek	Windschitl	Worthan

Absent or not voting, 3:

Arnold Van Engelenhoven Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

On motion by McCarthy of Polk, the House was recessed at 9:36 a.m., until 2:00 p.m.

AFTERNOON SESSION

The House reconvened at 2:24 p.m., Speaker Murphy in the chair.

INTRODUCTION OF BILLS

House File 914, by McCarthy, a bill for an act relating to the provision of medical services and evaluation of permanent disabilities of injured employees under workers' compensation laws, and providing an applicability date.

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

House File 915, by McCarthy and Rants, a bill for an act transferring regulatory control of elder group homes, assisted living homes, and adult day services from the department of elder affairs to the department of inspections and appeals.

Read first time and referred to committee on **human resources**.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 18, 2007, amended and passed the following bill in which the concurrence of the House is asked:

House File 817, a bill for an act concerning the flag and veterans by providing for a study of regional veterans affairs offices, providing for the duties of the department of veterans affairs and the commission on veterans affairs prohibiting certain acts involving the flag, establishing a counseling program for veterans and providing a penalty.

Also: That the Senate has on April 18, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 892, a bill for an act creating a film, television, and video project promotion program, providing tax credits and income exclusions, and including effective and retroactive applicability dates.

Also: That the Senate has on April 18, 2007, refused to concur in the House amendment to the following bill in which the concurrence of the Senate was asked:

Senate File 472, a bill for an act requiring the posting of close-clearance warning devices along railroad tracks and providing a penalty.

MICHAEL E. MARSHALL, Secretary

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Van Engelenhoven of Marion on request of Upmeyer of Hancock.

CONSIDERATION OF BILLS Unfinished Business Calendar

Senate File 254, a bill for an act revising family investment program requirements, with report of committee recommending amendment and passage, was taken up for consideration.

Petersen of Polk offered the following amendment H-1587 filed by the committee on human resources and moved its adoption:

H-1587

- 1 Amend Senate File 254, as passed by the Senate, as
- 2 follows:
- 3 1. Page 2, by striking lines 27 through 29 and
- 4 inserting the following: "participant parent to
- 5 address the birth of a child or the placement of a
- 6 child with the participant parent for adoption or
- 7 foster care. If such a leave is requested by the
- 8 parent the combined duration of the".

The committee amendment H-1587 was adopted.

Petersen of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 254)

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Bailey
Baudler	Bell	Berry	Boal
Bukta	Chambers	Clute	Cohoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor
Smith	Soderberg	Staed	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Fossen	Watts	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wiencek
Winckler	Windschitl	Wise	Worthan
Mr. Speaker			
Murphy			

The nays were, none.

Absent or not voting, 3:

Arnold Van Engelenhoven Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

SPECIAL PRESENTATION

Jacobs of Polk introduced to the House, the Honorable Willard Jenkins, former state representative from Black Hawk County.

The House rose and expressed its welcome.

SENATE AMENDMENT CONSIDERED

Gaskill of Wapello called up for consideration **House File 546**, a bill for an act relating to membership on election boards, amended by the Senate, and moved that the House concur in the following Senate amendment H-1707:

H-1707

- 1 Amend House File 546, as passed by the House, as
- 2 follows:
- 3 1. Page 1, line 4, by striking the words "one of"
- 4 and inserting the following: "~~one of~~".
- 5 2. Page 1, line 8, by striking the word
- 6 "precinct" and inserting the following: "precinct
- 7 county".
- 8 3. Page 1, by striking lines 11 and 12 and
- 9 inserting the following: "~~under the heading of either~~
- 10 ~~of these political parties. Election boards may~~".
- 11 4. Page 1, line 14, by striking the words
- 12 "political party" and inserting the following: "of
- 13 these political parties".
- 14 5. Page 1, by striking lines 16 through 19 and
- 15 inserting the following: "election board."
- 16 6. Page 2, by striking lines 22 through 24 and
- 17 inserting the following: "counting board."

The motion prevailed and the House concurred in the Senate amendment H-1707.

Gaskill of Wapello moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 546)

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Bailey
Baudler	Bell	Berry	Boal
Bukta	Chambers	Clute	Cphoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman

Gipp	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor
Smith	Soderberg	Staed	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Fossen	Watts	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wienczek
Winckler	Windschitl	Wise	Worthan
Mr. Speaker			
Murphy			

The nays were, none.

Absent or not voting, 3:

Arnold Van Engelenhoven Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Unfinished Business Calendar

Senate File 304, a bill for an act relating to the exercise of regulatory authority by the department of natural resources and the natural resource commission within the boundaries of the Sac and Fox tribe settlement in Tama county, and providing for applicability and effective dates, with report of committee recommending passage, was taken up for consideration.

Wenthe of Fayette moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 304)

The ayes were, 67:

Abdul-Samad	Anderson	Bailey	Bell
Berry	Bukta	Cohoon	Dandekar
Davitt	Foege	Ford	Frevert
Gaskill	Gayman	Gipp	Heddens
Hoffman	Hunter	Huseman	Huser
Jacobs	Jacoby	Jochum	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	McCarthy	Mertz
Miller, H.	Oldson	Olson, D.	Olson, R.
Olson, T.	Palmer	Petersen	Pettengill
Quirk	Rants	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Schickel
Schueller	Shomshor	Smith	Staed
Swaim	Taylor, D.	Taylor, T.	Thomas
Tomenga	Upmeyer	Van Fossen	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Winckler	Wise	Mr. Speaker	
		Murphy	

The nays were, 30:

Alons	Baudler	Boal	Chambers
Clute	De Boef	Deyoe	Dolecheck
Drake	Forristall	Granzow	Grassley
Greiner	Heaton	Horbach	Kaufmann
May	Miller, L.	Olson, S.	Paulsen
Raecker	Sands	Soderberg	Struyk
Tjepkes	Tymeson	Watts	Wiencek
Windschitl	Worthan		

Absent or not voting, 3:

Arnold Van Engelenhoven Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 500, a bill for an act relating to the authority of creditors and credit unions in consumer credit or credit union transactions, was taken up for consideration.

Tomenga of Polk asked and received unanimous consent to withdraw amendment H-1585 filed by him on April 4, 2007.

Jacoby of Johnson offered the following amendment H-1394 filed by him and moved its adoption:

H-1394

- 1 Amend House File 500 as follows:
 2 1. Page 1, by inserting after line 25 the
 3 following:
 4 "Sec. ____ IMPLEMENTATION OF LAW.
 5 The provisions of this Act amending section 533.4
 6 shall be deemed to amend section 533.301, relating to
 7 powers of credit unions, if enacted in 2007 Iowa Acts,
 8 Senate File 557, or successor legislation, and the
 9 Code editor shall harmonize the provisions as
 10 necessary."
 11 2. By renumbering as necessary.

Amendment H-1394 was adopted.

SENATE FILE 347 SUBSTITUTED FOR HOUSE FILE 500

Jacoby of Johnson asked and received unanimous consent to substitute Senate File 347 for House File 500.

Senate File 347, a bill for an act relating to the authority of creditors and credit unions in consumer credit or credit union transactions, was taken up for consideration.

Kressig of Black Hawk in the chair at 2:50 p.m.

Tomenga of Polk asked and received unanimous consent to withdraw amendment H-1584 filed by him on April 4, 2007.

Jacoby of Johnson moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 347)

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Bailey
Baudler	Bell	Berry	Boal
Bukta	Chambers	Clute	Cohoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach

Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor
Smith	Soderberg	Staed	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Fossen	Watts	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wienczek
Winckler	Windschitl	Wise	Worthan
Mr. Speaker Murphy			

The nays were, none.

Absent or not voting and 3:

Arnold Van Engelenhoven Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 500 WITHDRAWN

Jacoby of Johnson asked and received unanimous consent to withdraw House File 500 from further consideration by the House.

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House File 546** and **Senate Files 254, 304 and 347.**

House File 786, a bill for an act relating to a civil judgment, decree, or order of a court of a federally recognized Indian tribe and including an applicability provision, was taken up for consideration.

Struyk of Pottawattamie asked and received unanimous consent to withdraw amendment H-1339 filed by him on March 14, 2007.

Palmer of Mahaska offered the following amendment H-1767 filed by him from the floor and moved its adoption:

H-1767

1 Amend House File 786 as follows:

2 1. By striking everything after the enacting
3 clause and inserting the following:

4 "Section 1. NEW SECTION. 626D.1 TITLE.

5 This chapter shall be cited as the "Full Faith and
6 Credit for Tribal Court Civil Judgments Act".

7 Sec. 2. NEW SECTION. 626D.2 DEFINITIONS.

8 As used in this chapter:

9 1. "Tribal court" means any court of any Indian or
10 Alaska native tribe, band, nation, pueblo, village, or
11 community that the United States secretary of the
12 interior recognizes as an Indian tribe.

13 2. "Tribal judgment" means a written, civil
14 judgment, order, or decree of a tribal court of record
15 duly authenticated in accordance with the laws and
16 procedures of the tribe or tribal court of record and
17 in accordance with this chapter.

18 Sec. 3. NEW SECTION. 626D.3 FILING PROCEDURES.

19 1. A copy of any tribal judgment may be filed in
20 the office of the clerk of court in any county in this
21 state.

22 2. The person filing the tribal judgment shall
23 make and file with the clerk of court an affidavit
24 setting forth the name and last known address of the
25 party seeking enforcement and the responding party.
26 Upon the filing of the tribal judgment and
27 accompanying affidavit, the enforcing party shall
28 serve upon the responding party a notice of filing of
29 the tribal judgment together with a copy of the tribal
30 judgment in accordance with rule 1.442 of the Iowa
31 rules of civil procedure. The enforcing party shall
32 file proof of service or mailing with the clerk of
33 court. The notice of filing shall include the name
34 and address of the enforcing party and the enforcing
35 party's attorney, if any, and shall include the text
36 contained in sections 626D.4 and 626D.5.

37 Sec. 4. NEW SECTION. 626D.4 RESPONSES.

38 Any objection to the enforcement of a tribal
39 judgment shall be filed within thirty days of receipt
40 of the mailing of the notice of filing the tribal
41 judgment. If an objection is filed within such time
42 period, the court shall set a time period for a formal
43 response to the objection and may set the matter for
44 hearing.

45 Sec. 5. NEW SECTION. 626D.5 FULL FAITH AND
46 CREDIT FOR TRIBAL JUDGMENTS.

47 1. Unless objected to pursuant to section 626D.4,
48 a tribal judgment shall be granted full faith and
49 credit by the courts of this state to the same extent
50 and with the same effect as any judgment, order, or

Page 2

1 decree of a court of this state.

2 2. If no objections are timely filed, the clerk
3 shall issue a certification that no objections were
4 timely filed and the tribal judgment shall be
5 enforceable in the same manner as if issued by a valid
6 court of this state.

7 3. A tribal judgment shall not be granted full
8 faith and credit if the objecting party demonstrates
9 by a preponderance of the evidence at least one of the
10 following:

11 a. The tribal court did not have personal or
12 subject matter jurisdiction.

13 b. The defendant was not given fair notice or a
14 fair hearing in the tribal court proceeding.

15 4. The court may grant full faith and credit or
16 decline to provide full faith and credit to a tribal
17 judgment on equitable grounds for any of the following
18 reasons:

19 a. The tribal judgment was obtained by extrinsic
20 fraud.

21 b. The tribal judgment conflicts with another
22 filed judgment that is entitled to recognition in this
23 state.

24 c. As an issue of law, the tribal court was not
25 the appropriate forum pursuant to the parties'
26 contractual choice of forum, provided the party
27 raising the legal issue must further demonstrate that
28 the issue was raised at each level of the tribal court
29 proceeding.

30 d. The tribal court does not grant full faith and
31 credit under standards similar to those provided in
32 this chapter to judgments of the courts of this state.

33 e. The cause of action or defense upon which the
34 tribal judgment is based is repugnant to the
35 fundamental public policy of the United States or this
36 state.

37 Sec. 6. NEW SECTION. 626D.6 STAY.

38 If the objecting party demonstrates to the court
39 that an appeal from the tribal judgment is pending or
40 will be taken or that a stay of execution has been
41 granted, the court may stay enforcement of the tribal
42 judgment until the appeal is concluded, the time for
43 appeal expires, or the stay of execution expires or is
44 vacated.

45 .Sec. 7. NEW SECTION. 626D.7 CONTACTING COURTS.

46 The district court, after notice to the parties,
47 may attempt to resolve any issues raised regarding a
48 tribal judgment pursuant to section 626D.3 or 626D.5,
49 by contacting the tribal court judge who issued the
50 judgment.

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1 Sec. 8. NEW SECTION. 626D.8 APPLICABILITY.
2 This chapter shall govern the procedures for
3 granting full faith and credit by the courts of this
4 state to a civil judgment, order, or decree issued by
5 a tribal court of any federally recognized Indian
6 tribe emanating from a cause of action that accrued on
7 or after the effective date of this Act, provided that
8 this chapter does not impair the right of a party to
9 seek enforcement under any other existing laws or
10 procedures."

Amendment H-1767 was adopted.

SENATE FILE 430 SUBSTITUTED FOR HOUSE FILE 786

Palmer of Mahaska asked and received unanimous consent to substitute Senate File 430 for House File 786.

Senate File 430, a bill for an act relating to a civil judgment, decree, or order of a court of a federally recognized Indian tribe and including an applicability provision, was taken up for consideration.

McCarthy of Polk asked and received unanimous consent that Senate File 430 be deferred and that the bill retain its place on the calendar.

Senate File 263, a bill for an act concerning gambling games on gambling structures, with report of committee recommending passage, was taken up for consideration.

Quirk of Chickasaw moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 263)

The ayes were, 71:

Abdul-Samad	Bailey	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Dolecheck	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Gipp	Granzow	Greiner
Heaton	Hoffman	Horbach	Huseman
Huser	Jacobs	Jacoby	Jochum
Kelley	Kressig	Lukan	Lykam
McCarthy	Mertz	Miller, H.	Miller, L.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Paulsen	Pettengill	Quirk
Raecker	Rants	Rayhons	Reasoner
Schickel	Schueller	Shomshor	Smith
Soderberg	Staed	Struyk	Taylor, T.
Thomas	Tjepkes	Tomenga	Upmeyer
Van Fossen	Wendt	Wenthe	Whitaker
Whitead	Wienczek	Winckler	Windschitl
Wise	Worthan	Mr. Speaker	
		Murphy	

The nays were, 26:

Alons	Anderson	Baudler	Davitt
De Boef	Deyoe	Drake	Grassley
Heddens	Hunter	Kaufmann	Kuhn
Lensing	Mascher	May	Palmer
Petersen	Rasmussen	Reichert	Roberts
Sands	Swaim	Taylor, D.	Tymeson
Watts	Wessel-Kroeschell		

Absent or not voting, 3:

Arnold Van Engelenhoven Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **Senate File 263** be immediately messaged to the Senate.

Senate File 336, a bill for an act allowing certain cities to appoint additional civil service commissioners, with report of committee recommending passage, was taken up for consideration.

Whitead of Woodbury moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 336)

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Bailey
Baudler	Bell	Berry	Boal
Bukta	Chambers	Clute	Cohoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor
Smith	Soderberg	Staed	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Fossen	Watts	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wiencek
Winckler	Windschitl	Wise	Worthan
Mr. Speaker			
Murphy			

The nays were, none.

Absent or not voting, 3:

Arnold Van Engelenhoven Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

SENATE AMENDMENT CONSIDERED

Schueller of Jackson called up for consideration **House File 651**, a bill for an act relating to business corporations, by providing for

information required to be filed with the secretary of state and providing for shareholder voting, amended by the Senate, and moved that the House concur in the following Senate amendment H-1694:

H-1694

- 1 Amend House File 651, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 1, by striking lines 1 and 2.
- 4 2. By striking page 7, line 29, through page 8,
- 5 line 1.
- 6 3. By striking page 8, line 13, through page 14,
- 7 line 19.
- 8 4. Title page, line 3, by striking the words
- 9 "shareholder voting" and inserting the following:
- 10 "shares and instruments associated with such
- 11 corporations".
- 12 5. By renumbering as necessary.

The motion prevailed and the House concurred in the Senate amendment H-1694.

Schueller of Jackson moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 651)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Bailey
Bell	Berry	Boal	Bukta
Chambers	Ciute	Cohoon	Dandekar
Davitt	De Boef	Deyoe	Dolecheck
Drake	Foege	Ford	Forristall
Frevert	Gaskill	Gayman	Gipp
Granzow	Grassley	Greiner	Heaton
Heddens	Hoffman	Horbach	Hunter
Huseman	Huser	Jacobs	Jacoby
Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Oldson	Olson, D.
Olson, R.	Olson, S.	Olson, T.	Palmer
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rants	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands

Schickel	Schueller	Shomshor	Smith
Soderberg	Staed	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Fossen
Watts	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Wienczek	Winckler
Windschitl	Wise	Worthan	Mr. Speaker
			Murphy

The nays were, none.

Absent or not voting, 4:

Arnold Baudler Van Engelenhoven Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

Unfinished Business Calendar

Senate File 469, a bill for an act providing for the sale of motor homes by a manufacturer at a camping rally sponsored by the manufacturer, with report of committee recommending amendment and passage, was taken up for consideration.

D. Olson of Boone offered the following amendment H-1611 filed by the committee on transportation and moved its adoption:

H-1611

- 1 Amend Senate File 469, as passed by the Senate, as
- 2 follows:
- 3 1. Page 1, line 3, by striking the words "new
- 4 class A".
- 5 2. Page 1, line 5, by striking the figure
- 6 "322E.1" and inserting the following: "322E.2".
- 7 3. Page 1, by inserting after line 6 the
- 8 following:
- 9 "Sec. . **NEW SECTION.** 322E.1 DEFINITIONS.
- 10 As used in this chapter, unless the context
- 11 otherwise requires:
- 12 1. "Department" means the state department of
- 13 transportation.
- 14 2. "Class A motor home", "class B motor home", and
- 15 "class C motor home" mean the same as defined in
- 16 section 321.124.
- 17 3. "Manufacturer" means a motor home manufacturer
- 18 licensed under chapter 322.
- 19 4. "Nonresident" means a person who is not a

20 resident of this state."

21 4. Page 1, line 7, by striking the figure
22 "322E.1" and inserting the following: "322E.2".

23 5. Page 1, line 8, by striking the words "CLASS
24 A".

25 6. Page 1, line 10, by striking the words
26 "licensed under chapter 322".

27 7. Page 1, line 15, by inserting after the word
28 "sponsored" the following: "and conducted".

29 8. Page 1, line 21, by striking the word "five"
30 and inserting the following: "seven".

31 9. Page 1, line 28, by inserting after the word
32 "manufacturer" the following: "sponsoring and".

33 10. Page 1, line 30, by inserting after the word
34 "to" the following: "nonresident".

35 11. Page 1, by inserting after line 31 the
36 following:

37 "2. Notwithstanding chapter 322, a manufacturer of
38 class A motor homes that sponsors and conducts a rally
39 as provided in subsection 1 may accept trade-ins of
40 used motor homes manufactured by the manufacturer from
41 attendees of the rally who meet the requirements of
42 subsection 1, paragraphs "f" and "g" who purchase from
43 the manufacturer a new class A motor home manufactured
44 by the manufacturer. A manufacturer may sell or trade
45 such a used motor home acquired from a purchaser in
46 trade at the rally, provided that the manufacturer has
47 in its possession at the rally the certificate of
48 title to the motor home, assigned to the manufacturer.
49 A manufacturer shall not sell or trade, at a rally, a
50 used motor home acquired from a purchaser in trade at

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1 the rally to any person other than a nonresident
2 attendee who meets all of the requirements of
3 subsection 1, paragraphs "f" and "g".

4 3. A manufacturer of class A motor homes shall
5 provide notice to the department not less than ninety
6 days prior to the beginning date of a rally to be
7 sponsored and conducted by the manufacturer. The
8 notice shall be in a form and contain such information
9 as may be required by the department."

10 12. Page 1, line 32, by striking the figure "2."
11 and inserting the following: "4."

12 13. Page 1, line 33, by striking the words "class
13 A".

14 14. Page 1, line 35, by striking the words and
15 figure "3. A class A" and inserting the following:
16 "5. A".

17 15. Page 2, by inserting after line 4 the
18 following:

19 "6. Notwithstanding chapter 322, a manufacturer of
 20 class A motor homes that sponsors and conducts a rally
 21 as provided in subsection 1 may display but not sell
 22 at the rally new class B and class C motor homes
 23 manufactured by the manufacturer.

24 Sec.____. NEW SECTION. 322E.3 FUTURE REPEAL.

25 This chapter is repealed June 30, 2012.

26 Sec.____. The sections of 2007 Iowa Acts, Senate
 27 File 403, amending section 260C.14, subsection 6, and
 28 section 313.2, unnumbered paragraph 5, if enacted, are
 29 repealed.

30 Sec.____. TEMPORARY APPLICABILITY – CLAY COUNTY
 31 PILOT PROJECT.

32 1. For the period beginning July 1, 2007, and
 33 ending June 30, 2012, this Act applies only to motor
 34 home manufacturer's club rallies held on the grounds
 35 of the county fair in Clay county, provided that not
 36 more than one such rally shall be held in Clay county
 37 annually during the five-year pilot project. The Clay
 38 county fair board shall report to the senate and house
 39 standing committees on transportation on or before
 40 December 31 annually during the five-year period
 41 regarding any rally held at the fairgrounds during the
 42 year or any other information relevant to the pilot
 43 project.

44 2. The Clay county fair board shall inform the
 45 department of transportation of any suspected
 46 violation of the sales provisions of this Act brought
 47 to the attention of the board. Upon receiving
 48 information regarding a transaction constituting a
 49 possible violation of this Act, the department shall
 50 investigate the claim to determine whether evidence

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1 exists proving that a violation occurred. If the
 2 department determines from the investigation that a
 3 violation occurred, the department shall report the
 4 substantiated violation to the Clay county fair board
 5 and shall send a copy of the report to the senate and
 6 house standing committees on transportation. Upon
 7 receiving a report from the department of a
 8 substantiated violation of this Act, the Clay county
 9 fair board shall not permit any future rally to be
 10 conducted on the fairgrounds by a motor home
 11 manufacturer.

12 Sec.____. EFFECTIVE DATE. The section of this Act
 13 repealing sections of 2007 Iowa Acts, Senate File 403,
 14 if enacted, being deemed of immediate importance,
 15 takes effect upon enactment."

16 16. Title page, line 1, by inserting after the
 17 word "Act" the following: "concerning financial and

- 18 regulatory matters, including by".
 19 17. Title page, line 2, by inserting after the
 20 word "sponsored" the following: "and conducted".
 21 18. Title page, line 2, by inserting after the
 22 word "manufacturer" the following: "and providing for
 23 applicability to a pilot project".
 24 19. Title page, line 2, by inserting after the
 25 word "manufacturer" the following: ", and providing
 26 an effective date".
 27 20. By renumbering as necessary.

The committee amendment H-1611 was adopted.

D. Olson of Boone moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 469)

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Bailey
Baudler	Bell	Berry	Boal
Bukta	Chambers	Clute	Cohon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford
Ferristall	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor
Smith	Soderberg	Staed	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Fossen	Watts	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wieneck
Winckler	Windschitl	Wise	Worthan
Mr. Speaker			
Murphy			

The nays were, none.

Absent or not voting, 3:

Arnold Van Engelenhoven Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

SENATE AMENDMENT CONSIDERED

Bukta of Clinton called up for consideration **House File 767**, a bill for an act relating to eligible veterans for purposes of the injured veterans grant program, amended by the Senate, and moved that the House concur in the following Senate amendment H-1693:

H-1693

- 1 Amend House File 767, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 1, by inserting after line 16 the
- 4 following:
- 5 "Sec. ____ Section 35A.14, subsection 5, paragraph
- 6 a, Code 2007, is amended to read as follows:
- 7 a. Grants shall be paid in increments of two
- 8 thousand five hundred dollars, up to a maximum of ten
- 9 thousand dollars upon proof that the veteran has been
- 10 evacuated from the operational theater in which the
- 11 veteran was injured to a military hospital for an
- 12 injury received in the line of duty and shall continue
- 13 to be paid, at thirty-day intervals, up to the maximum
- 14 amount, so long as the veteran is hospitalized or
- 15 receiving medical care or rehabilitation services
- 16 authorized by the military ~~and the presence or~~
- 17 ~~assistance of family members is necessary."~~
- 18 2. By renumbering as necessary.

The motion prevailed and the House concurred in the Senate amendment H-1693.

Bukta of Clinton moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 767)

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Bailey
Baudler	Bell	Berry	Boal
Bukta	Chambers	Clute	Cohoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foegle	Ford
Forristall	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor
Smith	Soderberg	Staed	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Fossen	Watts	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wiencek
Winckler	Windschitl	Wise	Worthan
Mr. Speaker Murphy			

The nays were, none.

Absent or not voting, 3:

Arnold Van Engelenhoven Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 546, a bill for an act relating to a hospital lien, with report of committee recommending amendment and passage, was taken up for consideration.

R. Olson of Polk offered the following amendment H-1632 filed by the committee on judiciary and moved its adoption:

H-1632

- 1 Amend Senate File 546, as amended, passed, and
- 2 reprinted by the Senate, as follows:

- 3 1. Page 2, line 7, by striking the word "medical"
 4 and inserting the following: "hospital".
 5 2. Page 2, by striking lines 9 through 13 and
 6 inserting the following: "for the patient's injuries.
 7 If the health plan denies payment for any other
 8 reason, the health plan shall nonetheless provide the
 9 hospital and the".
 10 3. Page 2, line 15, by striking the word
 11 "medical" and inserting the following: "hospital".
 12 4. Page 2, line 17, by striking the words "plan
 13 provider's" and inserting the following: "plan's".

The committee amendment H-1632 was adopted.

R. Olson of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 546)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Bailey
Baudler	Bell	Berry	Boal
Bukta	Chambers	Clute	Cohoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Sands
Schickel	Schueller	Shomshor	Smith
Soderberg	Staed	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Fossen
Watts	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Wiencek	Winckler
Windschitl	Wise	Worthan	Mr. Speaker Murphy

The nays were, 1:

Roberts

Absent or not voting, 3:

Arnold

Van Engelenhoven Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 651, 767** and **Senate Files 336, 469** and **546**.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 18, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 588, a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, and providing effective dates.

MICHAEL E. MARSHALL, Secretary

Senate File 485, a bill for an act requiring consideration of greenhouse gas emissions in issuing specified air quality permits, with report of committee recommending amendment and passage, was taken up for consideration.

The House stood at ease at 5:02 p.m., until the fall of the gavel.

The House resumed session at 6:18 p.m., Speaker Murphy in the chair.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed eighty-eight members present, twelve absent.

McCarthy of Polk asked and received unanimous consent that Senate File 485 be deferred and that the bill retain its place on the calendar.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 18, 2007, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 554, a bill for an act relating to franchises for the provision of cable service or video service including providing for fees and providing an effective date.

MICHAEL E. MARSHALL, Secretary

HOUSE INSISTS

Lykam of Scott called up for consideration **Senate File 472**, a bill for an act requiring the posting of close-clearance warning devices along railroad tracks and providing a penalty and moved that the House insist on its amendment, which motion prevailed.

CONFERENCE COMMITTEE APPOINTED (Senate File 472)

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning Senate File 472: Lykam of Scott, Chair; Mertz of Kossuth, T. Taylor of Linn, Tjepkes of Webster and Huseman of Cherokee.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **Senate File 472** be immediately messaged to the Senate.

Unfinished Business Calendar

Senate File 49, a bill for an act providing for a .08 blood alcohol limit for motorboat or sailboat operating while intoxicated offenses, with report of committee recommending passage, was taken up for consideration.

R. Olson of Polk offered the following amendment H-1769 filed by him from the floor and moved its adoption:

H-1769

1 Amend Senate File 49, as passed by the Senate, as
2 follows:

3 1. Page 1, by inserting before line 1, the
4 following:

5 "Section 1. Section 462A.2, subsection 22, Code
6 2007, is amended to read as follows:

7 22. "Operate" means to navigate or otherwise use a
8 vessel or motorboat. For the purposes of section
9 462A.12, subsection 2, and sections 462A.14, 462A.14A,
10 462A.14B, 462A.14C, 462A.14D, and 462A.14E, "operate"
11 when used in reference to a motorboat or sailboat,
12 means the motorboat or sailboat is powered by an
13 outboard motor of ten horsepower or more, is under
14 way, and is planing."

15 2. Title page, line 1, by striking the words
16 "providing for a .08 blood alcohol limit for" and
17 inserting the following: "relating to".

18 3. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 50, nays 30.

Amendment H-1769 was adopted.

R. Olson of Polk asked and received unanimous consent to withdraw amendment H-1760 filed by him on April 17, 2007.

T. Taylor of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 49)

The ayes were, 84:

Abdul-Samad	Alons	Arnold	Bailey
Bell	Berry	Boal	Bukta
Chambers	Clute	Cohon	Dandekar
Davitt	De Boef	Deyoe	Dolecheck
Drake	Foege	Ford	Forristall
Frevert	Gaskill	Gayman	Granzow
Grassley	Heaton	Heddens	Hoffman
Horbach	Hunter	Huser	Jacoby
Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam

Mascher	May	McCarthy	Mertz
Miller, H.	Oldson	Olson, D.	Olson, R.
Olson, T.	Palmer	Paulsen	Petersen
Pettengill	Quirk	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Schickel
Schueller	Shomshor	Smith	Soderberg
Staed	Swaim	Taylor, D.	Taylor, T.
Thomas	Tomenga	Tymeson	Upmeyer
Watts	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Wiencek	Winckler
Windschitl	Wise	Worthan	Mr. Speaker
			Murphy

The nays were, 13:

Anderson	Baudler	Gipp	Greiner
Huseman	Jacobs	Olson, S.	Raecker
Rants	Sands	Struyk	Tjepkes
Van Fossen			

Absent or not voting, 3:

Miller, L. Van Engelenhoven Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 18, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 877, a bill for an act creating a statewide voluntary preschool program for four-year-old children and making appropriations.

MICHAEL E. MARSHALL, Secretary

LEAVE OF ABSENCE

Leave of absence was granted as follows:

L. Miller of Scott, until her return, on request of Roberts of Carroll.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **Senate File 49** be immediately messaged to the Senate.

The House resumed consideration of **Senate File 430**, a bill for an act relating to civil judgment, decree, or order of a court of a federally recognized Indian tribe and including an applicability provision found on page 1486 of the House Journal.

Swaim of Davis offered amendment H-1745 filed by Swaim, et al., as follows:

H-1745

1 Amend Senate File 430, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 1, by striking lines 2 and 3 and
4 inserting the following:

5 "This chapter shall be cited as the "Recognition
6 and Enforcement of Tribal Court Civil Judgments Act"."

7 2. Page 1, line 14, by inserting after the word
8 "chapter." the following: "For purposes of this
9 subsection, a "tribal court of record" is considered a
10 court of record if the court maintains a permanent
11 record of the tribal court's proceedings, maintains
12 either a transcript or electronic record of the tribal
13 court's proceedings, and provides that a final
14 judgment of a tribal court is reviewable on appeal."

15 3. Page 2, by striking line 3 and inserting the
16 following:
17 "Sec. 5. NEW SECTION. 626D.5 RECOGNITION AND
18 ENFORCEMENT OF".

19 4. Page 2, line 6, by striking the words "granted
20 full faith and credit" and inserting the following:
21 "recognized and enforced".

22 5. Page 2, by striking lines 13 and 14 and
23 inserting the following:
24 "3. A tribal judgment shall not be recognized and
25 enforced if the objecting party demonstrates by a
26 preponderance".

27 6. Page 2, by striking lines 18 through 22 and
28 inserting the following:

29 "b. A party was not afforded due process.
30 4. The court may recognize and enforce or decline
31 to recognize and enforce a tribal judgment on
32 equitable grounds for any of the following reasons:"

33 7. Page 2, by striking lines 26 through 33 and
34 inserting the following:

35 "c. The tribal judgment is inconsistent with the
 36 parties' contractual choice of forum provided the
 37 contractual choice of forum issue was timely raised in
 38 the tribal court.

39 d. The tribal court does not recognize and enforce
 40 judgments of the courts of this state under standards
 41 similar to those provided in this chapter."

42 8. Page 3, by striking lines 15 and 16 and
 43 inserting the following:

44 "This chapter shall govern the procedures for the
 45 recognition and enforcement by the courts of this
 46 state of a civil".

47 9. Page 3, by striking line 20 and inserting the
 48 following: "Act. The date that a cause of action
 49 accrues shall be determined under the appropriate laws
 50 of this state. This chapter does not impair the right

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1 of a".

2 10. By renumbering as necessary.

Swaim of Davis asked and received unanimous consent to withdraw amendment H-1746, to amendment H-1745, filed by him on April 17, 2007.

Swaim of Davis asked and received unanimous consent to withdraw amendment H-1771, to amendment H-1745, filed by him and Struyk of Pottawattamie from the floor.

Swaim of Davis offered the following amendment H-1776, to amendment H-1745, filed by him and Struyk of Pottawattamie from the floor and moved its adoption:

H-1776

1 Amend the amendment, H-1745, to Senate File 430, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:

4 1. Page 1, by inserting after line 2, the
 5 following:

6 "____. Page 1, by inserting before line 1 the

7 following:

8 "Section 1. Section 624.24, Code 2007, is amended

9 to read as follows:

10 624.24 WHEN JUDGMENT LIEN ATTACHES.

11 When the real estate lies in the county wherein the
 12 judgment of the district court of this state or of the
 13 circuit or district courts of the United States was
 14 entered in the judgment docket and lien index kept by
 15 the clerk of the court having jurisdiction, the lien
 16 shall attach from the date of such entry of judgment,
 17 but if in another it will not attach until an attested
 18 copy of the judgment is filed in the office of the
 19 clerk of the district court of the county in which the
 20 real estate lies except for foreign judgments pursuant
 21 to chapters 626A and 626B and tribal judgments as
 22 defined in section 626D.2, which shall not attach
 23 until an appeal is concluded, the time for the appeal
 24 has expired, or the stay of execution has expired or
 25 was vacated pursuant to section 626A.4, 626B.3,
 26 626B.5, or 626D.7. In such cases, the lien shall
 27 attach on the date the clerk of court files an
 28 attested copy of the judgment in the office of the
 29 clerk of the district court of the county in which the
 30 real estate lies in any of the following
 31 circumstances:

- 32 1. The foreign or tribal judgment has not been
- 33 appealed and the time for filing an appeal has
- 34 expired.
- 35 2. The foreign or tribal judgment has been
- 36 appealed and the judgment has been affirmed on appeal
- 37 and is not subject to further appeal.
- 38 3. An appeal from a foreign or tribal judgment has
- 39 been filed and a stay from such judgment has not been
- 40 granted by the district court to the appealing party.

41 Sec. ____ Section 626A.3, Code 2007, is amended by
 42 adding the following new subsection:

43 NEW SUBSECTION. 4. The filing of a foreign
 44 judgment under this chapter shall not create a lien
 45 upon any real estate until after the expiration of the
 46 time provided for in this chapter for challenging the
 47 conclusiveness of the foreign judgment and pursuant to
 48 section 624.24.

49 Sec. ____ Section 626B.6, Code 2007, is amended to
 50 read as follows:

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1 626B.6 OTHER FOREIGN JUDGMENTS.

- 2 1. This chapter does not prevent the recognition
- 3 of a foreign judgment by a court of this state in a
- 4 situation not specifically covered in this chapter.
- 5 2. The filing of a foreign judgment shall not
- 6 create a lien upon any real estate until all
- 7 challenges, if any, to the conclusiveness of the

8 foreign judgment are concluded pursuant to section
9 626B.3. Upon final determination of the
10 conclusiveness of the foreign judgment, such judgment
11 shall constitute a lien on real estate pursuant to
12 section 624.24."

13 2. Page 1, by inserting after line 14 the
14 following:

15 " _____. Page 1, by inserting after line 30 the
16 following:

17 "3. The filing of a tribal judgment shall not
18 create a lien upon any real estate until such time as
19 all challenges, if any, to the recognition and
20 enforcement of the tribal judgment are concluded
21 pursuant to sections 626D.4 and 626D.5. Upon a final
22 and conclusive determination of enforceability of the
23 tribal judgment, the judgment shall constitute a lien
24 upon real estate pursuant to section 624.24."

25 3. Page 1, by inserting after line 41 the
26 following:

27 " _____. Page 3, line 2, by inserting after the word
28 "STAY" the following: "- BOND REQUIREMENT ON
29 APPEAL".

30 _____. Page 3, line 3, by inserting before the word
31 "If" the following: "1."

32 _____. Page 3, by inserting after line 8 the
33 following:

34 "2. If a party appeals a district court's ruling
35 on the recognition and enforcement of a tribal
36 judgment, the court, upon application of the opposing
37 party, shall require the same security for
38 satisfaction of the judgment which is required in this
39 state."

40 4. By renumbering as necessary.

Amendment H-1776 was adopted.

On motion by Swaim of Davis, amendment H-1745, as amended, was adopted, placing out of order amendment H-1652 filed by Anderson of Page on April 10, 2007.

Anderson of Page asked and received unanimous consent to withdraw amendments H-1653, H-1654, H-1655 filed by him on April 10, 2007.

Horbach of Tama asked and received unanimous consent to withdraw amendment H-1749 filed by him on April 17, 2007.

Horbach of Tama offered the following amendment H-1770 filed by him from the floor and moved its adoption:

H-1770

- 1 Amend Senate File 430, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 3, by inserting after line 22 the
- 4 following:
- 5 "Sec. ____ EFFECTIVE DATE. This Act takes effect
- 6 July 1, 2008."
- 7 2. Title page, line 2, by inserting after the
- 8 word "an" the following: "effective date and".

A non-record roll call was requested.

The ayes were 45, nays 50.

Amendment H-1770 lost.

Palmer of Mahaska moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 430)

The ayes were, 63:

Abdul-Samad	Anderson	Bailey	Bell
Berry	Bukta	Cohoon	Dandekar
Davitt	Foege	Ford	Forristall
Frevert	Gaskill	Gayman	Gipp
Heddens	Hunter	Huser	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lukan	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Pettengill	Quirk	Rants
Rasmussen	Reasoner	Reichert	Roberts
Schueller	Shomshor	Smith	Staed
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Van Fossen	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wienczek
Winckler	Wise	Mr. Speaker	
		Murphy	

The nays were, 34:

Alons	Arnold	Baudler	Boal
Chambers	Clute	De Boef	Deyoe
Dolecheck	Drake	Grassley	Greiner
Heaton	Hoffman	Horbach	Huseman
Jacobs	Kaufmann	May	Miller, L.
Olson, S.	Paulsen	Raecker	Rayhons
Sands	Schickel	Soderberg	Tjepkes
Tomenga	Tymeson	Upmeyer	Watts
Windschitl	Worthan		

Absent or not voting, 3:

Granzow Van Engelenhoven Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **Senate File 430** be immediately messaged to the Senate.

HOUSE REFUSED TO CONCUR

Huser of Polk called up for consideration **House File 808**, a bill for an act concerning accountability requirements for entities, administrators and boards created for joint exercise of governmental powers and providing effective dates, amended by the Senate, and moved that the House concur in the following Senate amendment H-1758:

H-1758

1 Amend House File 808, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 2, line 3, by inserting after the words
4 "paragraph "a"." the following: "However, such an
5 entity shall file without charge, in an electronic
6 format, the information described in paragraph "a"
7 with the office of the county recorder in the most
8 populous county served by the entity. The county
9 recorder shall make the information submitted
10 available to the public."

The motion lost and the House refused to concur in the Senate amendment H-1758.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **House File 808** be immediately messaged to the Senate.

The House resumed consideration of **Senate File 485**, a bill for an act requiring consideration of greenhouse gas emissions in issuing specified air quality permits, previously deferred.

D. Olson of Boone offered amendment H-1603 filed by the committee on environmental protection as follows:

H-1603

1 Amend Senate File 485, as passed by the Senate, as
2 follows:

3 1. Page 1, line 24, by striking the word
4 "evaluating".

5 2. Page 1, lines 25 and 26, by striking the words
6 "director or the commission" and inserting the
7 following: "applicant".

8 3. Page 1, line 26, by striking the words "in
9 addition to other applicable factors."

10 4. Page 1, by inserting after line 34 the
11 following:

12 "Sec. ____. NEW SECTION. 455B.152 GREENHOUSE GAS
13 INVENTORY AND REGISTRY.

14 1. DEFINITIONS. For purposes of this section,
15 "greenhouse gas" means carbon dioxide, methane,
16 nitrous oxide, hydrofluorocarbons, perfluorocarbons,
17 or sulphur hexafluoride.

18 2. GREENHOUSE GAS INVENTORY.

19 a. By January 1, 2008, the department shall
20 establish a method for collecting data from producers
21 of greenhouse gases regarding generated greenhouse
22 gases. The data collection method shall provide for
23 mandatory reporting to collect information from
24 affected entities individually and shall include
25 information regarding the amount and type of
26 greenhouse gases generated, the type of source, and
27 other information deemed relevant by the department in
28 developing a baseline measure of greenhouse gases
29 produced in the state.

30 b. The department may allow a series of reporting
31 requirements to be phased in over a period of time and
32 may provide for phasing in by producer sector,
33 geographic area, size of producer, or other factors.
34 The reporting requirements shall apply to the
35 departments, agencies, boards, and commissions of the

36 state, in addition to any other entities subject to
37 the reporting requirements established by the
38 department.
39 3. GREENHOUSE GAS REGISTRY.
40 a. The department shall establish a voluntary
41 greenhouse gas registry for purposes of cooperating
42 with other states in tracking, managing, and crediting
43 entities in the state that reduce their generation of
44 greenhouse gases or that provide increased energy
45 efficiency.
46 b. The department shall develop a mechanism to
47 coordinate the information obtained in the greenhouse
48 gas inventory with the greenhouse gas registry.
49 4. AVAILABILITY. By January 1, 2009, the
50 greenhouse gas registry shall be made available on an

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1 internet website.
2 Sec. __. NEW SECTION. 455B.851 IOWA CLIMATE
3 CHANGE ADVISORY COUNCIL.
4 1. The department shall create an Iowa climate
5 change advisory council consisting of eighteen voting
6 members serving three-year staggered terms and four
7 nonvoting, ex officio members.
8 2. a. The voting members shall be appointed by
9 the governor and shall represent the following:
10 (1) The university of Iowa center for global and
11 regional environmental research.
12 (2) The university of northern Iowa center for
13 energy and environmental education.
14 (3) The Iowa farm bureau.
15 (4) The Iowa public transit association.
16 (5) Rural electric cooperatives.
17 (6) Investor-owned utilities.
18 (7) Municipal utilities.
19 (8) The Iowa utilities board.
20 (9) One association with environmental interests
21 or activities.
22 (10) One association with conservation interests
23 or activities.
24 (11) The international brotherhood of electrical
25 workers.
26 (12) The Iowa association of business and
27 industry.
28 (13) The Iowa energy center.
29 (14) The Iowa renewable fuels association.
30 (15) The office of consumer advocate of the
31 department of justice.
32 (16) A representative from local government.
33 (17) The director of the office of energy
34 independence in the office of the governor.

35 (18) A manufacturer of equipment used for
36 alternative energy production.
37 b. The four nonvoting, ex officio members shall
38 consist of four members of the general assembly, two
39 from the senate and two from the house of
40 representatives, with not more than one member from
41 each chamber being from the same political party. The
42 two senators shall be designated by the majority
43 leader of the senate after consultation with the
44 president and the minority leader of the senate. The
45 two representatives shall be designated by the speaker
46 of the house of representatives after consultation
47 with the majority and minority leaders of the house of
48 representatives.
49 3. Voting members of the council shall serve at
50 the pleasure of the governor and shall serve without

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1 compensation.
2 4. The chairperson of the council shall be
3 designated by the governor and may convene the council
4 at any time.
5 5. A vacancy in the membership shall not impair
6 the right of a quorum to exercise all the rights and
7 perform all the duties of the council. A majority of
8 the council members then appointed constitutes a
9 quorum. A majority vote of the quorum is required for
10 council action.
11 6. The department shall provide necessary staff
12 assistance to the council.
13 7. After consideration of a full range of policies
14 and strategies, the council shall develop multiple
15 scenarios designed to reduce statewide greenhouse gas
16 emissions including one scenario that would reduce
17 such emissions by fifty percent by 2050. The council
18 shall also develop short-term, medium-term, and
19 long-term scenarios designed to reduce statewide
20 greenhouse gas emissions. The council shall establish
21 a baseline year for purposes of calculating reductions
22 in statewide greenhouse gas emissions. The council
23 shall submit the proposal to the governor and the
24 general assembly by January 1, 2008.
25 8. The council may periodically adopt
26 recommendations designed to encourage the reduction of
27 statewide greenhouse gas emissions.
28 9. By September 1 of each year, the department
29 shall submit a report to the governor and the general
30 assembly regarding the greenhouse gas emissions in the
31 state during the previous calendar year and
32 forecasting trends in such emissions. The first
33 submission by the department shall be filed by

34 September 1, 2008, for the calendar year beginning
35 January 1, 2007."
36 5. Title page, by striking lines 1 and 2 and
37 inserting the following: "An Act relating to
38 greenhouse gas emissions."
39 6. By renumbering, relettering, or redesignating
40 and correcting internal references as necessary.

Alons of Sioux asked and received unanimous consent to withdraw amendment H-1646, to the committee amendment H-1603, filed by him on April 10, 2007.

Watts of Dallas asked and received unanimous consent to withdraw amendment H-1682, to the committee amendment H-1603, filed by Watts, et al., on April 11, 2007.

Watts of Dallas asked and received unanimous consent to withdraw amendment H-1681, to the committee amendment H-1603, filed by Watts, et al., on April 11, 2007.

Alons of Sioux asked and received unanimous consent to withdraw amendment H-1644, to the committee amendment H-1603, filed by Alons, et al., on April 10, 2007.

Alons of Sioux asked and received unanimous consent to withdraw amendment H-1665 to the committee amendment H-1603, filed by him and Mertz of Kossuth, on April 11, 2007.

D. Olson of Boone offered the following amendment H-1755, to the committee amendment H-1603, filed by him and Mertz of Kossuth and moved its adoption:

H-1755

1 Amend the amendment, H-1603, to Senate File 485, as
2 passed by the Senate, as follows:
3 1. Page 2, line 5, by striking the word
4 "eighteen" and inserting the following:
5 "twenty-three".
6 2. Page 2, by inserting after line 36 the
7 following:
8 "(19) The department of agronomy at Iowa state
9 university of science and technology.

- 10 (20) Four members of the general public."
11 3. Page 3, line 14, by inserting after the word
12 "strategies," the following: "including the
13 cost-effectiveness of the strategies,".
14 4. Page 3, line 20, by inserting after the word
15 "emissions" the following: "and shall consider the
16 cost-effectiveness of the scenarios".

Amendment H-1755 was adopted.

Soderberg of Plymouth offered the following amendment H-1777, to the committee amendment H-1603, filed by him from the floor and moved its adoption:

H-1777

- 1 Amend the amendment, H-1603, to Senate File 485, as
2 passed by the Senate, as follows:
3 1. Page 2, by striking line 34 and inserting the
4 following: "independence."

Amendment H-1777 was adopted.

Alons of Sioux asked and received unanimous consent to withdraw amendment H-1663, to the committee amendment H-1603, filed by him on April 10, 2007.

Watts of Dallas asked and received unanimous consent to withdraw amendment H-1679, to the committee amendment H-1603, filed by him on April 11, 2007.

Alons of Sioux asked and received unanimous consent to withdraw amendments H-1645, H-1661 and H-1664 to the committee amendment H-1603 filed by Alons, et al., on April 10, 2007.

On motion by D. Olson of Boone the committee amendment H-1603, as amended, was adopted.

Alons of Sioux offered amendment H-1680 filed by him and Mertz of Kossuth as follows:

H-1680

- 1 Amend Senate File 485, as passed by the Senate, as
2 follows:

3 1. By striking everything after the enacting
4 clause and inserting the following:
5 "Section 1. NEW SECTION. 455B.152 GREENHOUSE GAS
6 INVENTORY AND REGISTRY.

7 1. DEFINITIONS. For purposes of this section,
8 "greenhouse gas" means carbon dioxide, water vapor,
9 methane, nitrous oxide, hydrofluorocarbons,
10 perfluorocarbons, or sulphur hexafluoride.

11 2. GREENHOUSE GAS INVENTORY.

12 a. By January 1, 2009, the department shall
13 establish a method for collecting data from producers
14 of greenhouse gases regarding generated greenhouse
15 gases. The data collection method shall provide for
16 mandatory reporting to collect information from
17 affected entities individually and shall include
18 information regarding the amount and type of
19 greenhouse gases generated, the type of source, and
20 other information deemed relevant by the department in
21 developing a baseline measure of greenhouse gases
22 produced in the state.

23 b. The department may allow a series of reporting
24 requirements to be phased in over a period of time and
25 may provide for phasing in by producer sector,
26 geographic area, size of producer, or other factors.
27 The reporting requirements shall apply to the
28 departments, agencies, boards, and commissions of the
29 state, in addition to any other entities subject to
30 the reporting requirements established by the
31 department. The reporting requirements shall not
32 apply to any entity that is not required to submit air
33 quality data to the department pursuant to other air
34 quality laws or administrative rules.

35 3. GREENHOUSE GAS REGISTRY.

36 a. The department shall establish a voluntary
37 greenhouse gas registry for purposes of cooperating
38 with other states in tracking, managing, and crediting
39 entities in the state that reduce their generation of
40 greenhouse gases or that provide increased energy
41 efficiency.

42 b. The department shall develop a mechanism to
43 coordinate the information obtained in the greenhouse
44 gas inventory with the greenhouse gas registry.

45 4. AVAILABILITY. By January 1, 2010, the
46 greenhouse gas registry shall be made available on an
47 internet website.

48 Sec. 2. NEW SECTION. 455B.851 IOWA CLIMATE
49 CHANGE ADVISORY COUNCIL.

50 1. The department shall create an Iowa climate

2 voting members serving three-year staggered terms and
3 four nonvoting, ex officio members.

4 2. a. The voting members shall be appointed by
5 the following named entity or entities and approved by
6 the governor with each congressional district
7 represented by at least three members:

8 (1) The university of Iowa center for global and
9 regional environmental research.

10 (2) The university of northern Iowa center for
11 energy and environmental education.

12 (3) The Iowa farm bureau.

13 (4) The Iowa public transit association.

14 (5) The Iowa association of electric cooperatives.

15 (6) The Iowa utility association.

16 (7) The Iowa association of municipal utilities.

17 (8) The Iowa utilities board.

18 (9) The Iowa environmental council.

19 (10) The soil and water conservation districts of
20 Iowa.

21 (11) The international brotherhood of electrical
22 workers.

23 (12) The Iowa association of business and
24 industry.

25 (13) The Iowa energy center.

26 (14) The Iowa renewable fuels association.

27 (15) The office of consumer advocate of the
28 department of justice.

29 (16) The Iowa state association of counties.

30 (17) The director of the office of energy
31 independence in the office of the governor.

32 (18) A manufacturer of equipment used for
33 alternative energy production appointed by the Iowa
34 association of business and industry.

35 (19) The older Iowans legislature.

36 (20) The president of the senate. The person
37 appointed under this subparagraph shall not be a
38 resident of a metropolitan statistical area.

39 (21) The minority leader in the senate. The
40 person appointed under this subparagraph shall not be
41 a resident of a metropolitan statistical area.

42 (22) The speaker of the house of representatives.
43 The person appointed under this subparagraph shall not
44 be a resident of a metropolitan statistical area.

45 (23) The minority leader of the house of
46 representatives. The person appointed under this
47 subparagraph shall not be a resident of a metropolitan
48 statistical area.

49 b. The four nonvoting, ex officio members shall
50 consist of four members of the general assembly, two

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1 from the senate and two from the house of
2 representatives, with not more than one member from
3 each chamber being from the same political party. The
4 two senators shall be designated by the majority
5 leader of the senate after consultation with the
6 president and the minority leader of the senate. The
7 two representatives shall be designated by the speaker
8 of the house of representatives after consultation
9 with the majority and minority leaders of the house of
10 representatives.

11 3. Voting members of the council shall serve
12 without compensation.

13 4. The chairperson of the council shall be elected
14 by the voting members of the council and may convene
15 the council at any time.

16 5. A vacancy in the membership shall not impair
17 the right of a quorum to exercise all the rights and
18 perform all the duties of the council. A majority of
19 the council members then appointed constitutes a
20 quorum. A majority vote of the quorum is required for
21 council action.

22 6. The department shall provide necessary staff
23 assistance to the council.

24 7. After consideration of a full range of policies
25 and strategies, the council shall develop multiple
26 scenarios designed to reduce statewide greenhouse gas
27 emissions. Any percentage reduction included in a
28 scenario shall be calculated on a per capita basis in
29 relation to the base year. The council shall also
30 develop short-term, medium-term, and long-term
31 scenarios designed to reduce statewide greenhouse gas
32 emissions. The council shall establish a baseline
33 year for purposes of calculating reductions in
34 statewide greenhouse gas emissions. The council shall
35 submit the proposal to the governor and the general
36 assembly by January 1, 2009.

37 8. The council may periodically adopt
38 recommendations designed to encourage the reduction of
39 statewide greenhouse gas emissions.

40 9. By September 1 of each year, the department
41 shall submit a report to the governor and the general
42 assembly regarding the greenhouse gas emissions in the
43 state during the previous calendar year and
44 forecasting trends in such emissions. The first
45 submission by the department shall be filed by
46 September 1, 2009, for the calendar year beginning
47 January 1, 2008."

48 2. Title page, by striking lines 1 and 2 and
49 inserting the following: "An Act relating to
50 greenhouse gas emissions."

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1 3. By renumbering as necessary.

Alons of Sioux offered the following amendment H-1714, to amendment H-1680, filed by Alons, et al., and moved its adoption:

H-1714

1 Amend the amendment, H-1680, to Senate File 485, as
2 passed by the Senate, as follows:
3 1. Page 3, line 27, by inserting after the word
4 "emissions." the following: "None of the scenarios
5 developed by the council shall create estimated
6 consumer energy costs which exceed the anticipated
7 costs of energy derived from domestic fossil carbon
8 fuel sources by more than twenty-five percent."

Amendment H-1714 was adopted placing out of order amendments H-1715 and H-1716 to amendment H-1680 filed by Alons, et al., on April 12, 2007.

Alons of Sioux offered the following amendment H-1739, to amendment H-1680, filed by him and Watts of Dallas and moved its adoption:

H-1739

1 Amend the amendment, H-1680, to Senate File 485, as
2 passed by the Senate, as follows:
3 1. Page 3, line 29, by inserting after the word
4 "year" the following: "and a person subject to
5 greenhouse gas emissions reduction requirements under
6 a scenario shall receive credit for any reductions in
7 greenhouse gas emissions achieved prior to the base
8 year".

Amendment H-1739 was adopted.

Alons of Sioux moved the adoption of amendment H-1680, as amended.

Amendment H-1680, as amended, lost.

D. Olson of Boone moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 485)

The ayes were, 66:

Abdul-Samad	Anderson	Bailey	Bell
Berry	Bukta	Clute	Cohoon
Dandekar	Davitt	Deyoe	Foege
Ford	Frevert	Gaskill	Gayman
Gipp	Heaton	Heddens	Hunter
Huser	Jacobs	Jacoby	Jochum
Kaufmann	Kelley	Kressig	Kuhn
Lensing	Lukan	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Pettengill	Quirk	Raecker
Reasoner	Reichert	Schickel	Schueller
Shomshor	Smith	Staed	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tomenga	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Wiencek	Winckler
Wise	Mr. Speaker		
	Murphy		

The nays were, 32:

Alons	Arnold	Baudler	Boal
Chambers	De Boef	Dolecheck	Drake
Forristall	Granzow	Grassley	Greiner
Hoffman	Horbach	Huseman	May
Miller, L.	Olson, S.	Paulsen	Rants
Rasmussen	Rayhons	Roberts	Sands
Soderberg	Tjepkes	Tymeson	Upmeyer
Van Fossen	Watts	Windschitl	Worthan

Absent or not voting, 2:

Van Engelenhoven Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 786 WITHDRAWN

Palmer of Mahaska asked and received unanimous consent to withdraw House File 786 from further consideration by the House.

SENATE MESSAGE CONSIDERED

Senate File 588, by committee on appropriations, a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, and providing effective dates.

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

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **Senate File 485** be immediately messaged to the Senate.

SENATE FILE 369 REFERRED

The Speaker announced that Senate File 369, previously referred to committee on **appropriations** was **passed on file**.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on Wednesday, April 18, 2007. Had I been present, I would have voted "aye" on House Files 546, 651, 752, 767 and Senate Files 254, 304, 336, 347, 430, 469 and 546. I would have vote "nay" on Senate File 263.

ARNOLD of Lucas

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Fourteen students from Ruthven – Ayrshire School District, Ruthven, Iowa, accompanied by Jon Josephson. By Frevert of Palo Alto.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- | | |
|-----------|--|
| 2007\2942 | Jim and Louise Kerr, Tripoli – For celebrating their 60 th wedding anniversary. |
| 2007\2943 | Gene Walker, Scranton – For celebrating his 80 th birthday. |
| 2007\2944 | Lillian Dostal, Clutier – For celebrating her 85 th birthday. |
| 2007\2945 | Lester Dostal, Toledo – For celebrating his 90 th birthday. |
| 2007\2946 | Don McKale, Toledo – For celebrating his 93 rd birthday. |

SUBCOMMITTEE ASSIGNMENTS

Senate File 570

Ways and Means: Huser, Chair; Davitt and Soderberg.

Senate File 579

Appropriations: Kuhn, Chair; Berry and De Boef.

Senate File 581

Ways and Means: Schueller, Chair; Davitt and Windschitl.

Senate File 585

Ways and Means: Quirk, Chair; Grassley and Schueller.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 312 Government Oversight

Concerning appropriations to the office of grants enterprise management and including an effective date and retroactive applicability provision.

H.S.B. 313 Government Oversight

Relating to the powers of the commissioner of insurance to enforce the state's insurance laws.

H.S.B. 314 Appropriations

Authorizing the state board of regents to borrow moneys and issue revenue bonds to finance the costs of certain building and facility improvement programs.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

House File 893, a bill for an act relating to a tax amnesty program, making appropriations, and including an effective date provision.

Fiscal Note is not required.

Recommended **Do Pass** April 18, 2007.

Senate File 575, a bill for an act relating to and making appropriations to the justice system.

Fiscal Note is not required.

Recommended **Do Pass** April 18, 2007.

COMMITTEE ON WAYS AND MEANS

Senate File 557, a bill for an act relating to the regulation of credit unions by revising and reorganizing the Iowa credit union Act, making conforming changes, and providing for taxes, fees, and penalties.

Fiscal Note is not required.

Recommended **Do Pass** April 18, 2007.

Committee Bill (Formerly House Study Bill 305), establishing the office of energy independence, and the Iowa power fund and related provisions, and providing an effective date.

Fiscal Note is required.

Recommended **Amend and Do Pass** April 18, 2007.

RESOLUTIONS FILED

HR 48, by Bell, Murphy, Gipp and Roberts, a resolution supporting a proposal to invite the Republic of China (Taiwan) to participate in the upcoming meeting of the World Health Assembly as an observer.

Laid over under **Rule 25**.

HR 49, by Clute, May, De Boef, Tjepkes, Lukan, Palmer, Boal, Drake, Hoffman, Gaskill, Wessel-Kroeschell, Mertz, T. Olson, Heaton, Horbach, Baudler, Granzow, Chambers, Swaim and Soderberg, a resolution declaring May 2007 Amyotrophic Lateral Sclerosis (ALS) Awareness Month.

Laid over under **Rule 25**.

AMENDMENTS FILED

H—1767	H.F.	786	Palmer of Mahaska
H—1768	H.F.	903	Ford of Polk
H—1772	H.F.	817	Senate Amendment
H—1773	H.F.	911	De Boef of Keokuk
H—1774	S.F.	457	Baudler of Adair
H—1775	S.F.	457	Mascher of Johnson
H—1778	H.F.	909	Hoffman of Crawford
H—1779	H.F.	844	Jacobs of Polk
H—1780	H.F.	844	Jacobs of Polk
H—1781	H.F.	844	Jacobs of Polk
H—1782	S.F.	559	Berry of Black Hawk
			Lensing of Johnson
			Raecker of Polk
H—1783	H.F.	909	Struyk of Pottawattamie
H—1784	S.F.	575	Horbach of Tama
H—1785	H.F.	909	Heaton of Henry

H—1786	H.F.	909	Heaton of Henry Paulsen of Linn
H—1787	H.F.	909	Heaton of Henry

On motion by McCarthy of Polk the House adjourned at 10:20 p.m., until 9:00 a.m., Thursday, April 19, 2007.

JOURNAL OF THE HOUSE

One Hundred Second Calendar Day - Sixty-ninth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, April 19, 2007

The House met pursuant to adjournment at 9:12 a.m., Speaker Murphy in the chair.

Prayer was offered by Reverend Ken Stuber, pastor of the First Presbyterian Church, Des Moines. He was the guest of Representative Rick Olson of Polk County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Christian Ucles, clerk of Representative Geri Huser of Polk County.

The Journal of Wednesday, April 18, 2007 was approved.

INTRODUCTION OF BILL

House File 916, by Bell, a bill for an act excluding certain severance pay from the individual income tax and including a retroactive applicability date provision.

Read first time and referred to committee on **ways and means**.

McCarthy of Polk asked and received unanimous consent for the immediate consideration of House Resolution 49.

ADOPTION OF HOUSE RESOLUTION 49

Clute of Polk and Palmer of Mahaska called up for consideration **House Resolution 49**, a resolution declaring May 2007 Amyotrophic Lateral Sclerosis (ALS) Awareness Month, and moved its adoption.

The motion prevailed and the resolution was adopted.

McCarthy of Polk asked and received unanimous consent for the immediate consideration of House Resolution 48.

ADOPTION OF HOUSE RESOLUTION 48

Bell of Jasper called up for consideration **House Resolution 48**, a resolution supporting a proposal to invite the Republic of China (Taiwan) to participate in the upcoming meeting of the World Health Assembly as an observer, and moved its adoption.

The motion prevailed and the resolution was adopted.

SENATE AMENDMENT CONSIDERED

Huser of Polk called up for consideration **House File 608**, a bill for an act relating to notice of meetings of the board of township trustees, amended by the Senate, and moved that the House concur in the following Senate amendment H-1759:

H-1759

1 Amend House File 608, as passed by the House, as
2 follows:

3 1. Page 1, by striking lines 14 through 16 and
4 inserting the following:

5 "2. A board of township trustees shall give prior
6 notice of a meeting to discuss, deliberate, or act
7 upon a matter relating to the budget or a tax levy of
8 the township or relating to the trustees' duty to
9 provide fire protection service and, if provided,
10 emergency medical service, pursuant to section 359.42.
11 The trustees shall give notice of such meeting at
12 least forty-eight hours preceding the commencement of
13 the meeting. However, a notice is not required
14 pursuant to this subsection when the trustees gather
15 for minor or ministerial matters relating to the
16 trustees' duty for providing such fire protection
17 service or emergency medical service. The notice
18 shall state the".

19 2. Page 1, by striking lines 20 through 27 and
20 inserting the following: "the public are commonly
21 posted."

22 3. Page 1, by inserting before line 28 the
23 following:

24 "Sec. ___. Section 359.49, subsection 4, Code
25 2007, is amended to read as follows:

26 4. The board of trustees shall transmit a copy of
27 the proposed budget and a notice of the meeting set as
28 required by subsection 5 to the county auditor for
29 posting. The county auditor shall post the notice and
30 the proposed budget in an area of the courthouse where

31 notices to the public are commonly posted."

32 4. By renumbering as necessary.

The motion prevailed and the House concurred in the Senate amendment H-1759.

Huser of Polk moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 608)

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Dolecheck	Drake	Foegen	Ford
Forristall	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Pettengill	Quirk
Raecker	Rants	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Smith
Soderberg	Staed	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wienczek	Winckler	Windschitl
Wise	Worthan	Mr. Speaker	
		Murphy	

The nays were, none.

Absent or not voting, 5:

Deyoe	Petersen	Van Engelenhoven	Van Fossen
Zirkelbach			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **House File 608** be immediately messaged to the Senate.

On motion by McCarthy of Polk, the House was recessed at 9:27 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened at 3:41 p.m., Speaker Murphy in the chair.

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 16, 2007, amended and passed the following bill in which the concurrence of the House is asked:

House File 783, a bill for an act relating to certain city utilities or city enterprises by making changes to procedures for notice and collection of delinquent charges and by making changes to billing notifications for water service and other services provided to certain residential rental property.

Also: That the Senate has on April 19, 2007, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 430, a bill for an act relating to a civil judgment, decree, or order of a court of a federally recognized Indian tribe and including an applicability provision.

Also: that the Senate has on April 19, 2007, appointed the conference committee to Senate File 472, a bill for an act requiring the posting of close-clearance warning devices along railroad tracks and providing a penalty, and the members of the conference committee on the part of the Senate are: The Senator from Polk, Senator Dearden, Chair; the Senator from Des Moines, Senator Courtney; the Senator from Woodbury, Senator Warnstadt; the Senator from Polk, Senator Ward; the Senator from Woodbury, Senator Wieck.

Also: That the Senate has on April 19, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 590, a bill for an act relating to the state earned income tax credit by increasing the amount of the tax credit and making the tax credit refundable and including effective and retroactive applicability date provisions.

MICHAEL E. MARSHALL, Secretary

INTRODUCTION OF BILL

House File 917, by committee on government oversight, a bill for an act concerning appropriations to the office of grants enterprise management and including an effective date and retroactive applicability provision.

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

SENATE MESSAGE CONSIDERED

Senate File 590, by committee on ways and means, a bill for an act relating to the state earned income tax credit by increasing the amount of the tax credit and making the tax credit refundable and including effective and retroactive applicability date provisions.

Read first time and **passed on file**.

SPECIAL PRESENTATION

McCarthy of Polk introduced to the House the Honorable Dick Myers, the former Minority Leader of the House from Johnson County.

The House rose and expressed its welcome.

CONSIDERATION OF BILLS
Unfinished Business Calendar

Senate File 340, a bill for an act relating to the consideration of inherited or gifted property in dissolution-of-marriage property division proceedings and including an effective date and an applicability provision, with report of committee recommending amendment and passage, was taken up for consideration.

Palmer of Mahaska offered the following amendment H-1633 filed by the committee on judiciary and moved its adoption:

H-1633

- 1 Amend Senate File 340, as passed by the Senate, as
- 2 follows:
- 3 1. Page 1, by striking lines 10 through 12, and
- 4 inserting the following: "Future interests may be
- 5 considered, but expectancies or interests arising from

6 inherited or gifted property created under a will or
 7 other instrument under which the trustee, trustor,
 8 trust protector, or owner has the power to remove the
 9 party in question as a beneficiary, shall not be
 10 considered."

The committee amendment H-1633 was adopted.

Palmer of Mahaska moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 340)

The ayes were, 99:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Gipp	Granzow	Grassley
Greiner	Heaton	Heddens	Hoffman
Horbach	Hunter	Huseman	Huser
Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	Mascher	May
McCarthy	Mertz	Miller, H.	Miller, L.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Palmer	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Smith	Soderberg	Staed
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wiencek	Winckler	Windschitl
Wise	Worthan	Mr. Speaker	
		Murphy	

The nays were, none.

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

SENATE AMENDMENT CONSIDERED

Hunter of Polk called up for consideration **House File 874**, a bill for an act relating to and making appropriations to certain state departments, agencies, funds, and certain other entities and providing an effective date, amended by the Senate, and moved that the House concur in the following Senate amendment H-1733:

H-1733

1 Amend House File 874, as amended, passed, and
 2 reprinted by the House, as follows:
 3 1. Page 14, by striking line 24 and inserting the
 4 following:
 5 "..... FTEs 39803"
 6 2. Page 17, by inserting after line 27 the
 7 following:
 8 "Sec. ____ STATE EMPLOYEE TELECOMMUTING - POLICY
 9 DEVELOPMENT - IMPLEMENTATION.
 10 1. The director of a department or state agency to
 11 which appropriations are made pursuant to the
 12 provisions of this Act shall assess the extent to
 13 which job classifications or individual employment
 14 positions with the department or agency might be
 15 effectively performed from an employee's residence or
 16 other remote location through telecommuting, thereby
 17 increasing office space within the department or
 18 agency and reducing administrative costs. The
 19 assessment shall include an estimate of the number of
 20 department or agency employees whose job
 21 responsibilities could be effectively performed on a
 22 telecommuting basis, projected costs of establishing
 23 and maintaining work stations at an employee's
 24 residence or other remote location and providing
 25 telecommuter support, anticipated savings to the
 26 department or agency through a reduction in the
 27 office-based workforce, and anticipated time and cost
 28 savings to telecommuting employees. A report
 29 summarizing the assessment shall be submitted to the
 30 director of the department of administrative services,
 31 and the members of the general assembly, by November
 32 1, 2007.
 33 2. Based on the assessment conducted pursuant to
 34 subsection 1, the director shall develop a
 35 telecommuter employment policy for the department or
 36 agency and a timeline for initial policy

37 implementation and plans for expanding the number of
 38 telecommuting employees. Specific office-based
 39 workforce reduction percentages shall be left to the
 40 discretion of the director, but the director shall
 41 implement a policy by January 1, 2008. The director
 42 shall report to the director of the department of
 43 administrative services and the members of the general
 44 assembly on an annual basis beginning January 1, 2009,
 45 the number of telecommuting employees, cost savings
 46 achieved by the department or agency, and plans for
 47 continued transfer of office-based employees to
 48 telecommuter status."
 49 3. By renumbering as necessary.

The motion prevailed and the House concurred in the Senate amendment H-1733.

Hunter of Polk moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 874)

The ayes were, 53:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Pettengill	Quirk	Reasoner
Reichert	Schueller	Shomshor	Smith
Staed	Swaim	Taylor, D.	Taylor, T.
Thomas	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise
Mr. Speaker			
Murphy			

The nays were, 46:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Granzow	Grassley	Greiner
Heaton	Hoffman	Horbach	Huseman
Jacobs	Kaufmann	Lukan	May

Miller, L.	Olson, S.	Paulsen	Raecker
Rants	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wienczek
Windschitl	Worthan		

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 19, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 396, a bill for an act expanding the scope of services under an existing appropriation for the community empowerment initiative involving preschool services and providing effective date and applicability provisions.

Also: that the Senate has on April 19, 2007, adopted the conference committee report and passed Senate File 277, a bill for an act relating to the state's educational standards regarding teacher librarians and qualified guidance counselors, and to teacher and administrator quality, including the student achievement and teacher quality program and an administrator quality program, making appropriations, and providing an effective date.

MICHAEL E. MARSHALL, Secretary

Unfinished Business Calendar

House File 792, a bill for an act relating to regulation of underground storage tanks by the department of natural resources, making appropriations, and providing contingent effective date provisions, was taken up for consideration.

H. Miller of Webster offered amendment H-1753 filed by her as follows:

H-1753

- 1 Amend House File 792 as follows:
- 2 1. Page 9, by striking lines 2 through 32 and
- 3 inserting the following:
- 4 "Sec. ____ Section 455G.9, subsection 1, paragraph
- 5 k, Code 2007, is amended by striking the paragraph and
- 6 inserting in lieu thereof the following:
- 7 k. Pursuant to an agreement between the board and
- 8 the department of natural resources, assessment and
- 9 corrective action arising out of releases at sites for
- 10 which a no further action certificate has been issued
- 11 pursuant to section 455B.474, when the department
- 12 determines that an unreasonable risk to public health
- 13 and safety may still exist. At a minimum, the
- 14 agreement shall address eligible costs, contracting
- 15 for services, and conditions under which sites may be
- 16 reevaluated."
- 17 2. Page 10, by striking lines 4 through 6 and
- 18 inserting the following: "to the closure activities."
- 19 3. By renumbering as necessary.

Rants of Woodbury rose on a point of order invoking Rule 32, requesting House File 792 be sent to the committee on appropriations.

The Speaker ruled the point well taken and referred House File 792 to the committee on appropriations.

Appropriations Calendar

House File 900, a bill for an act relating to the waste tire management fund and making appropriations, was taken up for consideration.

McCarthy of Polk asked and received unanimous consent that House File 900 be deferred and that the bill retain its place on the calendar.

House File 910, a bill for an act relating to the creation of a task force on postnatal tissue and fluid banking, related postnatal procedures, and providing an effective date, was taken up for consideration.

Palmer of Mahaska moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 910)

The ayes were, 98:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor
Smith	Soderberg	Staed	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Wienczek	Winckler	Windschitl	Wise
Worthan	Mr. Speaker		
	Murphy		

The nays were, none.

Absent or not voting, 2:

Gipp Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House File 910** and **Senate File 340**.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed ninety-two members present, eight absent.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 19, 2007, concurred in the House amendment to the Senate amendment, and passed the following bill in which the concurrence of the Senate was asked:

House File 368, a bill for an act relating to the boiler and pressure vessel safety program enforced by the division of labor services of the department of workforce development.

Also: That the Senate has on April 19, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 890, a bill for an act relating to assistance for small businesses, making appropriations, and providing an effective date provision.

Also: That the Senate has on April 19, 2007, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 212, a bill for an act relating to the salary of deputy officers in certain county offices and providing an applicability date.

Also: That the Senate has on April 19, 2007, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 254, a bill for an act revising family investment program requirements.

Also: That the Senate has on April 19, 2007, amended the House amendment, concurred in the House amendment as amended, and passed the following bill in which the concurrence of the House is asked:

Senate File 546, a bill for an act relating to a hospital lien.

Also: That the Senate has on April 19, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 586, a bill for an act creating a special gold star motor vehicle registration plate and providing fees.

Also: That the Senate has on April 19, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 591, a bill for an act relating to regulation of the harvesting of commercial fish, turtles, and freshwater mussels and providing for fees and penalties.

Also: That the Senate has on April 19, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 592, a bill for an act relating to the streamlined sales and use tax agreement and administration of the tax and related laws by the department of revenue, including administration of sales and use taxes, and providing an effective date.

Also: That the Senate has on April 19, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 593, a bill for an act relating to the assessment of civil and criminal court fees and penalties.

Also: That the Senate has on April 19, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 596, a bill for an act relating to the policy and technical administration of the tax and related laws by the department of revenue, including administration of income, sales, use, cigarette, and tobacco taxes, the administration and budgeting for tax increment financing by cities and counties, and creating a reporting committee, providing an effective date and providing for retroactive applicability.

Also: That the Senate has on April 19, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 599, a bill for an act establishing the office of energy independence and the Iowa power fund and related provisions, making appropriations, and providing an effective date.

MICHAEL E. MARSHALL, Secretary

Unfinished Business Calendar

Senate File 457, a bill for an act relating to the rights of peace officers and public safety and emergency personnel, with report of committee recommending passage, was taken up for consideration.

Mascher of Johnson offered the following amendment H-1775 filed by her and moved its adoption:

H-1775

1 Amend Senate File 457, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 2, line 4, by inserting after the word
4 "officer" the following: "or where other
5 investigations pursuant to state or federal law
6 require different investigatory procedures".

7 2. Page 2, by striking lines 13 through 22 and
8 inserting the following:

9 "5. An officer who is the subject of a complaint,
10 shall at a minimum, be provided a written summary of
11 the complaint prior to an interview. If a collective
12 bargaining agreement applies, the complaint or written
13 summary shall be provided pursuant to the procedures
14 established under the collective bargaining agreement.
15 If the complaint alleges domestic abuse, sexual abuse,
16 or sexual harassment, an officer shall not receive
17 more than a written summary of the complaint."

18 3. Page 2, line 28, by striking the words "be
19 electronically" and inserting the following: ", at a
20 minimum, be audio".

21 4. Page 2, by striking lines 29 through 31 and
22 inserting the following:

23 "8. The officer shall have the right to have legal
24 counsel present, at the officer's expense, during the
25 interview of the officer. In addition, the officer
26 shall have the right, at the officer's expense, to
27 have a union representative present during the
28 interview or, if not a member of a union, the officer
29 shall have the right to have a designee present."

30 5. Page 3, line 8, by striking the words
31 "intentionally false" and inserting the following: "a
32 violation of section 718.6".

33 6. Page 3, line 12, by striking the words "making
34 a false report in" and inserting the following: "a".

35 7. Page 3, by striking lines 13 through 17 and
36 inserting the following:

37 "13. An officer shall have the right to pursue
38 civil remedies under the law against a citizen arising
39 from the filing of a false complaint against the
40 officer."

41 8. Page 3, line 20, by inserting after the word
42 "office" the following: "as long as the officer's
43 candidacy does not violate the federal Hatch Act, 5
44 U.S.C. § 1501 et seq".

45 9. Page 3, line 28, by inserting after the word
46 "duty" the following: "as long as the officer's
47 political activity does not violate the federal Hatch
48 Act, 5 U.S.C. § 1501 et seq".

Amendment H-1775 was adopted.

Baudler of Adair asked and received unanimous consent to withdraw amendment H-1774 filed by him on April 18, 2007.

Bell of Jasper moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

Rule 75 was invoked.

On the question "Shall the bill pass?" (S.F. 457)

The ayes were, 56:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	McCarthy	Mertz	Miller, H.
Oldson	Olson, D.	Olson, R.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill
Quirk	Reasoner	Reichert	Schueller
Shomshor	Smith	Staed	Swaim
Taylor, D.	Taylor, T.	Thomas	Van Fossen
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	Mr. Speaker Murphy

The nays were, 42:

Alons	Arnold	Baudler	Boal
Chambers	Clute	De Boef	Deyoe
Dolecheck	Drake	Forristall	Gipp
Granzow	Grassley	Greiner	Heaton
Hoffman	Horbach	Huseman	Jacobs
Kaufmann	May	Miller, L.	Olson, S.
Raecker	Rants	Rasmussen	Rayhons
Roberts	Sands	Schickel	Soderberg
Struyk	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Watts	Wiencck
Windschitl	Worthan		

Absent or not voting, 2:

Anderson	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **Senate File 457** be immediately messaged to the Senate.

INTRODUCTION OF BILL

House File 918, by committee on ways and means, a bill for an act establishing the office of energy independence and the Iowa power fund and related provisions, and providing an effective date.

Read first time and referred to committee on **ways and means calendar**.

SENATE MESSAGES CONSIDERED

Senate File 591, by committee on ways and means, a bill for an act relating to regulation of the harvesting of commercial fish, turtles, and freshwater mussels and providing for fees and penalties.

Read first time and referred to committee on **ways and means**.

Senate File 592, by committee on ways and means, a bill for an act relating to the streamlined sales and use tax agreement and administration of the tax and related laws by the department of revenue, including administration of sales and use taxes, and providing an effective date.

Read first time and **passed on file**.

Senate File 593, by committee on ways and means, a bill for an act relating to the assessment of civil and criminal court fees and penalties.

Read first time and referred to committee on **ways and means**.

CONFERENCE COMMITTEE REPORT RECEIVED
(Senate File 277)

A conference committee report signed by the following Senate and House members was filed April 19, 2007, on Senate File 277, a bill for an act relating to the state's educational standards regarding teacher librarians and qualified guidance counselors, and to teacher and administrator quality, including the student achievement and teacher quality program and an administrator quality program, making appropriations, and providing an effective date.

ON THE PART OF THE HOUSE

CINDY L. WINCKLER, Chair
DENNIS M. COHOON
ROGER F. WENDT

ON THE PART OF THE SENATE

FRANK B. WOOD, Chair
MICHAEL CONNOLLY
DAVE MULDER
HERMAN C. QUIRMBACH

SENATE FILE 442 REREFERRED

The Speaker announced that Senate File 442, previously passed on file, was rereferred to committee on **ways and means**.

MOTIONS TO RECONSIDER
(House File 752)

I move to reconsider the vote by which House File 752 passed the House on Wednesday, April 18, 2007.

MCCARTHY of Polk

(House File 874)

I move to reconsider the vote by which House File 874 passed the House on Thursday, April 19, 2007.

MCCARTHY of Polk

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 19th day of April, 2007: House Files 353, 432, 451, 528, 559, 566, 587, 611, 615, 759 and 780.

MARK W. BRANDSGARD
Chief Clerk of the House

Report adopted.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- | | |
|-----------|--|
| 2007\2947 | David and Marcia Curtis, Princeton – For celebrating their 50 th wedding anniversary. |
| 2007\2948 | John Paul McCloy II, De Witt – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America. |
| 2007\2949 | Vernon Alfred Bein, Marshalltown – For celebrating his 82 nd birthday. |
| 2007\2950 | William Adolph Gilgen, Jr, Marshalltown – For celebrating his 76 th birthday. |
| 2007\2951 | William Glen Godfrey, Marshalltown – For celebrating his 82 nd birthday. |
| 2007\2952 | Barbara Jo Morgan, Marshalltown – For celebrating her 77 th birthday. |
| 2007\2953 | Maxine Bernice Richeson, Marshalltown – For celebrating her 92 nd birthday. |
| 2007\2954 | Frances Barbara Shamley, Marshalltown – For celebrating her 91 st birthday. |
| 2007\2955 | Evelyn Weuve, Marshalltown – For celebrating her 84 th birthday. |

- 2007\2956 Thelma Lenor Woods, Marshalltown – For celebrating her 98th birthday.
- 2007\2957 Emma Kubik, Traer – For celebrating her 85th birthday.
- 2007\2958 Evelyn Wiegmann, Allison – For celebrating her 80th birthday.
- 2007\2959 Marie Arns, Waverly – For celebrating her 95th birthday.
- 2007\2960 Jim and Bev Conklin, Plainfield – For celebrating their 50th birthday.
- 2007\2961 Walter and Mildred Brettmann, Waverly – For celebrating their 60th wedding anniversary.
- 2007\2962 Lyle and Charlotte Engel, Waverly – For celebrating their 60th wedding anniversary.
- 2007\2963 Lynley Burrow, Waverly – For being selected by Iowa American Legion Auxiliary Unit 176 to attend Iowa Girls State.
- 2007\2964 Amanda Johanns, Waverly – For being selected by Iowa American Legion Auxiliary Unit 176 to attend Iowa Girls State.
- 2007\2965 Thomas Boerigter, Waverly – For being selected by Iowa American Legion Auxiliary Unit 176 to attend Iowa Boys State.
- 2007\2966 Jordan Elenz, Waverly – For being selected by Iowa American Legion Auxiliary Unit 176 to attend Iowa Boys State.
- 2007\2967 Mark Haugen, Waverly – For being selected by Iowa American Legion Auxiliary Unit 176 to attend Iowa Boys State.
- 2007\2968 Dr. Brian Birgen, Waverly – For receiving the 2007 John O. Chellevoid Student Award for Teaching Excellence and Professional Service.
- 2007\2969 Dale and Charlene Keil, Independence – For celebrating their 50th wedding anniversary.
- 2007\2970 Lawrence and Geneviere Sadler, Dunkerton – For celebrating their 60th wedding anniversary.
- 2007\2971 Larry Twait, Sioux City – For his 30 plus years of dedicated service with the Sioux City School District, starting his teaching career at Central High School, continuing his career at North High School, and for bringing his students from his American Government class for each of those years.

SUBCOMMITTEE ASSIGNMENTS**House File 845**

Appropriations: Cohoon, Chair; Huseman and Wenthe.

Senate File 578

Appropriations: Jacoby, Chair; Chambers and Gayman.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT**House Study Bill 314**

Appropriations: Cohoon, Chair; Jacoby and Watts.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS**H.S.B. 315 Ways and Means**

Authorizing the rebate of sales taxes to the investor group of a lakeside recreational complex and earthpark.

H.S.B. 316 Ways and Means

Relating to plans and financial assurance requirements for certain sanitary landfill projects.

H.S.B. 317 Government Oversight

A resolution requesting the formation of an interim study committee by the Legislative Council to make recommendations relating to the development and implementation of a statewide wireless broadband network.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Committee Bill (Formerly House File 416), relating to child care by requiring registration or licensing of child care providers regulated by the department of human services and making a penalty applicable.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 19, 2007.

Committee Bill (Formerly House Study Bill 314), authorizing the state board of regents to borrow moneys and issue revenue bonds to finance the costs of certain building and facility improvement programs.

Fiscal Note is not required.

Recommended **Do Pass** April 19, 2007.

COMMITTEE ON GOVERNMENT OVERSIGHT

Committee Bill (Formerly House Study Bill 312), concerning appropriations to the office of grants enterprise management and including an effective date and retroactive applicability provision.

Fiscal Note is not required.

Recommended **Do Pass** April 19, 2007.

COMMITTEE ON WAYS AND MEANS

Senate File 442, a bill for an act relating to qualifications for licensure as a real estate broker or salesperson upon conviction of specified offenses.

Fiscal Note is not required.

Recommended **Do Pass** April 18, 2007.

Committee Bill (Formerly House File 855), providing for excise taxes imposed on the sale of motor fuel containing ethanol blended gasoline.

Fiscal Note is required.

Recommended **Amend and Do Pass** April 19, 2007.

Committee Bill (Formerly House Study Bill 106), relating to the policy and technical administration of the tax and related laws by the department of revenue, including administration of income, sales, use, cigarette, and tobacco taxes.

Fiscal Note is required.

Recommended **Amend and Do Pass** April 19, 2007.

Committee Bill (Formerly House Study Bill 316), relating to plans and financial assurance requirements for certain sanitary landfill projects.

Fiscal Note is not required.

Recommended **Do Pass** April 19, 2007.

AMENDMENTS FILED

H—1788	S.F.	575	Lukan of Dubuque
			Alons of Sioux
H—1789	H.F.	783	Senate Amendment
H—1790	S.F.	575	Horbach of Tama
H—1791	H.F.	908	Schueller of Jackson
H—1792	H.F.	909	Raecker of Polk
H—1793	H.F.	909	Upmeyer of Hancock
H—1794	H.F.	909	Kaufmann of Cedar
H—1795	H.F.	909	Kaufmann of Cedar
H—1796	H.F.	909	Upmeyer of Hancock
			Kaufmann of Cedar
H—1797	H.F.	909	Kaufmann of Cedar
H—1798	H.F.	907	Alons of Sioux
H—1799	S.F.	551	Baudler of Adair
H—1800	S.F.	575	Lukan of Dubuque
H—1801	H.F.	909	Wiencek of Black Hawk
			Arnold of Lucas
			Boal of Polk
			Clute of Polk
			Deyoe of Story
			Drake of Pottawattamie
			Gipp of Winneshiek
			Grassley of Butler
			Heaton of Henry
			Horbach of Tama
			Jacobs of Polk
			Lukan of Dubuque
			L. Miller of Scott
			Paulsen of Linn
			Rants of Woodbury
			Rayhons of Hancock
			Sands of Louisa
			Soderberg of Plymouth
			Tjepkes of Webster
			Alons of Sioux
			Baudler of Adair
			Chambers of O'Brien
			De Boef of Keokuk
			Dolecheck of Ringgold
			Forristall of Pottawattamie
			Granzow of Hardin
			Greiner of Washington
			Hoffman of Crawford
			Huseman of Cherokee
			Kaufmann of Cedar
			May of Dickinson
			S. Olson of Clinton
			Raecker of Polk
			Rasmussen of Buchanan
			Roberts of Carroll
			Schickel of Cero Gordo
			Struyk of Pottawattamie

Tomenga of Polk			Tymeson of Madison
Upmeyer of Hancock			Van Fossen of Scott
Watts of Dallas			Windschitl of Harrison
Worthan of Buena Vista			
H—1802	H.F.	909	Rants of Woodbury
Raecker of Polk			Alons of Sioux
Anderson of Page			Arnold of Lucas
Baudler of Adair			Boal of Polk
Chambers of O'Brien			Clute of Polk
De Boef of Keokuk			Deyoe of Story
Dolecheck of Ringgold			Drake of Pottawattamie
Forristall of Pottawattamie			Gipp of Winneshiek
Granzow of Hardin			Grassley of Butler
Greiner of Washington			Heaton of Henry
Hoffman of Crawford			Horbach of Tama
Huseman of Cherokee			Jacobs of Polk
Kaufmann of Cedar			Lukan of Dubuque
May of Dickinson			L. Miller of Scott
S. Olson of Clinton			Paulsen of Linn
Rasmussen of Buchanan			Rayhons of Hancock
Roberts of Carroll			Sands of Louisa
Schickel of Cero Gordo			Soderberg of Plymouth
Struyk of Pottawattamie			Tjepkes of Webster
Tomenga of Polk			Tymeson of Madison
Upmeyer of Hancock			Van Fossen of Scott
Watts of Dallas			Wiencek of Black Hawk
Windschitl of Harrison			Worthan of Buena Vista
H—1803	H.F.	909	Tymeson of Madison
Alons of Sioux			Anderson of Page
Arnold of Lucas			Baudler of Adair
Boal of Polk			Chambers of O'Brien
Clute of Polk			De Boef of Keokuk
Deyoe of Story			Dolecheck of Ringgold
Drake of Pottawattamie			Forristall of Pottawattamie
Gipp of Winneshiek			Granzow of Hardin
Grassley of Butler			Greiner of Washington
Heaton of Henry			Hoffman of Crawford
Horbach of Tama			Huseman of Cherokee
Jacobs of Polk			Kaufmann of Cedar
Lukan of Dubuque			May of Dickinson
L. Miller of Scott			S. Olson of Clinton

Paulsen of Linn
 Rants of Woodbury
 Rayhons of Hancock
 Sands of Louisa
 Soderberg of Plymouth
 Tjepkes of Webster
 Upmeyer of Hancock
 Watts of Dallas
 Windschitl of Harrison
 H—1804 H.F. 909
 Alons of Sioux
 Baudler of Adair
 Chambers of O'Brien
 De Boef of Keokuk
 Dolecheck of Ringgold
 Forristall of Pottawattamie
 Granzow of Hardin
 Greiner of Washington
 Hoffman of Crawford
 Huseman of Cherokee
 Kaufmann of Cedar
 May of Dickinson
 S. Olson of Clinton
 Raecker of Polk
 Rasmussen of Buchanan
 Roberts of Carroll
 Schickel of Cero Gordo
 Struyk of Pottawattamie
 Tymeson of Madison
 Watts of Dallas
 Windschitl of Harrison
 H—1805 H.F. 909
 Alons of Sioux
 Arnold of Lucas
 Boal of Polk
 Clute of Polk
 Deyoe of Story
 Drake of Pottawattamie
 Gipp of Winneshiek
 Grassley of Butler
 Heaton of Henry

Raecker of Polk
 Rasmussen of Buchanan
 Roberts of Carroll
 Schickel of Cero Gordo
 Struyk of Pottawattamie
 Tomenga of Polk
 Van Fossen of Scott
 Wiencek of Black Hawk
 Worthan of Buena Vista
 Upmeyer of Hancock
 Arnold of Lucas
 Boal of Polk
 Clute of Polk
 Deyoe of Story
 Drake of Pottawattamie
 Gipp of Winneshiek
 Grassley of Butler
 Heaton of Henry
 Horbach of Tama
 Jacobs of Polk
 Lukan of Dubuque
 L. Miller of Scott
 Paulsen of Linn
 Rants of Woodbury
 Rayhons of Hancock
 Sands of Louisa
 Soderberg of Plymouth
 Tjepkes of Webster
 Van Fossen of Scott
 Wiencek of Black Hawk
 Worthan of Buena Vista
 L. Miller of Scott
 Anderson of Page
 Baudler of Adair
 Chambers of O'Brien
 De Boef of Keokuk
 Dolecheck of Ringgold
 Forristall of Pottawattamie
 Granzow of Hardin
 Greiner of Washington
 Hoffman of Crawford

Horbach of Tama			Huseman of Cherokee
Jacobs of Polk			Kaufmann of Cedar
Lukan of Dubuque			May of Dickinson
S. Olson of Clinton			Paulsen of Linn
Raecker of Polk			Rants of Woodbury
Rasmussen of Buchanan			Rayhons of Hancock
Roberts of Carroll			Sands of Louisa
Schickel of Cero Gordo			Soderberg of Plymouth
Struyk of Pottawattamie			Tjepkes of Webster
Tomonga of Polk			Tymeson of Madison
Upmeyer of Hancock			Van Fossen of Scott
Watts of Dallas			Wienczek of Black Hawk
Windschitl of Harrison			Worthan of Buena Vista
H—1806	H.F.	909	Granzow of Hardin
			Masher of Johnson
			Smith of Marshall
			Heaton of Henry
H—1807	H.F.	909	Upmeyer of Hancock
H—1808	H.F.	909	Jochum of Dubuque
H—1809	H.F.	907	Foege of Linn
H—1810	H.F.	909	Tymeson of Madison
H—1811	H.F.	909	Tymeson of Madison
H—1812	H.F.	909	Raecker of Polk
Alons of Sioux			Anderson of Page
Arnold of Lucas			Baudler of Adair
Boal of Polk			Chambers of O'Brien
Clute of Polk			De Boef of Keokuk
Deyoe of Story			Dolecheck of Ringgold
Drake of Pottawattamie			Forristall of Pottawattamie
Gipp of Winneshiek			Granzow of Hardin
Grassley of Butler			Greiner of Washington
Heaton of Henry			Hoffman of Crawford
Horbach of Tama			Huseman of Cherokee
Jacobs of Polk			Kaufmann of Cedar
Lukan of Dubuque			May of Dickinson
L. Miller of Scott			S. Olson of Clinton
Paulsen of Linn			Rants of Woodbury
Rasmussen of Buchanan			Rayhons of Hancock
Roberts of Carroll			Sands of Louisa
Schickel of Cero Gordo			Soderberg of Plymouth

Struyk of Pottawattamie			Tjepkes of Webster
Tomenga of Polk			Tymeson of Madison
Upmeyer of Hancock			Van Fossen of Scott
Watts of Dallas			Wiencek of Black Hawk
Windschitl of Harrison			Worthan of Buena Vista
H—1813	H.F.	909	Tymeson of Madison
			Bailey of Hamilton
H—1814	H.F.	909	Heaton of Henry
H—1815	H.F.	909	Heaton of Henry
H—1816	H.F.	909	Heaton of Henry
H—1817	H.F.	909	Heaton of Henry
			Lukan of Dubuque
H—1818	H.F.	909	L. Miller of Scott
			S. Olson of Clinton
			Van Fossen of Scott
H—1819	H.F.	909	Kaufmann of Cedar
H—1820	H.F.	912	Wise of Lee
H—1821	S.F.	575	Lukan of Dubuque
H—1822	H.F.	909	Foege of Linn
H—1823	H.F.	909	Heaton of Henry
H—1824	H.F.	909	Heaton of Henry
H—1825	S.F.	546	Senate Amendment
H—1828	H.F.	909	Upmeyer of Hancock
H—1829	H.F.	909	Tymeson of Madison
H—1830	H.F.	909	Granzow of Hardin
Alons of Sioux			Anderson of Page
Arnold of Lucas			Baudler of Adair
Boal of Polk			Chambers of O'Brien
Clute of Polk			De Boef of Keokuk
Deyoe of Story			Dolecheck of Ringgold
Drake of Pottawattamie			Forristall of Pottawattamie
Gipp of Winneshiek			Grassley of Butler
Greiner of Washington			Heaton of Henry
Hoffman of Crawford			Horbach of Tama
Huseman of Cherokee			Jacobs of Polk
Kaufmann of Cedar			Lukan of Dubuque
May of Dickinson			L. Miller of Scott
S. Olson of Clinton			Paulsen of Linn
Raecker of Polk			Rants of Woodbury
Rasmussen of Buchanan			Rayhons of Hancock
Roberts of Carroll			Sands of Louisa

Schickel of Cero Gordo			Soderberg of Plymouth
Struyk of Pottawattamie			Tjepkes of Webster
Tomenga of Polk			Tymeson of Madison
Upmeyer of Hancock			Van Fossen of Scott
Watts of Dallas			Wienczek of Black Hawk
Windschitl of Harrison			Worthan of Buena Vista
H—1831	H.F.	909	Heaton of Henry
H—1832	S.F.	551	De Boef of Keokuk
H—1833	S.F.	551	De Boef of Keokuk
H—1834	S.F.	551	De Boef of Keokuk
H—1835	S.F.	551	De Boef of Keokuk
H—1836	S.F.	551	De Boef of Keokuk
H—1837	S.F.	551	De Boef of Keokuk
H—1838	H.F.	909	Bailey of Hamilton
H—1839	H.F.	909	Raecker of Polk
H—1840	S.F.	551	Kaufmann of Cedar
			Struyk of Pottawattamie
H—1841	S.F.	551	Struyk of Pottawattamie
H—1842	H.F.	909	Gayman of Scott
			Heddens of Story
H—1843	H.F.	909	Heddens of Story
			Gayman of Scott
H—1844	H.F.	909	Granzow of Hardin

On motion by McCarthy of Polk the House adjourned at 10:03 p.m., until 9:00 a.m., Friday, April 20, 2007.

JOURNAL OF THE HOUSE

One Hundred Third Calendar Day - Seventieth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, April 20, 2007

The House met pursuant to adjournment at 9:32 a.m., Speaker Murphy in the chair.

Prayer was offered by Fran Smith, House clerk and sister of Representative Mark Smith of Marshall County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Melissa Cameron of Council Bluffs and House clerk of Representative Andrew Wenthe.

The Journal of Thursday, April 19, 2007 was approved.

INTRODUCTION OF BILLS

House File 919, by committee on ways and means, a bill for an act providing for excise taxes imposed on the sale of motor fuel containing ethanol blended gasoline.

Read first time and placed on the **ways and means calendar**.

House File 920, by committee on appropriations, a bill for an act authorizing the state board of regents to borrow moneys and issue revenue bonds to finance the costs of certain building and facility improvement programs.

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

House File 921, by committee on ways and means, a bill for an act relating to plans and financial assurance requirements for certain sanitary landfill projects.

Read first time and placed on the **ways and means calendar**.

SENATE MESSAGES CONSIDERED

Senate File 586, by committee on ways and means, a bill for an act creating a special gold star motor vehicle registration plate and providing fees and an effective date.

Read first time and referred to committee on **ways and means**.

Senate File 596, by committee on ways and means, a bill for an act relating to the policy and technical administration of the tax and related laws by the department of revenue, including administration of income, sales, use, cigarette, and tobacco taxes, the administration and budgeting for tax increment financing by cities and counties, and creating a reporting committee, providing an effective date and providing for retroactive applicability.

Read first time and referred to committee on **ways and means**.

Senate File 599, by committee on appropriations, a bill for an act establishing the office of energy independence and the Iowa power fund and related provisions, making appropriations, and providing an effective date.

Read first time and **passed on file**.

CONSIDERATION OF BILLS
Appropriations Calendar

House File 909, a bill for an act relating to and making appropriations for health and human services and including other related provisions and appropriations, and including effective date provisions, was taken up for consideration.

Kaufmann of Cedar offered the following amendment H-1795 filed by him and moved its adoption:

H-1795

- 1 Amend House File 909 as follows:
- 2 1. Page 1, line 24, by striking the figure
- 3 "4,723,306" and inserting the following: "7,620,811".
- 4 2. Page 1, line 35, by striking the figure
- 5 "2,788,223" and inserting the following: "5,685,728".

- 6 3. Page 2, line 2, by striking the figure
 7 "1,385,015" and inserting the following: "2,932,520".
 8 4. Page 2, line 11, by striking the figure "70"
 9 and inserting the following: "115".
 10 5. Page 19, line 8, by striking the figure
 11 "618,696,202" and inserting the following:
 12 "615,798,697".
 13 6. Page 63, line 10, by striking the figure "70"
 14 and inserting the following: "115".

Roll call was requested by Kaufmann of Cedar and Van Fossen of Scott.

On the question "Shall amendment H-1795 be adopted?" (H.F. 909)

The ayes were, 47:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Granzow	Grassley	Greiner
Hoffman	Horbach	Huseman	Jacobs
Kaufmann	Lukan	May	Miller, L.
Olson, S.	Paulsen	Raecker	Rants
Rasmussen	Rayhons	Roberts	Sands
Schickel	Schueller	Soderberg	Struyk
Taylor, D.	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wiencek	Windschitl	Worthan	

The nays were, 52:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heaton	Heddens	Hunter
Huser	Jacoby	Jochum	Kelley
Kressig	Kuhn	Lensing	Lykam
Mascher	McCarthy	Mertz	Miller, H.
Oldson	Olson, D.	Olson, R.	Olson, T.
Palmer	Petersen	Pettengill	Quirk
Reasoner	Reichert	Shomshor	Smith
Staed	Swaim	Taylor, T.	Thomas
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	Mr. Speaker Murphy

Absent or not voting, 1:

Zirkelbach

Amendment H-1795 lost.

Foege of Linn offered amendment H-1822 filed by him as follows:

H-1822

- 1 Amend House File 909 as follows:
- 2 1. Page 2, line 26, by inserting after the word
- 3 "office" the following: "and two local offices".
- 4 2. Page 3, line 14, by striking the figure
- 5 "2,469,438" and inserting the following:
- 6 "2,509,438".
- 7 3. Page 3, by inserting after line 34 the
- 8 following:
- 9 "d. Of the funds appropriated in this subsection,
- 10 \$40,000 shall be distributed to a statewide dental
- 11 association to provide matching funds to continue the
- 12 donated dental services program patterned after the
- 13 projects developed by the national foundation of
- 14 dentistry for the handicapped to provide dental
- 15 services to indigent elderly and disabled
- 16 individuals."
- 17 4. Page 4, line 4, by striking the figure
- 18 "1,742,840" and inserting the following: "1,842,840".
- 19 5. Page 4, by inserting after line 5 the
- 20 following:
- 21 "Of the funds appropriated in this subsection,
- 22 \$100,000 shall be used as additional funding to
- 23 provide grants to individual patients who have
- 24 phenylketonuria (PKU) to assist with the costs of
- 25 necessary special foods."
- 26 6. Page 6, line 23, by striking the figure "6.00"
- 27 and inserting the following: "9.00".
- 28 7. Page 7, line 3, by striking the figure
- 29 "2,190,000" and inserting the following: "1,690,000".
- 30 8. Page 7, by striking lines 4 through 8.
- 31 9. Page 8, line 11, by striking the figure
- 32 "15,030,248" and inserting the following:
- 33 "14,509,630".
- 34 10. Page 10, by striking lines 25 through 34.
- 35 11. Page 15, by inserting before line 15 the
- 36 following:
- 37 "Notwithstanding section 8.33, not more than 5
- 38 percent of the moneys designated in this lettered
- 39 paragraph that are allocated by the department for
- 40 contracted services other than family development and
- 41 self-sufficiency grant program services allocated

42 under this subsection, that remain unencumbered or
43 unobligated at the close of the fiscal year shall not
44 revert but shall remain available for expenditure for
45 the purposes designated until the close of the
46 succeeding fiscal year. However, unless such moneys
47 are encumbered or obligated on or before September 30,
48 2008, the moneys shall revert."
49 12. Page 15, by striking lines 21 through 26 and
50 inserting the following: "be credited to the FIP

Page 2

1 account, a portion may be used to increase recoveries,
2 and a portion may be used to sustain cash flow in the
3 child support payments account. If as a result, the
4 appropriations allocated in this section are
5 insufficient to sustain cash assistance payments and
6 meet federal maintenance of effort requirements, the
7 department shall seek supplemental funding."

8 13. Page 15, by inserting after line 30 the
9 following:

10 "6A. If the department determines that the
11 appropriations allocated in this section are
12 insufficient to sustain cash assistance payments and
13 to meet federal maintenance of effort requirements,
14 the department shall seek supplemental funding."

15 14. Page 16, line 5, by striking the figure
16 "42,608,263" and inserting the following:
17 "42,658,263".

18 15. Page 16, line 12, by striking the figure
19 "200,000" and inserting the following: "250,000".

20 16. Page 17, by striking lines 14 through 26 and
21 inserting the following:

22 "5. The department of human services shall
23 identify options and resources needed to support
24 responsible fatherhood. The department shall report
25 on or before December 15, 2007, concerning the options
26 considered, potential funding opportunities, and any
27 options subsequently initiated to the persons
28 designated in this Act to receive reports."

29 17. Page 18, by striking lines 26 through 30 and
30 inserting the following: "is not exceeded at the
31 close of the fiscal year."

32 18. Page 19, line 8, by striking the figure
33 "618,696,202" and inserting the following:
34 "618,926,820".

35 19. Page 21, by striking line 10 and inserting
36 the following: "the appropriations in this division
37 of this Act for general administration, the state
38 children's health insurance program,".

39 20. Page 21, by striking lines 26 through 34 and
40 inserting the following:

41 " _____. The drug utilization review commission shall
 42 monitor the smoking cessation benefit provided under
 43 the medical assistance program and shall provide a
 44 report of utilization, client success,
 45 cost-effectiveness, and recommendations for any
 46 changes in the benefit to the persons designated in
 47 this Act to receive reports by January 15, 2008."
 48 21. Page 22, line 7, by inserting after the word
 49 "contracts," the following: "the state children's
 50 health insurance program,".

Page 3

1 22. Page 22, by inserting after line 27 the
 2 following:

3 "_____. Of the funds appropriated in this section,
 4 \$230,618 shall be used as additional funding to reduce
 5 the waiting list for the children's mental health home
 6 and community-based services waiver."

7 23. Page 27, line 13, by striking the figure
 8 "88,420,320" and inserting the following:
 9 "88,520,320".

10 24. Page 27, line 33, by striking the figure
 11 "36,016,527" and inserting the following:
 12 "35,916,527".

13 25. Page 32, line 27, by striking the figure
 14 "103,000" and inserting the following: "203,000".

15 26. Page 35, lines 5 and 6, by striking the words
 16 "continue funding for children in group foster care"
 17 and inserting the following: "supplement the
 18 statewide expenditure target amount under section
 19 232.143 designated in the appropriation made in this
 20 Act for child and family services".

21 27. Page 45, by striking lines 21 through 24.

22 28. Page 49, by striking lines 9 through 20 and
 23 inserting the following:

24 "Sec. _____. MEDICAL ASSISTANCE – NURSING FACILITY
 25 REIMBURSEMENT. There is appropriated from the general
 26 fund of the state to the department of human services
 27 for the fiscal year beginning July 1, 2006, and ending
 28 June 30, 2007, the following amount, or so much
 29 thereof as is necessary, to be used for the purposes
 30 designated:

31 For the purpose of funding total nursing facility
 32 budget expenditures under the medical assistance
 33 program including rebasing of the case-mix nursing
 34 facility rates and non-case-mix nursing
 35 facility-related expenditures as provided in this Act,
 36 for expenditure after June 30, 2007:

37 \$ 10,400,000

38 Notwithstanding section 8.33, moneys appropriated
 39 in this section that remain unencumbered or

40 unobligated at the close of the fiscal year shall not
41 revert but shall remain available for expenditure for
42 the purpose designated until the close of the
43 succeeding fiscal year."

44 29. Page 50, line 11, by striking the words "this
45 division of".

46 30. Page 52, by inserting after line 16 the
47 following:

48 "Sec.____. Section 249A.3, subsections 4, 5A, and
49 5B, Code 2007, are amended to read as follows:

50 4. Discretionary medical assistance, within the

Page 4

1 limits of available funds and in accordance with
2 section 249A.4, subsection 1, may be provided to or on
3 behalf of those individuals and families described in
4 subsection 2, paragraph "k" of this section.

5 5A. In determining eligibility for children under
6 subsection 1, paragraphs "b", "f", "g", "j", "k", "n",
7 and "s"; subsection 2, paragraphs "c", "e", "f", "h",
8 and "k"; and subsection 5, paragraph "b", all
9 resources of the family, other than monthly income,
10 shall be disregarded.

11 5B. In determining eligibility for adults under
12 subsection 1, paragraphs "b", "e", "h", "j", "k", "n",
13 "s", and "t"; subsection 2, paragraphs "d", "e", "h",
14 "k", and "l"; and subsection 5, paragraph "b",
15 one motor vehicle per household shall be disregarded."

16 31. Page 55, by inserting after line 29 by
17 following:

18 "Notwithstanding section 8.33, moneys appropriated
19 in this subsection that remain unencumbered or
20 unobligated at the close of the fiscal year shall not
21 revert but shall remain available for expenditure in
22 the succeeding fiscal year."

23 32. Page 59, line 19, by striking the figure
24 "1,500,000" and inserting the following: "1,850,000".

25 33. Page 59, line 22, by inserting after the word
26 "year." the following: "Of this amount, \$350,000
27 shall be used to supplement other funding to reduce
28 the waiting list for the children's mental health home
29 and community-based services waiver."

30 34. Page 61, by striking lines 12 through 16 and
31 inserting the following:

32 "____. The provision making the appropriation from
33 the general fund of the state for the fiscal year
34 beginning July 1, 2006, and ending June 30, 2007, for
35 the purpose of funding total nursing facility budget
36 expenditures including rebasing of the case-mix
37 nursing facility rates and non-case-mix nursing
38 facility-related expenditures, for expenditure after

39 June 30, 2007."
 40 35. Page 64, by inserting after line 2 the
 41 following:
 42 "If legislation is enacted by the Eighty-second
 43 General Assembly, 2007 Session, transferring full
 44 responsibility for the oversight of assisted living
 45 programs, adult day services programs, and elder group
 46 homes from the department of elder affairs to the
 47 department of inspections and appeals, the
 48 appropriation in this section is increased by \$349,051
 49 and the number of full-time equivalent positions
 50 authorized is increased by 2.50 full-time equivalent

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1 positions."
 2 36. Page 65, by striking lines 20 through 32.
 3 37. Page 78, line 23, by striking the figure
 4 "8,882,254" and inserting the following: "8,200,254".
 5 38. Page 78, by inserting after line 33 the
 6 following:
 7 "c. Of the funds appropriated in this subsection,
 8 \$255,000 may be utilized by the department for
 9 administrative purposes.
 10 d. Of the funds appropriated in this subsection,
 11 \$682,000 shall be used for substance abuse treatment
 12 activities."
 13 39. Page 79, by inserting after line 19 the
 14 following:
 15 "..... FTEs 1.00"
 16 40. Page 79, line 27, by inserting after the word
 17 "life." the following: "The department shall utilize
 18 one of the full-time equivalent positions authorized
 19 in this subsection for administration of the
 20 activities related to the Iowa consortium for
 21 comprehensive cancer control."
 22 41. Page 82, line 11, by striking the figure
 23 "77,965,357" and inserting the following:
 24 "78,065,357".
 25 42. Page 82, line 22, by inserting after the word
 26 "family" the following: "and child".
 27 43. Page 82, line 23, by striking the word
 28 "program" and inserting the following: "programs".
 29 44. Page 82, line 25, by striking the figure
 30 "1,495,405" and inserting the following: "1,995,405".
 31 45. Page 82, line 29, by striking the figure
 32 "1,360,301" and inserting the following: "860,301".
 33 46. Page 89, by striking lines 12 through 20.
 34 47. Page 95, line 34, by striking the words
 35 "During the".
 36 48. By striking page 95, line 35, through page
 37 96, line 11.

38 49. Page 97, line 8, by striking the words "and
39 habilitation services".

40 50. Page 99, by striking lines 18 through 32.

41 51. Page 106, by inserting after line 21 the
42 following:

43 "DIVISION

44 NATIONAL DISASTER MEDICAL SYSTEM – EMPLOYMENT
45 PROTECTION

46 Sec. _____. Section 29A.28, subsection 1, Code 2007,
47 is amended to read as follows:

48 1. All officers and employees of the state, or a
49 subdivision thereof, or a municipality other than
50 employees employed temporarily for six months or less,

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1 who are members of the national guard, organized
2 reserves or any component part of the military, naval,
3 or air forces or nurse corps of this state or nation,
4 or who are or may be otherwise inducted into the
5 military service of this state or of the United
6 States, or who are members of the civil air patrol,
7 shall, when ordered by proper authority to state
8 active duty, state military service, or federal
9 service, or when performing a civil air patrol mission
10 pursuant to section 29A.3A, be entitled to a leave of
11 absence from such civil employment for the period of
12 state active duty, state military service, federal
13 service, or civil air patrol duty without loss of
14 status or efficiency rating, and without loss of pay
15 during the first thirty days of such leave of absence.

16 Where state active duty, state military service,
17 federal service, or civil air patrol duty is for a
18 period of less than thirty days, a leave of absence
19 under this section shall only be required for those
20 days that the civil employee would normally perform
21 services for the state, subdivision of the state, or a
22 municipality. The provisions of this section shall
23 also apply to a leave of absence by a member of the
24 national disaster medical system of the United States
25 when activated for federal service with the system.

26 Sec. _____. EFFECTIVE DATE. This division of this
27 Act, being deemed of immediate importance, takes
28 effect upon enactment and is applicable on and after
29 that date.

30 Sec. _____. IMPLEMENTATION OF ACT. Section 25B.2,
31 subsection 3, Code 2007, shall not apply to this
32 division of this Act."

33 52. By renumbering as necessary.

Heaton of Henry asked and received unanimous consent that amendment H-1831 be deferred.

Heaton of Henry offered the following amendment H-1845, to amendment H-1822, filed by him from the floor and moved its adoption:

H-1845

- 1 Amend the amendment, H-1822, to House File 909, as
- 2 follows:
- 3 1. Page 2, by inserting after line 17 the
- 4 following:
- 5 "____. Page 16, line 12, by inserting after the
- 6 figure "3." the following: "a."
- 7 2. Page 2, by inserting after line 19 the
- 8 following:
- 9 "____. Page 16, by inserting after line 21 the
- 10 following:
- 11 "b. The general assembly supports efforts by the
- 12 organization receiving funding under this subsection
- 13 to create a statewide earned income tax credit and
- 14 asset-building coalition to achieve both of the
- 15 following purposes:
- 16 (1) Expanding the usage of the tax credit through
- 17 new and enhanced outreach and marketing strategies as
- 18 well as identifying new local sites and human and
- 19 financial resources.
- 20 (2) Assessing and recommending various strategies
- 21 for lowans to develop assets through savings,
- 22 individual development accounts, financial literacy,
- 23 anti-predatory lending initiatives, informed home
- 24 ownership, use of various forms of support for work,
- 25 and microenterprise business development targeted to
- 26 persons who are self-employed or have fewer than five
- 27 employees."
- 28 3. By renumbering as necessary.

Amendment H-1845 was adopted.

Raecker of Polk offered the following amendment H-1839, to amendment H-1822, filed by him and moved its adoption:

H-1839

- 1 Amend the amendment, H-1822, to House File 909, as
- 2 follows:
- 3 1. Page 2, line 34, by striking the figure
- 4 "618,926,820" and inserting the following:

- 5 "629,326,820".
 6 2. Page 3, by striking lines 22 through 43 and
 7 inserting the following:
 8 "____. Page 49, by striking lines 9 through 20."
 9 3. Page 4, by striking lines 30 through 39 and
 10 inserting the following:
 11 "____. Page 61, by striking lines 12 through 16."

Roll call was requested by Raecker of Polk and Van Fossen of Scott.

On the question "Shall amendment H-1839 be adopted?" (H.F. 909)

The ayes were, 47:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Granzow	Grassley	Greiner
Heaton	Hoffman	Horbach	Huseman
Huser	Jacobs	Kaufmann	Lukan
May	Miller, L.	Olson, S.	Paulsen
Raecker	Rants	Rasmussen	Rayhons
Roberts	Sands	Schickel	Soderberg
Struyk	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wiencck	Windschitl	Worthan	

The nays were, 51:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Mertz	Miller, H.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Quirk	Reasoner	Reichert	Schueller
Shomshor	Smith	Staed	Swaim
Taylor, D.	Taylor, T.	Thomas	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Winckler	Wise	Mr. Speaker	
		Murphy	

Absent or not voting, 2:

Pettengill	Zirkelbach
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Amendment H-1839 lost.

Upmeyer of Hancock offered the following amendment H-1828, to amendment H-1822, filed by her and moved its adoption:

H-1828

- 1 Amend the amendment, H-1822, to House File 909, as
- 2 follows:
- 3 1. Page 2, by striking lines 39 through 47.
- 4 2. By renumbering as necessary.

Roll call was requested by Upmeyer of Hancock and Smith of Marshall.

On the question "Shall amendment H-1828 be adopted?" (H.F. 909)

The ayes were, 47:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Granzow	Grassley	Greiner
Heaton	Hoffman	Horbach	Huseman
Jacobs	Kaufmann	Lukan	May
Miller, L.	Olson, S.	Paulsen	Raecker
Rants	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Taylor, D.	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wienczek	Windschitl	Worthan	

The nays were, 51:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cphoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Quirk	Reasoner	Reichert
Schueller	Shomshor	Smith	Staed
Swaim	Taylor, T.	Thomas	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Winckler	Wise	Mr. Speaker	
		Murphy	

Absent or not voting, 2:

Pettengill

Zirkelbach

Amendment H-1828 lost.

Upmeyer of Hancock offered the following amendment H-1846, to amendment H-1822, filed by her from the floor and moved its adoption:

H-1846

- 1 Amend the amendment, H-1822, to House File 909 as
- 2 follows:
- 3 1. Page 5, line 4, by striking the figure
- 4 "8,200,254" and inserting the following: "6,882,254".
- 5 2. Page 5, line 11, by striking the figure
- 6 "682,000" and inserting the following: "2,000,000".

A non-record roll call was requested.

The ayes were 46, nays 50.

Amendment H-1846 lost.

Foege of Linn offered the following amendment H-1852, to amendment H-1822, filed by him from the floor and moved its adoption:

H-1852

- 1 Amend the amendment, H-1822, to House File 909 as
- 2 follows:
- 3 1. Page 1, by striking line 11, and inserting the
- 4 following: "carrier to provide funds to continue
- 5 the".

Amendment H-1852 was adopted, placing out of order amendment H-1831, previously deferred, filed by Heaton of Henry on April 19, 2007.

On motion by Foegen of Linn, amendment H-1822, as amended, was adopted, placing the following amendments filed on April 19, 2007, out of order.

Amendment H-1792 filed by Raecker of Polk.

Amendment H-1802 filed by Rants of Woodbury, et al.

Amendment H-1803 filed by Tymeson of Madison, et al.

Amendment H-1805 filed by L. Miller of Scott, et al.

Amendment H-1807 filed by Upmeyer of Hancock.

Amendment H-1818 filed by L. Miller of Scott, et al.

Amendment H-1830 filed by Granzow, et al.

Amendment H-1848 filed by L. Miller of Scott from the floor.

Struyk of Pottawattamie offered the following amendment H-1783 filed by him and moved its adoption:

H-1783

1 Amend House File 909 as follows:

2 1. Page 3, by striking lines 6 through 8.

Roll call was requested by Struyk of Pottawattamie and Rants of Woodbury.

On the question "Shall amendment H-1783 be adopted?" (H.F. 909)

The ayes were, 48:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Granzow	Grassley	Greiner
Heaton	Hoffman	Horbach	Huseman
Huser	Jacobs	Kaufmann	Lukan
May	Mertz	Miller, L.	Olson, S.
Paulsen	Raecker	Rants	Rasmussen
Rayhons	Roberts	Sands	Schickel
Soderberg	Struyk	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wienczek	Windschitl	Worthan

The nays were, 49:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Davitt	Foege
Ford	Frevert	Gaskill	Gayman
Heddens	Hunter	Jacoby	Jochum
Kelley	Kressig	Kuhn	Lensing
Lykam	Mascher	McCarthy	Miller, H.
Oldson	Olson, D.	Olson, R.	Olson, T.

Palmer	Petersen	Quirk	Reasoner
Reichert	Schueller	Shomshor	Smith
Staed	Swaim	Taylor, D.	Taylor, T.
Thomas	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise
Mr. Speaker			
Murphy			

Absent or not voting, 3:

Dandekar Pettengill Zirkelbach

Amendment H-1783 lost.

Tymeson of Madison offered the following amendment H-1811 filed by her and moved its adoption:

H-1811

1 Amend House File 909 as follows:
 2 1. Page 8, by inserting after line 6 the
 3 following:
 4 "The amount appropriated and full-time equivalent
 5 positions authorized in this subsection includes
 6 \$91,946 and 2.0 FTEs for cemetery personnel. To the
 7 extent personnel for the authorized positions are not
 8 employed as of October 1, 2007, the unused portion of
 9 the funding shall be transferred and credited to the
 10 veterans trust fund on October 2, 2007."

Amendment H-1811 lost.

Tymeson of Madison offered the following amendment H-1813 filed by her and Bailey of Hamilton and moved its adoption:

H-1813

1 Amend House File 909 as follows:
 2 1. Page 9, by inserting after line 3 the
 3 following:
 4 "Notwithstanding section 8.33, moneys appropriated
 5 in this subsection that remain unencumbered or
 6 unobligated at the close of the fiscal year shall not
 7 revert to the fund from which appropriated but shall
 8 be credited to the veterans trust fund."
 9 2. Page 61, line 3, by inserting after the word
 10 "year." the following: "Of the amount addressed in
 11 this paragraph, not more than \$150,000 shall be used
 12 to employ persons to fill two administrative full-time

13 equivalent positions in the department of veterans
14 affairs in addition to the number of positions
15 authorized for the department. If one or both of the
16 two positions are not employed by October 1, 2007, the
17 unused funding shall be credited to the veterans trust
18 fund on October 2, 2007. Otherwise, any remainder
19 from the amount addressed in this paragraph that
20 remains unencumbered or unobligated at the close of
21 the fiscal year shall not be credited to the fund from
22 which appropriated but shall be credited to the
23 veterans trust fund."

Amendment H-1813 was adopted.

Bailey of Hamilton offered the following amendment H-1838 filed by him and moved its adoption:

H-1838

1 Amend House File 909 as follows:
2 1. Page 9, line 21, by striking the figure
3 "2,000,000" and inserting the following: "1,000,000".
4 2. By striking page 9, line 29, through page 10,
5 line 1, and inserting the following:
6 "The appropriation and allocations made in this
7 section are contingent upon the Iowa finance authority
8 making a determination prior to January 1, 2008, that
9 the amount appropriated for purposes of the home
10 ownership assistance program in 2007 Iowa Acts, Senate
11 File 95, will be completely expended prior to January
12 1, 2008. The authority's determination requires the
13 concurrence of the department of management. At least
14 two weeks prior to the contingency provided in this
15 paragraph being exercised, the authority's
16 determination shall be reported to the fiscal
17 committee of the legislative council. If the amount
18 appropriated in this section is insufficient to meet
19 the need for the fiscal year, the authority shall
20 request supplemental funding from the governor and the
21 general assembly."

Amendment H-1838 was adopted.

Tymeson of Madison asked and received unanimous consent to withdraw amendment H-1829 filed by her on April 19, 2007.

Tymeson of Madison offered the following amendment H-1810 filed by her and moved its adoption:

H-1810

- 1 Amend House File 909 as follows:
- 2 1. Page 10, by inserting after line 1 the
- 3 following:
- 4 "Sec.____. VETERANS NEEDS REPORT. The executive
- 5 director of the department of veterans affairs shall
- 6 prepare a report regarding the needs of veterans. The
- 7 report shall include a comprehensive survey of
- 8 existing benefits and services being provided to Iowa
- 9 veterans at the local, state, and national levels, a
- 10 comparison of Iowa veterans benefits and services
- 11 programs with such programs offered in other states,
- 12 the deficiencies in benefits and services identified
- 13 by the commission, and any recommendations for
- 14 eliminating the deficiencies identified. The
- 15 completed report shall be approved by the commission
- 16 of veterans affairs prior to submission of the report
- 17 to the general assembly, which shall be done by
- 18 October 15, 2008."
- 19 2. By renumbering as necessary.

Amendment H-1810 was adopted.

Heaton of Henry offered the following amendment H-1817 filed by him and Lukan of Dubuque and moved its adoption:

H-1817

- 1 Amend House File 909 as follows:
- 2 1. Page 17, line 35, by striking the figure
- 3 "9,760,000" and inserting the following: "9,800,000".
- 4 2. Page 18, line 1, by striking the figure
- 5 "508.00" and inserting the following: "508.50".
- 6 3. Page 18, by inserting after line 30 the
- 7 following:
- 8 "____. The department shall utilize .50 of the
- 9 full-time equivalent positions authorized in this
- 10 section to provide an additional .50 child support
- 11 recovery unit investigator position."
- 12 4. Page 42, line 14, by striking the figure
- 13 "16,001,927" and inserting the following:
- 14 "15,961,927".
- 15 5. By renumbering as necessary.

Bukta of Clinton in the chair at 11:39 a.m.

Roll call was requested by Heaton of Henry and Lukan of Dubuque.

On the question "Shall amendment H-1817 be adopted?" (H.F. 909)

The ayes were, 46:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Granzow	Grassley	Greiner
Heaton	Hoffman	Horbach	Huseman
Jacobs	Kaufmann	Lukan	May
Miller, L.	Olson, S.	Paulsen	Raecker
Rants	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wienczek
Windschitl	Worthan		

The nays were, 53:

Abdul-Samad	Bailey	Bell	Berry
Cohoon	Dandekar	Davitt	Foege
Ford	Frevert	Gaskill	Gayman
Heddens	Hunter	Huser	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Mertz	Miller, H.	Murphy, Spkr.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Pettengill	Quirk	Reasoner
Reichert	Schueller	Shomshor	Smith
Staed	Swaim	Taylor, D.	Taylor, T.
Thomas	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise
Bukta,			
Presiding			

Absent or not voting, 1:

Zirkelbach

Amendment H-1817 lost.

Heaton of Henry offered the following amendment H-1786 filed by him and Paulsen of Linn, and moved its adoption:

H-1786

- 1 Amend House File 909 as follows:
- 2 1. Page 20, line 3, by inserting after the word
- 3 "system." the following: "The department shall not

- 4 assume management of the substance abuse system in
 5 place of the managed care contractor unless such a
 6 change in approach is specifically authorized in law."

Amendment H-1786 was adopted.

Ford of Polk asked and received unanimous consent that amendment H-1856 be deferred.

Gayman of Scott offered amendment H-1850 by her and Heddens of Story from the floor as follows:

H-1850

1 Amend House File 909 as follows:

- 2 1. Page 31, line 32, by inserting after the
 3 figure "234.46." the following: "Of the amount
 4 allocated in this subsection, \$210,000 is transferred
 5 and credited to the risk pool in the property tax
 6 relief fund."
 7 2. Page 36, line 13, by striking the figure
 8 "5,367,652" and inserting the following: "5,273,361".
 9 3. Page 36, line 19, by striking the figure
 10 "6,540,101" and inserting the following: "6,409,501".
 11 4. Page 36, line 25, by striking the figure
 12 "9,606,542" and inserting the following: "9,358,177".
 13 5. Page 36, line 31, by striking the figure
 14 "1,522,598" and inserting the following: "1,339,216".
 15 6. Page 42, line 14, by striking the figure
 16 "16,001,927" and inserting the following:
 17 "15,901,927".
 18 7. Page 59, line 33, by inserting after the word
 19 "year." the following: "In addition, of the moneys
 20 appropriated in this section that remain unencumbered
 21 or unobligated at the close of the fiscal year,
 22 \$250,000 shall be credited to the risk pool in the
 23 property tax relief fund."
 24 8. Page 70, by inserting after line 17 the
 25 following:
 26 "Sec. ____ RISK POOL. There is appropriated from
 27 the general fund of the state to the department of
 28 human services for the fiscal year beginning July 1,
 29 2007, and ending June 30, 2008, the following amount,
 30 or so much thereof as is necessary, to be used for the
 31 purposes designated:
 32 To be credited to the risk pool in the property tax
 33 relief fund for distribution in accordance with
 34 section 426B.5, subsection 2:
 35 \$ 756,638"
 36 9. Page 74, by inserting after line 13 the

37 following:

38 "1B. There is appropriated from the general fund
39 of the state to the department of human services for
40 the fiscal year beginning July 1, 2007, and ending
41 June 30, 2008, the following amount, or so much
42 thereof as is necessary, to be used for the purpose
43 designated:

44 For distribution to counties that meet the
45 requirements of this subsection:

46 \$ 12,000,000

47 a. To be eligible to receive an allocation under
48 this subsection, a county must meet the following
49 requirements:

50 (1) The county is levying for the maximum amount

Page 2

1 allowed for the county's mental health, mental
2 retardation, and developmental disabilities services
3 fund under section 331.424A for taxes due and payable
4 in the fiscal year beginning July 1, 2007, or the
5 county is levying for at least 90 percent of the
6 maximum amount allowed for the county's services fund
7 and that levy rate is more than \$2 per \$1,000 of the
8 assessed value of all taxable property in the county.

9 (2) In the fiscal year beginning July 1, 2006, the
10 county's mental health, mental retardation, and
11 developmental disabilities services fund ending
12 balance under generally accepted accounting principles
13 was equal to or less than 15 percent of the county's
14 actual gross expenditures for that fiscal year.

15 b. A county's allocation of the amount
16 appropriated in this subsection shall be determined
17 based upon the county's proportion of the general
18 population of the counties eligible to receive an
19 allocation under this subsection. The most recent
20 population estimates issued by the United States
21 bureau of the census shall be applied in determining
22 population for the purposes of this paragraph.

23 c. The allocations made pursuant to this
24 subsection are subject to the distribution provisions
25 and withholding requirements established in this
26 section for the county mental health, mental
27 retardation, and developmental disabilities allowed
28 growth factor adjustment for the fiscal year beginning
29 July 1, 2007."

30 10. Page 77, by striking lines 21 through 26.

31 11. Page 77, by inserting after line 27 the
32 following:

33 "DIVISION
34 MH/MR/DD DATA REPORTING
35 - RISK POOL ASSISTANCE

36 Sec. _____. Section 225C.6A, subsection 2, paragraph
37 c, Code 2007, is amended by adding the following new
38 subparagraph:

39 NEW SUBPARAGRAPH. (3) Each county shall report to
40 the department annually on or before December 1, for
41 the preceding fiscal year the following information
42 for each individual served: demographic information,
43 expenditure data, and data concerning the services and
44 other support provided to each individual, as
45 specified in administrative rule adopted by the
46 commission.

47 Sec. _____. Section 331.439, subsection 1, paragraph
48 a, Code 2007, is amended to read as follows:

49 a. The county accurately reported by December 1
50 the county's expenditures for mental health, mental

Page 3

1 retardation, and developmental disabilities services
2 and the information required under section 225C.6A,
3 subsection 2, paragraph "c", for the previous fiscal
4 year on forms prescribed by rules adopted by the
5 department of human services state commission.

6 Sec. _____. Section 426B.5, subsection 2, Code 2007,
7 is amended to read as follows:

8 2. RISK POOL.

9 a. For the purposes of this subsection, unless the
10 context otherwise requires,

11 (1) ~~"Net expenditure amount" means a county's~~
12 ~~gross expenditures from the services fund for a fiscal~~
13 ~~year as adjusted by subtracting all services fund~~
14 ~~revenues for that fiscal year that are received from a~~
15 ~~source other than property taxes, as calculated on a~~
16 ~~modified accrual basis.~~

17 (2) ~~"Services "~~services fund" means a county's
18 mental health, mental retardation, and developmental
19 disabilities services fund created in section
20 331.424A.

21 b. A risk pool is created in the property tax
22 relief fund. The pool shall consist of the moneys
23 credited to the pool by law.

24 c. A risk pool board is created. The board shall
25 consist of two county supervisors, two county
26 auditors, a member of the mental health, mental
27 retardation, developmental disabilities, and brain
28 injury commission who is not a member of a county
29 board of supervisors, a member of the county finance
30 committee created in chapter 333A who is not an
31 elected official, a representative of a provider of
32 mental health or developmental disabilities services
33 selected from nominees submitted by the Iowa
34 association of community providers, and two central

35 point of coordination process administrators, all
36 appointed by the governor, and one member appointed by
37 the director of human services. All members appointed
38 by the governor shall be subject to confirmation by
39 the senate. Members shall serve for three-year terms.
40 A vacancy shall be filled in the same manner as the
41 original appointment. Expenses and other costs of the
42 risk pool board members representing counties shall be
43 paid by the county of origin. Expenses and other
44 costs of risk pool board members who do not represent
45 counties shall be paid from a source determined by the
46 governor. Staff assistance to the board shall be
47 provided by the department of human services and
48 counties. Actuarial expenses and other direct
49 administrative costs shall be charged to the pool.
50 d. (4) A county must apply to the risk pool board

Page 4

1 for assistance from the risk pool on or before January
2 ~~25 to cover an unanticipated net expenditure amount in~~
3 ~~excess of the county's current fiscal year budgeted~~
4 ~~net expenditure amount for the county's services fund.~~
5 The risk pool board shall make its final decisions on
6 or before February 25 regarding acceptance or
7 rejection of the applications for assistance and the
8 total amount accepted shall be considered obligated.
9 ~~For purposes of applying for risk pool assistance and~~
10 ~~for repaying unused risk pool assistance, the current~~
11 ~~fiscal year budgeted net expenditure amount shall be~~
12 ~~deemed to be the higher of either the budgeted net~~
13 ~~expenditure amount in the management plan approved~~
14 ~~under section 331.439 for the fiscal year in which the~~
15 ~~application is made or the prior fiscal year's net~~
16 ~~expenditure amount.~~
17 (2) e. Basic eligibility for risk pool assistance
18 shall require a projected net expenditure amount in
19 excess of the sum of one hundred five percent of the
20 county's current fiscal year budgeted net expenditure
21 amount and any amount of the county's prior fiscal
22 year ending fund balance in excess of twenty five
23 percent of the county's gross expenditures from the
24 services fund in the prior fiscal year. However, if a
25 county's services fund ending balance in the previous
26 fiscal year was less than ten percent of the amount of
27 the county's gross expenditures from the services fund
28 for that fiscal year and the county has a projected
29 net expenditure amount for the current fiscal year
30 that is in excess of one hundred one percent of the
31 budgeted net expenditure amount for the current fiscal
32 year, the county shall be considered to have met the
33 basic eligibility requirement and is qualified for

34 ~~risk pool assistance. requires that a county meet all~~
35 ~~of the following conditions:~~
36 ~~(1) The county is in compliance with the~~
37 ~~requirements of section 331.439.~~
38 ~~(2) The county levied the maximum amount allowed~~
39 ~~for the county's services fund under section 331.424A~~
40 ~~for the fiscal year of application for risk pool~~
41 ~~assistance.~~
42 ~~(3) At the close of the fiscal year that~~
43 ~~immediately preceded the fiscal year of application,~~
44 ~~the county's services fund ending balance under~~
45 ~~generally accepted accounting principles was equal to~~
46 ~~or less than twenty percent of the county's actual~~
47 ~~gross expenditures for that fiscal year.~~
48 ~~(3) f. The board shall review the fiscal year-end~~
49 ~~financial records for all counties that are granted~~
50 ~~risk pool assistance. If the board determines a~~

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1 county's actual need for risk pool assistance was less
2 than the amount of risk pool assistance granted to the
3 county, the county shall refund the difference between
4 the amount of assistance granted and the actual need.
5 The county shall submit the refund within thirty days
6 of receiving notice from the board. Refunds shall be
7 credited to the risk pool.
8 ~~(4) A county receiving risk pool assistance in a~~
9 ~~fiscal year in which the county did not levy the~~
10 ~~maximum amount allowed for the county's services fund~~
11 ~~under section 331.424A shall be required to repay the~~
12 ~~risk pool assistance during the two succeeding fiscal~~
13 ~~years. The repayment amount shall be limited to the~~
14 ~~amount by which the actual amount levied was less than~~
15 ~~the maximum amount allowed, with at least fifty~~
16 ~~percent due in the first succeeding fiscal year and~~
17 ~~the remainder due in the second succeeding fiscal~~
18 ~~year.~~
19 ~~(5) g. The board shall determine application~~
20 ~~requirements to ensure prudent use of risk pool~~
21 ~~assistance. The board may accept or reject an~~
22 ~~application for assistance in whole or in part. The~~
23 ~~decision of the board is final.~~
24 ~~(6) h. The total amount of risk pool assistance~~
25 ~~shall be limited to the amount available in the risk~~
26 ~~pool for a fiscal year. If the total amount of~~
27 ~~eligible assistance exceeds the amount available in~~
28 ~~the risk pool, the amount of assistance paid shall be~~
29 ~~prorated among the counties eligible for assistance.~~
30 ~~Moneys remaining unexpended or unobligated in the risk~~
31 ~~pool following the risk pool board's decisions made~~
32 ~~pursuant to subparagraph (1) shall be distributed to~~

33 the counties eligible to receive funding from the
 34 allowed growth factor adjustment appropriation for the
 35 fiscal year using the distribution methodology
 36 applicable to that appropriation. A county shall not
 37 receive more than forty percent of the amount
 38 available in the risk pool for a fiscal year. Any
 39 unobligated balance in the risk pool at the close of a
 40 fiscal year shall remain in the risk pool for
 41 distribution in the succeeding fiscal year.
 42 e. i. A county may apply for preapproval for risk
 43 pool assistance ~~based upon an individual who has an~~
 44 ~~unanticipated disability condition with an exceptional~~
 45 ~~cost and the individual is either new to the county's~~
 46 ~~service system or the individual's unanticipated~~
 47 ~~disability condition is new to the individual.~~
 48 Whether for a preapproval or regular application, risk
 49 pool assistance shall only be made available to
 50 address one or more of the following circumstances:

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1 (1) Continuing support for mandated services.
 2 (2) Avoiding the need for reduction or elimination
 3 of critical services when the reduction or elimination
 4 places consumers' health or safety at risk.
 5 (3) Avoiding the need for reduction or elimination
 6 of critical emergency services when the reduction or
 7 elimination places the public's health or safety at
 8 risk.
 9 (4) Avoiding the need for reduction or elimination
 10 of the services or other support provided to entire
 11 disability populations.
 12 (5) Avoiding the need for reduction or elimination
 13 of services or other support that maintain consumers
 14 in a community setting, creating a risk that the
 15 consumers would be placed in more restrictive, higher
 16 cost settings.
 17 f. j. The department of human services shall
 18 annually calculate the amount of moneys due to
 19 eligible counties in accordance with the board's
 20 decisions and that amount is appropriated from the
 21 risk pool to the department for payment of the moneys
 22 due. The department shall authorize the issuance of
 23 warrants payable to the county treasurer for the
 24 amounts due and the warrants shall be issued before
 25 the close of the fiscal year.
 26 g. k. On or before March 1 and September 1 of
 27 each fiscal year, the department of human services
 28 shall provide the risk pool board with a report of the
 29 financial condition of each funding source
 30 administered by the board. The report shall include
 31 but is not limited to an itemization of the funding

32 source's balances, types and amount of revenues
33 credited, and payees and payment amounts for the
34 expenditures made from the funding source during the
35 reporting period.

36 Sec.____. INFORMATION TECHNOLOGY. The department
37 of human services shall meet with the Iowa state
38 association of counties to develop a joint proposal
39 addressing the information technology needed for
40 counties to comply with the data reporting
41 requirements applicable under this division. The joint
42 proposal shall be submitted to the chairpersons and
43 ranking members of the general assembly's committees
44 on human resources and the joint appropriations
45 subcommittee on health and human services by November
46 15, 2007.

47 Sec.____. EMERGENCY RULES. The mental health,
48 mental retardation, developmental disabilities, and
49 brain injury commission may adopt administrative rules
50 under section 17A.4, subsection 2, and section 17A.5,

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1 subsection 2, paragraph "b", to implement the
2 provisions of this division of this Act and the rules
3 shall become effective immediately upon filing or on a
4 later effective date specified in the rules, unless
5 the effective date is delayed by the administrative
6 rules review committee. Any rules adopted in
7 accordance with this section shall not take effect
8 before the rules are reviewed by the administrative
9 rules review committee. The delay authority provided
10 to the administrative rules review committee under
11 section 17A.4, subsection 5, and section 17A.8,
12 subsection 9, shall be applicable to a delay imposed
13 under this section, notwithstanding a provision in
14 those sections making them inapplicable to section
15 17A.5, subsection 2, paragraph "b". Any rules adopted
16 in accordance with the provisions of this section
17 shall also be published as notice of intended action
18 as provided in section 17A.4.

19 Sec.____. EFFECTIVE DATE - RETROACTIVE
20 APPLICABILITY. This division of this Act, being
21 deemed of immediate importance, takes effect upon
22 enactment and is retroactively applicable to December
23 1, 2006, and is applicable on and after that date for
24 information collected by a county as of that date. A
25 county that has not submitted the data specified in
26 section 225C.6A for the preceding fiscal year as of
27 the effective date of this division, shall submit the
28 data within twenty-five business days of the effective
29 date of the rules adopted to implement the provisions
30 of this division. Unless the department approves an

31 exception for good cause, if a county does not submit
32 the data specified within the required time period,
33 the county is subject to withholding of the county's
34 state payment for property tax relief and allowed
35 growth factor adjustment for the fiscal year beginning
36 July 1, 2007.

37 DIVISION

38 MENTAL HEALTH SERVICES SYSTEM IMPROVEMENT

39 Sec. . NEW SECTION. 225C.6B MENTAL HEALTH
40 SERVICES SYSTEM IMPROVEMENT – LEGISLATIVE INTENT –
41 PLANNING AND IMPLEMENTATION.

42 1. INTENT.

43 a. The general assembly intends for the state to
44 implement a comprehensive, continuous, and integrated
45 state mental health services plan in accordance with
46 the requirements of sections 225C.4 and 225C.6 and
47 other provisions of this chapter, by increasing the
48 department's responsibilities in the development,
49 funding, oversight, and ongoing leadership of mental
50 health services in this state.

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1 b. In order to further the purposes listed in
2 sections 225C.1 and 225C.27 and in other provisions of
3 this chapter, the general assembly intends that
4 efforts focus on the goal of making available a
5 comprehensive array of high-quality, evidence-based
6 consumer and family-centered mental health services
7 and other support in the least restrictive,
8 community-based setting appropriate for a consumer.

9 c. In addition, it is the intent of the general
10 assembly to promote policies and practices that
11 achieve for consumers the earliest possible detection
12 of mental health problems and early intervention; to
13 stress that all health care programs address mental
14 health disorders with the same urgency as physical
15 health disorders; to promote the policies of all
16 public programs that serve adults and children with
17 mental disorders, including but not limited to child
18 welfare, Medicaid, education, housing, criminal and
19 juvenile justice, substance abuse treatment, and
20 employment services; to consider the special mental
21 health needs of adults and children; and to promote
22 recovery and resiliency as expected outcomes for all
23 consumers.

24 2. PLANNING AND IMPLEMENTATION. In order to build
25 upon the partnership between the state and counties in
26 providing mental health and disability services in the
27 state, the workgroups established for purposes of this
28 subsection shall engage equal proportions representing
29 the department, counties, and service providers. The

30 county and provider representatives shall be appointed
31 by the statewide associations representing counties
32 and community providers. In addition, each workgroup
33 shall include a representative of the commission, the
34 mental health planning and advisory council,
35 consumers, and a statewide advocacy organization. A
36 workgroup shall be established for each of the
37 following tasks provided for in this subsection:
38 alternative distribution formulas, community mental
39 health center plan, core mental health services, and
40 the two comprehensive plan items. The division shall
41 perform all of the following tasks in taking steps to
42 improve the mental health services system for adults
43 and children in this state:
44 a. ALTERNATIVE DISTRIBUTION FORMULAS. Identify
45 alternative formulas for distributing mental health,
46 mental retardation, and developmental disabilities
47 allowed growth factor adjustment funding to counties.
48 The alternative formulas shall provide methodologies
49 that, as compared to the current methodologies, are
50 more readily understood, better reflect the needs for

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1 services, respond to utilization patterns, acknowledge
2 historical county spending, and address disparities in
3 funding and service availability. The formulas shall
4 serve to strengthen the partnership between the
5 department and counties in the state's services
6 system. The division may engage assistance from
7 expert consultants with experience with funding
8 allocation systems as necessary to evaluate options.
9 The department shall report with findings and
10 recommendations to the commission on or before
11 November 1, 2007, and shall review and make
12 recommendations to the department on or before
13 December 1, 2007. The department shall submit the
14 final report to the chairpersons and ranking members
15 of the general assembly's committees on human
16 resources and the joint appropriations subcommittee on
17 health and human services, and to associated
18 legislative staff, on or before January 31, 2008.
19 b. COMMUNITY MENTAL HEALTH CENTER PLAN. Prepare a
20 phased plan for increasing state responsibility for
21 and oversight of mental health services provided by
22 community mental health centers and the providers
23 approved to fill the role of a center. The plan shall
24 provide for an initial implementation date of July 1,
25 2008. The plan shall be submitted to the commission
26 on or before October 1, 2007. The commission shall
27 review the plan and provide comments to the department
28 on or before November 1, 2007. The plan shall be

29 submitted to the governor and general assembly on or
30 before January 31, 2008. The department shall ensure
31 that key stakeholders are engaged in the planning
32 process, including but not limited to the commission,
33 mental health services providers, individuals with
34 expertise in the delivery of mental health services,
35 youth and adult consumers, family members of
36 consumers, advocacy organizations, and counties.

37 c. CORE MENTAL HEALTH SERVICES. Identify core
38 mental health services to be offered in each area of
39 the state by community mental health centers and core
40 services agency providers. The workgroup for this
41 task shall be established no later than August 1,
42 2007. The core services shall be designed to address
43 the needs of target populations identified by the
44 workgroup and the services may include but are not
45 limited to emergency services, school-based mental
46 health services, short-term counseling, prescreening
47 for those subject to involuntary treatment orders, and
48 evidence-based practices. The division shall submit
49 to the commission on or before October 1, 2007,
50 proposed administrative rules and legislation to amend

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1 chapter 230A as necessary to implement the core
2 services beginning July 1, 2008. The commission shall
3 review and revise the proposed administrative rules
4 and shall adopt the administrative rules after the
5 general assembly has reviewed and approved the
6 proposal. The proposals shall be submitted to the
7 general assembly for review on or before January 31,
8 2008.

9 d. MENTAL HEALTH AND CORE SERVICE AGENCY STANDARDS
10 AND ACCREDITATION. Identify standards for
11 accreditation of core services agencies that are not a
12 community mental health center but may serve as a
13 provider approved to fill the role of a center. Such
14 core services agencies could be approved to provide
15 core mental health services for children and adults on
16 a regional basis. The standards shall be submitted to
17 the commission for review and recommendation on or
18 before December 1, 2007, and to the governor and
19 general assembly on or before January 31, 2008.

20 e. CO-OCCURRING DISORDERS. The division and the
21 department of public health shall give priority to the
22 efforts underway to develop an implementation plan for
23 addressing co-occurring mental health and substance
24 abuse disorders in order to establish a comprehensive,
25 continuous, and integrated system of care for such
26 disorders. The division and the department of public
27 health shall participate in a policy academy on

28 co-occurring mental health and substance abuse
29 disorders as part of developing an implementation plan
30 for commission review by April 1, 2008. The
31 commission shall review and make recommendations on
32 the plan on or before May 1, 2008. The plan shall then
33 be submitted to the governor and general assembly on
34 or before June 1, 2008. The division may engage
35 experts in the field of co-occurring mental health and
36 substance abuse disorders to facilitate this planning
37 process.

38 f. EVIDENCE-BASED PRACTICES. Begin phased
39 implementation of evidence-based practices for mental
40 health services over a period of several years.

41 (1) Not later than October 1, 2007, in order to
42 provide a reasonable timeline for the implementation
43 of evidence-based practices with mental health and
44 disability services providers, the division shall
45 provide for implementation of two adult and two
46 children evidence-based practices per year over a
47 three-year period.

48 (2) The division shall develop a comprehensive
49 training program concerning such practices for
50 community mental health centers, state resource

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1 centers and mental health institutes, and other
2 providers, in collaboration with the Iowa consortium
3 for mental health and mental health service providers.
4 The division shall consult with experts on behavioral
5 health workforce development regarding implementation
6 of the mental health and disability services training
7 and the curriculum and training opportunities offered.

8 (3) The department shall apply measures to ensure
9 appropriate reimbursement is available to all
10 providers for the implementation of mandated
11 evidence-based practices and request appropriate
12 funding for evidence-based practices from the governor
13 and general assembly as part of the implementation
14 plan. The implementation plan shall be submitted to
15 the governor and general assembly on or before January
16 31, 2008.

17 (4) The department shall provide the commission
18 with a plan for review to implement the provisions of
19 this paragraph "f".

20 g. COMPREHENSIVE PLAN.

21 (1) Complete a written plan describing the key
22 components of the state's mental health services
23 system, including the services addressed in this
24 subsection and those that are community-based, state
25 institution-based, or regional or state-based. The
26 plan shall incorporate the community mental health

27 center plan provisions implemented pursuant to this
28 subsection. The plan shall be submitted to the
29 commission on or before November 15, 2008, and to the
30 governor and general assembly on or before December
31 15, 2008.

32 (2) In addition, complete a written plan for the
33 department to assume leadership and to assign and
34 reassign significant financial responsibility for the
35 components of the mental health services system in
36 this state, including but not limited to the actions
37 needed to implement the provisions of this subsection
38 involving community mental health centers, core mental
39 health services, core services agencies, co-occurring
40 disorders, and evidence-based practices. The plan
41 shall include recommendations for funding levels,
42 payment methodologies for new and existing services,
43 and allocation changes necessary for the department to
44 assume significant financial responsibility for mental
45 health services. The plan shall be submitted to the
46 commission on or before November 15, 2008, and the
47 commission shall provide review and recommendations on
48 the plan to the department on or before December 15,
49 2008. The plan shall be submitted to the governor and
50 general assembly on or before January 15, 2009.

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1 (3) The planning provisions of this paragraph
2 shall be directed toward the goal of strengthening the
3 partnership between the department and counties in the
4 state's services system.

5 DIVISION

6 DECATEGORYIZATION PROJECT FUNDING

7 Sec. ____ 2005 Iowa Acts, chapter 175, section 16,
8 subsection 4, is amended by adding the following new
9 unnumbered paragraph:

10 NEW UNNUMBERED PARAGRAPH. Notwithstanding section
11 8.33, moneys in the allocations made in this
12 subsection or made from any other source for the
13 decategorization of the child welfare and juvenile
14 justice funding initiative under section 232.188 that
15 remain unencumbered or unobligated at the close of the
16 fiscal year beginning July 1, 2006, shall not revert
17 but shall remain available for expenditure for the
18 purposes allocated until the close of the succeeding
19 fiscal year. Priority for the moneys addressed in
20 this paragraph shall be given to services for children
21 with special needs such as mental health needs, sexual
22 abuse victims or offenders, and substance abuse. If
23 moneys addressed in this paragraph are used to support
24 services for children with special needs that were
25 previously provided under a county contract funded

26 from a county's mental health, mental retardation, and
 27 developmental disabilities services fund under section
 28 331.424A, a decategorization project may contract with
 29 a provider of such services in place of the county
 30 contract, notwithstanding any request for proposals
 31 requirement otherwise applicable under section 8A.311.
 32 Sec.____. EFFECTIVE DATE. This division of this
 33 Act, being deemed of immediate importance, takes
 34 effect upon enactment.

35 DIVISION
 36 COUNTY FUNDS

37 Sec.____. Notwithstanding section 331.424A,
 38 subsection 5, and section 331.432, subsection 3, for
 39 the fiscal year beginning July 1, 2007, a county may
 40 transfer moneys from other funds of the county to the
 41 county's services fund created in section 331.424A."

42 12. Page 79, line 34, by striking the figure
 43 "3,125,000" and inserting the following: "3,025,000".

44 13. Page 80, line 4, by striking the figure
 45 "300,000" and inserting the following: "200,000".

46 14. Page 83, by inserting after line 28 the
 47 following:

48 "4. MH/MR/DD RISK POOL

49 \$ 100,000

50 The funds appropriated in this subsection shall be

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1 credited to the risk pool in the property tax relief
 2 fund created in section 426B.1."

3 15. Page 97, line 31, by inserting after the word
 4 "persons" the following: "with chronic mental
 5 illness".

6 16. Page 97, line 33, by striking the word
 7 "habilitation" and inserting the following: "such".

8 17. Page 97, line 34, by inserting after the word
 9 "such" the following: "adult".

10 18. By renumbering as necessary.

Raecker of Polk offered the following amendment H-1855, to
 amendment H-1850, filed by him from the floor and moved its
 adoption:

Speaker Murphy in the chair at 12:06 p.m.

H-1855

1 Amend the amendment, H-1850, to House File 909 as
 2 follows:

3 1. Page 1, line 46, by striking the figure

4 "12,000,000" and inserting the following:

5 "16,000,000".

Roll call was requested by Raecker of Polk and Smith of Marshall.

On the question "Shall amendment H-1855 be adopted?" (H.F. 909)

The ayes were, 46:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Granzow	Grassley	Greiner
Heaton	Hoffman	Horbach	Huseman
Jacobs	Kaufmann	Lukan	May
Miller, L.	Olson, S.	Paulsen	Raecker
Rants	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wiencsek
Windschitl	Worthan		

The nays were, 53:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Pettengill	Quirk	Reasoner
Reichert	Schueller	Shomshor	Smith
Staed	Swaim	Taylor, D.	Taylor, T.
Thomas	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise
Mr. Speaker			
Murphy			

Absent or not voting, 1:

Zirkelbach

Amendment H-1855 lost.

Gayman of Scott offered the following amendment H-1860, to amendment H-1853, filed by her from the floor and moved its adoption:

H-1860

- 1 Amend the amendment, H-1850, to House File 909 as
- 2 follows:
- 3 1. Page 12, line 39, by inserting after the
- 4 figure "2007," the following: "and ending June 30,
- 5 2008,".

Amendment H-1860 was adopted.

Rants of Woodbury asked and received unanimous consent to withdraw amendment H-1853, to amendment H-1850, filed by him from the floor.

Heddens of Story offered the following amendment H-1851, to amendment H-1850, filed by her and Gayman of Scott from the floor and moved its adoption:

H-1851

- 1 Amend the amendment, H-1850, to House File 909 as
- 2 follows:
- 3 1. Page 13, by striking lines 3 through 9 and
- 4 inserting the following:
- 5 "____. By striking page 97, line 17, through page
- 6 98, line 1, and inserting the following:
- 7 "Sec.____. Section 249A.26, subsection 4, Code
- 8 2007, is amended to read as follows:
- 9 4. The county of legal settlement shall pay for
- 10 one hundred percent of the nonfederal share of the
- 11 cost of services provided to adult persons with
- 12 chronic mental illness ~~implemented under the adult~~
- 13 ~~rehabilitation option of the state medical assistance~~
- 14 ~~plan who qualify for habilitation services in~~
- 15 ~~accordance with the rules adopted for the services.~~
- 16 The state shall pay for one hundred percent of the
- 17 nonfederal share of the cost of such services provided
- 18 to such persons who have no legal settlement or the
- 19 legal settlement is unknown so that the persons are
- 20 deemed to be state cases.""
- 21 2. By renumbering as necessary.

Amendment H-1851 was adopted.

On motion by Gayman of Scott, amendment H-1850, as amended, was adopted, placing out of order the following amendments:

Amendment H-1815 filed by Heaton of Henry on April 19, 2007.

Amendment H-1842 filed by Gayman of Scott and Heddens of Story on April 19, 2007.

Amendment H-1843 filed by Heddens of Story and Gayman of Scott on April 19, 2007.

Amendment H-1847 filed by Granzow of Hardin from the floor.

McCarthy of Polk asked and received unanimous consent that House File 909 be deferred and that the bill retain its place on the calendar.

On motion by McCarthy of Polk, the House was recessed at 12:54 p.m., until 1:20 p.m.

AFTERNOON SESSION

The House reconvened at 1:27 a.m., Speaker Murphy in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Raecker of Polk, until his return, on request of Rants of Woodbury.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed ninety-five members present, five absent.

Unfinished Business Calendar

Senate File 530, a bill for an act relating to prohibited business practices by a real estate broker or salesperson, with report of committee recommending passage, was taken up for consideration.

Wise of Lee offered the following amendment H-1637 filed by him and Kressig of Black Hawk and moved its adoption:

H-1637

- 1 Amend Senate File 530, as passed by the Senate, as
- 2 follows:
- 3 1. Page 1, line 7, by inserting after the word
- 4 "country." the following: "This subsection shall not
- 5 be interpreted to impact or alter a referral fee
- 6 structure which otherwise complies with the
- 7 requirements of this section."

Amendment H-1637 was adopted.

Wise of Lee asked and received unanimous consent to withdraw amendment H-1678 filed by him on April 11, 2007.

Wise of Lee offered the following amendment H-1722 filed by him and moved its adoption:

H-1722

- 1 Amend Senate File 530 as follows:
- 2 1. Page 1, by inserting after line 7 the
- 3 following:
- 4 "Sec. ____ Section 543B.60A, Code 2007, is amended
- 5 by adding the following new subsection:
- 6 NEW SUBSECTION. 9. A licensee or person licensed
- 7 in another state or foreign country who conducts
- 8 business in this state or refers business to a
- 9 licensee in this state shall disclose in writing to
- 10 the consumer and to the licensee to whom they are
- 11 referring business, the name of the consumer being
- 12 referred, the name of the referring company, and the
- 13 amount of compensation they are receiving for the
- 14 referral. This subsection shall not affect or
- 15 restrict business practices relating to payment
- 16 methods between listing and selling brokerages, and
- 17 shall be applicable strictly to properties containing
- 18 at least one but not more than four dwelling units."
- 19 2. By renumbering as necessary.

Amendment H-1722 was adopted.

Wise of Lee moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 530)

The ayes were, 98:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Gipp	Granzow	Grassley
Greiner	Heaton	Heddens	Hoffman
Horbach	Hunter	Huseman	Huser
Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	Mascher	May
McCarthy	Mertz	Miller, H.	Miller, L.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Palmer	Paulsen	Petersen
Pettengill	Quirk	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor
Smith	Soderberg	Staed	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Wiencek	Winckler	Windschitl	Wise
Worthan	Mr. Speaker		
	Murphy		

The nays were, none.

Absent or not voting, 2:

Raecker Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **Senate File 530** be immediately messaged to the Senate.

Appropriations Calendar

The House resumed consideration of **House File 909**, a bill for an act relating to and making appropriations for health and human

services and including other related provisions and appropriations, and including effective date provisions, previously deferred.

Granzow of Hardin offered the following amendment H-1859 filed by her from the floor and moved its adoption:

H-1859

- 1 Amend House File 909 as follows:
- 2 1. Page 34, line 10, by striking the figure "10"
- 3 and inserting the following: "20".

Roll call was requested by Granzow of Hardin and May of Dickinson.

On the question "Shall amendment H-1859 be adopted?" (H.F. 909)

The ayes were, 45:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Granzow	Grassley	Greiner
Heaton	Hoffman	Horbach	Huseman
Jacobs	Kaufmann	Lukan	May
Miller, L.	Olson, S.	Paulsen	Raecker
Rants	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wiencsek	Windschitl
Worthan			

The nays were, 52:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foegel	Ford	Freyert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Petersen
Pettengill	Quirk	Reasoner	Reichert
Schueller	Shomshor	Smith	Staed
Swaim	Taylor, D.	Taylor, T.	Thomas
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	Mr. Speaker
			Murphy

Absent or not voting, 3:

Palmer

Tomenga

Zirkelbach

Amendment H-1859 lost.

Heaton of Henry offered the following amendment H-1824 filed by him and moved its adoption:

H-1824

- 1 Amend House File 909 as follows:
- 2 1. Page 38, line 18, by striking the figure
- 3 "11,067,178" and inserting the following:
- 4 "10,067,178".
- 5 2. Page 74, line 2, by striking the figure
- 6 "36,888,041" and inserting the following:
- 7 "37,888,041".
- 8 3. Page 75, line 4, by striking the figure
- 9 "2,926,593" and inserting the following: "3,926,593"

A non-record roll call was requested.

The ayes were 43, nays 50.

Amendment H-1824 lost.

Granzow of Hardin offered the following amendment H-1844 filed by her and moved its adoption:

H-1844

- 1 Amend House File 909 as follows:
- 2 1. Page 42, by inserting after line 5 the
- 3 following:
- 4 "3. The department shall utilize a request for
- 5 proposals process to select the location for a new
- 6 customer service call center."
- 7 2. By renumbering as necessary.

Amendment H-1844 was adopted.

L. Miller of Scott offered the following amendment H-1861 filed by her from the floor and moved its adoption:

H-1861

- 1 Amend House File 909 as follows:
 2 1. Page 44, by striking lines 17 through 19 and
 3 inserting the following:
 4 "c. (1) For the fiscal year beginning July 1,
 5 2007, reimbursement rates for inpatient and outpatient
 6 hospital services shall be increased to reflect the
 7 rebased inpatient and outpatient rates determined
 8 pursuant to 2005 Iowa Acts, chapter 175, section 29,
 9 subsection 1, paragraph "c", for the fiscal year
 10 beginning July 1, 2005, and notwithstanding the
 11 limitation on funding specified in that paragraph "c",
 12 the rebased amount shall be fully funded."

Roll call was requested by L. Miller of Scott and Van Fossen of Scott.

On the question "Shall amendment H-1861 be adopted?" (H.F. 909)

The ayes were, 46:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Granzow	Grassley	Greiner
Heaton	Hoffman	Horbach	Huseman
Jacobs	Kaufmann	Lukan	May
Miller, L.	Olson, S.	Paulsen	Raecker
Rants	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wiencck
Windschitl	Worthan		

The nays were, 53:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Pettengill	Quirk	Reasoner
Reichert	Schueller	Shomshor	Smith
Staed	Swaim	Taylor, D.	Taylor, T.
Thomas	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise
Mr. Speaker			
Murphy			

Absent or not voting, 1:

Zirkelbach

Amendment H-1861 lost.

L. Miller of Scott asked and received unanimous consent that amendment H-1862 be deferred.

Upmeyer of Hancock asked and received unanimous consent to withdraw amendment H-1804 filed by Upmeyer of Hancock, et al., on April 19, 2007.

L. Miller of Scott asked and received unanimous consent to withdraw amendment H-1863 filed by her from the floor.

L. Miller of Scott offered the following amendment H-1865 filed by her from the floor and moved its adoption:

H-1865

1 Amend House File 909 as follows:

2 1. Page 49, by inserting after line 6 the
3 following:

4 "12A. Notwithstanding any provision of this Act to
5 the contrary, for the fiscal period beginning July 1,
6 2007, the following providers and services shall be
7 provided reimbursement in an amount that is three
8 percent greater than the reimbursement amount in
9 effect on June 30, 2007: inpatient and outpatient
10 hospital services; disproportionate share hospitals,
11 indirect medical education and direct medical
12 education; home health services; physician services;
13 anesthesia services; psychiatric services; family
14 planning services; early periodic screening,
15 diagnosis, and treatment; dental services; optometric
16 services; supplies; ambulance services; practitioner
17 services; podiatric services; chiropractic services;
18 clinic services; community mental health centers; home
19 and community-based waiver services; the Iowa plan for
20 behavioral health; health maintenance organizations;
21 case management services; rehabilitative treatment
22 services; adult rehabilitative option services; and
23 pharmacy dispensing fees."

24 2. By renumbering as necessary.

Roll call was requested by L. Miller of Scott and Paulsen of Linn.

On the question "Shall amendment H-1865 be adopted?" (H.F. 909)

The ayes were, 48:

Alons	Anderson	Arnold	Baudler
Bell	Boal	Chambers	Clute
Dandekar	De Boef	Deyoe	Dolecheck
Drake	Forristall	Gipp	Granzow
Grassley	Greiner	Heaton	Hoffman
Horbach	Huseman	Huser	Jacobs
Kaufmann	Lukan	May	Miller, L.
Olson, S.	Paulsen	Raecker	Rants
Rasmussen	Rayhons	Roberts	Sands
Schickel	Soderberg	Struyk	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Watts	Wiencek	Windschitl	Worthan

The nays were, 50:

Abdul-Samad	Bailey	Berry	Bukta
Cohoon	Davitt	Foege	Ford
Frevert	Gaskill	Gayman	Heddens
Hunter	Jacoby	Jochum	Kelley
Kressig	Kuhn	Lensing	Lykam
Mascher	McCarthy	Mertz	Miller, H.
Oldson	Olson, D.	Olson, R.	Olson, T.
Palmer	Petersen	Pettengill	Quirk
Reasoner	Reichert	Schueller	Shomshor
Smith	Staed	Swaim	Taylor, D.
Taylor, T.	Thomas	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Winckler
Wise	Mr. Speaker Murphy		

Absent or not voting, 2:

Van Fossen Zirkelbach

Amendment H-1865 lost.

Kaufmann of Cedar asked and received unanimous consent to withdraw amendment H-1794 filed by him on April 19, 2007.

Upmeyer of Hancock asked and received unanimous consent to withdraw amendment H-1796 filed by her and Kaufmann of Cedar on April 19, 2007.

Kaufmann of Cedar offered amendment H-1797 filed by him as follows:

H-1797

- 1 Amend House File 909 as follows:
 2 1. Page 50, by inserting after line 16 the
 3 following:
 4 "Sec. ____ Section 231.33, Code 2007, is amended
 5 by adding the following new subsection:
 6 NEW SUBSECTION. 21. Provide the opportunity for
 7 elders residing in the planning and service area to
 8 offer substantive suggestions regarding the employment
 9 practices of the area agency on aging."
 10 2. By renumbering as necessary.

Foege of Linn rose on a point of order that amendment H-1797 was not germane.

The Speaker ruled the point well taken and amendment H-1797 not germane.

Kaufmann of Cedar moved to suspend the rules to consider amendment H-1797.

Roll call was requested by Kaufmann of Cedar and Paulsen of Linn.

On the question "Shall the rules be suspended to consider amendment H-1797?" (H.F. 909)

The ayes were, 44:

Alons	Arnold	Baudler	Boal
Chambers	Clute	De Boef	Deyoe
Dolecheck	Drake	Forristall	Gipp
Granzow	Grassley	Greiner	Heaton
Hoffman	Horbach	Huseman	Jacobs
Kaufmann	Lukan	May	Miller, L.
Olson, S.	Paulsen	Pettengill	Raecker
Rants	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tymeson	Upmeyer	Van Engelenhoven
Watts	Wienczek	Windschitl	Worthan

The nays were, 53:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Quirk	Reasoner	Reichert
Schueller	Shomshor	Smith	Staed
Swaim	Taylor, D.	Taylor, T.	Thomas
Tomenga	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise
Mr. Speaker			
Murphy			

Absent or not voting, 3:

Anderson	Van Fossen	Zirkelbach
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The motion to suspend the rules lost.

Heaton of Henry asked and received unanimous consent to withdraw amendment H-1814 filed by him on April 14, 2007.

Kaufmann of Cedar asked and received unanimous consent to withdraw amendment H-1819 filed by him on April 19, 2007.

Heaton of Henry offered the following amendment H-1785 filed by him and moved its adoption:

H-1785

1 Amend House File 909 as follows:
 2 1. Page 53, by inserting after line 35, the
 3 following:
 4 "Sec. __. **NEW SECTION. 252B.15A DISTRIBUTION OF**
 5 **CHILD SUPPORT COLLECTED TO FAMILY INVESTMENT PROGRAM**
 6 **RECIPIENTS.**
 7 The department shall adopt rules, consistent with
 8 section 7301(b)(7) of the federal Deficit Reduction
 9 Act of 2005, Pub. L. No. 109-171, that provide that
 10 beginning October 1, 2008, for a family that received
 11 or is receiving family investment program assistance
 12 for the parent or child, pass through, to the family,
 13 of child support collected by the child support
 14 recovery unit in an amount that is not more than one

15 hundred dollars for one child and not more than two
 16 hundred dollars for two or more children, based on the
 17 availability of state or federal funds. In addition,
 18 if the family is receiving family investment program
 19 assistance for the parent or child on or after October
 20 1, 2008, the rules shall provide for the disregard of
 21 the child support amount passed through in determining
 22 the amount and type of assistance provided to the
 23 family."
 24 2. By renumbering as necessary.

Roll call was requested by Heaton of Henry and Paulsen of Linn.

On the question "Shall amendment H-1785 be adopted?" (H.F. 909)

The ayes were, 45:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Granzow	Grassley	Greiner
Heaton	Hoffman	Horbach	Huseman
Jacobs	Kaufmann	Lukañ	May
Miller, L.	Olson, S.	Paulsen	Raecker
Rants	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Watts	Wiencsek	Windschitl
Worthan			

The nays were, 53:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Pettengill	Quirk	Reasoner
Reichert	Schueller	Shomshor	Smith
Staed	Swaim	Taylor, D.	Taylor, T.
Thomas	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise
Mr. Speaker			
Murphy			

Absent or not voting, 2:

Van Fossen Zirkelbach

Amendment H-1785 lost.

Upmeyer of Hancock offered the following amendment H-1793 filed by her and moved its adoption:

H-1793

1 Amend House File 909 as follows:

2 1. Page 70, by inserting after line 13 the
3 following:

4 "Sec. . NEW SECTION. 249J.24A NONPARTICIPATING
5 PROVIDER EXPANSION POPULATION PROVIDER NETWORK –
6 TRANSFER PROCEDURE – COMPENSATION FUND.

7 1. The department shall establish a procedure to
8 transfer an expansion population member who seeks
9 medical care or treatment from a nonparticipating
10 provider in the expansion population provider network
11 to a participating provider in the expansion
12 population provider network, if medically possible.
13 If transfer is not medically possible or if the
14 participating provider refuses to accept the transfer
15 of the expansion population member, the
16 nonparticipating provider shall be compensated through
17 the nonparticipating provider expansion population
18 provider network compensation fund in accordance with
19 subsection 2.

20 2. a. A nonparticipating provider expansion
21 population provider network compensation fund is
22 created in the state treasury under the authority of
23 the department. Moneys designated for deposit in the
24 fund that are received from sources including but not
25 limited to appropriations from the general fund of the
26 state, grants, and contributions shall be deposited in
27 the fund.

28 b. Moneys in the fund shall be separate from the
29 general fund of the state and shall not be considered
30 part of the general fund of the state. The moneys
31 deposited in the fund are not subject to section 8.33
32 and shall not be transferred, used, obligated,
33 appropriated, or otherwise encumbered, except to
34 provide for the purposes specified in this section.
35 Notwithstanding section 12C.7, subsection 2, interest
36 or earnings on moneys deposited in the fund shall be
37 credited to the fund.

38 c. Moneys deposited in the fund shall be used only
39 to compensate health care providers who are not
40 participants in the expansion population provider

41 network pursuant to section 249J.7, who provide
 42 services to expansion population members, if no other
 43 third party is liable for reimbursement for the
 44 services provided.
 45 d. In order to be compensated through the fund, a
 46 health care provider shall submit a claim to the
 47 department for compensation and reimbursement of
 48 expenses incurred in providing services to an
 49 expansion population member. The department shall
 50 adopt rules relating to the format of and the

Page 2

1 information to be included in the claims submitted. A
 2 claim shall be submitted to the department within
 3 forty-five days of provision of the service."
 4 2. By renumbering as necessary.

Roll call was requested by Heaton of Henry and Upmeyer of Hancock.

On the question "Shall amendment H-1793 be adopted?" (H.F. 909)

The ayes were, 46:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Frevert	Gipp	Granzow	Grassley
Greiner	Heaton	Hoffman	Horbach
Huseman	Jacobs	Kaufmann	Lukan
May	Miller, L.	Olson, S.	Paulsen
Raecker	Rants	Rasmussen	Rayhons
Roberts	Sands	Schickel	Soderberg
Struyk	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Watts	Wiencek
Windschitl	Worthan		

The nays were, 52:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Gaskill	Gayman
Heddens	Hunter	Huser	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Mertz	Miller, H.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Pettengill	Quirk	Reasoner	Reichert

Schueller	Shomshor	Smith	Staed
Swaim	Taylor, D.	Taylor, T.	Thomas
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	Mr. Speaker Murphy

Absent or not voting, 2:

Van Fossen Zirkelbach

Amendment H-1793 lost.

Raecker of Polk asked and received unanimous consent to withdraw amendment H-1812 filed by Raecker, et al., on April 19, 2007.

Heaton of Henry offered the following amendment H-1823 filed by him and moved its adoption:

H-1823

1 Amend House File 909 as follows:
 2 1. Page 74, line 2, by striking the figure
 3 "36,888,041" and inserting the following:
 4 "38,888,041".
 5 2. Page 75, by striking lines 3 and 4 and
 6 inserting the following:
 7 "..... \$ 4,926,593"

Roll call was requested by Heaton of Henry and Tjepkes of Webster.

On the question "Shall amendment H-1823 be adopted?" (H.F. 909)

The ayes were, 45:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Granzow	Grassley	Greiner
Heaton	Hoffman	Horbach	Huseman
Jacobs	Kaufmann	Lukan	May
Miller, L.	Olson, S.	Paulsen	Raecker
Rants	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tomenga	Tymeson	Upmeyer

Van Engelenhoven Watts
Worthan

Wienczek

Windschitl

The nays were, 53:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Pettengill	Quirk	Reasoner
Reichert	Schueller	Shomshor	Smith
Staed	Swaim	Taylor, D.	Taylor, T.
Thomas	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise
Mr. Speaker			
Murphy			

Absent or not voting, 2:

Van Fossen Zirkelbach

Amendment H-1823 lost.

Granzow of Hardin offered the following amendment H-1806 filed by Granzow, et al., and moved its adoption:

H-1806

- 1 Amend House File 909 as follows:
- 2 1. Page 77, by inserting after line 26 the
- 3 following:
- 4 "Sec. ____ MENTAL HEALTH PATIENT ADVOCATE STUDY.
- 5 The legislative council is requested to authorize a
- 6 2007 legislative interim study of the duties,
- 7 responsibilities, funding, and authority for the
- 8 mental health patient advocates appointed by the
- 9 courts under chapter 229. The study committee
- 10 membership should include representatives of counties,
- 11 the judicial branch, mental health patient advocates,
- 12 and the department of human services. The study
- 13 should specifically identify the appropriate
- 14 appointing authority and funding source for the
- 15 advocates in the study recommendations."
- 16 2. By renumbering as necessary.

Amendment H-1806 was adopted.

Heaton of Henry offered the following amendment H-1816 filed by him and moved its adoption:

H-1816

- 1 Amend House File 909 as follows:
- 2 1. Page 82, by striking lines 20 through 23 and
- 3 inserting the following: "\$9,337,435 shall be used to
- 4 reduce the home and community-based services waiver
- 5 waiting lists."

Roll call was requested by Heaton of Henry and Roberts of Carroll.

On the question "Shall amendment H-1816 be adopted?" (H.F. 909)

The ayes were, 45:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Granzow	Grassley	Greiner
Heaton	Hoffman	Horbach	Huseman
Jacobs	Kaufmann	Lukan	May
Miller, L.	Olson, S.	Paulsen	Raecker
Rants	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Watts	Wiencek	Windschitl
Worthan			

The nays were, 52:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Lensing	Lykam	Mascher	McCarthy
Mertz	Miller, H.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Pettengill	Quirk	Reasoner	Reichert
Schueller	Shomshor	Smith	Staed
Swaim	Taylor, D.	Taylor, T.	Thomas
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	Mr. Speaker
			Murphy

Absent or not voting, 3:

Kuhn Van Fossen Zirkelbach

Amendment H-1816 lost.

Jochum of Dubuque offered the following amendment H-1808 filed by her and moved its adoption:

H-1808

1 Amend House File 909 as follows:
2 1. Page 96, by inserting after line 11 the
3 following:
4 "Sec. ____ **NEW SECTION.** 234.3 CHILD WELFARE
5 **ADVISORY COMMITTEE.**
6 1. A child welfare advisory committee is
7 established to advise the administrator and the
8 department of human services on programmatic and
9 budgetary matters related to the provision or purchase
10 of child welfare services. The committee shall meet
11 at least quarterly, or upon the call of the
12 chairperson, to review departmental budgets, policies,
13 and programs, and proposed budgets, policies, and
14 programs, and to make recommendations and suggestions
15 to make the state child welfare budget, programs, and
16 policies more effective in serving families and
17 children.
18 2. The advisory committee shall consist of fifteen
19 voting members, appointed by the governor and
20 confirmed by the senate. The membership shall include
21 representatives of child welfare service providers,
22 juvenile court services, the Iowa foster and adoptive
23 parent association, the child advocacy board, the
24 coalition for family and children's services in Iowa,
25 children's advocates, service consumers, and others
26 who have training or knowledge related to child
27 welfare services. The terms of voting members shall
28 be for three-year staggered terms, beginning and
29 ending as provided in section 69.19. A member shall
30 continue to serve until a successor is appointed and a
31 vacancy shall be filled for the remainder of the
32 unexpired term. In addition, four members shall be
33 legislators, all serving as ex officio, nonvoting
34 members, with one each appointed by the speaker of the
35 house of representatives, the minority leader of the
36 house of representatives, the majority leader of the
37 senate, and the minority leader of the senate. The
38 director of human services and the administrator, or
39 their designees, shall also be ex officio nonvoting
40 members, and shall serve as resource persons to the

- 41 committee.
42 3. A chairperson, vice chairperson, and other
43 officers deemed necessary by the committee shall be
44 appointed by the membership of the committee.
45 Committee staffing shall be designated by the
46 administrator."
47 2. By renumbering as necessary.

Amendment H-1808 was adopted.

Hoffman of Crawford offered the following amendment H-1778 filed by him and moved its adoption:

H-1778

- 1 Amend House File 909 as follows:
2 1. Page 101, by inserting after line 27 the
3 following:
4 "(6) One individual health insurance agent
5 designated by the Iowa association of health
6 underwriters."
7 2. By renumbering as necessary.

Amendment H-1778 was adopted.

Heaton of Henry offered the following amendment H-1787 filed by him and moved its adoption:

H-1787

- 1 Amend House File 909 as follows:
2 1. Page 106, by inserting after line 21 the
3 following:
4 "DIVISION
5 MEDICAID FALSE CLAIMS ACT
6 Sec. ____ NEW SECTION. 685.1 DEFINITIONS.
7 As used in this chapter, unless the context
8 otherwise requires:
9 1. "Claim" means any request or demand for money,
10 property, or services made to any employee, officer,
11 or agent of the state, or to any contractor, grantee,
12 or other recipient, whether under contract or not, if
13 any portion of the money, property, or services
14 requested or demanded issued from, or was provided by,
15 the state, or if the state will reimburse the
16 contractor, grantee, or other recipient for any
17 portion of the money or property which is requested or
18 demanded.
19 2. "Employer" means any natural person,

20 corporation, firm, association, organization,
21 partnership, business, trust, or state-affiliated
22 entity involved in a nongovernmental function,
23 including state universities and state hospitals.
24 3. "Knowing" or "knowingly" means that a person,
25 with respect to information, does any of the
26 following:

27 a. Has actual knowledge of the information.
28 b. Acts in deliberate ignorance of the truth or
29 falsity of the information.

30 c. Acts in reckless disregard of the truth or
31 falsity of the information.

32 "Knowing" or "knowingly" with respect to
33 information does not require proof of specific intent
34 to defraud.

35 4. "Qui tam plaintiff" means a private plaintiff
36 who brings an action under this chapter on behalf of
37 the state.

38 Sec. , NEW SECTION. 685.2 ACTS SUBJECTING
39 PERSON TO TREBLE DAMAGES, COSTS, AND CIVIL PENALTIES
40 – EXCEPTIONS.

41 1. A person who commits any of the following acts
42 is liable to the state for three times the amount of
43 damages which the state sustains because of the act of
44 that person. A person who commits any of the
45 following acts shall also be liable to the state for
46 the costs of a civil action brought to recover any of
47 those penalties or damages, and shall be liable to the
48 state for a civil penalty of not less than five
49 thousand dollars and not more than ten thousand
50 dollars for each violation:

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1 a. Knowingly presents or causes to be presented to
2 any employee, officer, or agent of the state, or to
3 any contractor, grantee, or other recipient of state
4 funds, a false or fraudulent claim for payment or
5 approval.

6 b. Knowingly makes, uses, or causes to be made or
7 used, a false record or statement to get a false or
8 fraudulent claim paid or approved.

9 c. Conspires to defraud the state by getting a
10 false claim allowed or paid, or conspires to defraud
11 the state by knowingly making, using, or causing to be
12 made or used, a false record or statement to conceal,
13 avoid, or decrease an obligation to pay or transmit
14 money or property to the state.

15 d. Has possession, custody, or control of public
16 property or money used or to be used by the state and
17 knowingly delivers or causes to be delivered less
18 property than the amount for which the person receives

19 a certificate or receipt.

20 e. Is authorized to make or deliver a document
21 certifying receipt of property used or to be used by
22 the state and knowingly makes or delivers a receipt
23 that falsely represents the property used or to be
24 used.

25 f. Knowingly buys, or receives as a pledge of an
26 obligation or debt, public property from any person
27 who lawfully may not sell or pledge the property.

28 g. Knowingly makes, uses, or causes to be made or
29 used, a false record or statement to conceal, avoid,
30 or decrease an obligation to pay or transmit money or
31 property to the state.

32 h. Is a beneficiary of an inadvertent submission
33 of a false claim to any employee, officer, or agent of
34 the state, or to any contractor, grantee, or other
35 recipient of state funds, subsequently discovers the
36 falsity of the claim, and fails to disclose the false
37 claim to the state within a reasonable time after
38 discovery of the false claim.

39 2. Notwithstanding subsection 1, the court may
40 assess not less than two times the amount of damages
41 which the state sustains because of the act of the
42 person described in subsection 1, and no civil
43 penalty, if the court finds all of the following:

44 a. The person committing the violation furnished
45 officials of the state who are responsible for
46 investigating false claims violations with all
47 information known to that person about the violation
48 within thirty days after the date on which the person
49 first obtained the information.

50 b. The person fully cooperated with any

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1 investigation by the state.

2 c. At the time the person furnished the state with
3 information about the violation, a criminal
4 prosecution, civil action, or administrative action
5 had not commenced with respect to the violation, and
6 the person did not have actual knowledge of the
7 existence of an investigation into the violation.

8 3. This section shall not apply to claims,
9 records, or statements made under Title X relating to
10 state revenue and taxation.

11 Sec. ____ NEW SECTION. 685.3 INVESTIGATIONS AND
12 PROSECUTIONS – POWERS OF PROSECUTING AUTHORITY –
13 CIVIL ACTIONS BY INDIVIDUALS AS QUI TAM PLAINTIFFS AND
14 AS PRIVATE CITIZENS – JURISDICTION OF COURTS.

15 1. The attorney general shall diligently
16 investigate a violation under section 685.2. If the
17 attorney general finds that a person has violated or

18 is violating section 685.2, the attorney general may
19 bring a civil action under this section against that
20 person.

21 2. a. A person may bring a civil action for a
22 violation of this chapter for the person and for the
23 state in the name of the state. The person bringing
24 the action shall be referred to as the qui tam
25 plaintiff. Once filed, the action may be dismissed
26 only with the written consent of the court, taking
27 into account the best interest of the parties involved
28 and the public purposes behind this chapter.

29 b. A copy of the complaint and written disclosure
30 of substantially all material evidence and information
31 the person possesses shall be served on the attorney
32 general. The complaint shall also be filed in camera,
33 shall remain under seal for at least sixty days, and
34 shall not be served on the defendant until the court
35 so orders. The state may elect to intervene and
36 proceed with the action within sixty days after it
37 receives both the complaint and the material evidence
38 and the information.

39 c. The state may, for good cause shown, move the
40 court for extensions of the time during which the
41 complaint remains under seal under paragraph "b". Any
42 such motions may be supported by affidavits or other
43 submissions in camera. The defendant shall not be
44 required to respond to any complaint filed under this
45 section until after the complaint is unsealed and
46 served upon the defendant pursuant to rules of civil
47 procedure.

48 d. Before the expiration of the sixty-day period
49 or any extensions obtained under paragraph "c", the
50 state shall do one of the following:

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1 (1) Proceed with the action, in which case the
2 action shall be conducted by the state.

3 (2) Notify the court that the state declines to
4 take over the action, in which case the person
5 bringing the action shall have the right to conduct
6 the action.

7 e. When a person brings a valid action under this
8 section, no person other than the state may intervene
9 or bring a related action based on the facts
10 underlying the pending action.

11 3. a. If the state proceeds with the action, the
12 state shall have the primary responsibility for
13 prosecuting the action, and shall not be bound by an
14 act of the person bringing the action. Such person
15 shall have the right to continue as a party to the
16 action, subject to the limitations specified in

17 paragraph "b".

18 b. (1) The state may move to dismiss the action
19 for good cause notwithstanding the objections of the
20 qui tam plaintiff if the qui tam plaintiff has been
21 notified by the state of the filing of the motion and
22 the court has provided the qui tam plaintiff with an
23 opportunity to oppose the motion and present evidence
24 at a hearing.

25 (2) The state may settle the action with the
26 defendant notwithstanding the objections of the qui
27 tam plaintiff if the court determines, after a hearing
28 providing the qui tam plaintiff an opportunity to
29 present evidence, that the proposed settlement is
30 fair, adequate, and reasonable under all of the
31 circumstances.

32 (3) Upon a showing by the state that unrestricted
33 participation during the course of the litigation by
34 the person initiating the action would interfere with
35 or unduly delay the state's prosecution of the case,
36 or would be repetitious, irrelevant, or for purposes
37 of harassment, the court may, in its discretion,
38 impose limitations on the person's participation,
39 including but not limited to any of the following:

40 (a) Limiting the number of witnesses the person
41 may call.

42 (b) Limiting the length of the testimony of such
43 witnesses.

44 (c) Limiting the person's cross-examination of
45 witnesses.

46 (d) Otherwise limiting the participation by the
47 person in the litigation.

48 (4) Upon a showing by the defendant that
49 unrestricted participation during the course of the
50 litigation by the person initiating the action would

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1 be for purposes of harassment or would cause the
2 defendant undue burden or unnecessary expense, the
3 court may limit the participation by the person in the
4 litigation.

5 c. If the state elects not to proceed with the
6 action, the person who initiated the action shall have
7 the right to conduct the action. If the state
8 requests, the state shall be served with copies of all
9 pleadings filed in the action and shall be supplied
10 with copies of all deposition transcripts at the
11 state's expense. When a person proceeds with the
12 action, the court, without limiting the status and
13 rights of the person initiating the action, may permit
14 the state to intervene at a later date upon a showing
15 of good cause.

16 d. Whether or not the state proceeds with the
17 action, upon a showing by the state that certain
18 actions of discovery by the person initiating the
19 action would interfere with the state's investigation
20 or prosecution of a criminal or civil matter arising
21 out of the same facts, the court may stay such
22 discovery for a period of not more than sixty days.
23 Such a showing shall be conducted in camera. The
24 court may extend the sixty-day period upon a further
25 showing in camera that the state has pursued the
26 criminal or civil investigation or proceedings with
27 reasonable diligence and any proposed discovery in the
28 civil action will interfere with the ongoing criminal
29 or civil investigation or proceedings.

30 e. Notwithstanding subsection 2, the state may
31 elect to pursue its claim through any alternate remedy
32 available to the state, including any administrative
33 proceeding to determine a civil penalty. If any such
34 alternate remedy is pursued in another proceeding, the
35 person initiating the action shall have the same
36 rights in such proceeding as such person would have
37 had if the action had continued under this section.
38 Any finding of fact or conclusion of law made in such
39 other proceeding that has become final shall be
40 conclusive as to all parties to an action under this
41 section. For purposes of this paragraph, a finding or
42 conclusion is final if it has been finally determined
43 on appeal to the appropriate court of the state, if
44 all time for filing such an appeal with respect to the
45 finding or conclusion has expired, or if the finding
46 or conclusion is not subject to judicial review.

47 4. a. (1) If the state proceeds with an action
48 brought by a person under subsection 2, the person
49 shall, subject to subparagraph (2), receive at least
50 fifteen percent but not more than twenty-five percent

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1 of the proceeds of the action or settlement of the
2 claim, which includes damages, civil penalties,
3 payments for costs of compliance, and any other
4 economic benefit realized by the state or federal
5 government as a result of the action, depending upon
6 the extent to which the person substantially
7 contributed to the prosecution of the action.

8 (2) If the action is one which the court finds to
9 be based primarily on disclosures of specific
10 information, other than information provided by the
11 person bringing the action, relating to allegations or
12 transactions specifically in a criminal, civil, or
13 administrative hearing, or in a legislative or
14 administrative report, hearing, audit, or

15 investigation, or from the news media, the court may
16 award an amount the court considers appropriate, but
17 in no case more than ten percent of the proceeds,
18 taking into account the significance of the
19 information and the role of the person bringing the
20 action in advancing the case to litigation.

21 (3) Any payment to a person under subparagraph (1)
22 or (2) shall be made from the proceeds. Any such
23 person shall also receive an amount for reasonable
24 expenses which the appropriate court finds to have
25 been necessarily incurred, plus reasonable attorney
26 fees and costs. All such expenses, fees, and costs
27 shall be awarded against the defendant.

28 b. If the state does not proceed with an action
29 under this section, the person bringing the action or
30 settling the claim shall receive an amount which the
31 court decides is reasonable for collecting the civil
32 penalty and damages. The amount shall be not less
33 than twenty-five percent and not more than thirty
34 percent of the proceeds of the action or settlement
35 and shall be paid out of such proceeds, which includes
36 damages, civil penalties, payments for costs of
37 compliance, and any other economic benefit realized by
38 the state or federal government as a result of the
39 action. Such person shall also receive an amount for
40 reasonable expenses which the appropriate court finds
41 to have been necessarily incurred, plus reasonable
42 attorney fees and costs. All such expenses, fees, and
43 costs shall be awarded against the defendant.

44 c. Whether or not the state proceeds with the
45 action, if the court finds that the action was brought
46 by a person who planned and initiated the violation of
47 section 685.2 upon which the action was brought, the
48 court may, to the extent the court considers
49 appropriate, reduce the share of the proceeds of the
50 action which the person would otherwise receive under

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1 paragraph "a" or "b", taking into account the role of
2 that person in advancing the case to litigation and
3 any relevant circumstances pertaining to the
4 violation. If the person bringing the action is
5 convicted of criminal conduct arising from the
6 person's role in the violation of section 685.2, the
7 person shall be dismissed from the civil action and
8 shall not receive any share of the proceeds of the
9 action. Such dismissal shall not prejudice the right
10 of the state to continue the action.

11 d. If the state does not proceed with the action
12 and the person bringing the action conducts the
13 action, the court may award to the defendant

14 reasonable attorney fees and expenses if the defendant
15 prevails in the action and the court finds that the
16 claim of the person bringing the action was clearly
17 frivolous, clearly vexatious, or brought primarily for
18 purposes of harassment.

19 5. a. A court shall not have jurisdiction over an
20 action brought under subsection 2 against a member of
21 the general assembly, a member of the judiciary, or an
22 executive branch official if the action is based on
23 evidence or information known to the state when the
24 action was brought.

25 b. A person shall not bring an action under
26 subsection 2 which is based upon allegations or
27 transactions which are the subject of a civil suit or
28 an administrative civil penalty proceeding in which
29 the state is already a party.

30 c. Upon motion of the attorney general, the court
31 may in consideration of all the equities, dismiss a
32 qui tam plaintiff if the elements of the actionable
33 false claims alleged in the qui tam complaint have
34 been publicly disclosed specifically in the news media
35 or in a publicly disseminated governmental report, at
36 the time the complaint is filed.

37 d. The state is not liable for expenses which a
38 person incurs in bringing an action under this
39 section.

40 6. Any employee who is discharged, demoted,
41 suspended, threatened, harassed, or in any other
42 manner discriminated against in the terms and
43 conditions of employment by the person's employer
44 because of lawful acts performed by the employee on
45 behalf of the employee or others in furtherance of an
46 action under this section, including investigation
47 for, initiation of, testimony for, or assistance in an
48 action filed or to be filed under this section, shall
49 be entitled to all relief necessary to make the
50 employee whole. Such relief shall include

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1 reinstatement with the same seniority status such
2 employee would have had but for the discrimination,
3 two times the amount of back pay, interest on the back
4 pay, and compensation for any special damages
5 sustained as a result of the discrimination, including
6 litigation costs and reasonable attorney fees. An
7 employee may bring an action in the appropriate court
8 of the state for the relief provided in this
9 subsection.

10 Sec. . **NEW SECTION. 685.4 LIMITATION OF**
11 **ACTIONS – BURDEN OF PROOF.**

12 1. A civil action under section 685.3 shall not be

13 brought more than ten years after the date on which
14 the violation was committed.

15 2. A civil action under section 685.3 may be
16 brought based on activity prior to January 1, 2007, if
17 the limitations period pursuant to subsection 1 has
18 not lapsed.

19 3. In any action brought under section 685.3, the
20 state or the qui tam plaintiff shall be required to
21 prove all essential elements of the cause of action,
22 including damages, by a preponderance of the evidence.

23 4. Notwithstanding any other provision of law, a
24 guilty verdict rendered in a criminal proceeding
25 charging false statements or fraud, whether upon a
26 verdict after trial or upon a plea of guilty or nolo
27 contendere, shall estop the defendant from denying the
28 essential elements of the offense in any action which
29 involves the same transaction as in the criminal
30 proceeding and which is brought under section 685.3,
31 subsection 1, 2, or 3.

32 Sec.____. NEW SECTION. 685.5 REMEDIES UNDER
33 OTHER LAWS – APPLICATION.

34 1. The provisions of this chapter are not
35 exclusive, and the remedies provided for in this
36 chapter shall be in addition to any other remedies
37 provided for in any other law or available under
38 common law.

39 2. This chapter shall be liberally construed and
40 applied to promote the public interest. This chapter
41 shall also be construed and applied in a manner that
42 reflects the congressional intent behind the federal
43 False Claims Act, 31 U.S.C. § 3729-3733, including the
44 legislative history underlying the 1986 amendments to
45 the federal False Claims Act.

46 Sec.____. NEW SECTION. 685.6 VENUE.

47 An action brought under this chapter may be brought
48 in any judicial district in which the defendant or, in
49 the case of multiple defendants, any one defendant can
50 be found, resides, transacts business, or in which any

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1 act proscribed under this chapter occurred. A summons
2 as required by the rules of civil procedure shall be
3 issued by the appropriate district court and service
4 at any place within or outside the United States.

5 Sec.____. NEW SECTION. 685.7 USE OF ECONOMIC
6 BENEFIT TO STATE.

7 Any funds realized as an economic benefit to the
8 state under this chapter are appropriated to the
9 department of human services to be used for provision
10 of home and community-based wavier services.

11 Sec.____. EFFECTIVE DATE – RETROACTIVE

12 APPLICABILITY. This division of this Act, being
 13 deemed of immediate importance, takes effect upon
 14 enactment and is retroactively applicable to January
 15 1, 2007."

Amendment H-1787 lost.

Wiencek of Black Hawk offered amendment H-1801 filed by
 Wiencek, et al., as follows:

H-1801

1 Amend House File 909 as follows:
 2 1. Page 106, by inserting after line 21 the
 3 following:
 4 "DIVISION
 5 SENIOR LIVING TRUST FUND
 6 CORRECTIONAL AMENDMENT
 7 Sec. _____. The following amendment to the
 8 Constitution of the State of Iowa is proposed:
 9 Article VII of the Constitution of the State of
 10 Iowa is amended by adding the following new section:
 11 SENIOR PROGRAM FUNDS. SEC. 10. All funds received
 12 through the nursing facility reimbursement methodology
 13 that maximizes federal matching funds for nursing
 14 facility reimbursements and utilizes intergovernmental
 15 transfer agreements, with the exception of
 16 administrative costs, shall be used only for the
 17 purposes of services for seniors including but not
 18 limited to home and community-based services and less
 19 restrictive levels of residential care.
 20 Sec. _____. REFERRAL AND PUBLICATION. The foregoing
 21 amendment to the Constitution of the State of Iowa is
 22 referred to the General Assembly to be chosen at the
 23 next general election for members of the General
 24 Assembly and the Secretary of State is directed to
 25 cause the same to be published for three consecutive
 26 months previous to the date of that election as
 27 provided by law."
 28 2. By renumbering as necessary.

Wiencek of Black Hawk offered the following amendment H-1849,
 to amendment H-1801, filed by her from the floor and moved its
 adoption:

H-1849

1 Amend the amendment, H-1801, to House File 909, as
 2 follows:

- 3 1. Page 1, line 6, by striking the word
 4 "CORRECTIONAL" and inserting the following:
 5 "CONSTITUTIONAL".

Amendment H-1849 was adopted.

Foege of Linn rose on a point of order that amendment H-1801, as amended, was not germane.

The Speaker ruled the point well taken and amendment H-1801, as amended, not germane.

Wiencek of Black Hawk moved to suspend the rules to consider amendment H-1801, as amended.

Roll call was requested by Wiencek of Black Hawk and Greiner of Washington.

On the question "Shall the rules be suspended to consider amendment H-1801, as amended?" (H.F. 909)

The ayes were, 43:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Forristall	Gipp
Granzow	Grassley	Greiner	Heaton
Hoffman	Horbach	Huseman	Jacobs
Kaufmann	Lukan	May	Miller, L.
Olson, S.	Paulsen	Raecker	Rants
Rasmussen	Rayhons	Roberts	Sands
Schickel	Soderberg	Struyk	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Watts
Wiencek	Windschitl	Worthan	

The nays were, 51:

Abdul-Samad	Bell	Berry	Bukta
Cohoon	Dandekar	Davitt	Foege
Ford	Devert	Gaskill	Gayman
Heddens	Hunter	Huser	Jacoby

Jochum	Kelley	Kressig	Lensing
Lykam	Mascher	McCarthy	Mertz
Miller, H.	Oldson	Olson, D.	Olson, T.
Palmer	Petersen	Pettengill	Quirk
Reasoner	Reichert	Schueller	Shomshor
Smith	Staed	Swaim	Taylor, D.
Taylor, T.	Thomas	Tomenga	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Winckler	Wise	Mr. Speaker	
		Murphy	

Absent or not voting, 6:

Bailey	Drake	Kuhn	Olson, R.
Van Fossen	Zirkelbach		

The motion to suspend the rules lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Raecker of Polk, until his return, on request of Rants of Woodbury.

Tymeson of Madison offered the following amendment H-1866 filed by her from the floor and moved its adoption:

H-1866

- 1 Amend House File 909 as follows:
- 2 1. Page 8, line 16, by striking the figure
- 3 "1,500,000" and inserting the following: "5,000,000".

Roll call was requested by Tymeson of Madison and Worthan of Buena Vista.

On the question "Shall amendment H-1866 be adopted?" (H.F. 909)

The ayes were, 44:

Alons	Arnold	Baudler	Boal
Chambers	Clute	De Boef	Deyoe
Dolecheck	Drake	Forristall	Gipp
Granzow	Grassley	Greiner	Heaton
Hoffman	Horbach	Huseman	Jacobs
Kaufmann	Lukan	May	Miller, L.
Olson, S.	Paulsen	Rants	Rasmussen

Rayhons	Roberts	Sands	Schickel
Soderberg	Struyk	Taylor, D.	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Watts	Wienczek	Windschitl	Worthan

The nays were, 52:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Pettengill	Quirk	Reasoner
Reichert	Schueller	Shomshor	Smith
Staed	Swaim	Taylor, T.	Thomas
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	Mr. Speaker Murphy

Absent or not voting, 4:

Anderson	Raecker	Van Fossen	Zirkelbach
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Amendment H-1866 lost.

Ford of Polk asked and received unanimous consent to withdraw amendment H-1856, previously deferred, filed by him from the floor.

Rants of Woodbury offered the following amendment H-1864 filed by him from the floor and moved its adoption:

H-1864

- 1 Amend House File 909 as follows:
- 2 1. Page 22, by inserting after line 27 the
- 3 following:
- 4 "Sec. ____ MEDICAL ASSISTANCE FULL FUNDING. In
- 5 addition to any other funding appropriated in this
- 6 division of this Act for medical assistance, there is
- 7 appropriated from the general fund of the state to the
- 8 department of human services for the fiscal year
- 9 beginning July 1, 2007, and ending June 30, 2008, the
- 10 following amount, or so much thereof as is necessary,
- 11 for the purpose designated:
- 12 For fully funding the medical assistance program:
- 13 \$ 11,950,000"
- 14 2. By renumbering as necessary.

Roll call was requested by Rants of Woodbury and Alons of Sioux.

On the question "Shall amendment H-1864 be adopted?" (H.F. 909)

The ayes were, 44:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Granzow	Grassley	Greiner
Heaton	Hoffman	Horbach	Huseman
Jacobs	Kaufmann	Lukan	May
Miller, L.	Olson, S.	Paulsen	Rants
Rasmussen	Rayhons	Roberts	Sands
Schickel	Soderberg	Struyk	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Watts	Wiencek	Windschitl	Worthan

The nays were, 52:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Mertz	Miller, H.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Pettengill	Quirk	Reasoner	Reichert
Schueller	Shomshor	Smith	Staed
Swaim	Taylor, D.	Taylor, T.	Thomas
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	Mr. Speaker Murphy

Absent or not voting, 4:

Huser	Raecker	Van Fossen	Zirkelbach
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Amendment H-1864 lost.

L. Miller of Scott asked and received unanimous consent to withdraw amendment H-1862, previously deferred, filed by her from the floor.

Foege of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 909)

The ayes were, 53:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Förd	Frevert	Gaskill
Gayman	Heddens	Hunter	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Mertz	Miller, H.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Pettengill	Quirk	Reasoner	Reichert
Schueller	Shomshor	Smith	Staed
Swaim	Taylor, D.	Taylor, T.	Thomas
Tomenga	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise
Mr. Speaker Murphy			

The nays were, 44:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Granzow	Grassley	Greiner
Heaton	Hoffman	Horbach	Huseman
Huser	Jacobs	Kaufmann	Lukan
May	Miller, L.	Olson, S.	Paulsen
Rants	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tymeson	Upmeyer	Van Engelenhoven
Watts	Wienczek	Windschitl	Worthan

Absent or not voting, 3:

Raecker	Van Fossen	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **House File 909** be immediately messaged to the Senate.

McCarthy of Polk asked and received unanimous consent for the immediate consideration of House File 912.

Ways and Means Calendar

House File 912, a bill for an act relating to providing sales, use, and property tax exemptions for a certain web search portal business, was taken up for consideration.

Wise of Lee offered the following amendment H-1873 filed by him from the floor and moved its adoption:

H-1873

- 1 Amend House File 912 as follows:
- 2 1. Page 1, line 24, by striking the word
- 3 "primary".
- 4 2. Page 3, lines 9 and 10, by striking the words
- 5 "whose primary business" and inserting the following:
- 6 "among whose primary businesses".

Amendment H-1873 was adopted.

Wise of Lee offered the following amendment H-1820 filed by him and moved its adoption:

H-1820

- 1 Amend House File 912 as follows:
- 2 1. Page 2, line 16, by inserting after the word
- 3 "various" the following: "Iowa".
- 4 2. Page 3, line 17, by inserting after the word
- 5 "Property" the following: ", other than land and
- 6 buildings and other improvements,".
- 7 3. Page 4, line 3, by inserting after the word
- 8 "various" the following: "Iowa".

Amendment H-1820 was adopted.

Wise of Lee moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 912)

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Gipp	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Huseman	Huser	Jacobs	Jacoby
Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Oldson	Olson, D.
Olson, R.	Olson, S.	Olson, T.	Palmer
Paulsen	Petersen	Pettengill	Quirk
Rants	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Smith	Soderberg
Staed	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wiencek	Winckler	Windschitl
Wise	Worthan	Mr. Speaker	
		Murphy	

The nays were, 1:

Hunter

Absent or not voting, 4:

Granzow	Raecker	Van Fossen	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **House File 912** be immediately messaged to the Senate.

Appropriations Calendar

House File 907, a bill for an act relating to and making appropriations from the healthy Iowans tobacco trust and the tobacco

settlement trust fund and providing an effective date, was taken up for consideration.

Foege of Linn offered the following amendment H-1809 filed by him and moved its adoption:

H-1809

- 1 Amend House File 907 as follows:
- 2 1. Page 4, by striking lines 28 through 31 and
- 3 inserting the following: "utilizing mentors.
- 4 Programs approved for".
- 5 2. Page 5, by striking lines 4 through 7 and
- 6 inserting the following: "development and leadership.
- 7 The programs shall".

Amendment H-1809 was adopted.

Alons of Sioux offered the following amendment H-1798 filed by him and moved its adoption:

H-1798

- 1 Amend House File 907 as follows:
- 2 1. Page 5, line 34, by striking the figure
- 3 "4,006,474" and inserting the following: "4,256,474".
- 4 2. Page 7, by inserting after line 16 the
- 5 following:
- 6 "j. Of the funds appropriated in this subsection,
- 7 \$200,000 is allocated to the Newton correctional
- 8 facility for a value-based treatment program.
- 9 k. Of the funds appropriated in this subsection,
- 10 \$50,000 is allocated to the Iowa correctional
- 11 institution for women at Mitchellville for a
- 12 value-based treatment program."
- 13 3. Page 8, line 30, by striking the figure
- 14 "9,100,000" and inserting the following: "9,350,000".

Roll call was requested by Alons of Sioux and De Boef of Keokuk.

On the question "Shall amendment H-1798 be adopted?" (H.F. 907)

The ayes were, 43:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef

Deyoe	Dolecheck	Drake	Forristall
Gipp	Grassley	Greiner	Heaton
Hoffman	Horbach	Huseman	Jacobs
Kaufmann	Lukan	May	Miller, L.
Olson, S.	Paulsen	Rants	Rasmussen
Rayhons	Roberts	Sands	Schickel
Soderberg	Struyk	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Watts
Wienczek	Windschitl	Worthan	

The nays were, 53:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cphoon	Dandekar	Davitt
Foegen	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Pettengill	Quirk	Reasoner
Reichert	Schueller	Shomshor	Smith
Staed	Swaim	Taylor, D.	Taylor, T.
Thomas	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise
Mr. Speaker			
Murphy			

Absent or not voting, 4:

Granzow	Raecker	Van Fossen	Zirkelbach
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Amendment H-1798 lost.

Schickel of Cerro Gordo offered the following amendment H-1756 filed by Raecker of Polk and moved its adoption:

H-1756

1 Amend House File 907 as follows:
 2 1. Page 7, by inserting after line 16 the
 3 following:
 4 "4. To the department for the blind:
 5 \$ 130,000
 6 To plan, establish, administer, and promote a
 7 statewide program to provide audio news and
 8 information services to blind or visually impaired
 9 persons residing in this state as provided pursuant to
 10 section 216B.3, subsection 18."

- 11 2. Page 8, line 30, by striking the figure
 12 "9,100,000" and inserting the following: "9,230,000".
 13 3. By renumbering as necessary.

Roll call was requested by Schickel of Cerro Gordo and Paulsen of Linn.

On the question "Shall amendment H-1756 be adopted?" (H.F. 907)

The ayes were, 45:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Grassley	Greiner	Heaton
Hoffman	Horbach	Huseman	Jacobs
Jochum	Kaufmann	Lukan	May
Miller, L.	Olson, S.	Paulsen	Pettengill
Rants	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Watts	Wiencek	Windschitl
Worthan			

The nays were, 50:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Mertz	Miller, H.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Quirk
Reasoner	Reichert	Schueller	Shomshor
Smith	Staed	Swaim	Taylor, D.
Taylor, T.	Thomas	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Winckler
Wise	Mr. Speaker		
	Murphy		

Absent or not voting, 5:

Granzow	Petersen	Raecker	Van Fossen
Zirkelbach			

Amendment H-1756 lost.

Foege of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 907)

The ayes were, 56:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heaton	Heddens	Hunter
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Pettengill	Quirk	Reasoner
Reichert	Schickel	Schueller	Shomshor
Smith	Staed	Swaim	Taylor, D.
Taylor, T.	Thomas	Tomenga	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Wiencek	Winckler	Wise	Mr. Speaker Murphy

The nays were, 40:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Grassley	Greiner	Hoffman
Horbach	Huseman	Huser	Jacobs
Kaufmann	Lukan	May	Miller, L.
Olson, S.	Paulsen	Rants	Rasmussen
Rayhons	Roberts	Sands	Soderberg
Struyk	Tjepkes	Tymeson	Upmeyer
Van Engelenhoven	Watts	Windschitl	Worthan

Absent or not voting, 4:

Granzow	Raecker	Van Fossen	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **House File 907** be immediately messaged to the Senate.

INTRODUCTION OF BILLS

House File 922, by committee on appropriations, a bill for an act revising the requirements for child care registration and providing an effective date.

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

House File 923, by committee on ways and means, a bill for an act relating to the policy and technical administration of the tax and related laws by the department of revenue, including administration of income, sales, use, cigarette, and tobacco taxes and including a retroactive applicability date provision.

Read first time and placed on the **ways and means calendar**.

On motion by McCarthy of Polk, the House was recessed at 6:36 p.m., until the conclusion of the meetings on the committees on appropriation and ways and means.

EVENING SESSION

The House reconvened at 8:03 p.m., Reasoner of Union in the chair.

INTRODUCTION OF BILLS

House File 924, by committee on ways and means, a bill for an act relating to qualifications for licensure as a real estate broker or salesperson upon conviction of specified offenses.

Read first time and placed on the **ways and means calendar**.

House File 925, by committee on ways and means, a bill for an act relating to health-related activities and regulation, including the practices of optometry and mortuary science, establishment of a state public health dental director and an oral health bureau, dependent adult abuse, membership on the child death review team, and immunity for emergency response, and providing for the revision of fees.

Read first time and placed on the **ways and means calendar**.

House File 926, by committee on appropriations, a bill for an act relating to voting machines and optical scan voting systems.

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

House File 927, by committee on appropriations, a bill for an act making appropriations for specified energy-related purposes and providing an effective date.

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

House File 928, by committee on appropriations, a bill for an act relating to regulation of underground storage tanks by the department of natural resources, making appropriations, and providing contingent effective date provisions.

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

House File 929, by committee on ways and means, a bill for an act relating to the movement and health of swine by providing for the taking of stray swine, the registration of game swine, the imposition of fees, and by providing for penalties and an effective date.

Read first time and placed on the **ways and means calendar**.

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on Thursday, April 19, 2007. Had I been present, I would have voted "aye" on Senate File 457.

ANDERSON of Page

I was necessarily absent from the House chamber on Friday, April 20, 2007. Had I been present, I would have voted "aye" on amendments H-1756 to House File 907 and H-1864 to House File 909 and on Senate File 530. I would have voted "nay" on House Files 907 and 909.

RAECKER of Polk

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- 2007\2972 Henry and Kathleen Van Steenwyk, Knoxville – For celebrating their 50th wedding anniversary.
- 2007\2973 Lucille Emily Hof, Marshalltown – For celebrating her 84th birthday.
- 2007\2974 Leona Madolyn Klepinger, Marshalltown – For celebrating her 86th birthday.
- 2007\2975 Catherine M. Meyers, Marshalltown – For celebrating her 76th birthday.
- 2007\2976 Marvel C. Stalzer, Marshalltown – For celebrating her 81st birthday.
- 2007\2977 Evelyn D. Wells, Marshalltown – For celebrating her 95th birthday.
- 2007\2978 Harold R. Baldwin, Marshalltown – For celebrating his 87th birthday.
- 2007\2979 Leila Anna Boldt, Marshalltown – For celebrating her 86th birthday.
- 2007\2980 Marie E. Hendrickson, Marshalltown – For celebrating her 94th birthday.
- 2007\2981 Donald H. MacKaman, Marshalltown – For celebrating his 77th birthday.
- 2007\2982 Lois A. Peters, Marshalltown – For celebrating her 82nd birthday.
- 2007\2983 Shirley Ann Rohrs, Marshalltown – For celebrating her 78th birthday.
- 2007\2984 Colleen Eva Ullery, Marshalltown – For celebrating her 78th birthday.

SUBCOMMITTEE ASSIGNMENTS

House File 792

Appropriations: Reichert, Chair; Huseman and Kuhn.

Senate File 586

Ways and Means: Huser, Chair; Shomshor and Windschitl.

Senate File 593

Ways and Means: Huser, Chair; T. Olson and Struyk.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS**House Study Bill 315**

Ways and Means: Reasoner, Chair; Quirk and Sands.

House Study Bill 316

Ways and Means: Quirk, Chair; Davitt, Deyoe, Forristall, Frevert, Grassley, Huser, Jacobs, Jochum, Kaufmann, Kelley, T. Olson, Pettengill, Reasoner, Sands, Schueller, Shomshor, Soderberg, Struyk, Thomas, Van Fossen, Wendt, Wienczek, Windschitl and Wise.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Senate File 578, a bill for an act creating a Vietnam Conflict veterans bonus for a certain period of active duty military service, making an appropriation, providing a tax exemption and a penalty, and including a retroactive applicability provision.

Fiscal Note is not required.

Recommended **Do Pass** April 20, 2007.

Senate File 579, a bill for an act relating to a pharmaceutical collection and disposal pilot project.

Fiscal Note is not required.

Recommended **Amend and Do Pass with Amendment H—1826** April 19, 2007.

Senate File 588, a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, and providing effective dates.

Fiscal Note is not required.

Recommended **Amend and Do Pass with Amendment H**—1827 April 19, 2007.

Committee Bill (Formerly House File 792), relating to regulation of underground storage tanks by the department of natural resources, making appropriations, and providing contingent effective date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 20, 2007.

Committee Bill (Formerly House File 845), relating to voting machines and optical scan voting systems.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 20, 2007.

Committee Bill (Formerly House Study Bill 319), making appropriations for specified energy-related purposes and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 20, 2007.

COMMITTEE ON WAYS AND MEANS

Senate File 586, a bill for an act creating a special gold star motor vehicle registration plate and providing fees and an effective date.

Fiscal Note is required.

Recommended **Do Pass** April 20, 2007.

Committee Bill (Formerly House Study Bill 307), relating to the movement and health of swine by providing for the taking of stray swine, the registration of game swine, the imposition of fees, and by providing for penalties and an effective date.

Fiscal Note is required.

Recommended **Amend and Do Pass** April 20, 2007.

Committee Bill (Formerly House Study Bill 318), relating to entities and activities regulated by the Iowa department of public health, including the practices of optometry and mortuary science, establishment of a state public health dental director and an oral health bureau, membership on the child death review team, and immunity for emergency response, and providing for the revision of fees.

Fiscal Note is required.

Recommended **Amend and Do Pass** April 20, 2007.

Committee Bill (Formerly House Study Bill 320), relating to qualifications for licensure as a real estate broker or salesperson upon conviction of specified offences.

Fiscal Note is not required.

Recommended **Do Pass** April 20, 2007.

AMENDMENTS FILED

H—1826	S.F.	579	Committee on Appropriations
H—1827	S.F.	588	Committee on Appropriations
H—1854	S.F.	551	De Boef of Keokuk
H—1857	S.F.	341	Rants of Woodbury
H—1858	S.F.	551	De Boef of Keokuk
H—1867	S.F.	559	Raecker of Polk Berry of Black Hawk
H—1868	S.F.	588	Jacoby of Johnson Mascher of Johnson Lensing of Johnson Wessel-Kroeschell of Story
H—1869	S.F.	588	Baudler of Adair
H—1870	S.F.	551	May of Dickinson Upmeyer of Hancock Roberts of Carroll
H—1871	H.F.	911	Tymeson of Madison Bailey of Hamilton
H—1872	H.F.	911	Tymeson of Madison Bailey of Hamilton

On motion by Ford of Polk the House adjourned at 8:05 p.m., until 10:00 a.m., Monday, April 23, 2007.

JOURNAL OF THE HOUSE

One Hundred Sixth Calendar Day - Seventy-first Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, April 23, 2007

The House met pursuant to adjournment at 10:25 a.m., Speaker Murphy in the chair.

Prayer was offered by Reverend Henry Huber, pastor of St. James Catholic Church, Forest City. He was the guest of Representative Henry Rayhons from Hancock County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Nathan Huss from Davenport. He is the clerk of Representative David Jacoby from Johnson County.

The Journal of Friday, April 20, 2007 was approved.

SPECIAL PRESENTATION

Grassley of Butler introduced to the House his grandfather, the Honorable U.S. Senator Chuck Grassley.

The House rose and expressed its welcome.

The House stood at ease at 10:38 a.m., until the fall of the gavel.

The House resumed session at 1:15 p.m., Speaker Murphy in the chair.

McCarthy of Polk asked and received unanimous consent for meetings of the committees on appropriations and ways and means today.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 23, 2007, concurred in the House amendment and passed the following bill in which the concurrence of the House is asked:

Senate File 485, a bill for an act requiring consideration of greenhouse gas emissions in issuing specified air quality permits.

Also: That the Senate has on April 23, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 587, a bill for an act providing for individual and corporate income tax credits for the charitable conveyance of real property for conservation purposes and including a retroactive applicability date provision.

Also: That the Senate has on April 23, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 600, a bill for an act relating to water quality improvements and watershed improvements and related funding.

MICHAEL E. MARSHALL, Secretary

On motion by McCarthy of Polk, the House was recessed at 1:16 p.m., until 2:00 p.m.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Granzow of Hardin on request of Kaufmann of Cedar.

AFTERNOON SESSION

The House reconvened at 2:18 p.m., Speaker Murphy in the chair.

SENATE MESSAGES CONSIDERED

Senate File 587, by committee on ways and means, a bill for an act providing for individual and corporate income tax credits for the charitable conveyance of real property for conservation purposes and including a retroactive applicability date provision.

Read first time and **passed on file.**

Senate File 600, by committee on appropriations, a bill for an act relating to water quality improvements and watershed improvements and related funding.

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

ADOPTION OF HOUSE RESOLUTION 18

Tymeson of Madison called up for consideration **House Resolution 18**, a resolution honoring the memory of John Wayne on the 100th anniversary of his birth, and moved its adoption.

The motion prevailed and the resolution was adopted.

SPECIAL PRESENTATION

Smith of Marshall introduced to the House, Jim Olson, the mayor of Winterset, the birthplace of John Wayne, whom spoke briefly regarding the John Wayne birthplace and museum and invited all to Winterset on May 26th and 27th.

The House rose and expressed its welcome.

ADOPTION OF THE REPORT OF THE CONFERENCE COMMITTEE (Senate File 277)

Winckler of Scott called up for consideration the report of the conference committee on Senate File 277 and moved the adoption of the conference committee report and the amendments contained therein as follows:

REPORT OF THE CONFERENCE COMMITTEE ON SENATE FILE 277

To the Speaker of the House of Representatives and the President of the Senate:

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and the House of Representatives on Senate File 277, a bill for an Act relating to the state's educational standards regarding teacher librarians and qualified guidance counselors, and to teacher and administrator quality, including the student achievement and teacher quality program and an administrator quality program, making appropriations, and providing an effective date, respectfully make the following report:

1. That the Senate recedes from its amendment, H-1738.
2. That the House recedes from its amendment, S-3298.
3. That Senate File 277, as amended, passed, and reprinted by the Senate, is amended to read as follows:

1. Page 1, line 18, by striking the word "career" and inserting the following: "professional".

2. Page 3, by inserting after line 2 the following: "Sec. _____. Section 256.44, subsection 1, paragraph a, Code 2007, is amended to read as follows:

a. If a teacher registers for national board for professional teaching standards certification ~~prior to June 30 by December 31, 2007~~, a one-time initial reimbursement award in the amount of up to one-half of the registration fee paid by the teacher for registration for certification by the national board for professional teaching standards. The teacher shall apply to the department of education within one year of registration, submitting to the department any documentation the department requires. A teacher who receives an initial reimbursement award shall receive a one-time final registration award in the amount of the remaining national board registration fee paid by the teacher if the teacher notifies the department of the teacher's certification achievement and submits any documentation requested by the department.

Sec. _____. Section 256.44, subsection 1, paragraph b, subparagraph (2), unnumbered paragraph 1, Code 2007, is amended to read as follows:

If the teacher registers for national board for professional teaching standards certification between January 1, 1999, and ~~January 1, 2006~~ December 31, 2007, and achieves certification within ~~three years from the date of initial score notification~~ the timelines and policies established by the national board for professional teaching standards, an annual award in the amount of two thousand five hundred dollars upon achieving certification by the national board of professional teaching standards."

3. Page 3, by inserting after line 9 the following: "Sec. _____. Section 272.2, subsection 10, Code 2007, is amended to read as follows:

10. Issue statements of professional recognition to school service personnel who have attained a minimum of a baccalaureate degree and who are licensed by another professional licensing board."

4. Page 3, line 22, by striking the word "career" and inserting the following: "professional".

5. Page 3, by inserting after line 34 the following : "Sec. _____. Section 279.13, subsection 1, Code 2007, is amended to read as follows:

1. a. Contracts with teachers, which for the purpose of this section means all licensed employees of a school district and nurses employed by the board, excluding superintendents, assistant superintendents, principals, and assistant principals, shall be in writing and shall state the number of contract days, the annual compensation to be paid, and any other matters as may be mutually agreed upon. The contract may

include employment for a term not exceeding the ensuing school year, except as otherwise authorized.

b. Prior to entering into an initial contract with a teacher who holds a license other than an initial license issued by the board of educational examiners under chapter 272, the school district shall request the division of criminal investigation of the department of public safety to conduct a background investigation of the applicant. The school district shall require the teacher to submit a completed fingerprint packet, which shall be used to facilitate a national criminal history check. The school district shall submit the packet to the division of criminal investigation of the department of public safety which shall conduct a thorough background investigation of the teacher. The superintendent of a school district or the superintendent's designee shall have access to and shall review the sex offender registry information under section 692A.13, the central registry for child abuse information established under section 235A.14, and the central registry for dependent adult abuse information established under section 235B.5 for information regarding applicants for employment as a teacher. The school district may charge the teacher a fee for the background investigation, which shall not exceed the fee charged by the division of criminal investigation for conducting the background investigation.

c. The contract is invalid if the teacher is under contract with another board of directors to teach during the same time period until a release from the other contract is achieved. The contract shall be signed by the president of the board, or by the superintendent if the board has adopted a policy authorizing the superintendent to sign teaching contracts, when tendered, and after it is signed by the teacher, the contract shall be filed with the secretary of the board before the teacher enters into performance under the contract."

6. Page 4, line 13, by striking the words "excluding school nurses".

7. Page 4, by striking lines 17 and 18 and inserting the following: "directors under section 279.13. A teacher may be".

8. Page 5, by inserting before line 25 the following "However, if a school district can demonstrate that an existing professional development, curriculum, or student improvement committee has significant stakeholder involvement and a leadership role in the school district, the appointing authorities may mutually agree to assign to the existing committee the responsibilities set forth in this paragraph "c", to appoint members of the existing committee to the teacher quality committee, or to authorize the existing committee to serve in an advisory capacity to the teacher quality committee."

9. Page 6, by striking lines 4 and 5 and inserting the following:

"(3) Determine, following the adoption of the Iowa professional development model by the state board of education, the use and distribution of the professional".

10. Page 9, line 11, by inserting after the word "The" the following: "goal for the use of the funds is to provide one additional contract day or the equivalent thereof for professional development and".

11. Page 9, line 14, by striking the word "agreement," and inserting the following: "agreement;"

12. Page 9, by striking line 16 and inserting the following: "speakers, and professional development content; and costs".

13. Page 13, by striking lines 22 through 25 and inserting the following: "NEW SUBSECTION. 4. A teacher who is not meeting the applicable standards and criteria based on a determination made pursuant to subsection 3 shall participate in an intensive assistance program."

14. Page 14, by striking lines 17 and 18 and inserting the following: "subject-area shortages, or improving the racial or ethnic diversity on local teaching staffs, funding to prepare a".

15. Page 15, line 34, by striking the words "four hundred" and inserting the following: "hundred".

16. Page 16, by striking line 2 and inserting the following: "with section 256.44.

(1) Of the amount allocated under this"

17. Page 16, line 3, by inserting after the word "paragraph" the following: ""a"".

18. Page 16, by inserting after line 7 the following: "(2) Of the amount allocated under this paragraph "a", for the fiscal year beginning July 1, 2007, and ending June 30, 2008, not less than one million dollars shall be used to supplement the allocation of funds for market factor teacher incentives made pursuant to paragraph "f", subparagraph (1)."

19. Page 16, line 21, by inserting after the word "purposes" the following: "and for not more than four full-time equivalent positions".

20. Page 18, line 4, by inserting before the word "For" the following: "(a)".

21. Page 18, by inserting after line 6 the following: "(b) Of the amount allocated under subparagraph subdivision (a), for the fiscal year beginning July 1, 2007, and ending June 30, 2008, not less than one million dollars shall be used by the department to assist school districts to recruit, employ, and retain qualified teacher librarians, guidance counselors, and school nurses and to meet the goals established in section 256.11, subsections 9A and 9B. To be eligible for assistance, a school district shall submit an application to the department by September 1, 2007. The department shall distribute assistance under this subparagraph subdivision by November 1, 2007. Moneys received by a school district pursuant to this subparagraph subdivision shall be used only to comply with section 256.11, subsection 9, 9A, or 9B."

22. Page 18, line 16, by striking the word "program" and inserting the following: "program and career ladder pilots".

23. Page 18, line 17, by striking the word and figure "section 284.14" and inserting the following: "section 284.14 sections 284.14 and 284.14A".

24. Page 18, by striking line 29 and inserting the following: "be used by the department for oversight".

25. Page 18, line 30, by striking the word "projects" and inserting the following: "pilots".

26. Page 18, line 31, by striking the word and figure "section 284.14" and inserting the following: "sections 284.14 and 284.14A".

27. Page 18, by striking lines 34 and 35 and inserting the following:

"(3) For the fiscal year beginning July 1, 2008, and ending June 30, 2009, the sum".

28. Page 19, line 2, by striking the word "each" and inserting the following: "the".

29. Page 19, lines 5 and 6, by striking the words "distributed to the department of education" and inserting the following: "used by the department".

30. Page 19, by striking line 7 and inserting the following: "administration of the implementation pilots as".

31. Page 19, line 8, by striking the word and figure "section 284.14" and inserting the following: "sections 284.14 and 284.14A".

32. By striking page 20, line 4, through page 21, line 35.

33. Page 22, by striking lines 7 through 11 and inserting the following: "caeer ladders and performance pay models."

34. Page 22, line 34, by striking the words "planning projects" and inserting the following: "projects planning pilots".

35. Page 23, line 2, by striking the words "planning projects" and inserting the following: "projects planning pilots".

36. Page 23, by striking lines 4 through 6 and inserting the following: "pay-for-performance program design,".

37. Page 23, by striking lines 18 through 29 and inserting the following:

"b. The Commencing with the school year beginning July 1, 2007, the commission shall select ten two school districts as demonstration projects planning pilots. To the extent practicable, participants shall represent geographically distinct rural, urban, and suburban areas of the state. Participants shall provide reports or other information as required by the commission.

c. Commencing with the school year beginning July 1, 2008, the commission shall select twenty additional administer two implementation pilots in the school districts as demonstration projects selected for planning pilots under paragraph "b."

38. Page 23, lines 31 and 32, by striking the words "planning or implementation projects" and inserting the following: "projects planning and implementation pilots".

39. Page 24, by striking line 3 and inserting the following: "~~demonstration projects planning and implementation pilots~~. The".

40. Page 24, by inserting after line 9 the following:

"Sec. ____ NEW SECTION. 284.14A CAREER LADDER PILOTS.

1. INTENT. The intent of this section is to create a process by which select Iowa school districts research, develop, and implement pilots designed to identify promising practices related to enhanced teacher compensation career ladder models.

2. PILOT ESTABLISHED. A career ladder pilot is established to be designed, implemented, and administered by the department. The department shall gather sufficient information to identify a career ladder pilot.

a. For the school year beginning July 1, 2007, and ending June 30, 2008, the department shall select up to eight school districts as planning pilots. Participants shall provide reports or other information as required by the department.

b. For the school year beginning July 1, 2008, and ending June 30, 2009, the department shall administer up to eight implementation pilots in the school districts selected for planning pilots under paragraph "a".

3. INTERIM AND FINAL REPORTS. Based on the information generated by the planning and implementation pilots, the department shall submit an interim report to the general assembly by January 14 annually, and shall submit a final report summarizing the effectiveness of the pilots in raising student achievement levels to the general assembly no later than six months after the completion of the planning and implementation pilots. Upon completion of the career ladder planning and implementation pilots, subject to the sufficiency of funds, the state board of education shall adopt rules requiring implementation of the successful components of the pilots by school districts statewide."

41. Page 26, line 30, by striking the word "career" and inserting the following: "professional".

42. Page 27, line 9, by striking the word "career" and inserting the following: "professional".

43. Page 27, line 15, by striking the word "career" and inserting the following: "professional".

44. Page 27, line 16, by striking the word "CAREER" and inserting the following: "PROFESSIONAL".

45. Page 27, line 30, by striking the word "career" and inserting the following: "professional".

46. Page 27, line 33, by striking the word "career" and inserting the following: "professional".

47. Page 28, line 4, by striking the word "career" and inserting the following: "professional".

48. Page 28, line 6, by striking the word "career" and inserting the following: "professional".

49. Page 29, line 3, by striking the word "career" and inserting the following: "professional".

50. Page 29, line 5, by striking the word "career" and inserting the following: "professional".

51. Page 29, by striking line 14 and inserting the following: "173,943,894".

52. Page 29, by striking line 16 and inserting the following: "248,943,894".

53. by renumbering, relettering, or redesignating and correcting internal references as necessary.

ON THE PART OF THE HOUSE:
CINDY L. WINCKLER, Chair
DENNIS M. COHOON
ROGER F. WENDT

ON THE PART OF THE SENATE:
FRANK B. WOOD, Chair
MICHAEL CONNOLLY
DAVE MULDER
HERMAN C. QUIRMBACH

Rants of Woodbury rose on a point of order stating the closed conference committee was in violation of the joint rules.

The Speaker ruled the point not well taken.

Winckler of Scott moved the adoption of the committee report.

Roll call was requested by Rants of Woodbury and Paulsen of Linn.

On the question "Shall the conference committee report be adopted?" (S.F. 277)

The ayes were, 53:

Abdul-Samad	Arnold	Bailey	Bell
Berry	Bukta	Cohoon	Dandekar
Davitt	Foege	Ford	Frevert
Gaskill	Gayman	Heddens	Hunter
Huser	Jacoby	Jochum	Kelley
Kressig	Kuhn	Lensing	Lykam
Mascher	McCarthy	Mertz	Miller, H.
Oldson	Olson, D.	Olson, R.	Palmer
Petersen	Pettengill	Quirk	Reasoner
Reichert	Schueller	Shomshor	Smith

Staed	Swaim	Taylor, D.	Taylor, T.
Thomas	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise
Mr. Speaker			
Murphy			

The nays were, 44:

Alons	Anderson	Baudler	Boal
Chambers	Clute	De Boef	Deyoe
Dolecheck	Drake	Forristall	Gipp
Grassley	Greiner	Heaton	Hoffman
Huseman	Jacobs	Kaufmann	Lukan
May	Miller, L.	Olson, S.	Olson, T.
Paulsen	Raecker	Rants	Rasmussen
Rayhons	Roberts	Sands	Schickel
Soderberg	Struyk	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wiencek	Windschitl	Worthan

Absent or not voting, 3:

Granzow	Horbach	Zirkelbach
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The motion prevailed and the conference committee report was adopted.

Winckler of Scott moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 277)

The ayes were, 93:

Abdul-Samad	Anderson	Arnold	Bailey
Baudler	Bell	Berry	Boal
Bukta	Chambers	Clute	Cohoon
Dandekar	Davitt	Deyoe	Dolecheck
Drake	Foege	Ford	Forristall
Frevert	Gaskill	Gayman	Gipp
Grassley	Greiner	Heaton	Heddens
Hoffman	Hunter	Huseman	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants	Rasmussen

Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor
Smith	Soderberg	Staed	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Fossen	Watts	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wiencek
Winckler	Windschitl	Wise	Worthan
Mr. Speaker			
Murphy			

The nays were, 3:

Alons	De Boef	Van Engelenhoven
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Absent or not voting, 4:

Granzow	Horbach	Huser	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Horbach of Tama on request of Gipp of Winneshiek.

Appropriations Calendar

Senate File 575, a bill for an act relating to and making appropriations to the justice system, with report of committee recommending passage, was taken up for consideration.

Lukan of Dubuque asked and received unanimous consent to withdraw amendment H-1784 filed by Horbach of Tama on April 18, 2007.

Lukan of Dubuque offered the following amendment H-1790 filed by Horbach of Tama and moved its adoption:

H-1790

- 1 Amend Senate File 575, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, line 14, by striking the figure
- 4 "8,917,205" and inserting the following: "8,907,205".

5 2. Page 7, line 34, by striking the figure
6 "20,000" and inserting the following: "30,000".

Amendment H-1790 was adopted.

Lukan of Dubuque asked and received unanimous consent to withdraw amendment H-1800 filed by him on April 19, 2007.

Lukan of Dubuque offered the following amendment H-1821 filed by him and moved its adoption:

H-1821

1 Amend Senate File 575, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 4, line 7, by striking the figure
4 "29,762,656" and inserting the following:
5 "30,077,656".
6 2. Page 4, line 15, by striking the figure
7 "54,703,304" and inserting the following:
8 "53,443,304".
9 3. Page 4, line 23, by striking the figure
10 "25,384,926" and inserting the following:
11 "25,699,926".
12 4. Page 4, line 27, by striking the figure
13 "8,706,242" and inserting the following: "9,021,242".
14 5. Page 4, line 31, by striking the figure
15 "24,099,579" and inserting the following:
16 "24,414,579".

A non-record roll call was requested.

The ayes were 38, nays 50.

Amendment H-1821 lost.

Lukan of Dubuque offered the following amendment H-1788 filed by him and Alons of Sioux and moved its adoption:

H-1788

1 Amend Senate File 575, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 4, by inserting after line 19 the
4 following:
5 "If the United States court of appeals or the
6 United States supreme court declares the value-based

- 7 treatment program at the Newton correctional facility
- 8 to be unconstitutional, the program shall be permitted
- 9 to continue operating and counseling inmates at the
- 10 facility through donations made to the program."

Amendment H-1788 lost.

McCarthy of Polk asked and received unanimous consent that Senate File 575 be deferred and that the bill retain its place on the calendar.

ADOPTION OF HOUSE RESOLUTION 47

Paulsen of Linn, Mascher of Johnson and Raecker of Polk called up for consideration **House Resolution 47**, a resolution to honor professional golfer and Iowa's own Zach Johnson on winning the 2007 Masters golf tournament, and moved its adoption.

The motion prevailed and the resolution was adopted.

SPECIAL PRESENTATION

Raecker of Polk introduced to the House, David Johnson, the father of Zach Johnson.

The House rose and expressed its welcome.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 23, 2007, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 457, a bill for an act relating to the rights of peace officers and public safety and emergency personnel.

Also: That the Senate has on April 23, 2007, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 469, a bill for an act providing for the sale of motor homes by a manufacturer at a camping rally sponsored by the manufacturer.

MICHAEL E. MARSHALL, Secretary

The House resumed consideration of **Senate File 575**, a bill for an act relating to and making appropriations to the justice system, previously deferred.

Heaton of Henry offered amendment H-1921 filed by him from the floor as follows:

H-1921

- 1 Amend Senate File 575, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 5, by inserting after line 20 the
- 4 following:
- 5 "3. As a condition of the appropriations in
- 6 subsection 1, the department shall hire 37 full-time
- 7 equivalent correctional officer positions that were
- 8 vacant on March 13, 2007."

Amendment H-1921 was adopted.

Baudler of Adair asked and received unanimous consent that amendment H-1923 be deferred.

Swaim of Davis asked and received unanimous consent to withdraw amendment H-1905 filed by him from the floor.

McCarthy of Polk asked and received unanimous consent that Senate File 575 be deferred and that the bill retain its place on the calendar.

House File 906, a bill for an act requiring children enrolling in elementary or high school to have a dental screening and providing an effective date, was taken up for consideration.

Mascher of Johnson moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 906)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Dandekar	Davitt	De Boef	Deyoe

Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Gipp	Grassley	Greiner	Heaton
Heddens	Hoffman	Hunter	Huseman
Huser	Jacobs	Jacoby	Jochum
Kaufmann	Kelley	Kressig	Kuhn
Lensing	Lukan	Lykam	Mascher
May	McCarthy	Mertz	Miller, H.
Miller, L.	Oldson	Olson, D.	Olson, R.
Olson, S.	Olson, T.	Palmer	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rants	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Smith	Soderberg
Staed	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Wiencek	Winckler
Windschitl	Wise	Worthan	Mr. Speaker
			Murphy

The nays were, none.

Absent or not voting, 4:

Cohoon	Granzow	Horbach	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House File 906** and **Senate File 277**.

The House resumed consideration of **Senate File 575**, a bill for an act relating to and making appropriations to the justice system, previously deferred.

Baudler of Adair offered amendment H-1923 filed by him from the floor as follows:

H-1923

- 1 Amend Senate File 575, as amended, passed, and
- 2 reprinted by the Senate, as follows:

3 1. Page 5, by inserting after line 20 the
 4 following:
 5 "3. The department is authorized to provide a K-9
 6 to cell extraction teams, and the cell extraction team
 7 may use a K-9, at the discretion of the cell
 8 extraction team, to extract an uncooperative inmate
 9 from a cell."

Baudler of Adair offered the following amendment H-1932, to amendment H-1923, filed by him from the floor and moved its adoption:

H-1932

1 Amend the amendment, H-1923, to Senate File 575, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 1, line 5, by striking the words "is
 5 authorized to" and inserting the following: "shall".

Amendment H-1932 was adopted.

Baudler of Adair moved the adoption of amendment H-1923, as amended.

Roll call was requested by Baudler of Adair and Lukan of Dubuque.

On the question "Shall amendment H-1923, as amended, be adopted?" (S.F. 575)

The ayes were, 44:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Grassley	Greiner	Heaton
Hoffman	Huseman	Jacobs	Kaufmann
Lukan	May	Miller, L.	Olson, S.
Paulsen	Raecker	Rants	Rasmussen
Rayhons	Roberts	Sands	Schickel
Soderberg	Struyk	Taylor, D.	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wienczek	Windschitl	Worthan

The nays were, 50:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Dandekar	Davitt	Foege
Ford	Frevert	Gaskill	Gayman
Heddens	Hunter	Huser	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Mertz	Miller, H.	Olson, D.	Olson, R.
Olson, T.	Palmer	Petersen	Pettengill
Quirk	Reasoner	Reichert	Schueller
Shomshor	Smith	Staed	Swaim
Taylor, T.	Thomas	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Winckler
Wise	Mr. Speaker		
	Murphy		

Absent or not voting, 6:

Cohoon	Granzow	Horbach	Oldson
Tomenga	Zirkelbach		

Amendment H-1923 lost.

T. Taylor of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 575)

The ayes were, 63:

Abdul-Samad	Anderson	Arnold	Bailey
Baudler	Bell	Berry	Bukta
Cohoon	Dandekar	Davitt	Foege
Ford	Frevert	Gaskill	Gayman
Gipp	Heaton	Heddens	Hunter
Huser	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lykam	Mascher	McCarthy	Mertz
Miller, H.	Oldson	Olson, D.	Olson, R.
Olson, T.	Palmer	Petersen	Pettengill
Quirk	Reasoner	Reichert	Sands
Schueller	Shomshor	Smith	Staed
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wienczek
Winckler	Wise	Mr. Speaker	
		Murphy	

The nays were, 34:

Alons	Boal	Chambers	Clute
De Boef	Deyoe	Dolecheck	Drake
Forristall	Grassley	Greiner	Hoffman
Huseman	Jacobs	Lukan	May
Miller, L.	Olson, S.	Paulsen	Raecker
Rants	Rasmussen	Rayhons	Roberts
Schickel	Soderberg	Struyk	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Windschitl	Worthan		

Absent or not voting, 3:

Granzow	Horbach	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 23, 2007, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 340, a bill for an act relating to the consideration of inherited or gifted property in dissolution-of-marriage property division proceedings and including an effective date and an applicability provision.

Also: That the Senate has on April 23, 2007, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 530, a bill for an act relating to prohibited business practices by a real estate broker or salesperson.

MICHAEL E. MARSHALL, Secretary

Senate File 551, a bill for an act relating to and making appropriations involving state government, by providing for agriculture, natural resources, and environmental protection, with report of committee recommending amendment and passage, was taken up for consideration.

Kuhn of Floyd offered the following amendment H-1761 filed by the committee on appropriations and moved its adoption:

H-1761

1 Amend Senate File 551, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 18, by inserting after line 20 the
4 following:

5 "DIVISION

6 IOWA HORSE AND DOG BREEDERS FUND

7 Sec. ____ Section 99D.22, subsection 5, Code 2007,
8 is amended to read as follows:

9 5. To qualify for the Iowa horse and dog breeders
10 fund, a dog shall have been whelped in Iowa and raised
11 for the first six months of its life in Iowa in a
12 state inspected licensed facility. In addition, the
13 owner of the dog shall have been a resident of the
14 state for at least two years prior to the whelping.
15 The department of agriculture and land stewardship
16 shall adopt rules and prescribe forms to bring Iowa
17 breeders into compliance with residency requirements
18 of dogs and breeders in this subsection."

19 2. By renumbering as necessary.

The committee amendment H-1761 was adopted.

Grassley of Butler asked and received unanimous consent to withdraw amendment H-1765 filed by Grassley of Butler, et al., on April 17, 2007.

Struyk of Pottawattamie offered the following amendment H-1841 filed by him and moved its adoption:

H-1841

1 Amend Senate File 551, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 2, by inserting after line 33, the
4 following:

5 "Sec. ____ DANGEROUS WILD ANIMALS. There is
6 appropriated from the general fund of the state to the
7 department of agriculture and land stewardship for the
8 fiscal year beginning July 1, 2007, and ending June
9 30, 2008, the following amount, or so much thereof as
10 is necessary, to be used for the purposes designated:

11 For purposes of administering and enforcing the
12 provisions relating to dangerous wild animals, if
13 enacted in 2007 Iowa Acts, Senate File 564, or 2007

- 14 Iowa Acts, House File 888, including salaries,
- 15 support, maintenance, miscellaneous purposes, and for
- 16 not more than the following full-time equivalent
- 17 positions:
- 18 \$ 155,000
- 19 FTEs 2.00
- 20 The moneys appropriated and FTE's authorized in
- 21 this section are contingent upon the enactment of 2007
- 22 Iowa Acts, Senate File 564, or 2007 Iowa Acts, House
- 23 File 888."
- 24 2. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 42, nays 50.

Amendment H-1841 lost.

Baudler of Adair offered the following amendment H-1799 filed by him and moved its adoption:

H-1799

- 1 Amend Senate File 551, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 3, by striking lines 9 and 10, and
- 4 inserting the following: "maintenance, miscellaneous
- 5 purposes, and for not more than the following
- 6 full-time equivalent positions:
- 7 \$ 120,539
- 8 FTEs 1.00
- 9 The moneys appropriated and full-time equivalent
- 10 position authorized in this section shall be used
- 11 exclusively to support the office of state apiarist,
- 12 the position of the state apiarist as shall be
- 13 appointed by the secretary of agriculture pursuant to
- 14 section 160.1, and for carrying out the duties of the
- 15 state apiarist as provided in chapter 160."
- 16 2. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 43, nays 47.

Amendment H-1799 lost.

De Boef of Keokuk offered the following amendment H-1835 filed by her and moved its adoption:

H-1835

- 1 Amend Senate File 551, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 4, line 6, by striking the figure
- 4 "250,000" and inserting the following: "350,000".
- 5 2. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 37, nays 47.

Amendment H-1835 lost.

Kaufmann of Cedar offered the following amendment H-1840 filed by him and Struyk of Pottawattamie and moved its adoption:

H-1840

- 1 Amend Senate File 551 as follows:
- 2 1. Page 4, line 16, by inserting after the word
- 3 "PROGRAM" the following: "AND "BUY FRESH, BUY LOCAL"
- 4 PROJECTS".
- 5 2. Page 4, line 22, by inserting after the word
- 6 "program," the following: "and for supporting "buy
- 7 fresh, buy local" projects,".
- 8 3. Page 4, line 24, by striking the figure
- 9 "77,000" and inserting the following: "102,000".
- 10 4. Page 4, by inserting after line 24 the
- 11 following:
- 12 "Of the moneys appropriated in this section \$77,000
- 13 shall be used to support the senior farmers market
- 14 nutrition program and \$25,000 shall be allocated for
- 15 the "buy fresh, buy local" marketing of products
- 16 related to natural resource-based businesses."

Amendment H-1840 lost.

De Boef of Keokuk offered the following amendment H-1834 filed by her and moved its adoption:

H-1834

1 Amend Senate File 551, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 7, line 25, by striking the word "FUND"
4 and inserting the following: "FUND - APPROPRIATION
5 TO THE DEPARTMENT OF NATURAL RESOURCES".

6 2. Page 7, line 35, by striking the figure
7 "700,000" and inserting the following: "600,000".

8 3. Page 7, by inserting after line 35 the
9 following:

10 "Sec. ____ NATIONAL POLLUTANT DISCHARGE
11 ELIMINATION SYSTEM PERMIT FUND - APPROPRIATION TO THE
12 DEPARTMENT OF ECONOMIC DEVELOPMENT. There is
13 appropriated from the national pollutant discharge
14 elimination system permit fund created in section
15 455B.196 to the department of economic development for
16 the fiscal year beginning July 1, 2007, and ending
17 June 30, 2008, the following amount, or so much
18 thereof as is necessary, to be used for the purposes
19 designated:

20 For purposes of expediting the department of
21 natural resources' processing of national pollutant
22 discharge elimination system applications and the
23 issuance of permits, including salaries, support,
24 maintenance, miscellaneous purposes, and for not more
25 than the following full-time equivalent positions:

26	\$ 100,000
27	FTEs 2.00"

28 4. By renumbering as necessary.

Amendment H-1834 lost.

De Boef of Keokuk offered the following amendment H-1833 filed by her and moved its adoption:

H-1833

1 Amend Senate File 551, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 8, by inserting after line 12 the
4 following:

5 "Sec. ____ FUNDING RESTORATION. There is
6 appropriated from the general fund of the state to the
7 department of natural resources for the fiscal year
8 beginning July 1, 2007, and ending June 30, 2008, the
9 following amounts, or so much thereof as is necessary,
10 to be used for the purposes designated:

11 1. To be credited to and used for snowmobile
12 programs as provided for the special snowmobile fund
13 created under section 321G.7, in order to restore
14 funding transferred pursuant to 2002 Iowa Acts, Second

15	Extraordinary Session, chapter 1001, section 10:	
16	.....	\$ 950,000
17	2. To be credited to and used for all-terrain	
18	vehicle programs as provided for the special	
19	all-terrain vehicle fund created under section 321I.8,	
20	in order to restore funding transferred pursuant to	
21	2002 Iowa Acts, Second Extraordinary Session, chapter	
22	1001, section 11:	
23	.....	\$ 775,000"

Roll call was requested by De Boef of Keokuk and Rants of Woodbury.

On the question "Shall amendment H-1833 be adopted?" (S.F. 551)

The ayes were, 46:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	Dandekar
De Boef	Deyoe	Dolecheck	Drake
Forristall	Gipp	Grassley	Greiner
Heaton	Hoffman	Huseman	Jacobs
Kaufmann	Lukan	May	Mertz
Miller, H.	Miller, L.	Olson, S.	Paulsen
Raecker	Rants	Rasmussen	Rayhons
Roberts	Sands	Schickel	Soderberg
Struyk	Tjepkes	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wienczek
Windschitl	Worthan		

The nays were, 50:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cphoon	Davitt	Foege
Ford	Frevert	Gaskill	Gayman
Heddens	Hunter	Huser	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Oldson	Olson, D.	Olson, R.	Olson, T.
Palmer	Petersen	Pettengill	Quirk
Reasoner	Reichert	Schueller	Shomshor
Smith	Staed	Swaim	Taylor, D.
Taylor, T.	Thomas	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Winckler
Wise	Mr. Speaker		
	Murphy		

Absent or not voting, 4:

Granzow	Horbach	Tomenga	Zirkelbach
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Amendment H-1833 lost.

De Boef of Keokuk offered the following amendment H-1832 filed by her and moved its adoption:

H-1832

1 Amend Senate File 551, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 9, by inserting after line 3 the
4 following:

5 "Sec. ____ IOWA RESOURCES ENHANCEMENT AND
6 PROTECTION FUND. Notwithstanding the amount of the
7 standing appropriation from the general fund of the
8 state to the Iowa resources enhancement and protection
9 fund as provided in section 455A.18, there is
10 appropriated from the general fund to the Iowa
11 resources enhancement and protection fund, in lieu of
12 the appropriation made in section 455A.18, for the
13 fiscal year beginning July 1, 2007, and ending June
14 30, 2008, the following amount, to be allocated as
15 provided in section 455A.19:

16 \$ 5,000,000"

17 2. Page 15, line 30, by striking the figure
18 "15,500,000" and inserting the following:
19 "10,500,000".

20 3. By renumbering as necessary.

Amendment H-1832 lost.

De Boef of Keokuk offered the following amendment H-1836 filed by her and requested division as follows:

H-1836

1 Amend Senate File 551, as amended, passed, and
2 reprinted by the Senate, as follows:

H-1836A

3 1. Page 9, by inserting after line 3 the
4 following:

5 "Sec. ____ IOWA RESOURCES ENHANCEMENT AND
6 PROTECTION FUND. Notwithstanding the amount of the
7 standing appropriation from the general fund of the
8 state to the Iowa resources enhancement and protection
9 fund as provided in section 455A.18, there is
10 appropriated from the general fund to the Iowa

11 resources enhancement and protection fund, in lieu of
 12 the appropriation made in section 455A.18, for the
 13 fiscal year beginning July 1, 2007, and ending June
 14 30, 2008, the following amount, to be allocated as
 15 provided in section 455A.19:

16 \$ 15,500,000"
 17 2. Page 11, line 5, by striking the figure
 18 "2,550,000" and inserting the following: "2,700,000".

H-1836B

19 3. Page 11, line 26, by striking the figure
 20 "1,500,000" and inserting the following: "2,000,000".

21 4. Page 11, line 33, by striking the figure
 22 "7,000,000" and inserting the following: "7,850,000".

23 5. Page 13, line 24, by striking the word "For"
 24 and inserting the following: "1. For".

25 6. Page 13, by inserting after line 28 the
 26 following:

27 "2. For deposit in the unsewered community
 28 revolving loan fund as provided in section 16.135, if
 29 enacted in this Act, for purposes of supporting the
 30 unsewered community revolving loan program as provided
 31 in that section:

32 \$ 1,000,000

33 The appropriation in this subsection is contingent
 34 upon the enactment of section 16.135 as provided in
 35 this Act."

H-1836C

36 7. Page 15, line 9, by striking the figure
 37 "500,000" and inserting the following: "2,000,000".

H-1836D

38 8. Page 15, by inserting after line 19 the
 39 following:

40 "10. For a light detection and ranching project
 41 which provides statewide aerial photography to create
 42 a database for natural resource planning:

43 \$ 1,500,000

44 11. For the dredging of lakes, including necessary
 45 preparation for dredging, in accordance with the
 46 department's classification of Iowa lakes restoration
 47 report:

48 \$ 1,000,000

49 12. For support of the restore the outdoors
 50 program as provided in section 461A.3A:

Page 2

1 \$ 3,000,00

2 13. a. For a statewide program to support
3 projects that assist targeted communities when
4 demolishing any building located in the community
5 which is abandoned or dilapidated and to dispose of
6 materials or equipment associated with such building
7 in order to provide for the health and safety of the
8 community's population and to allow for redevelopment
9 of the building site:

10 \$ 1,000,000

11 b. As used in paragraph "a", "targeted community"
12 means a community having a population of not more than
13 350 individuals or a disadvantaged community. The
14 department shall establish criteria for determining a
15 disadvantaged community's status based on the
16 community's median household income.

17 c. If the department determines that moneys
18 appropriated in paragraph "a" are not adequate to
19 fully support all projects which would have otherwise
20 been approved under the program, the department shall
21 prioritize the allocation of moneys to support those
22 projects which are necessary to protect the health and
23 safety of a community's population from the most
24 immediate and highest risk."

H-1836A

25 9. Page 15, by striking lines 20 through 30.

26 10. Page 16, by inserting after line 12 the
27 following:

28 "DIVISION _____
29 CODE LANGUAGE - UNSEWERED COMMUNITY
30 LOAN PROGRAM AND FUND

31 Sec. ____ NEW SECTION. 16.135 UNSEWERED
32 COMMUNITY REVOLVING LOAN PROGRAM - FUND.

33 1. The authority shall establish and administer an
34 unsewered community revolving loan program.
35 Assistance under the program shall consist of
36 no-interest loans with a term not to exceed forty
37 years and shall be used for purposes of installing
38 sewage disposal systems in a city without a sewage
39 disposal system or in an area where a cluster of homes
40 is located.

41 2. An unsewered community may apply for assistance
42 under the program. In awarding assistance, the
43 authority shall encourage the use of innovative,
44 cost-effective sewage disposal systems and
45 technologies. The authority shall adopt rules that
46 prioritize applications for disadvantaged unsewered
47 communities.

48 3. For purposes of this section, "an area where a

49 cluster of homes is located" means an area located in
50 a county which includes six or more homes but less

Page 3

1 than five hundred homes.

2 4. An unsewered community revolving loan fund is
3 created in the state treasury under the control of the
4 authority and consisting of moneys appropriated by the
5 general assembly and any other moneys available to and
6 obtained or accepted by the authority for placement in
7 the fund.

8 5. Repayments of moneys loaned and recaptures of
9 loans shall be deposited in the fund.

10 6. Moneys in the fund shall be used to provide
11 assistance under the unsewered community revolving
12 loan program established in this section.

13 7. Moneys in the fund are not subject to section
14 8.33. Notwithstanding section 12C.7, interest or
15 earnings on moneys in the fund shall be credited to
16 the fund."

De Boef of Keokuk asked and received unanimous consent to defer amendment H-1836A.

De Boef of Keokuk offered the following amendment H-1854, to amendment H-1836B filed by her and moved its adoption:

H-1854

1 Amend the amendment H-1836, to Senate File 551, as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, by striking lines 19 and 20.

5 2. Page 2, by inserting after line 24 the
6 following:

7 "14. For deposit in the waste tire management fund
8 created in section 455D.11C to support the purposes of
9 the fund:

10 \$ 500,000"

11 3. By renumbering as necessary.

Amendment H-1854 was adopted.

De Boef of Keokuk moved the adoption of amendment H-1836B, as amended.

Roll call was requested by De Boef of Keokuk and Tymeson of Madison.

On the question "Shall amendment H-1836B be adopted?" (S.F. 551)

The ayes were, 43:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Grassley	Greiner	Heaton	Hoffman
Huseman	Jacobs	Kaufmann	Lukan
May	Miller, L.	Olson, S.	Paulsen
Raecker	Rants	Rasmussen	Rayhons
Roberts	Sands	Schickel	Soderberg
Struyk	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wienczek	Windschitl	Worthan	

The nays were, 53:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Pettengill	Quirk	Reasoner
Reichert	Schueller	Shomshor	Smith
Staed	Swaim	Taylor, D.	Taylor, T.
Thomas	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise
Mr. Speaker			
Murphy			

Absent or not voting, 4:

Gipp	Granzow	Horbach	Zirkelbach
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Amendment H-1836B lost.

De Boef of Keokuk offered the following amendment H-1837 filed by her and moved its adoption:

H-1837

1 Amend Senate File 551, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 11, line 33, by striking the figure
4 "7,000,000" and inserting the following:

5 "11,500,000".

6 2. Page 15, line 30, by striking the figure
7 "15,500,000" and inserting the following:

8 "11,000,000".

9 3. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 32, nays 46.

Amendment H-1837 lost.

Amendment H-1870 filed by May of Dickinson, et al., was placed out of order.

De Boef of Keokuk moved the adoption of amendment H-1836C.

Roll call was requested by De Boef of Keokuk and Roberts of Carroll.

On the question "Shall amendment H-1836C be adopted?" (S.F. 551)

The ayes were, 42:

Alons	Anderson	Arnold	Boal
Chambers	Clute	De Boef	Deyoe
Dolecheck	Drake	Forristall	Grassley
Greiner	Heaton	Hoffman	Huseman
Jacobs	Kaufmann	Lukan	May
Miller, L.	Olson, S.	Paulsen	Raecker
Rants	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wiencsek
Windschitl	Worthan		

The nays were, 51:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gayman
Heddens	Hunter	Huser	Jacoby

Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Mertz	Miller, H.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Pettengill	Quirk	Reasoner	Schueller
Shomshor	Smith	Staed	Swaim
Taylor, D.	Taylor, T.	Thomas	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Winckler	Wise	Mr. Speaker Murphy	

Absent or not voting, 7:

Baudler	Gaskill	Gipp	Granzow
Horbach	Reichert	Zirkelbach	

Amendment H-1836C lost.

De Boef of Keokuk offered the following amendment H-1858, to amendment H-1836D, filed by her and moved its adoption:

H-1858

- 1 Amend the amendment, H-1836, to Senate File 551, as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 1, line 40, by striking the word
- 5 "ranching" and inserting the following: "ranging".

Amendment H-1858 was adopted.

De Boef of Keokuk moved the adoption of amendment H-1836D, as amended.

Roll call was requested by De Boef of Keokuk and Rants of Woodbury.

On the question "Shall amendment H-1836D, as amended, be adopted?" (S.F. 551)

The ayes were, 40:

Alons	Anderson	Arnold	Boal
Chambers	Clute	De Boef	Deyoe
Dolecheck	Drake	Forristall	Grassley
Greiner	Heaton	Hoffman	Huseman
Jacobs	Kaufmann	Lukan	May
Miller, L.	Olson, S.	Paulsen	Raecker

Rants	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tomenga	Van Engelenhoven	Van Fossen
Watts	Wienczek	Windschitl	Worthan

The nays were, 52:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gayman
Heddens	Hunter	Huser	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Mertz	Miller, H.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Pettengill	Quirk	Reasoner	Reichert
Schueller	Shomshor	Smith	Staed
Swaim	Taylor, D.	Taylor, T.	Thomas
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	Mr. Speaker Murphy

Absent or not voting, 8:

Baudler	Gaskill	Gipp	Granzow
Horbach	Tymeson	Upmeyer	Zirkelbach

Amendment H-1836D lost.

May of Dickinson offered the following amendment H-1938 filed by May, Upmeyer of Hancock and Roberts of Carroll from the floor and moved its adoption:

H-1938

- 1 Amend Senate File 551, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 15, by inserting after line 19, the
- 4 following:
- 5 "____. a. For allocation to Iowa state
- 6 university's department of agricultural and biosystems
- 7 engineering to develop and implement a community-based
- 8 odor assessment model for purposes of providing
- 9 recommendations to the general assembly concerning
- 10 minimum separation distances between confinement
- 11 feeding operation structures and designated lakes
- 12 having at least one thousand acres of surface area and
- 13 at least one urban area that is not in proximity to a
- 14 river or lake:
- 15 \$ 150,000
- 16 b. For the development of a joint plan in

17 cooperation with Iowa state university as part of an
 18 effort to coordinate water monitoring in this state,
 19 including by completing, updating, or supplementing
 20 existing plans as necessary, the collection of water
 21 quality data, and for publishing annual reports based
 22 on its work for use by the department and Iowa state
 23 university to provide a baseline for water quality
 24 efforts and to provide for scientific data to analyze
 25 water quality trends:
 26 \$ 850,000"
 27 2. By renumbering as necessary.

Berry of Black Hawk in the chair at 6:39 p.m.

McCarthy of Polk asked and received unanimous consent that Senate File 551 be deferred and that the bill retain its place on the calendar. (Amendment H-1938 pending.)

On motion by McCarthy of Polk, the House was recessed at 6:40 p.m., until 7:10 p.m.

EVENING SESSION

The House reconvened at 7:34 p.m., Speaker Murphy in the chair.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed ninety-two members present, eight absent.

The House resumed consideration of Senate File 551, a bill for an act relating to and making appropriations involving state government, by providing for agriculture, natural resources, and environmental protection. (Amendment H-1938 pending.)

May of Dickinson moved the adoption of amendment H-1938.

A non-record roll call was requested.

The ayes were 43, nays 47.

Amendment H-1938 lost.

D. Olson of Boone asked and received unanimous consent that amendment H-1958 be deferred.

Sands of Louisa asked and received unanimous consent to withdraw amendment H-1903 filed by him from the floor.

Sands of Louisa asked and received unanimous consent to withdraw amendment H-1909 filed by him from the floor.

The House resumed consideration of amendment H-1836A.

Kuhn of Floyd rose on a point of order that amendment H-1836A was not germane.

The Speaker ruled the point well taken and amendment H-1836A not germane.

D. Olson of Boone asked and received unanimous consent that amendment H-1958, previously deferred be withdrawn.

D. Olson of Boone offered the following amendment H-1968 filed by him from the floor, and moved its adoption:

H-1968

1 Amend Senate File 551, as amended, passed, and

2 reprinted by the Senate, as follows:

3 1. Page 18, by inserting after line 20 the

4 following:

5 "DIVISION _____

6 CODE LANGUAGE - WATER QUALITY INITIATIVES

7 Sec. ____ Section 159.5, Code 2007, is amended by

8 adding the following new subsection:

9 NEW SUBSECTION. 15. In the administration of

10 programs relating to water quality improvement and

11 watershed improvements, cooperate with the department

12 of natural resources in order to maximize the receipt

13 of federal funds.

14 Sec. ____ Section 455A.4, subsection 1, Code 2007,

15 is amended by adding the following new paragraph:

16 NEW PARAGRAPH. j. In the administration of

17 programs relating to water quality improvement and

18 watershed improvements, cooperate with the department

19 of agriculture and land stewardship in order to

20 maximize the receipt of federal funds.

21 Sec. ____ Section 466A.2, subsection 2, paragraph

22 a, Code 2007, is amended to read as follows:
 23 a. Enhancement of water quality in the state
 24 through a variety of impairment-based, locally
 25 directed watershed improvement grant projects.
 26 Innovative water quality projects shall be encouraged.
 27 Sec. ____ . Section 466A.4, Code 2007, is amended by
 28 adding the following new subsection:
 29 NEW SUBSECTION. 1A. Public water supply
 30 utilities, county conservation boards, and cities may
 31 also be eligible and apply for and receive local
 32 watershed improvement grants for water quality
 33 improvement projects. An applicant shall coordinate
 34 with a local watershed improvement committee or a soil
 35 and water conservation district and shall include in
 36 the application a description of existing projects and
 37 any potential impact the proposed project may have on
 38 existing or planned water quality improvement
 39 projects.
 40 Sec. ____ . 2006 Iowa Acts, chapter 1145, section 4,
 41 subsection 1, unnumbered paragraph 1, is amended to
 42 read as follows:
 43 A watershed quality planning task force is
 44 established within the department of natural resources
 45 in cooperation with the Iowa department of agriculture
 46 and land stewardship. By ~~June 30~~, January 1, 2008,
 47 the task force shall report to the general assembly
 48 its recommendations for a voluntary statewide water
 49 quality program which is designed to achieve all of
 50 the following goals:"

Page 2

1 2. By renumbering as necessary.

Roll call was requested by Rants of Woodbury and Struyk of Pottawattamie.

On the question "Shall amendment H-1968 be adopted?" (H.F. 551)

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Chambers	Clute	Cohoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Gipp	Grassley	Heaton	Heddens
Hoffman	Hunter	Huseman	Huser

Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	Mascher	May
McCarthy	Mertz	Miller, H.	Miller, L.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Palmer	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Smith	Soderberg	Staed
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wiencek	Winckler	Windschitl
Wise	Worthan	Mr. Speaker	
		Murphy	

The nays were, 1:

Greiner

Absent or not voting, 4:

Bukta

Granzow

Horbach

Zirkelbach

Amendment H-1968 was adopted.

DISSENT FROM SENATE FILE 551

Mr. Speaker:

Article III Section 10 of the Constitution of the State of Iowa provides:

Protest – record of vote – Every member of the general assembly shall have the liberty to dissent from, or protest against any act or resolution which he may think injurious to the public, or an individual, and have the reasons for his dissent entered on the journals; and the yeas and nays of the members of either house, on any question, shall, at the desire of any two members present, be entered on the journals.

I have here a written statement explaining the reasons for my dissent on Senate File 551 to be placed into the journal as provided by Article III Section 10.

On 25 January 2007, the Iowa House passed Senate Concurrent Resolution 3 establishing the joint rules for the 82nd General Assembly. Joint rule 20.3 states that in the 14th week no House files may be debated in the House and no Senate files may be debated in the Senate. The Iowa Senate considered and passed Senate File 551 on 9 April 2007 in clear violation of joint rules.

When Senate File 551 was read for the first time in the House on 16 April 2007 I raised an objection to Senate File 551 being considered in violation of joint rules. While Speaker of the House Murphy held my point and objection as “not well taken”, I

believe that Senate File 551 is not properly before the House and is not eligible for debate.

The joint rules were adopted for the protection of both the Minority and Majority party members, as well as the citizens of Iowa. The integrity of each member of the Iowa House is weakened by this body's failure to abide by, and enforce its own rules.

Representative Christopher Rants
 Representative Scott Raecker
 Representative Sandra Greiner
 Representative Rod Roberts
 Representative Jeff Kaufmann
 Representative Gary Worthan
 Representative Ralph Watts

Representative Pat Grassley
 Representative Jack Drake
 Representative Henry Rayhons
 Representative David Deyoe
 Representative Royd Chambers
 Representative Jim Van Fossen
 Representative Libby Jacobs

Kuhn of Floyd moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 551)

The ayes were, 63:

Abdul-Samad	Anderson	Arnold	Bailey
Bell	Berry	Cohoon	Dandekar
Davitt	Deyoe	Drake	Foege
Ford	Frevert	Gaskill	Gayman
Heaton	Heddens	Hoffman	Hunter
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Petersen	Pettengill	Quirk
Rasmussen	Reasoner	Reichert	Schickel
Schueller	Shomshor	Smith	Staed
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Van Engelenhoven	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wiencsek
Winckler	Wise	Mr. Speaker	
		Murphy	

The nays were, 32:

Alons	Baudler	Boal	Chambers
Clute	De Boef	Dolecheck	Forristall
Gipp	Grassley	Greiner	Huseman
Jacobs	Kaufmann	Lukan	May
Miller, L.	Paulsen	Raecker	Rants
Rayhons	Roberts	Sands	Soderberg
Struyk	Tomenga	Tymeson	Upmeyer
Van Fossen	Watts	Windschitl	Worthan

Absent or not voting, 5:

Bukta Granzow Horbach Huser
Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 551 and 575.**

House File 911, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, vertical infrastructure fund, the endowment for Iowa's health restricted capitals fund, and the technology reinvestment fund, and related matters, and providing an effective date, was taken up for consideration.

The following amendments were deferred by unanimous consent.

Amendment H-1885, amendment H-1886 and amendment H-1887.

Raecker of Polk asked and received unanimous consent to withdraw amendment H-1899 filed by him and Watts of Dallas from the floor.

Raecker of Polk offered amendment H-1936 filed by him and Watts of Dallas from the floor as follows:

H-1936

- 1 Amend House File 911 as follows:
- 2 1. Page 1, by inserting before line 1 the
- 3 following:
- 4 "DIVISION I
- 5 GENERAL FUND
- 6 Section 1. There is appropriated from the general
- 7 fund of the state to the following departments and
- 8 agencies for the fiscal year beginning July 1, 2007,
- 9 and ending June 30, 2008, the following amounts, or so
- 10 much thereof as is necessary, to be used for the
- 11 purposes designated:
- 12 1. DEPARTMENT OF ADMINISTRATIVE SERVICES
- 13 a. For relocation and project costs directly
- 14 associated with remodeling projects on the capitol

15	complex and for facility lease payments:	
16	.....	\$ 1,824,500
17	b. For routine maintenance of state buildings and	
18	facilities:	
19	.....	\$ 5,000,000
20	c. For costs associated with the enterprise	
21	resource planning system:	
22	.....	\$ 1,500,000
23	d. For the purchase and installation of decorative	
24	planters on state property west of the west capitol	
25	terrace:	
26	.....	\$ 120,000
27	e. To provide funding and related services for	
28	capitol complex property acquisition:	
29	.....	\$ 1,000,000
30	f. For a feasibility study relating to renovations	
31	to the capitol complex utility tunnel system:	
32	.....	\$ 260,000
33	g. For costs associated with a feasibility study	
34	concerning asbestos abatement and related building	
35	renovation work at the Iowa workforce development	
36	building located at 1000 E. Grand Avenue in Des	
37	Moines:	
38	.....	\$ 1,000,000
39	2. DEPARTMENT OF CORRECTIONS	
40	For the master planning process for the possible	
41	remodel, expansion, and demolition of buildings at the	
42	Iowa correctional institution for women; to develop,	
43	validate, and implement custody classification	
44	systems; and a research-based study of the substance	
45	abuse, sex offender, and medical and mental health	
46	treatment programs to ensure adherence to	
47	evidence-based practices:	
48	.....	\$ 500,000
49	3. DEPARTMENT OF CULTURAL AFFAIRS	
50	For continuation of the project recommended by the	

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1	Iowa battle flag advisory committee to stabilize the	
2	condition of the battle flag collection:	
3	.....	\$ 220,000
4	The department is authorized an additional 1.50	
5	full-time equivalent positions for a conservation	
6	assistant and a part-time historian for work related	
7	to the stabilization and preservation of the battle	
8	flag collection.	
9	4. DEPARTMENT OF ECONOMIC DEVELOPMENT	
10	For infrastructure expenses to support the	
11	development and expansion of targeted industry areas	
12	of advanced manufacturing, bioscience, and information	
13	technology pursuant to 2007 Iowa Acts, House File 829,	

14 if enacted:
 15 \$ 1,750,000
 16 5. DEPARTMENT OF EDUCATION
 17 To provide resources for structural and
 18 technological improvements to local libraries and for
 19 the enrich Iowa program:
 20 \$ 1,000,000
 21 Of the amount appropriated in this subsection,
 22 \$50,000 shall be allocated equally to each library
 23 service area.
 24 6. DEPARTMENT OF NATURAL RESOURCES
 25 For implementation of lake projects that have
 26 established watershed improvement initiatives and
 27 community support in accordance with the department's
 28 annual lake restoration plan and report:
 29 \$ 8,600,000
 30 a. Of the moneys appropriated in this lettered
 31 paragraph, \$200,000 shall be used for the purposes of
 32 supporting a low head dam public hazard improvement
 33 program. The moneys shall be used to provide grants
 34 to local communities, including counties and cities,
 35 for projects approved by the department.
 36 (1) The department shall establish a grant
 37 application process and shall require each local
 38 community applying for a project grant to submit a
 39 project plan for the expenditure of the moneys, and to
 40 file a report with the department regarding the
 41 project, as required by the department.
 42 (2) The department shall only award moneys on a
 43 matching basis, pursuant to which the local community
 44 shall contribute a dollar for each dollar awarded by
 45 the department, in order to finance a project.
 46 b. For lake dredging and related improvements
 47 including ongoing dam maintenance and operation on a
 48 lake with public access that has the support of a
 49 benefited lake district located in a county with a
 50 population between 18,015 and 18,050 according to the

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1 2005 population estimate issued by the federal
 2 government:
 3 \$ 100,000
 4 7. SECRETARY OF STATE
 5 To provide reimbursement to counties for the
 6 purposes authorized in this subsection:
 7 \$ 4,500,000
 8 a. The moneys appropriated in this subsection
 9 shall be used to reimburse counties for the cost of
 10 complying with section 52.7, subsection 1, paragraph
 11 "1", if enacted by 2007 Iowa Acts, Senate File 369.
 12 The office of secretary of state shall establish, by

13 administrative rule, a procedure for reimbursing
14 counties for such costs. The rules adopted by the
15 office of secretary of state shall include but not be
16 limited to the following:

17 (1) That on or before May 15, 2007, the county
18 board of supervisors shall submit to the office of
19 secretary of state a resolution adopted by the board
20 declaring the method by which the county intends to
21 comply with section 52.7, subsection 1, paragraph "1",
22 if enacted by 2007 Iowa Acts, Senate File 369.

23 (2) That when applying for reimbursement, a county
24 shall submit a receipt for the purchase and
25 documentation relating to any moneys received by the
26 county or deducted from the purchase price for a
27 trade-in on equipment replaced as part of the
28 transaction required to comply with section 52.7,
29 subsection 1, paragraph "1", if enacted by 2007 Iowa
30 Acts, Senate File 369.

31 b. If federal funding is received for the same or
32 similar purposes authorized in paragraph "a", of the
33 moneys appropriated in this subsection, an amount
34 equal to the federal funding received shall revert to
35 the rebuild Iowa infrastructure fund at the end of the
36 fiscal year.

37 c. A county shall not receive an amount of
38 reimbursement that exceeds the amount allotted to the
39 county by the secretary of state based on the
40 conditions in paragraph "a", subparagraphs (1) and
41 (2).

42 8. STATE BOARD OF REGENTS

43 For allocation by the state board of regents to the
44 state university of Iowa, the Iowa state university of
45 science and technology, and the university of northern
46 Iowa to reimburse the institutions for deficiencies in
47 their operating funds resulting from the pledging of
48 tuition, student fees and charges, and institutional
49 income to finance the cost of providing academic and
50 administrative buildings and facilities and utility

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1 services at the institutions:
2 \$ 10,329,981

3 9. DEPARTMENT OF TRANSPORTATION

4 For deposit into the railroad revolving loan and
5 grant fund created in section 327H.20A:
6 \$ 2,000,000

7 It is the intent of the general assembly that the
8 moneys appropriated in this subsection shall be used
9 to generate at least \$10,000,000 in vertical
10 infrastructure capital investments."

11 2. Page 1, by striking lines 9 through 17.

- 12 3. Page 1, by striking lines 24 through 27.
 13 4. Page 1, by striking lines 31 through 34.
 14 5. Page 2, by striking lines 3 through 6.
 15 6. Page 2, by striking lines 16 through 25.
 16 7. Page 3, by striking lines 5 through 13.
 17 8. Page 3, by striking lines 22 through 30.
 18 9. Page 4, by striking lines 11 through 16.
 19 10. By striking page 4, line 29, through page 5,
 20 line 1.
 21 11. By striking page 5, line 26, through page 6,
 22 line 10.
 23 12. Page 6, by striking lines 15 through 22.
 24 13. Page 8, by striking lines 3 through 26.
 25 14. Page 9, by striking lines 17 through 24.
 26 15. Title page, line 2, by inserting after the
 27 words "from the" the following: "general fund,".
 28 16. By renumbering as necessary.

Cohoon of Des Moines rose on a point of order that amendment H-1936 was not germane.

The Speaker ruled the point well taken and amendment H-1936 not germane.

Raecker of Polk asked for unanimous consent to suspend the rules to consider amendment H-1936.

Objection was raised.

Raecker of Polk moved to suspend the rules to consider amendment H-1936.

Roll call was requested by Rants of Woodbury and Raecker of Polk.

On the question "Shall the rules be suspended to consider amendment H-1936?" (H.F. 911)

The ayes were, 43:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Grassley	Greiner	Heaton
Hoffman	Huseman	Jacobs	Kaufmann
Lukan	May	Miller, L.	Olson, S.
Paulsen	Raecker	Rants	Rasmussen
Rayhons	Roberts	Sands	Schickel

Soderberg	Struyk	Tjepkes	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wienczek	Windschitl	Worthan	

The nays were, 52:

Abdul-Samad	Bailey	Bell	Berry
Cohoon	Dandekar	Davitt	Foege
Ford	Frevert	Gaskill	Gayman
Heddens	Hunter	Huser	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Miller, H.	Oldson	Olson, D.	Olson, R.
Olson, T.	Palmer	Petersen	Pettengill
Quirk	Reasoner	Reichert	Schueller
Shomshor	Smith	Staed	Swaim
Taylor, D.	Taylor, T.	Thomas	Tomenga
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	Mr. Speaker Murphy

Absent or not voting, 5:

Bukta	Granzow	Horbach	Mertz
Zirkelbach			

The motion to suspend the rules lost.

Raecker of Polk offered the following amendment H-1888 filed by him and Watts of Dallas from the floor and moved its adoption:

H-1888

- 1 Amend House File 911 as follows:
- 2 1. Page 1, line 30, by striking the figure
- 3 "1,600,000" and inserting the following: "1,720,000".
- 4 2. Page 1, by striking lines 31 through 34.
- 5 3. By renumbering as necessary.

Roll call was requested by Raecker of Polk and Van Fossen of Scott.

On the question "Shall amendment H-1888 be adopted?" (H.F. 911)

The ayes were, 45:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall

Gipp	Grassley	Greiner	Heaton
Hoffman	Huseman	Huser	Jacobs
Kaufmann	Lukan	May	Miller, L.
Olson, S.	Paulsen	Raecker	Rants
Rasmussen	Rayhons	Roberts	Sands
Schickel	Soderberg	Struyk	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wiencck	Windschitl
Worthan			

The nays were, 49:

Abdul-Samad	Bailey	Bell	Cohoon
Dandekar	Davitt	Foege	Ford
Frevert	Gaskill	Gayman	Heddens
Hunter	Jacoby	Jochum	Kelley
Kressig	Kuhn	Lensing	Lykam
Mascher	McCarthy	Mertz	Miller, H.
Oldson	Olson, D.	Olson, R.	Olson, T.
Palmer	Petersen	Pettengill	Reasoner
Reichert	Schueller	Shomshor	Smith
Staed	Swaim	Taylor, D.	Taylor, T.
Thomas	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise
Mr. Speaker			
Murphy			

Absent or not voting, 6:

Berry	Bukta	Granzow	Horbach
Quirk	Zirkelbach		

Amendment H-1888 lost.

Kaufmann of Cedar asked and received unanimous consent to withdraw amendment H-1889 filed by him from the floor.

Bailey of Hamilton offered the following amendment H-1967 filed by Bailey, Reichert of Muscatine, Tymeson of Madison and Kaufmann of Cedar, from the floor and moved its adoption:

H-1967

- 1 Amend House File 911 as follows:
- 2 1. Page 2, by inserting after line 32 the
- 3 following:
- 4 "q. For a contribution to the American veterans
- 5 disabled for life memorial fund for funding the
- 6 construction of the American veterans disabled for
- 7 life memorial in Washington, D.C., notwithstanding

- 8 section 8.57, subsection 6, paragraph "c":
- 9 \$ 50,000"
- 10 2. Page 9, by inserting after line 29 the
- 11 following:
- 12 "___ DEPARTMENT OF VETERANS AFFAIRS
- 13 For vertical infrastructure improvements and
- 14 construction of resident living areas at the Iowa
- 15 veterans home consistent with the Iowa veterans home
- 16 comprehensive plan, contingent upon submission of a
- 17 report by the department by January 15, 2008, to the
- 18 general assembly detailing the estimated costs, timing
- 19 of construction, and related improvements associated
- 20 with the Iowa veterans home comprehensive plan:
- 21 \$ 2,500,000"
- 22 3. By renumbering as necessary.

Amendment H-1967 was adopted.

Watts of Dallas offered the following amendment H-1890 filed by him from the floor and moved its adoption:

H-1890

- 1 Amend House File 911 as follows:
- 2 1. Page 3, by striking lines 27 through 30.
- 3 2. By renumbering as necessary.

Amendment H-1890 lost.

Raecker of Polk asked and received unanimous consent to withdraw amendment H-1891 filed by Raecker, Watts of Dallas and Van Fossen of Scott from the floor.

Sands of Louisa offered the following amendment H-1892 filed by him from the floor and moved its adoption:

H-1892

- 1 Amend House File 911 as follows:
- 2 1. Page 4, by inserting after line 27 the
- 3 following:
- 4 "c. For deposit into the rural hazardous sites
- 5 cleanup fund created in section 15.301:
- 6 \$ 1,000,000"
- 7 2. Page 23, by inserting after line 14 the
- 8 following:
- 9 "Sec. ___. NEW SECTION. 15.301 RURAL HAZARDOUS
- 10 SITES CLEANUP FUND.
- 11 1. A rural hazardous sites cleanup fund is created
- 12 as a separate fund in the state treasury under the

- 13 control of the department and consisting of any moneys
 14 appropriated by the general assembly and any other
 15 moneys available to or obtained by the department for
 16 placement in the fund. Payments of interest,
 17 repayments of moneys loaned pursuant to this part, and
 18 recaptures of loans shall be deposited in the fund.
 19 2. The fund shall be used to provide grants,
 20 loans, forgivable loans, loan guarantees, and other
 21 forms of assistance to aid in the collection and
 22 disposal of hazardous waste in rural areas of the
 23 state.
 24 3. Moneys in the fund are not subject to section
 25 8.33. Notwithstanding section 12C.7, interest or
 26 earnings on moneys in the fund shall be credited to
 27 the fund.
 28 4. For purposes of this section, "hazardous waste"
 29 means the same as defined in section 455B.411 and
 30 "rural" means the same as defined in section 135.26."
 31 3. By renumbering as necessary.

Cohon of Des Moines rose on a point of order that amendment H-1892 was not germane.

The Speaker ruled the point well taken and amendment H-1892 not germane.

Sands of Louisa asked for unanimous consent to suspend the rules to consider amendment H-1892.

Objection was raised.

Sands of Louisa moved to suspend the rules to consider amendment H-1892.

A non-record roll call was requested.

The ayes were 42, nays 52.

The motion to suspend the rules lost.

Drake of Pottawattamie offered the following amendment H-1893 filed by him and Baudler of Adair from the floor and moved its adoption:

H-1893

- 1 Amend House File 911 as follows:
- 2 1. Page 4, by inserting after line 27 the

- 3 following:
- 4 "____. For the Cass-Audubon border economic
- 5 development agreement for vertical infrastructure
- 6 projects located in the valley business park area:
- 7 \$ 800,000"
- 8 2. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 40, nays 47.

Amendment H-1893 lost.

Sands of Louisa offered the following amendment H-1894 filed by him from the floor and moved its adoption:

H-1894

- 1 Amend House File 911 as follows:
- 2 1. Page 5, by inserting after line 4 the
- 3 following:
- 4 "c. For construction of an agricultural learning
- 5 center at Muscatine community college:
- 6 \$ 250,000"
- 7 2. By renumbering as necessary.

Roll call was requested by Sands of Louisa and Rants of Woodbury.

On the question "Shall amendment H-1894 be adopted?" (H.F. 911)

The ayes were, 44:

Alons	Anderson	Arnold	Boal
Chambers	Clute	De Boef	Deyoe
Dolecheck	Drake	Forristall	Gipp
Grassley	Greiner	Heaton	Hoffman
Huseman	Jacobs	Kaufmann	Lukan
May	Miller, L.	Olson, S.	Paulsen
Raecker	Rants	Rasmussen	Rayhons
Reichert	Roberts	Sands	Schickel
Soderberg	Struyk	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wiencek	Windschitl	Worthan

The nays were, 51:

Abdul-Samad	Bailey	Bell	Berry
Cohoon	Dandekar	Davitt	Foege
Ford	Frevert	Gaskill	Gayman
Heddens	Hunter	Huser	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Mertz	Miller, H.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Pettengill	Quirk	Reasoner	Schueller
Shomshor	Smith	Staed	Swaim
Taylor, D.	Taylor, T.	Thomas	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Winckler	Wise	Mr. Speaker	
		Murphy	

Absent or not voting, 5:

Baudler	Bukta	Granzow	Horbach
Zirkelbach			

Amendment H-1894 lost.

Upmeyer of Hancock offered amendment H-1895 filed by her from the floor and moved its adoption:

H-1895

- 1 Amend House File 911 as follows:
- 2 1. Page 5, by inserting after line 4 the
- 3 following:
- 4 "____. For major renovation and major repair needs,
- 5 including health, life, and fire safety needs, and for
- 6 compliance with the federal Americans With
- 7 Disabilities Act, for state buildings and facilities
- 8 under the purview of community colleges:
- 9 \$ 9,700,000
- 10 The moneys appropriated in this lettered paragraph
- 11 shall be allocated to the community colleges based
- 12 upon the state aid distribution formula established in
- 13 section 260C.18C."
- 14 2. By renumbering as necessary.

Roll call was requested by Huseman of Cherokee and Rants of Woodbury.

On the question "Shall amendment H-1895 be adopted?" (H.F. 911)

The ayes were, 44:

Alons	Arnold	Baudler	Boal
Chambers	Clute	De Boef	Deyoe
Dolecheck	Drake	Forristall	Gipp
Grassley	Greiner	Heaton	Hoffman
Huseman	Jacobs	Kaufmann	Lukan
May	Mertz	Miller, L.	Olson, S.
Paulsen	Raecker	Rants	Rasmussen
Rayhons	Roberts	Sands	Schickel
Soderberg	Struyk	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wiencek	Windschitl	Worthan

The nays were, 50:

Abdul-Samad	Bailey	Bell	Berry
Cohoon	Dandekar	Davitt	Foege
Ford	Frevert	Gaskill	Gayman
Heddens	Hunter	Huser	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Miller, H.	Oldson	Olson, D.	Olson, R.
Olson, T.	Palmer	Pettengill	Quirk
Reasoner	Reichert	Schueller	Shomshor
Smith	Staed	Swaim	Taylor, D.
Taylor, T.	Thomas	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Winckler
Wise	Mr. Speaker Murphy		

Absent or not voting, 6:

Anderson	Bukta	Granzow	Horbach
Petersen	Zirkelbach		

Amendment H-1895 lost.

Greiner of Washington offered the following amendment H-1896 filed by her from the floor and moved its adoption:

H-1896

- 1 Amend House File 911 as follows:
- 2 1. Page 5, by inserting after line 25 the
- 3 following:
- 4 "Of the moneys appropriated in this lettered
- 5 paragraph, \$500,000 shall be allocated to Friends of
- 6 Lake Darling for repair and maintenance of the four
- 7 season bathhouse shelter at Lake Darling."

Roll call was requested by McCarthy of Polk and Heddens of Story.

On the question "Shall amendment H-1896 be adopted?"
(H.F. 911)

The ayes were, 38:

Alons	Arnold	Baudler	Boal
Chambers	Clute	Deyoe	Dolecheck
Drake	Forristall	Gipp	Grassley
Greiner	Heaton	Hoffman	Huseman
Jacobs	Kaufmann	May	Miller, L.
Olson, S.	Paulsen	Raecker	Rants
Rasmussen	Rayhons	Sands	Schickel
Soderberg	Tjepkes	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wienczek
Windschitl	Worthan		

The nays were, 52:

Abdul-Samad	Bailey	Bell	Berry
Cohoon	Dandekar	Davitt	Foege
Ford	Frevert	Gaskill	Gayman
Heddens	Hunter	Huser	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lukan	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Quirk	Reasoner	Reichert	Schueller
Shomshor	Smith	Staed	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tomenga	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Winckler	Wise	Mr. Speaker
			Murphy

Absent or not voting, 10:

Anderson	Bukta	De Boef	Granzow
Horbach	Petersen	Pettengill	Roberts
Whitead	Zirkelbach		

Amendment H-1896 lost.

Upmeyer of Hancock offered the following amendment H-1897 filed by her from the floor and moved its adoption:

H-1897

- 1 Amend House File 911 as follows:
- 2 1. Page 5, by striking lines 28 and 29 and

3 inserting the following: "support, notwithstanding
4 section 8.57,".

5 2. Page 6, by inserting after line 30 the
6 following:

7 " _____. It is the intent of the general assembly
8 that all projects in lettered paragraphs "b" through
9 "e" that satisfy the criteria required in section
10 456A.33B and whose project designers worked with the
11 department to develop an action plan prior to January
12 1, 2006, shall be funded."

13 3. By renumbering as necessary.

Amendment H-1897 lost.

Cohoon of Des Moines asked and received unanimous consent that amendment H-1964 be deferred.

Upmeyer of Hancock offered the following amendment H-1884 filed by Upmeyer, Rayhons of Hancock, Worthan of Buena Vista, Huseman of Cherokee and Raecker of Polk from the floor and moved it adoption:

H-1884

1 Amend House File 911 as follows:

2 1. Page 5, by inserting after line 31 the
3 following:

4 "(1) It is the intent of the general assembly that
5 the department of natural resources shall implement
6 the lake restoration annual report and plan submitted
7 to the joint appropriations subcommittee on
8 transportation, infrastructure, and capitals and the
9 legislative services agency on December 26, 2006,
10 pursuant to section 456A.33B. The lake restoration
11 projects that are recommended by the department to
12 receive funding for fiscal year 2007-2008 and that
13 satisfy the criteria in section 456A.33B, including
14 local commitment of funding for the projects, shall be
15 funded in the amounts provided in the report.

16 Of the amounts appropriated in this lettered
17 paragraph, at least the following amounts shall be
18 allocated as follows:

- 19 (a) For clear lake in Cerro Gordo county:
20 \$ 2,500,000
- 21 (b) For storm lake in Buena Vista county:
22 \$ 1,000,000
- 23 (c) For crystal lake in Hancock county:
24 \$ 250,000"

25 2. Page 5, line 32, by inserting before the word
26 "Of" the following: "(2)".

- 27 3. Page 6, line 2, by striking the figure "(1)"
 28 and inserting the following: "(a)".
 29 4. Page 6, line 7, by striking the figure "(2)"
 30 and inserting the following: "(b)".
 31 5. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 39, nays 46.

Amendment H-1884 lost.

Rayhons of Hancock offered amendment H-1898 filed by him from the floor as follows:

H-1898

1 Amend House File 911 as follows:

2 1. Page 6, by inserting after line 30 the
 3 following:

4 "____. For deposit into the waste tire management
 5 fund created in section 455D.11C, for the purposes of
 6 the fund, notwithstanding section 8.57, subsection 6,
 7 paragraph "c":

8 \$ 500,000"

9 2. Page 29, by inserting after line 33 the
 10 following:

11 "Sec.____. Section 455D.11C, subsection 2, Code
 12 2007, is amended to read as follows:

13 2. Moneys in the waste tire management fund are
 14 appropriated and shall be used for the following
 15 purposes:

16 a. ~~Thirty~~ Forty-five percent of the moneys shall
 17 be used for all of the following positions:

18 (1) One ~~and one-quarter~~ full-time equivalent
 19 ~~position~~ positions for the administration of permits
 20 and registrations for tire processing, storage,
 21 stockpile abatement, and hauling activities, and ~~tire~~
 22 program initiatives for administering programs and
 23 initiatives related to illegal disposal of solid
 24 waste.

25 (2) One and one-half full-time equivalent
 26 positions for waste tire-related and illegal disposal
 27 of solid waste compliance checks and inspections. The
 28 full-time equivalent positions shall be divided
 29 equally between the field offices in the state.

30 b. ~~Ten~~ Fifteen percent of the moneys shall be used
 31 for a public education and awareness initiative
 32 related to the proper tire disposal options and

33 environmental and health hazards posed by improper
34 tire storage and illegal dumping.

35 e. ~~Thirty percent of the moneys shall be used for~~
36 ~~market development initiatives for waste tires.~~

37 d. ~~c. Thirty~~ ~~Forty~~ percent of the moneys shall be
38 used for waste tire stockpile abatement initiatives
39 which would require a cost-share agreement with the
40 landowner.

41 Sec.____. FUNDING STUDY. The department of
42 natural resources shall convene an advisory committee
43 of interested parties to determine a sustainable
44 funding source for waste tire management activities.
45 By December 1, 2007, the advisory committee shall
46 submit recommendations to the general assembly and the
47 governor regarding funding sources for waste tire
48 management activities.

49 Sec.____. UNENCUMBERED OR UNOBLIGATED MONEYS –
50 APPROPRIATION. On July 1, 2007, any unencumbered or

Page 2

1 unobligated moneys distributed from the waste tire
2 management fund pursuant to section 455D.11C,
3 subsection 2, Code 2005, during the previous fiscal
4 year shall revert to the waste tire management fund
5 and shall be reallocated and appropriated pursuant to
6 section 455D.11C, subsection 2, paragraph "a", as
7 amended in this Act. At the end of each fiscal year
8 during the fiscal period beginning July 1, 2007, and
9 ending June 30, 2016, any unencumbered or unobligated
10 moneys remaining in the waste tire management fund
11 shall remain in the waste tire management fund and
12 shall be available for expenditure during the
13 succeeding fiscal year pursuant to section 455D.11C,
14 subsection 2, as amended in this Act."
15 3. By renumbering as necessary.

Cohon of Des Moines rose on a point of order that amendment
H-1898 was not germane.

The Speaker ruled the point well taken and amendment H-1898
not germane.

Rayhons of Hancock asked for unanimous consent to suspend the
rules to consider amendment H-1898.

Objection was raised.

Rayhons of Hancock moved to suspend the rules to consider

amendment H-1898.

Roll call was requested by Rayhons of Hancock and Raecker of Polk.

On the question "Shall the rules be suspended to consider amendment H-1898?" (H.F. 911)

The ayes were, 40:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Gipp
Grassley	Greiner	Heaton	Hoffman
Huseman	Jacobs	Kaufmann	Lukan
May	Miller, L.	Olson, S.	Paulsen
Raecker	Rants	Rasmussen	Rayhons
Roberts	Sands	Schickel	Soderberg
Struyk	Tjepkes	Tymeson	Upmeyer
Van Engelenhoven	Wienczek	Windschitl	Worthan

The nays were, 52:

Abdul-Samad	Bailey	Bell	Berry
Cohoon	Dandekar	Davitt	Foege
Ford	Frevert	Gaskill	Gayman
Heddens	Hunter	Huser	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Mertz	Miller, H.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Quirk	Reasoner	Reichert	Schueller
Shomshor	Smith	Staed	Swaim
Taylor, D.	Taylor, T.	Thomas	Tomenga
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	Mr. Speaker Murphy

Absent or not voting, 8:

Bukta	Forristall	Granzow	Horbach
Pettengill	Van Fossen	Watts	Zirkelbach

The motion to suspend the rules lost.

Wise of Lee asked and received unanimous consent to withdraw amendment H-1919 filed by him and Gaskill of Wapello from the floor.

Wise of Lee offered the following amendment H-1966 filed by him and Gaskill of Wapello from the floor and moved its adoption:

H-1966

- 1 Amend House File 911 as follows:
- 2 1. Page 8, line 2, by striking the figure
- 3 "900,000" and inserting the following: "1,900,000".
- 4 2. By renumbering as necessary.

Amendment H-1966 was adopted.

Paulsen of Linn asked and received unanimous consent to withdraw amendment H-1874 filed by him from the floor.

Huser of Polk offered amendment H-1904 filed by Huser, Granzow of Hardin and Smith of Marshall from the floor as follows:

H-1904

- 1 Amend House File 911 as follows:
- 2 1. Page 8, by inserting after line 2 the
- 3 following:
- 4 "Of the amount appropriated in this lettered
- 5 paragraph, \$150,000 shall be allocated to northwest
- 6 Iowa community college.
- 7 Of the amount appropriated in this lettered
- 8 paragraph, \$150,000 shall be allocated to Iowa valley
- 9 community college.
- 10 Moneys allocated in this lettered paragraph are
- 11 contingent upon the receipt of revised applications
- 12 pursuant to section 100B.22 reflecting the merged
- 13 areas added pursuant to this Act."
- 14 2. Page 23, by inserting after line 14 the
- 15 following:
- 16 "Sec. ____ Section 100B.22, subsection 1,
- 17 paragraphs c and h, Code 2007, are amended to read as
- 18 follows:
- 19 c. Iowa lakes community college for merged area
- 20 III and northwest Iowa community college for merged
- 21 area IV.
- 22 h. Des Moines area community college for merged
- 23 area XI and Iowa valley community college for merged
- 24 area VI and to provide advanced training in operations
- 25 integration in compliance with the national incident
- 26 management system as such advanced training is funded
- 27 by the homeland security and emergency management
- 28 division of the department of public defense."
- 29 3. By renumbering as necessary.

Huser of Polk offered the following amendment H-1973, to amendment H-1904, filed by her from the floor and moved its adoption:

H-1973

- 1 Amend the amendment, H-1904, to House File 911 as
- 2 follows:
- 3 1. Page 1, line 5, by striking the figure
- 4 "150,000" and inserting the following: "50,000".
- 5 2. Page 1, line 8, by striking the figure
- 6 "150,000" and inserting the following: "50,000".

Amendment H-1973 was adopted.

On motion by Huser of Polk, amendment H-1904, as amended, was adopted.

Jacobs of Polk asked and received unanimous consent to withdraw amendment H-1883 filed by her from the floor.

Gaskill of Wapello offered the following amendment H-1933 filed by her from the floor and moved its adoption:

H-1933

- 1 Amend House File 911 as follows:
- 2 1. Page 8, by striking lines 4 through 6 and
- 3 inserting the following:
- 4 "For deposit into the voting machine reimbursement
- 5 fund to provide reimbursement to counties for the
- 6 purposes authorized in this subsection:"
- 7 2. Page 8, by inserting after line 7 the
- 8 following:
- 9 "a. The moneys appropriated in this subsection
- 10 shall be used to reimburse counties for the cost of
- 11 complying with section 52.7, subsection 1, paragraph
- 12 "1", if enacted by 2007 Iowa Acts, Senate File 369.
- 13 The office of secretary of state shall establish, by
- 14 administrative rule, a procedure for reimbursing
- 15 counties for such costs. The rules adopted by the
- 16 office of secretary of state shall include but not be
- 17 limited to the following:
- 18 (1) That on or before June 15, 2007, the county
- 19 board of supervisors shall submit to the office of
- 20 secretary of state a resolution adopted by the board
- 21 declaring the method by which the county intends to
- 22 comply with section 52.7, subsection 1, paragraph "1",

23 2007 Iowa Acts, Senate File 369, if enacted.
24 (2) That when applying for reimbursement, a county
25 shall submit a receipt for the purchase and
26 documentation relating to any moneys received by the
27 county or deducted from the purchase price for a
28 trade-in on equipment replaced as part of the
29 transaction required to comply with section 52.7,
30 subsection 1, paragraph "1", 2007 Iowa Acts, Senate
31 File 369, if enacted.
32 b. If any other federal funding is received for
33 the same or similar purposes authorized in paragraph
34 "a", of the moneys appropriated in this subsection, an
35 amount equal to the federal funding received shall
36 revert to the rebuild Iowa infrastructure fund at the
37 end of the fiscal year.
38 c. A county shall not receive an amount of
39 reimbursement that exceeds the amount allotted to the
40 county by the secretary of state based on the
41 conditions in paragraph "a", subparagraphs (1) and
42 (2).
43 d. On or before December 31, 2007, the secretary
44 of state shall submit a report to the chairpersons and
45 ranking members of the joint appropriations
46 subcommittee on administration and regulation
47 regarding the expenditures of the moneys appropriated
48 in this subsection. The report shall also include
49 recommendations, if necessary, to the general assembly
50 for enacting waiver provisions for counties unable to

Page 2

1 comply with the requirements of section 52.1,
2 subsection 1, paragraph "1", if enacted by 2007 Iowa
3 Acts, Senate File 369."
4 3. Page 12, by inserting after line 4 the
5 following:
6 "____. EFFECTIVE DATE. The provision of this
7 division of this Act appropriating moneys to the
8 secretary of state for deposit into the voting machine
9 reimbursement fund, being deemed of immediate
10 importance, takes effect upon enactment."
11 4. Page 23, by inserting after line 14 the
12 following:
13 "Sec. ____ **NEW SECTION. 47.9 VOTING MACHINE**
14 **REIMBURSEMENT FUND.**
15 A voting machine reimbursement fund is established
16 in the office of the treasurer of state. Moneys in
17 the fund shall be expended to reimburse counties for
18 the costs of complying with section 52.7, subsection
19 1, paragraph "1", if enacted by 2007 Iowa Acts, Senate
20 File 369. The office of secretary of state shall
21 establish, by administrative rule, a procedure for

22 reimbursing counties for such costs. Notwithstanding
23 section 8.33, moneys in the voting machine
24 reimbursement fund shall not revert but shall remain
25 available indefinitely for expenditure under this
26 section."
27 5. By renumbering, redesignating, and correcting
28 internal references as necessary.

Amendment H-1933 was adopted.

De Boef of Keokuk asked and received unanimous consent to withdraw amendment H-1773 filed by her on April 18, 2007.

De Boef of Keokuk offered the following amendment H-1875 filed by De Boef, Raecker of Polk and Watts of Dallas from the floor and moved its adoption:

H-1875

1 Amend House File 911 as follows:
2 1. Page 8, by striking lines 19 through 21 and
3 inserting the following:
4 "b. For costs associated with the establishment of
5 the Iowa institute for biomedical discovery for the
6 study and research of certain health-related diseases
7 and issues including interdisciplinary research,
8 cancer, heart disease and stroke, brain disease, and
9 vision and age-related disease fragility, but not
10 including the study and research of issues relating to
11 somatic cell nuclear transfer at the state university
12 of Iowa:"
13 2. Page 11, by striking lines 24 through 26 and
14 inserting the following:
15 "1. For costs associated with the establishment of
16 the Iowa institute for biomedical discovery for the
17 study and research of certain health-related diseases
18 and issues including interdisciplinary research,
19 cancer, heart disease and stroke, brain disease, and
20 vision and age-related disease fragility, but not
21 including the study and research of issues relating to
22 somatic cell nuclear transfer at the state university
23 of Iowa:"
24 3. By renumbering as necessary.

Roll call was requested by De Boef of Keokuk and Rants of Woodbury.

On the question "Shall amendment H-1875 be adopted?" (H.F. 911)

The ayes were, 46:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Grassley	Greiner	Heaton
Hoffman	Huseman	Jacobs	Kaufmann
Lukan	May	Mertz	Miller, L.
Olson, S.	Paulsen	Pettengill	Raecker
Rants	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wiencek
Windschitl	Worthan		

The nays were, 50:

Abdul-Samad	Bailey	Bell	Berry
Cohoon	Dandekar	Davitt	Foego
Ford	Frevert	Gaskill	Gayman
Heddens	Hunter	Huser	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Miller, H.	Oldson	Olson, D.	Olson, R.
Olson, T.	Palmer	Petersen	Quirk
Reasoner	Reichert	Schueller	Shomshor
Smith	Staed	Swaim	Taylor, D.
Taylor, T.	Thomas	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Winckler
Wise	Mr. Speaker		
	Murphy		

Absent or not voting, 4:

Bukta	Granzow	Horbach	Zirkelbach
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Amendment H-1875 lost.

Wiencek of Black Hawk offered the following amendment H-1876 filed by her from the floor and moved its adoption:

H-1876

- 1 Amend House File 911 as follows:
- 2 1. Page 8, by inserting after line 26 the
- 3 following:
- 4 "d. For costs associated with the completion of

5 upgrades to the electrical distribution system at the
 6 university of northern Iowa:
 7 \$ 625,000"
 8 2. By renumbering as necessary.

Roll call was requested by Wiencek of Black Hawk and Paulsen of Linn.

On the question "Shall amendment H-1876 be adopted?"
 (H.F. 911)

The ayes were, 43:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Grassley	Greiner	Heaton
Hoffman	Huseman	Jacobs	Kaufmann
Lukan	May	Miller, L.	Olson, S.
Paulsen	Raecker	Rants	Rasmussen
Rayhons -	Roberts	Sands	Schickel
Soderberg	Struyk	Tjepkes	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wiencek	Windschitl	Worthan	

The nays were, 53:

Abdul-Samad	Bailey	Bell	Berry
Cohoon	Dandekar	Davitt	Foege
Ford	Frevert	Gaskill	Gayman
Heddens	Hunter	Huser	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Mertz	Miller, H.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Pettengill	Quirk	Reasoner	Reichert
Schueller	Shomshor	Smith	Staed
Swaim	Taylor, D.	Taylor, T.	Thomas
Tomenga	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise
Mr. Speaker			
Murphy			

Absent or not voting, 4:

Bukta	Granzow	Horbach	Zirkelbach
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Amendment H-1876 lost.

Deyoe of Story offered the following amendment H-1877 filed by him from the floor and moved its adoption:

H-1877

- 1 Amend House File 911 as follows:
- 2 1. Page 8, by inserting after line 26 the
- 3 following:
- 4 "d. For costs associated with the planning,
- 5 design, and construction of the chemistry building at
- 6 Iowa state university of science and technology:
- 7 \$ 2,192,000"
- 8 2. By renumbering as necessary.

Roll call was requested by Deyoe of Story and Lukan of Dubuque.

On the question "Shall amendment H-1877 be adopted?" (H.F. 911)

The ayes were, 44:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Grassley	Greiner	Heaton
Hoffman	Huseman	Jacobs	Kaufmann
Lukan	May	Miller, L.	Olson, S.
Paulsen	Raecker	Rants	Rasmussen
Rayhons	Roberts	Sands	Schickel
Soderberg	Struyk	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wienczek	Windschitl	Worthan

The nays were, 52:

Abdul-Samad	Bailey	Bell	Berry
Cohoon	Dandekar	Davitt	Foege
Ford	Frevert	Gaskill	Gayman
Heddens	Hunter	Huser	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Mertz	Miller, H.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Pettengill	Quirk	Reasoner	Reichert
Schueller	Shomshor	Smith	Staed
Swaim	Taylor, D.	Taylor, T.	Thomas
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	Mr. Speaker Murphy

Absent or not voting, 4:

Bukta

Granzow

Horbach

Zirkelbach

Amendment H-1877 lost.

Hoffman of Crawford offered the following amendment H-1878 filed by him from the floor and moved its adoption:

H-1878

1 Amend House File 911 as follows:

2 1. Page 8, by inserting after line 30 the
3 following:

4 "Of the amount appropriated in this lettered
5 paragraph, \$60,000 shall be allocated for general
6 infrastructure improvements for the Crawford county
7 trail."

8 2. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 44, nays 47.

Amendment H-1878 lost.

Tymeson of Madison asked and received unanimous consent to withdraw amendment H-1871 and amendment H-1872 filed by her and Bailey of Hamilton on April 20, 2007.

Boal of Polk offered the following amendment H-1879 filed by her and Raecker of Polk from the floor and requested division as follows:

H-1879

1 Amend House File 911 as follows:

H-1879A

2 1. Page 13, line 28, by striking the figure
3 "4,010,375" and inserting the following: "3,010,375".

4 2. Page 14, line 2, by striking the figure
5 "500,000" and inserting the following: "1,500,000".

H-1879B

6 3. Page 14, by inserting after line 2 the

7 following:

8 "The Iowa learning technology commission shall
9 submit a report by January 1, 2008, to the house and
10 senate standing education committees and the joint
11 appropriations subcommittee on education of the
12 general assembly which shall include a description and
13 results of the programs that have received funding
14 pursuant to chapter 280A and the commission's
15 recommendations for funding and implementing a
16 statewide learning technology initiative."

H-1879

17 4. By renumbering as necessary.

Boal of Polk moved the adoption of amendment H-1879A.

Roll call was requested by Boal of Polk and Raecker of Polk.

On the question "Shall amendment H-1879A be adopted?"
(H.F. 911)

The ayes were, 45:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Grassley	Greiner	Heaton
Hoffman	Huseman	Huser	Jacobs
Kaufmann	Lukan	May	Miller, L.
Olson, S.	Paulsen	Raecker	Rants
Rasmussen	Rayhons	Roberts	Sands
Schickel	Soderberg	Struyk	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wiencek	Windschitl
Worthan			

The nays were, 49:

Abdul-Samad	Bailey	Bell	Berry
Cohoon	Dandekar	Davitt	Frevert
Gaskill	Gayman	Heddens	Hunter
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Pettengill	Quirk	Reasoner
Reichert	Schueller	Shomshor	Smith
Staed	Swaim	Taylor, D.	Taylor, T.
Thomas	Wendt	Wenthe	Wessel-Kroeschell

Whitaker
Mr. Speaker
Murphy

Whitead

Winckler

Wise

Absent or not voting, 6:

Bukta
Horbach

Foege
Zirkelbach

Ford

Granzow

Amendment H-1879A lost.

Boal of Polk moved the adoption of amendment H-1879B.

Amendment H-1879B lost.

Frevert of Palo Alto offered the following amendment H-1963 filed by her from the floor and moved its adoption:

H-1963

1 Amend House File 911 as follows:

2 1. Page 12, line 12, by inserting before the word
3 "For" the following: "1."

4 2. Page 12, line 17, by striking the word
5 "section" and inserting the following: "subsection".

6 3. Page 12, by inserting after line 20 the
7 following:

8 "2. For vertical infrastructure expenses for the
9 veterinary diagnostic laboratory at Iowa state
10 university of science and technology:

11 \$ 1,000,000

12 Iowa state university of science and technology
13 shall not reduce the amount that it allocates to
14 support the college of veterinary medicine from any
15 other source due to the appropriation made in this
16 subsection."

17 4. By renumbering as necessary.

Amendment H-1963 was adopted.

Soderberg of Plymouth offered the following amendment H-1880 filed by him from the floor and moved its adoption:

H-1880

1 Amend House File 911 as follows:

2 1. Page 18, by striking lines 26 through 31.

Roll call was requested by Soderberg of Plymouth and D. Olson of Boone.

On the question "Shall amendment H-1880 be adopted?" (H.F. 911)

The ayes were, 37:

Alons	Baudler	Boal	Chambers
De Boef	Deyoe	Dolecheck	Drake
Forristall	Grassley	Greiner	Heaton
Huseman	Jacobs	Kaufmann	Lukan
May	Miller, L.	Olson, S.	Paulsen
Raecker	Rants	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wienczek	Windschitl
Worthan			

The nays were, 56:

Abdul-Samad	Anderson	Arnold	Bailey
Bell	Berry	Cphoon	Dandekar
Davitt	Foege	Ford	Frevert
Gaskill	Gayman	Heddens	Hunter
Huser	Jacoby	Jochum	Kelley
Kressig	Kuhn	Lensing	Lykam
Mascher	McCarthy	Mertz	Miller, H.
Oldson	Olson, D.	Olson, R.	Olson, T.
Palmer	Petersen	Pettengill	Quirk
Rasmussen	Reasoner	Reichert	Schueller
Shomshor	Smith	Staed	Swaim
Taylor, D.	Taylor, T.	Thomas	Tomenga
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	Mr. Speaker Murphy

Absent or not voting, 7:

Bukta	Clute	Gipp	Granzow
Hoffman	Horbach	Zirkelbach	

Amendment H-1880 lost.

May of Dickinson asked and received unanimous consent to withdraw amendment H-1881 filed by him from the floor.

Alons of Sioux offered amendment H-1902 filed by him from the floor as follows:

H-1902

- 1 Amend House File 911 as follows:
 2 1. Page 23, by inserting after line 14 the
 3 following:
 4 "Sec. ____ NEW SECTION. 216.21. LIMITATIONS ON
 5 CERTAIN CIVIL RIGHTS ACTIONS.
 6 Notwithstanding any provision in this chapter to
 7 the contrary, remedies with respect to a claim or
 8 action under this chapter shall be limited to
 9 injunctive and declaratory relief where the
 10 deprivation consists of a violation of a
 11 constitutional prohibition against the establishment
 12 of religion including but not limited to a violation
 13 resulting from any of the following:
 14 1. A veterans' memorial containing religious words
 15 or imagery.
 16 2. A public building containing religious words or
 17 imagery.
 18 3. The presence of religious words or imagery on
 19 official state seals."
 20 2. By renumbering as necessary.

Cohon of Des Moines rose on a point of order that amendment H-1902 was not germane.

The Speaker ruled the point well taken and amendment H-1902 not germane.

Alons of Sioux asked for unanimous consent to suspend the rules to consider amendment H-1902.

Objection was raised.

Alons of Sioux moved to suspend the rules to consider amendment H-1902.

Roll call was requested by Alons of Sioux and Paulsen of Linn.

On the question "Shall the rules be suspended to consider amendment H-1902?" (H.F. 911)

The ayes were, 43:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall

Gipp	Grassley	Greiner	Heaton
Hoffman	Huseman	Jacobs	Kaufmann
Lukan	May	Miller, L.	Olson, S.
Paulsen	Raecker	Rants	Rasmussen
Rayhons	Roberts	Sands	Schickel
Soderberg	Struyk	Tjepkes	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wienczek	Windschitl	Worthan	

The nays were, 53:

Abdul-Samad	Bailey	Bell	Berry
Cohoon	Dandekar	Davitt	Foegen
Ford	Frevert	Gaskill	Gayman
Heddens	Hunter	Huser	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Mertz	Miller, H.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Pettengill	Quirk	Reasoner	Reichert
Schueller	Shomshor	Smith	Staed
Swaim	Taylor, D.	Taylor, T.	Thomas
Tomenga	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise
Mr. Speaker Murphy			

Absent or not voting, 4:

Bukta	Granzow	Horbach	Zirkelbach
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The motion to suspend the rules lost.

Baudler of Adair offered amendment H-1882 filed by him from the floor as follows:

H-1882

1 Amend House File 911 as follows:
 2 1. Page 29, by inserting after line 22 the
 3 following:
 4 "Sec. ____ Section 262.13, Code 2007, is amended
 5 to read as follows:
 6 262.13 SECURITY OFFICERS AT INSTITUTIONS AS PEACE
 7 OFFICERS.
 8 1. The board may authorize any institution under
 9 its control to commission one or more of its employees
 10 as special security officers. The board shall, at a
 11 minimum, authorize the commissioning of special
 12 security officers at the institutions of higher
 13 learning. Special security officers shall have the
 14 powers, privileges, and immunities of regular peace

15 officers when acting in the interests of the
16 institution by which they are employed. The board
17 shall provide as rapidly as practicable for the
18 adequate training of such special security officers at
19 the Iowa law enforcement academy or in an equivalent
20 training program, unless they have already received
21 such training.

22 2. The board shall require institutions of higher
23 learning under its control to provide that individuals
24 employed as special security officers by the
25 institutions carry a firearm while performing security
26 duties. An individual who is employed as a special
27 security officer at an institution shall meet all of
28 the following requirements:

29 a. Has successfully completed training at the Iowa
30 law enforcement academy or a regional training faculty
31 certified by the director of the Iowa law enforcement
32 academy.

33 b. Is certified by the Iowa law enforcement
34 academy under chapter 80B.

35 c. Possess a permit to carry weapons issued by the
36 department of public safety."

37 2. By renumbering as necessary.

Cohoon of Des Moines rose on a point of order that amendment H-1882 was not germane.

The Speaker ruled the point well taken and amendment H-1882 not germane.

Raecker of Polk asked and received unanimous consent to withdraw amendments H-1885, H-1886 and H-1887, all previously deferred, filed by him and Watts of Dallas from the floor.

Cohoon of Des Moines offered the following amendment H-1964, previously deferred, filed by him from the floor and moved its adoption:

H-1964

1 Amend House File 911 as follows:

2 1. Page 5, line 12, by inserting after the word
3 "projects" the following: "for the wastewater
4 treatment financial assistance program pursuant to
5 section 16.134".

6 2. Page 11, by inserting after line 33 the
7 following:

8 "Up to \$4,000,000 of the moneys appropriated in

9 this subsection for the fiscal year beginning July 1,
 10 2009, and ending June 30, 2010, may be used for
 11 necessary and related expenditures, including
 12 furnishings and scientific equipment, notwithstanding
 13 section 8.57, subsection 6, paragraph "c".

14 3. Page 11, line 35, by inserting after the word
 15 "section" the following: "for the fiscal year
 16 beginning July 1, 2008, and ending June 30, 2009".

17 4. Page 12, by inserting after line 4 the
 18 following:
 19 "Notwithstanding section 8.33, moneys appropriated
 20 in this section for the fiscal year beginning July 1,
 21 2009, and ending June 30, 2010, shall not revert at
 22 the close of the fiscal year for which they were
 23 appropriated but shall remain available for the
 24 purposes designated until the close of the fiscal year
 25 that begins July 1, 2012, or until the project for
 26 which the appropriation was made is completed,
 27 whichever is earlier."

28 5. Page 17, line 3, by inserting after the words
 29 "appropriated in" the following: "subsection 2 and".

30 6. Page 18, by inserting after line 1 the
 31 following:

32 "Sec. _____. 2006 Iowa Acts, chapter 1179, section
 33 1, subsection 12, paragraph h, is amended to read as
 34 follows:

35 h. To provide a grant for the design, construction
 36 of, and purchasing equipment for, a facility to be
 37 used exclusively for processing novel proteins from
 38 agricultural products for pharmaceutical,
 39 nutraceutical, or chemical applications and for
 40 bioprocessing other feedstocks important for biofuels
 41 production and processing:

42 \$ 1,000,000"

43 7. Page 18, by inserting after line 31 the
 44 following:

45 "Sec. _____. 2006 Iowa Acts, chapter 1179, section
 46 16, subsection 1, paragraph b, Code 2007, is amended
 47 to read as follows:

48 b. For planning, design, and construction costs
 49 associated with the construction of a new
 50 approximately 350,000-gross-square-foot state office

Page 2

1 building:
 2 \$ 37,585,000

3 (1) Of the amount appropriated in this lettered
 4 paragraph, up to \$750,000 may be used by the
 5 department to provide an earnest deposit on the
 6 purchase of no more than ten acres of certain property
 7 adjacent to the capitol complex and generally located

8 north of grand avenue and between east 12th and east
9 14th street, if such purchase is made; to provide for
10 parking lot improvements necessary to facilitate an
11 exchange of property consistent with the planned
12 construction of the new state office building; and to
13 provide for the demolition of a structure located on
14 the property to be used for the construction of the
15 new state office building or to provide for the sale
16 by auction and relocation of such structure in an
17 effort to reduce or eliminate the costs associated
18 with the removal of such structure from the property.
19 Any amount received from the sale of a structure as
20 permitted under this lettered paragraph shall be
21 retained by the department for the use specified for
22 the moneys appropriated pursuant to this lettered
23 paragraph.

24 (2) Upon the department's decision to purchase
25 property as described in subparagraph (1), the
26 department shall determine the feasibility of
27 including all or a portion of any amount expended
28 pursuant to subparagraph (1) in the financing
29 mechanism to be used by the department to complete
30 such purchase. The department shall provide a report
31 to the department of management and the legislative
32 services agency that includes the results of the
33 department's determination.

34 Notwithstanding provisions of law to the contrary,
35 the department is hereby authorized to honor and
36 maintain existing leases located on property to be
37 acquired by the department if such property is
38 acquired, as long as such leased property is used for
39 providing health care and pharmaceutical services to
40 citizens in the community. Such leases may be
41 maintained for a period deemed appropriate by the
42 director of the department, but in no case shall such
43 leases continue or be renewed for a period of more
44 than ten years or if a lessee of the property ceases
45 to occupy such property or provide such services."

46 8. By renumbering as necessary.

Amendment H-1964 was adopted.

Cohon of Des Moines moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 911)

The ayes were, 65:

Abdul-Samad	Anderson	Bailey	Bell
Berry	Cohoon	Dandekar	Davitt
Deyoe	Dolecheck	Drake	Foege
Ford	Frevert	Gaskill	Gayman
Gipp	Heaton	Heddens	Hoffman
Hunter	Huseman	Jacoby	Jochum
Kelley	Kressig	Kuhn	Lensing
Lykam	Mascher	McCarthy	Mertz
Miller, H.	Miller, L.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Pettengill	Quirk	Rayhons	Reasoner
Reichert	Roberts	Schickel	Schueller
Shomshor	Smith	Staed	Swaim
Taylor, D.	Taylor, T.	Thomas	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Wienczek	Winckler	Wise	Worthan
Mr. Speaker Murphy			

The nays were, 31:

Alons	Arnold	Baudler	Boal
Chambers	Clute	De Boef	Forristall
Grassley	Greiner	Huser	Jacobs
Kaufmann	Lukan	May	Olson, S.
Paulsen	Raecker	Rants	Rasmussen
Sands	Soderberg	Struyk	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Windschitl	

Absent or not voting, 4:

Bukta	Granzow	Horbach	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **House File 911** be immediately messaged to the Senate.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 23, 2007, amended and passed the following bill in which the concurrence of the House is asked:

House File 641, a bill for an act relating to judicial branch practices and procedures, including distribution of court revenue to cities and counties, and reporting requirements in pending conservatorships, guardianships, estates, or trusts, and providing an effective date.

Also: That the Senate has on April 23, 2007, insisted on its amendment to House File 808, a bill for an act concerning accountability requirements for entities and boards created for joint exercise of governmental powers and providing an effective date. (Formerly HSB 213), and the members of the Conference Committee on the part of the Senate are: The Senator from Davis, Senator Kreiman, Chair; the Senator from Polk, Senator Dearden; the Senator from Story, Senator Quirnbach; the Senator from Scott, Senator Hartsuch; the Senator from Polk, Senator Zaun.

Also: That the Senate has on April 23, 2007, amended the House amendment, concurred in the House amendment as amended, and passed the following bill in which the concurrence of the House is asked:

House File 830, a bill for an act relating to the construction bidding procedures Act by modifying procedures and requirements for letting public improvement contracts, and making corrections.

Also: That the Senate has on April 23, 2007, amended the House amendment, concurred in the House amendment as amended, and passed the following bill in which the concurrence of the House is asked:

Senate File 49, a bill for an act providing for a .08 blood alcohol limit for motorboat or sailboat operating while intoxicated offenses.

MICHAEL E. MARSHALL, Secretary

CONFERENCE COMMITTEE APPOINTED (House File 808)

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning House File 808: Huser of Polk, Chair; Gaskill of Wapello, D. Olson of Boone, Rasmussen of Buchanan and Clute of Polk.

The House stood at ease at 11:40 p.m., until the fall of the gavel.

The House resumed session at 11:45 p.m., Kressig of Black Hawk in the chair.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on Friday afternoon, April 20, 2007. Had I been present, I would have voted "aye" on House File 912 and "nay" on House Files 907 and 909.

VAN FOSSEN of Scott

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 23rd day of April, 2007: House Files 309, 744, 849 and 851.

MARK W. BRANDSGARD
Chief Clerk of the House

Report adopted.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 20, 2007, he approved and transmitted to the Secretary of State the following bills:

House File 353, an Act relating to public safety communications by establishing an Iowa statewide interoperable communications system board.

House File 432, an Act relating to abuse of a human corpse and providing penalties.

House File 451, an Act relating to a single point of entry long-term living resources system.

House File 528, an Act relating to the regulation of hospitals and health care facilities by the department of inspections and appeals, including investigations of complaints against health care facilities and rules relating to authentication of certain orders by practitioners, and providing an immediate effective date.

House File 559, an Act relating to the midwest interstate passenger rail compact and providing an effective date.

House File 566, an Act relating to field dental clinics for the purposes of the volunteer health care provider program.

House File 587, an Act relating to advisory boards created pursuant to emergency services agreements and providing an effective date.

House File 590, an Act relating to the application and enforcement of the state building code and providing an applicability date.

House File 611, an Act relating to human growth and development and health education under the educational standards, requiring school districts to provide curricular information to agencies and organizations upon request, and providing related duties for the director of the department of education.

House File 787, an Act appropriating federal funds made available from federal block grants and other federal grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated.

House File 826, an Act establishing an Iowa Abraham Lincoln bicentennial commission and fund and providing for its prospective repeal.

Senate File 311, an Act relating to an action for satisfaction of a mortgage.

Senate File 381, an Act relating to judicial branch procedures, including appointments of court of appeals judges, district judges, district associate judges, associate juvenile judges, associate probate judges, magistrates, and patient advocates, and compensation to judges and other court personnel serving as fiduciaries.

Senate File 407, an Act relating to the home ownership assistance program for Iowa residents who are eligible members of the armed forces of the United States.

Senate File 502, an Act relating to the regulation of savings and loan associations by the division of banking of the department of commerce.

Senate File 529, an Act expanding the criminal offense of possessing contraband in correctional institutions to include possessing contraband in a secure facility for the detention or custody of juveniles, a detention facility, or a jail, and providing a penalty.

Also: the Governor announced that on April 23, 2007 he approved and transmitted to the Secretary of State the following bills:

House File 615, an Act relating to the membership of the board of educational examiners.

House File 759, an Act specifying the functions of the Clarinda correctional facility.

House File 780, an Act relating to the issuance of temporary orders modifying an order of child support.

Senate File 302, an Act relating to moneys appropriated to the department of economic development for regional tourism marketing purposes.

Senate File 337, an Act relating to information required to be indexed in the records of the county recorder.

Senate File 463, an Act concerning the licensing and operations of a manufacturer of ambulances, rescue vehicles, or fire vehicles.

Senate File 528, an Act prohibiting the department of corrections from entering into an agreement with a private sector for-profit entity for the purpose of housing inmates.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- 2007\2985 Gary Wayne Brown, Des Moines – For celebrating his 75th birthday.
- 2007\2986 Mary Gertrude Drury, Des Moines – For celebrating her 88th birthday.
- 2007\2987 Shirley M. Dunn, Marshalltown – For celebrating her 77th birthday.
- 2007\2988 Bertha W. Giesenberg, Marshalltown – For celebrating her 93rd birthday.
- 2007\2989 Daniel Haberstich, Marshalltown – For celebrating his 85th birthday.
- 2007\2990 Rex Emerson Lewis, Marshalltown – For celebrating his 86th birthday.
- 2007\2991 Netha M. Martin, Marshalltown – For celebrating her 83rd birthday.
- 2007\2992 Helen Maxine Meech, Marshalltown – For celebrating her 80th birthday.
- 2007\2993 Sidney E. Paulsen, Marshalltown – For celebrating her 86th birthday.
- 2007\2994 Leona J. Petermeier, Marshalltown – For celebrating her 98th birthday.
- 2007\2995 Ruth A. Randall, Marshalltown – For celebrating her 80th birthday.

- 2007\2996 Lula E. Remster, Marshalltown – For celebrating her 81st birthday.
- 2007\2997 Norma Adeline Reynolds, Marshalltown – For celebrating her 87th birthday.
- 2007\2998 Allen P. Richardson, Marshalltown – For celebrating his 84th birthday.
- 2007\2999 Melvin M. Schuchmann, Marshalltown – For celebrating his 83rd birthday.
- 2007\3000 Dale C. Shankster, Marshalltown – For celebrating his 85th birthday.
- 2007\3001 Robert H. Sunday, Marshalltown – For celebrating his 81st birthday.
- 2007\3002 Fred Junior Yantis, Jr., Marshalltown – For celebrating his 78th birthday.
- 2007\3003 Deane Erickson, Exira – For receiving the Golden Apple Award.
- 2007\3004 Bill and Wilma Fagan, Adair – For celebrating their 60th wedding anniversary.
- 2007\3005 Parkersburg American Legion Post 285, Parkersburg – For celebrating its 87th birthday.
- 2007\3006 Angela Budde, Lincoln School – For receiving the 2007 Gold Star Award for Outstanding Teaching from the R.J. McElroy Trust and KWWL-TV.
- 2007\3007 Jerry Hermesen, Kennedy School – For receiving the 2007 Gold Star Award for Outstanding Teaching from the R.J. McElroy Trust and KWWL-TV.
- 2007\3008 Becca Johnson, Sageville School – For receiving the 2007 Gold Star Award for Outstanding Teaching from the R.J. McElroy Trust and KWWL-TV.
- 2007\3009 James Rolling, Hempstead High School – For receiving the 2007 Gold Star Award for Outstanding Teaching from the R.J. McElroy Trust and KWWL-TV.
- 2007\3010 Anne Sushko, Jefferson Middle School – For receiving the 2007 Gold Star Award for Outstanding Teaching from the R.J. McElroy Trust and KWWL-TV.
- 2007\3011 Diane Zismer, Drexler Middle School – For receiving the 2007 Gold Star Award for Outstanding Teaching from the R.J. McElroy Trust and KWWL-TV.

- 2007\3012 Walter Grage, Remsen – For celebrating his 90th birthday.
- 2007\3013 Helen Grage, Remsen – For celebrating her 88th birthday.
- 2007\3014 Walter and Nancy DeBoar, Hawarden – For celebrating their 60th wedding anniversary.
- 2007\3015 Joe and Germaine Konz, Granville – For celebrating their 50th wedding anniversary.
- 2007\3016 Leroy and June Vos, Kingsley – For celebrating their 50th wedding anniversary.
- 2007\3017 Marion and Wilma Jasper, Sioux Center – For celebrating their 65th wedding anniversary.
- 2007\3018 Mary Herbst, Larchwood – For celebrating her 90th birthday.
- 2007\3019 Henrietta Korthals, Boyden – For celebrating her 90th birthday.

SUBCOMMITTEE ASSIGNMENTS

House File 810

Appropriations: Cohoon, Chair; T. Taylor and Watts.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 318 Ways and Means

Relating to entities and activities regulated by the Iowa department of public health, including the practices of optometry and mortuary science, establishment of a state public health dental director and an oral health bureau, membership on the child death review team, and immunity for emergency response, and providing for the revision of fees.

H.S.B. 319 Appropriations

Making appropriations for specified energy-related purposes and providing an effective date.

COMMITTEE RECOMMENDATION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON WAYS AND MEANS

Senate File 593, a bill for an act relating to the assessment of civil and criminal court fees and penalties.

Fiscal Note is required.

Recommended Amend and Do Pass with Amendment H—1924 April 20, 2007.

RESOLUTIONS FILED

HCR 10, by Jochum, Abdul-Samad, Boal, Drake, Gaskill, Gipp, Greiner, Jacobs, Jacoby, Kaufman, Lensing, L. Miller, Quirk, Raecker, Reasoner, Reichert, Roberts, Shomshor, T. Taylor, Wendt, Wessel-Kroeschell and Whitead, a concurrent resolution requesting that the legislative council create a study committee relating to open meetings and public records laws in Iowa.

Laid over under **Rule 25**.

HR 50, by Heddens, Palmer, D. Taylor, Kuhn, Lensing, Gaskill, Hunter and Kressig, a resolution to declare the third week of October, 2007, Disability History Week in Iowa.

Laid over under **Rule 25**.

AMENDMENTS FILED

H—1900	S.F.	572	Kelley of Black Hawk
H—1906	S.F.	588	Chambers of O'Brien
H—1907	S.F.	588	Chambers of O'Brien
H—1908	S.F.	369	Huser of Polk
H—1910	S.F.	559	Paulsen of Linn

H—1911	S.F.	588	Wise of Lee Raecker of Polk
H—1912	H.F.	918	Reasoner of Union Wise of Lee Hoffman of Crawford Schickel of Cerro Gordo Soderberg of Plymouth
H—1913	S.F.	588	Winckler of Scott Dandekar of Linn Wessel-Kroeschell of Story Ford of Polk Berry of Black Hawk Mascher of Johnson Dolecheck of Ringgold Davitt of Warren
			Abdul-Samad of Polk H. Miller of Webster Heddens of Story Wenthe of Fayette Chambers of O'Brien Frevert of Palo Alto May of Dickinson Boal of Polk
H—1914	H.F.	893	Paulsen of Linn
H—1915	H.F.	893	Watts of Dallas
H—1916	H.F.	893	Watts of Dallas
H—1917	H.F.	896	Van Fossen of Scott
H—1918	H.F.	893	Watts of Dallas
H—1920	H.F.	919	Sands of Louisa
H—1922	S.F.	544	Reichert of Muscatine
H—1924	S.F.	593	Committee on Ways and Means
H—1925	S.F.	580	Paulsen of Linn
H—1926	S.F.	580	Paulsen of Linn
H—1927	S.F.	580	Van Fossen of Scott
H—1928	S.F.	580	Watts of Dallas
H—1929	S.F.	580	Watts of Dallas
H—1930	S.F.	580	Watts of Dallas
H—1931	S.F.	580	Van Fossen of Scott
H—1934	S.F.	580	Alons of Sioux Greiner of Washington Chambers of O'Brien Mertz of Kossuth
			D. Taylor of Linn Windschitl of Harrison Worthan of Buena Vista
H—1935	S.F.	588	Jacoby of Johnson Lensing of Johnson Wessel-Kroeschell of Story Mascher of Johnson
H—1937	H.F.	908	Kelley of Black Hawk
H—1939	S.F.	588	Kaufmann of Cedar

H—1940	S.F.	588	Chambers of O'Brien
H—1941	S.F.	588	Chambers of O'Brien
H—1942	S.F.	588	Upmeyer of Hancock
H—1943	S.F.	588	Chambers of O'Brien
H—1944	S.F.	588	Upmeyer of Hancock Wienczek of Black Hawk
H—1945	S.F.	588	Upmeyer of Hancock
H—1946	S.F.	588	Sands of Louisa
H—1947	S.F.	588	Wienczek of Black Hawk Deyoe of Story
H—1948	S.F.	588	Wienczek of Black Hawk
H—1949	S.F.	588	Struyk of Pottawattamie Pettengill of Benton
H—1950	S.F.	588	Chambers of O'Brien
H—1951	S.F.	588	Tymeson of Madison
H—1952	S.F.	588	Raecker of Polk
H—1953	S.F.	588	Tymeson of Madison
H—1954	S.F.	588	Tymeson of Madison
H—1955	S.F.	588	Tymeson of Madison
H—1956	S.F.	588	Rants of Woodbury
H—1957	S.F.	588	Rants of Woodbury
H—1959	S.F.	588	Chambers of O'Brien
H—1960	S.F.	588	Chambers of O'Brien Alons of Sioux
H—1961	S.F.	588	Lukan of Dubuque May of Dickinson Struyk of Pottawattamie Roberts of Carroll Worthan of Buena Vista Windschitl of Harrison Chambers of O'Brien Wienczek of Black Hawk Watts of Dallas Grassley of Butler Rayhons of Hancock Soderberg of Plymouth L. Miller of Scott Anderson of Page Arnold of Lucas Raecker of Polk
H—1962	S.F.	588	Raecker of Polk

H—1965	H.F.	929	Whitaker of Van Buren
H—1969	S.F.	348	Jochum of Dubuque
H—1970	S.F.	49	Senate Amendment
H—1971	H.F.	641	Senate Amendment
H—1972	H.F.	830	Senate Amendment
H—1974	S.F.	588	Tymeson of Madison

On motion by McCarthy of Polk the House adjourned at 11:45 p.m., until 9:00 a.m., Tuesday, April 24, 2007.

JOURNAL OF THE HOUSE

One Hundred Seventh Calendar Day - Seventy-second Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, April 24, 2007

The House met pursuant to adjournment at 9:06 a.m., Speaker Murphy in the chair.

Prayer was offered by Reverend David P. Loeschen, pastor of Our Savior Lutheran Church, Denison. He was the guest of Representative Clarence Hoffman of Crawford County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Nancy McDowell of West Des Moines. She is the clerk for Representative Royd Chambers of O'Brien County.

The Journal of Monday, April 23, 2007 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Granzow of Hardin on request of Paulsen of Linn; Horbach of Tama on request of Gipp of Winneshiek; Bukta of Clinton on request of McCarthy of Polk.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 23, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 601, a bill for an act relating to state and local finances by providing for funding of property tax credits and reimbursements, by making, increasing and reducing appropriations, providing for salaries and compensation of state employees, providing for fees and penalties, and providing for properly related matters, and including effective date provisions.

MICHAEL E. MARSHALL, Secretary

SENATE AMENDMENT CONSIDERED

Schueller of Jackson called up for consideration **House File 783**, a bill for an act relating to certain city utilities or city enterprises by making changes to procedures for notice and collection of delinquent charges and by making changes to billing notifications for water service and other services provided to certain residential rental property, amended by the Senate, and moved that the House concur in the following Senate amendment H-1789:

H-1789

1 Amend House File 783, as passed by the House, as
2 follows:
3 1. By striking page 3, line 34, through page 4,
4 line 6, and inserting the following:
5 "e. Residential rental property where a charge for
6 any of the services of sewer systems, storm water
7 drainage systems, sewage treatment, solid waste
8 collection, and solid waste disposal is paid directly
9 to the city utility or enterprise by the tenant is
10 exempt from a lien for delinquent rates or charges
11 associated with such services if the landlord gives
12 written notice to the city utility or enterprise that
13 the property is residential rental property and that
14 the tenant is liable for the rates or charges. A city
15 utility or enterprise may require a deposit not
16 exceeding the usual cost of ninety days of the
17 services of sewer systems, storm water drainage
18 systems, sewage treatment, solid waste collection, and
19 solid waste disposal to be paid to the utility or
20 enterprise. Upon receipt, the utility or enterprise
21 shall acknowledge the notice and deposit. A written
22 notice shall contain the address of the residential
23 rental property that the tenant is to occupy and the
24 date that the occupancy begins. When the tenant moves
25 from the rental property, the city utility or
26 enterprise shall return the deposit if the charges for
27 the services of sewer systems, storm water drainage
28 systems, sewage treatment, solid waste collection, and
29 solid waste disposal are paid in full. A change in
30 the ownership of the residential rental property shall
31 require written notice of such change to be given to
32 the city utility or enterprise within ten business
33 days of the completion of the change of ownership.
34 The lien exemption for rental property does not apply
35 to charges for repairs related to a service of sewer
36 systems, storm water drainage systems, sewage

- 37 treatment, solid waste collection, and solid waste
 38 disposal if the repair charges become delinquent."

The motion prevailed and the House concurred in the Senate amendment H-1789.

Schueller of Jackson moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 783)

The ayes were, 94:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Bell	Berry	Boal
Chambers	Clute	Cohoon	Dandekar
Davitt	De Boef	Deyoe	Dolecheck
Drake	Foege	Forristall	Frevert
Gaskill	Gayman	Gipp	Grassley
Greiner	Heaton	Heddens	Hoffman
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor
Smith	Soderberg	Staed	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Wiencek	Winckler	Windschitl	Wise
Worthan	Mr. Speaker		
	Murphy		

The nays were, none.

Absent or not voting, 6:

Baudler	Bukta	Ford	Granzow
Horbach	Zirkelbach		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

SENATE AMENDMENT CONSIDERED

T. Olson of Linn called up for consideration **House File 773**, a bill for an act establishing an energy city designation program, amended by the Senate, and moved that the House concur in the following Senate amendment H-1757:

H-1757

- 1 Amend House File 773, as passed by the House, as
- 2 follows:
- 3 1. Page 1, line 27, by inserting after the word
- 4 "designations." the following: "If more than one
- 5 designation is awarded annually, the criteria shall
- 6 include a requirement that the department award the
- 7 designations to cities of varying populations."

The motion prevailed and the House concurred in the Senate amendment H-1757.

T. Olson of Linn moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 773)

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Chambers	Clute	Cohoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foegen	Forristall
Frevert	Gaskill	Gayman	Gipp
Grassley	Greiner	Heaton	Heddens.
Hoffman	Hunter	Huseman	Huser
Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	Mascher	May
McCarthy	Mertz	Miller, H.	Miller, L.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Palmer	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Smith	Soderberg	Staed

Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wienczek	Winckler	Windschitl
Wise	Worthan	Mr. Speaker	
		Murphy	

The nays were, none.

Absent or not voting, 5:

Bukta	Ford	Granzow	Horbach
Zirkelbach			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Unfinished Business Calendar

Senate File 435, a bill for an act relating to youth deer hunting licenses, with report of committee recommending passage, was taken up for consideration.

Wenthe of Fayette moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 435)

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Chambers	Clute	Cohoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Forristall
Frevert	Gaskill	Gayman	Gipp
Grassley	Greiner	Heaton	Heddens
Hoffman	Hunter	Huseman	Huser
Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	Mascher	May
McCarthy	Mertz	Miller, H.	Miller, L.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Palmer	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rants
Rasmussen	Rayhons	Reasoner	Reichert

Roberts	Sands	Schickel	Schueller
Shomshor	Smith	Soderberg	Staed
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wienczek	Winckler	Windschitl
Wise	Worthan	Mr. Speaker	
		Murphy	

The nays were, none.

Absent or not voting, 5:

Bukta	Ford	Granzow	Horbach
Zirkelbach			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Ways and Means Calendar

Senate File 539, a bill for an act establishing uniform finance procedures for obligations issued by the state, with report of committee recommending passage, was taken up for consideration.

Frevert of Palo Alto moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 539)

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Chambers	Clute	Cohoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foegen	Forristall
Frevert	Gaskill	Gayman	Gipp
Grassley	Greiner	Heaton	Heddens
Hoffman	Hunter	Huseman	Huser
Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	Mascher	May
McCarthy	Mertz	Miller, H.	Miller, L.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Palmer	Paulsen	Petersen

Pettengill	Quirk	Raecker	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Smith	Soderberg	Staed
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson .
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wiencek	Winckler	Windschitl
Wise	Worthan	Mr. Speaker	
		Murphy	

The nays were, none.

Absent or not voting, 5:

Bukta	Ford	Granzow	Horbach
Zirkelbach			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 557, a bill for an act relating to the regulation of credit unions by revising and reorganizing the Iowa credit union Act, making conforming changes, and providing for taxes, fees, and penalties, with report of committee recommending passage, was taken up for consideration.

Kelley of Black Hawk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 557)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Chambers	Clute	Cohoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Gipp	Grassley	Greiner	Heaton
Heddens	Hoffman	Hunter	Huseman
Huser	Jacobs	Jacoby	Jochum
Kaufmann	Kelley	Kressig	Kuhn
Lensing	Lukan	Lykam	Mascher
May	McCarthy	Mertz	Miller, H.

Miller, L.	Oldson	Olson, D.	Olson, R.
Olson, S.	Olson, T.	Palmer	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rants	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Smith	Soderberg
Staed	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Wiencek	Winckler
Windschitl	Wise	Worthan	Mr. Speaker Murphy

The nays were, none.

Absent or not voting, 4:

Bukta	Granzow	Horbach	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

SENATE AMENDMENT CONSIDERED

R. Olson of Polk called up for consideration **Senate File 546**, a bill for an act relating to a hospital lien, amended by the House, further amended by the Senate and moved that the House concur in the following Senate amendment H-1825 to the House amendment:

H-1825

- 1 Amend the House amendment, S-3384, to Senate File
- 2 546, as amended, passed, and reprinted by the Senate,
- 3 as follows:
- 4 1. Page 1, by inserting after line 11 the
- 5 following:
- 6 " ____ . Page 2, line 17, by inserting after the
- 7 word "denied," the following: "In such a case, the
- 8 amount of the lien shall be limited to the amount the
- 9 hospital would have received if such charges were
- 10 covered by the patient's health plan."
- 11 2. By renumbering as necessary.

The motion prevailed and the House concurred in the Senate amendment H-1825, to the House amendment.

R. Olson of Polk moved that the bill, as amended by the House, further amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 546)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Chambers	Clute	Cohoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Gipp	Grassley	Greiner	Heaton
Heddens	Hoffman	Hunter	Huseman
Huser	Jacobs	Jacoby	Jochum
Kaufmann	Kelley	Kressig	Kuhn
Lensing	Lukan	Lykam	Mascher
May	McCarthy	Mertz	Miller, H.
Miller, L.	Oldson	Olson, D.	Olson, R.
Olson, S.	Olson, T.	Palmer	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rants	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Smith	Soderberg
Staed	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Wiencek	Winckler
Windschitl	Wise	Worthan	Mr. Speaker Murphy

The nays were, none.

Absent or not voting, 4:

Bukta	Granzow	Horbach	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

INTRODUCTION OF BILLS

House Joint Resolution 10, by McCarthy, a joint resolution authorizing the temporary use and consumption of alcoholic

beverages on the state capitol complex grounds in conjunction with the Hy-Vee BG World Cup Triathlon, and providing an effective date.

Read first time and referred to committee on **administration and rules**.

House Joint Resolution 11, by McCarthy, a joint resolution approving the permanent acknowledgement of elementary and secondary schools and individual citizens of this state for their contributions of foliage and items to be permanently located on the west capitol terrace and other capitol grounds and providing an effective date.

Read first time and referred to committee on **administration and rules**.

House File 930, by McCarthy, a bill for an act relating to consumption of alcoholic beverages at the state capitol complex.

Read first time and referred to committee on **administration and rules**.

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 773, 783 and Senate Files 435, 539, 546 and 557**.

SENATE MESSAGE CONSIDERED

Senate File 601, by committee on appropriations, a bill for an act relating to state and local finances by providing for funding of property tax credits and reimbursements, by making, increasing and reducing appropriations, providing for salaries and compensation of state employees, providing for tax credits, providing for fees and penalties, and providing for properly related matters, and including effective date provisions.

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

On motion by McCarthy of Polk, the House was recessed at 9:55 a.m., until 2:00 p.m.

AFTERNOON SESSION

The House reconvened at 2:13 p.m., Speaker Murphy in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 24, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 718, a bill for an act relating to cigarette fire safety standards, and providing penalties.

Also: That the Senate has on April 24, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 910, a bill for an act relating to the creation of a task force on postnatal tissue and fluid banking, related postnatal procedures, and providing an effective date.

Also: That the Senate has on April 24, 2007, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 575, a bill for an act relating to and making appropriations to the justice system.

MICHAEL E. MARSHALL, Secretary

ADOPTION OF HOUSE RESOLUTION 32

Kuhn of Floyd, Worthan of Buena Vista and Bailey of Hamilton called up for consideration **House Resolution 32**, a resolution commemorating the life and service of Command Sergeant Major Galen Kittleson of Toeterville, Iowa, and moved its adoption.

The motion prevailed and the resolution was adopted.

CONSIDERATION OF BILLS

Ways and Means Calendar

House File 901, a bill for an act concerning the training and certification of designated security personnel working at commercial establishments with a liquor control license or wine or beer permit, was taken up for consideration.

Abdul-Samad of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 901)

The ayes were, 98:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Gipp	Granzow	Grassley
Greiner	Heaton	Heddens	Hoffman
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor
Smith	Soderberg	Staed	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Wiencek	Winckler	Windschitl	Wise
Worthan	Mr. Speaker		
	Murphy		

The nays were, none.

Absent or not voting, 2:

Horbach Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 566, a bill for an act relating to historic preservation and cultural and entertainment district tax credits; and providing applicability date provisions, with report of committee recommending passage, was taken up for consideration.

D. Olson of Boone in the chair at 2:44 p.m.

Thomas of Clayton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 566)

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Gipp	Granzow	Grassley
Greiner	Heaton	Heddens	Hoffman
Huseman	Jacobs	Jacoby	Jochum
Kaufmann	Kelley	Kressig	Kuhn
Lensing	Lukan	Lykam	Mascher
May	McCarthy	Mertz	Miller, H.
Miller, L.	Murphy, Spkr.	Oldson	Olson, R.
Olson, S.	Olson, T.	Palmer	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rants	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Shomshor	Smith	Soderberg	Staed
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wiencek	Winckler	Windschitl
Wise	Worthan	Olson, D.	
		Presiding	

The nays were, 2:

Hunter Huser

Absent or not voting, 2:

Horbach Zirkelbach

Under the provision of Rule 76, conflict of interest, Schueller of Jackson refrained from voting.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 24, 2007, amended and passed the following bill in which the concurrence of the House is asked:

House File 829, a bill for an act relating to the development and commercialization of businesses in the targeted industry areas of advanced manufacturing, bioscience, and information technology and including a contingent effective date provision.

MICHAEL E. MARSHALL, Secretary

Unfinished Business Calendar

Senate File 558, a bill for an act providing for an increase in the wildlife habitat fee, making an appropriation, and creating a game bird habitat development program, with report of committee recommending amendment and passage, was taken up for consideration.

Whitaker of Van Buren offered the following amendment H-1583 filed by the committee on natural resources and moved its adoption:

H-1583

- 1 Amend Senate File 558, as passed by the Senate, as
- 2 follows:
- 3 1. Page 2, by striking lines 16 through 18 and
- 4 inserting the following: "are available for wetlands
- 5 conservation and to undertake projects in conjunction
- 6 with soil".
- 7 2. Page 4, line 11, by striking the word "five"
- 8 and inserting the following: "three".
- 9 3. Page 4, lines 11 and 12, by striking the word
- 10 "five-year" and inserting the following:
- 11 "three-year".
- 12 4. Page 4, line 24, by striking the word "five"
- 13 and inserting the following: "three".

The committee amendment H-1583 was adopted.

RULE 32 INVOKED

Struyk of Pottawattamie rose on a point of order and invoked Rule 32 to refer Senate File 558 to the committee on ways and means.

The Speaker ruled the point not well taken and Rule 32 not in order.

The House stood at ease at 2:44 p.m., until the fall of the gavel.

The House resumed session at 3:28 p.m., D. Olson of Boone in the chair.

Whitaker of Van Buren moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 558)

The ayes were, 76:

Abdul-Samad	Anderson	Arnold	Bailey
Baudler	Bell	Berry	Bukta
Cohoon	Dandekar	Davitt	Dolecheck
Drake	Foege	Ford	Forristall
Frevert	Gaskill	Gayman	Granzow
Heaton	Heddens	Hoffman	Hunter
Huseman	Jacobs	Jacoby	Jochum
Kaufmann	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	May
McCarthy	Mertz	Miller, H.	Miller, L.
Murphy, Spkr.	Oldson	Olson, R.	Olson, S.
Olson, T.	Palmer	Petersen	Pettengill
Quirk	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Schueller	Shomshor
Smith	Staed	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Upmeyer	Van Engelenhoven	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	Olson, D., Presiding

The nays were, 22:

Alons	Boal	Chambers	Clute
De Boef	Deyoe	Gipp	Grassley
Greiner	Huser	Lukan	Paulsen
Raecker	Rants	Sands	Schickel
Soderberg	Tymeson	Van Fossen	Wiencek
Windschitl	Worthan		

Absent or not voting, 2:

Horbach Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Appropriations Calendar

House File 889, a bill for an act relating to incentives for school district reorganizations and shared operational functions, and making an appropriation, was taken up for consideration.

SENATE FILE 447 SUBSTITUTED FOR HOUSE FILE 889

Winckler of Scott asked and received unanimous consent to substitute Senate File 447 for House File 889, placing out of order amendment H-1718 filed by Rants of Woodbury and Raecker of Polk on April 18, 2007, amendment H-1721 filed by Deyoe of Story on April 18, 2007 and amendment H-1729 filed by Raecker of Polk on April 18, 2007.

Senate File 447, a bill for an act relating to incentives for school district reorganizations and shared operational functions, and making an appropriation, was taken up for consideration.

Deyoe of Story offered amendment H-1720 filed by him and requested division as follows:

H-1720

- 1 Amend Senate File 447, as passed by the Senate, as
- 2 follows:

H-1720A

- 3 1. Page 2, line 3, by inserting after the words
- 4 "school district." the following: "The supplementary
- 5 weighting in this paragraph shall be calculated using
- 6 the state regular program foundation base."

H-1720B

- 7 2. Page 2, line 30, by inserting after the word
- 8 "year." the following: "The supplementary weighting
- 9 in this paragraph shall be calculated using the state
- 10 regular program foundation base."
- 11 3. Page 3, line 26, by inserting after the figure
- 12 "2008." the following: "The supplementary weighting
- 13 in this paragraph shall be calculated using the
- 14 special education support services foundation base."

Deyoe of Story asked and received unanimous consent to withdraw amendment H-1720A.

Deyoe of Story moved the adoption of amendment H-1720B.

Rule 75 was invoked.

Roll call was requested by Paulsen of Linn and Tymeson of Madison.

On the question "Shall amendment H-1720B be adopted?" (S.F. 447)

The ayes were, 46:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Granzow	Grassley	Greiner
Heaton	Hoffman	Huseman	Huser
Jacobs	Kaufmann	Lukan	May
Miller, L.	Olson, S.	Paulsen	Raecker
Rants	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wiencck
Windschitl	Worthan		

The nays were, 50:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Jacoby
Jochum	Kelley	Kressig	Lensing
Lykam	Mascher	McCarthy	Mertz
Miller, H.	Murphy, Spkr.	Oldson	Olson, R.
Olson, T.	Palmer	Pettengill	Quirk
Reasoner	Reichert	Schueller	Shomshor
Smith	Staed	Swaim	Taylor, D.
Taylor, T.	Thomas	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Winckler
Wise	Olson, D., Presiding		

Absent or not voting, 4:

Horbach	Kuhn	Petersen	Zirkelbach
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Amendment H-1720B lost.

Speaker Murphy in the chair at 4:03 p.m.

Rants of Woodbury offered amendment H-1719 filed by him and Raecker of Polk as follows:

H-1719

1 Amend Senate File 447, as amended by the Senate, as
2 follows:

3 1. Page 4, by inserting after line 16 the
4 following:

5 "e. The total of the shared operational functions
6 supplementary weighting funding calculated for all
7 districts under paragraphs "a" and "b", shall not
8 exceed three million one hundred thousand dollars for
9 the school year beginning July 1, 2008. The director
10 of the department of management shall distribute the
11 funds to districts based on the order the applications
12 for funds are received by the department and not on a
13 prorated basis."

14 2. By renumbering, redesignating, and correcting
15 internal references as necessary.

Rants of Woodbury offered the following amendment H-1728, to amendment H-1719, filed by Raecker of Polk and moved its adoption:

H-1728

1 Amend the amendment H-1719, to Senate File 447, as
2 passed by the Senate, as follows:

3 1. Page 1, line 1, by striking the word "amended"
4 and inserting the following: "passed".

5 2. Page 1, line 5, by striking the words "shared
6 operational functions".

7 3. Page 1, by striking line 7 and inserting the
8 following: "districts and area education agencies
9 under this subsection shall not".

10 4. Page 1, line 11, by striking the words "to
11 districts".

Amendment H-1728 was adopted.

Rants of Woodbury moved the adoption of amendment H-1719, as amended.

Rule 75 was invoked.

Roll call was requested by Rants of Woodbury and Sands of Louisa.

On the question "Shall amendment H-1719, as amended, be adopted?" (S.F. 447)

The ayes were, 45:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Drake	Forristall	Gipp
Granzow	Grassley	Greiner	Heaton
Hoffman	Huseman	Jacobs	Kaufmann
Lukan	May	Mertz	Miller, L.
Olson, S.	Paulsen	Pettengill	Rants
Rasmussen	Rayhons	Roberts	Sands
Schickel	Soderberg	Struyk	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wienczek	Windschitl
Worthan			

The nays were, 51:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Dolecheck	Foege	Ford	Frevert
Gaskill	Gayman	Heddens	Hunter
Huser	Jacoby	Jochum	Kelley
Kressig	Kuhn	Lensing	Lykam
Mascher	McCarthy	Miller, H.	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Quirk	Reasoner	Reichert	Schueller
Shomshor	Smith	Staed	Swaim
Taylor, D.	Taylor, T.	Thomas	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Winckler	Wise	Mr. Speaker	
		Murphy	

Absent or not voting, 4:

Horbach	Oldson	Raecker	Zirkelbach
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Amendment H-1719 lost.

Mascher of Johnson in the chair at 4:34 p.m.

Winckler of Scott moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 447)

The ayes were, 82:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Bell	Berry	Bukta
Clute	Cohoon	Dandekar	Davitt
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Gipp	Granzow	Grassley
Heaton	Heddens	Hoffman	Hunter
Huseman	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	May	McCarthy
Mertz	Miller, H.	Miller, L.	Murphy, Spkr.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Palmer	Petersen	Pettengill
Quirk	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Smith	Soderberg
Staed	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjépkas	Tomenga	Van Engelenhoven
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wiencek	Winckler	Wise
Worthan	Mascher		
	Presiding		

The nays were, 16:

Baudler	Boal	Chambers	De Boef
Greiner	Huser	Jacobs	Paulsen
Raecker	Rants	Struyk	Tymeson
Upmeyer	Van Fossen	Watts	Windschitl

Absent or not voting, 2:

Horbach	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 889 WITHDRAWN

Winckler of Scott asked and received unanimous consent to withdraw House File 889 from further consideration by the House.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 24, 2007, adopted the conference committee report and passed Senate File 472, a

bill for an act requiring the posting of close-clearance warning devices along railroad tracks and providing a penalty.

MICHAEL E. MARSHALL, Secretary

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House File 901** and **Senate Files 447, 558 and 566.**

House File 927, a bill for an act making appropriations for specified energy-related purposes and providing an effective date, was taken up for consideration.

Jacoby of Johnson moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 927)

The ayes were, 60:

Abdul-Samad	Anderson	Bailey	Bell
Berry	Bukta	Cohoon	Dandekar
Davitt	Foege	Ford	Frevert
Gaskill	Gayman	Granzow	Greiner
Heaton	Heddens	Hoffman	Hunter
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	May
McCarthy	Mertz	Miller, H.	Murphy, Spkr.
Oldson	Olson, D.	Olson, T.	Palmer
Petersen	Pettengill	Quirk	Reasoner
Reichert	Schickel	Schueller	Shomshor
Smith	Staed	Swaim	Taylor, D.
Taylor, T.	Thomas	Tomenga	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Wiencek	Winckler	Wise	Mascher Presiding

The nays were, 37:

Alons	Arnold	Baudler	Boal
Chambers	Clute	De Boef	Deyoe
Dolecheck	Drake	Forristall	Gipp
Grassley	Huseman	Huser	Jacobs
Kaufmann	Lukan	Miller, L.	Olson, S.
Paulsen	Raecker	Rants	Rasmussen

Rayhons	Roberts	Sands	Soderberg
Struyk	Tjepkes	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Windschitl
Worthan			

Absent or not voting, 3:

Horbach	Olson, R.	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 24, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 648, a bill for an act relating to distress criteria for enterprise zones.

Also: That the Senate has on April 24, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 749, a bill for an act concerning existing and new special motor vehicle registration plates associated with military service, crediting fees from the sale of certain special motor vehicle registration plates to the emergency medical services fund and the veterans license fee fund, and providing effective dates.

Also: That the Senate has on April 24, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 603, a bill for an act relating to consumption of alcoholic beverages at the state capitol complex.

MICHAEL E. MARSHALL, Secretary

Ways and Means Calendar

House File 918, a bill for an act establishing the office of energy independence and the Iowa Power Fund and related provisions, and providing an effective date, was taken up for consideration.

Reasoner of Union offered amendment H-1912 filed by Reasoner, et al., as follows:

H-1912

1 Amend House File 918 as follows:

2 1. Page 1, by striking lines 5 through 10.

3 2. Page 1, by inserting after line 16 the
4 following:

5 "4A. "Foreign" means a locality outside of or
6 nation other than the United States, Canada, or
7 Mexico."

8 3. Page 1, by striking lines 20 through 25.

9 4. Page 2, line 15, by striking the words "and
10 programs" and inserting the following: ", programs,
11 and policy".

12 5. Page 2, line 22, by striking the word
13 "Utilize" and inserting the following: "Contract for
14 and utilize".

15 6. Page 3, line 22, by inserting after the word
16 "public." the following: "The plan shall be subject
17 to approval by the board."

18 7. Page 3, by striking lines 30 through 32 and
19 inserting the following: "and members of the general
20 assembly by December 14, 2007, and by December 14
21 annually thereafter. The plan".

22 8. Page 4, line 21, by inserting after the word
23 "transit," the following: "trail,".

24 9. Page 5, by inserting after line 1 the
25 following:

26 "1. Develop short-term and long-term
27 recommendations regarding state energy regulatory
28 policy."

29 10. Page 5, by inserting after line 1 the
30 following:

31 "Sec. ____ NEW SECTION. 469.5 INTELLECTUAL
32 PROPERTY.

33 The director shall promote utilization across the
34 state of the results of research, development, and
35 commercialization activities funded in whole or in
36 part by the Iowa power fund. The director is
37 authorized to negotiate provisions with applicants
38 that address issues relating to income generated from
39 patents, trademarks, licenses, or royalties expected
40 to be produced as a result of moneys proposed to be
41 expended from the fund. The director may seek
42 assistance from appropriate state agencies or outside
43 expertise. An applicant shall not be prevented from
44 protecting any previously developed intellectual
45 property."

46 11. Page 5, lines 20 and 21, by striking the
47 words "and economic development" and inserting the
48 following: "economic development, and finance".

49 12. Page 5, by striking lines 24 through 31 and
50 inserting the following:

Page 2

- 1 "(1) One member of the senate appointed by the
2 majority leader of the senate.
3 (2) One member of the senate appointed by the
4 minority leader of the senate.
5 (3) One member of the house of representatives
6 appointed by the speaker of the house of
7 representatives.
8 (4) One member of the house of representatives
9 appointed by the minority leader of the house of
10 representatives."
11 13. Page 6, line 17, by inserting after the words
12 "majority of the" the following: "voting".
13 14. Page 6, line 18, by inserting after the word
14 "total" the following: "voting".
15 15. Page 6, line 32, by inserting after the word
16 "activities" the following: "and to develop an Iowa
17 energy independence plan".
18 16. Page 7, line 3, by inserting after the word
19 "practical" the following: ", economically feasible,
20 and furthers the goals of the fund,".
21 17. Page 7, line 5, by inserting after the word
22 "fund." the following: "The recommendations may be
23 conditional or recommend that a proposal be rejected."
24 18. Page 8, line 15, by inserting after the word
25 "the" the following: "research,".
26 19. Page 8, by striking lines 22 through 24 and
27 inserting the following: "energy and fossil fuels.
28 The research, development,".
29 20. Page 9, by striking lines 19 and 20 and
30 inserting the following: "this state that maximize
31 the value of".
32 21. Page 9, by striking lines 32 through 35.
33 22. Page 10, by striking lines 9 through 11 and
34 inserting the following:
35 "As used in this chapter, unless the context
36 otherwise requires:"
37 23. Page 10, by inserting after line 13 the
38 following:
39 "____. "Alternative and renewable energy" means
40 energy sources including but not limited to solar,
41 wind turbine, waste management, resource recovery,
42 recovered energy generation, refuse-derived fuel,
43 hydroelectric, agricultural crops or residues,
44 hydrogen produced using renewable fuel sources, and
45 woodburning, or relating to renewable fuel development
46 and distribution."
47 24. Page 11, by inserting after line 2 the
48 following:
49 "____. "Recovered energy generation" means a
50 recycled energy system, other than a system whose

Page 3

1 primary purpose is the generation of electricity,
2 which produces electricity from currently unused waste
3 heat resulting from combustion or other processes and
4 which does not use an additional combustion process."

5 25. Page 11, by striking lines 3 through 11 and
6 inserting the following:

7 "___ "Renewable fuel" means a fuel that is all of
8 the following:

9 a. A motor vehicle fuel that is any of the
10 following:

11 (1) Produced from grain; starch; oilseed;
12 vegetable, animal, or fish materials, including but
13 not limited to fats, greases, and oil; sugar
14 components, grasses, or potatoes; or other biomass.

15 (2) Natural gas produced from a biogas source
16 including but not limited to a landfill, sewage waste
17 treatment plant, animal feeding operation, or other
18 place where decaying organic material is found.

19 b. Used to replace or reduce the quantity of
20 fossil fuel present in a motor fuel mixture used to
21 operate a motor vehicle."

22 26. Page 11, line 13, by striking the word "FROM"
23 and inserting the following: "FOR".

24 27. Page 11, line 19, by inserting after the word
25 "from" the following: "or developed for".

26 28. By striking page 12, line 31, through page
27 13, line 1.

28 29. Page 15, by striking line 9 and inserting the
29 following: "conjunction with other interested
30 parties, shall conduct a".

31 30. By renumbering as necessary.

Soderberg of Plymouth offered the following amendment H-1981,
to amendment H-1912, filed by him from the floor and moved its
adoption:

H-1981

1 Amend the amendment, H-1912, to House File 918, as
2 follows:

3 1. Page 1, by inserting after line 14 the
4 following:

5 "___ Page 3, line 3, by inserting after the word
6 "fuels," the following: "clean coal technology
7 applications,".

8 ___ Page 3, line 5, by inserting after the word
9 "fuels," the following: "clean coal technology
10 applications,".

11 2. Page 1, by inserting after line 17 the

12 following:

13 "___". Page 3, line 25, by inserting after the
14 word "fuels," the following: "clean coal technology
15 applications,."

16 3. Page 1, by inserting after line 21 the
17 following:

18 "___". Page 4, line 5, by inserting after the word
19 "conservation" the following: "and clean coal
20 technology applications,."

21 4. Page 2; by inserting after line 14 the
22 following:

23 "___". Page 6, line 28, by striking the word
24 "and".

25 "___". Page 6, line 29, by inserting after the word
26 "efficiency" the following: ", and clean coal
27 technology applications,."

28 5. Page 2, by inserting after line 25 the
29 following:

30 "___". Page 8, line 17, by inserting after the
31 word "efficiency" the following: "and clean coal
32 technology applications,."

33 6. Page 2, by inserting after line 46 the
34 following:

35 "___". Page 11, by inserting after line 1 the
36 following:

37 "6A. "Clean coal technology" means any technology,
38 including technologies applied at the precombustion,
39 combustion, or postcombustion stage, at a new or
40 existing facility which will achieve significant
41 reductions in air emissions of sulfur dioxide or
42 oxides of nitrogen associated with the utilization of
43 coal in the generation of electricity, in the
44 processing of steam, or in industrial products.""

45 7. By renumbering as necessary.

Roll call was requested by Soderberg of Plymouth and Watts of Dallas.

On the question "Shall amendment H-1981 to amendment H-1912 be adopted?" (H.F. 918)

The ayes were, 43:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Granzow	Grassley	Greiner
Heaton	Huseman	Jacobs	Kaufmann
Lukan	May	Miller, L.	Olson, S.
Paulsen	Raecker	Rants	Rasmussen

Rayhons	Roberts	Sands	Soderberg
Struyk	Taylor, D.	Tjepkes	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wienczek	Windschitl	Worthan	

The nays were, 53:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hoffman	Hunter
Huser	Jacoby	Jochum	Kelley
Kressig	Kuhn	Lensing	Lykam
McCarthy	Mertz	Miller, H.	Murphy, Spkr.
Oldson	Olson, D.	Olson, R.	Olson, T.
Palmer	Quirk	Reasoner	Reichert
Schickel	Schueller	Shomshor	Smith
Staed	Swaim	Taylor, T.	Thomas
Tomenga	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise
Mascher, Presiding			

Absent or not voting, 4:

Horbach	Petersen	Pettengill	Zirkelbach
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Amendment H-1981 lost.

Alons of Sioux offered the following amendment H-1987, to amendment H-1912, filed by him from the floor and moved its adoption:

H-1987

- 1 Amend the amendment, H-1912, to House File 918 as
- 2 follows:
- 3 1. Page 1, by inserting after line 28 the
- 4 following:
- 5 "m. Develop short-term and long-term
- 6 recommendations regarding a comprehensive statewide
- 7 policy for the exportation on an interstate and
- 8 international basis of alternative and renewable
- 9 energy and renewable fuel produced or developed in
- 10, this state."
- 11 2. By renumbering as necessary.

Amendment H-1987 lost.

Soderberg of Plymouth offered the following amendment H-1983, to amendment H-1912, filed by him from the floor and moved its adoption:

H-1983

- 1 Amend the amendment, H-1912, to House File 918, as
 2 follows:
 3 1. Page 2, by inserting after line 48 the
 4 following:
 5 "" _____. "Greenhouse gas emissions" means a release
 6 of a greenhouse gas, as defined and determined by the
 7 United States environmental protection agency, into
 8 the outside atmosphere.
 9 _____. "Greenhouse gas reductions" means the
 10 reduction of greenhouse gas emissions as defined and
 11 determined by the United States environmental
 12 protection agency."

Roll call was requested by Soderberg of Plymouth and Watts of Dallas.

On the question "Shall amendment H-1983 be adopted?" (H.F. 918)

The ayes were, 41:

Alons	Arnold	Baudler	Boal
Chambers	Clute	De Boef	Deyoe
Dolecheck	Drake	Forristall	Gipp
Granzow	Grassley	Greiner	Heaton
Huseman	Jacobs	Kaufmann	Lukan
Miller, L.	Olson, S.	Paulsen	Raecker
Rants	Rasmussen	Rayhons	Roberts
Sands	Soderberg	Struyk	Taylor, D.
Tjepkes	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wiencek	Windschitl
Worthan			

The nays were, 57:

Abdul-Samad	Anderson	Bailey	Bell
Berry	Bukta	Cohoon	Dandekar
Davitt	Foege	Ford	Frevert
Gaskill	Gayman	Heddens	Hoffman
Hunter	Huser	Jacoby	Jochum
Kelley	Kressig	Kuhn	Lensing
Lykam	May	McCarthy	Mertz
Miller, H.	Murphy, Spkr.	Oldson	Olson, D.

Olson, R.	Olson, T.	Palmer	Petersen
Pettengill	Quirk	Reasoner	Reichert
Schickel	Schueller	Shomshor	Smith
Staed	Swaim	Taylor, T.	Thomas
Tomenga	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise
Mascher, Presiding			

Absent or not voting, 2:

Horbach Zirkelbach

Amendment H-1983 lost.

On motion by Reasoner of Union, amendment H-1912 was adopted.

Watts of Dallas offered the following amendment H-1996 filed by him from the floor and moved its adoption:

H-1996

- 1 Amend House File 918 as follows:
- 2 1. Page 3, line 26, by inserting after the word
- 3 "emissions." the following: "One of the options
- 4 considered shall be a discussion of the possible
- 5 impact of new nuclear generation facilities on
- 6 greenhouse gas emissions."

Amendment H-1996 lost.

Watts of Dallas offered the following amendment H-1999 filed by him from the floor and moved its adoption:

H-1999

- 1 Amend House File 918 as follows:
- 2 1. Page 15, by inserting after line 25 the
- 3 following:
- 4 "Sec. ____ FUTURE REPEAL. This Act is repealed
- 5 July 1, 2012."
- 6 2. By renumbering as necessary.

Amendment H-1999 lost.

Reasoner of Union moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 918)

The ayes were, 88:

Abdul-Samad	Anderson	Arnold	Bailey
Baudler	Bell	Berry	Boal
Bukta	Clute	Cohoon	Dandekar
Davitt	Deyoe	Dolecheck	Drake
Foege	Ford	Frevert	Gaskill
Gayman	Gipp	Granzow	Grassley
Greiner	Heaton	Heddens	Hoffman
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	May	McCarthy	Mertz
Miller, H.	Miller, L.	Murphy, Spkr.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Schickel	Schueller	Shomshor	Smith
Staed	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Upmeyer	Van Engelenhoven	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wiencek
Winckler	Wise	Worthan	Mascher, Presiding

The nays were, 10:

Alons	Chambers	De Boef	Forristall
Sands	Soderberg	Tymeson	Van Fossen
Watts	Windschitl		

Absent or not voting, 2:

Horbach	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 24, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 906, a bill for an act requiring children enrolling in elementary or high school to have a dental screening and providing an effective date.

Also: That the Senate has on April 24, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 907, a bill for an act relating to and making appropriations from the healthy Iowans tobacco trust and the tobacco settlement trust fund and providing an effective date.

Also: That the Senate has on April 24, 2007, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 558, a bill for an act providing for an increase in the wildlife habitat fee, making an appropriation, and creating a game bird habitat development program.

MICHAEL E. MARSHALL, Secretary

Unfinished Business Calendar

Senate File 346, a bill for an act providing for the development of a uniform health insurance application form for use by small employers, with report of committee recommending passage, was taken up for consideration.

Pettengill of Benton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 346)

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Gipp	Granzow	Grassley
Greiner	Heaton	Heddens	Hoffman
Huseman	Huser	Jacobs	Jacoby
Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam

May	McCarthy	Mertz	Miller, H.
Miller, L.	Murphy, Spkr.	Oldson	Olson, D.
Olson, R.	Olson, S.	Olson, T.	Palmer
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rants	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Smith
Soderberg	Staed	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wienczek
Winckler	Windschitl	Wise	Worthan
Mascher, Presiding			

The nays were, 1:

Hunter

Absent or not voting, 2:

Horbach

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

CONFERENCE COMMITTEE REPORTS RECEIVED (House File 808)

A conference committee report signed by the following Senate and House members was filed April 24, 2007, on House File 808, a bill for an act concerning accountability requirements for entities, administrators, and boards created for joint exercise of governmental powers and providing an effective date.

ON THE PART OF THE HOUSE

GERI HUSER, Chair
DAN CLUTE
MARY GASKILL
DONOVAN OLSON
DAN RASMUSSEN

ON THE PART OF THE SENATE

KEITH A. KREIMAN, Chair
DICK L. DEARDEN
DAVID L. HARTSUCH
HERMAN C. QUIRMBACH
BRAD ZAUN

(Senate File 472)

A conference committee report signed by the following Senate and House members was filed April 24, 2007, on Senate File 472, a bill for an act requiring the posting of close-clearance warning devices along railroad tracks and providing a penalty.

ON THE PART OF THE SENATE

DICK L. DEARDEN, Chair
 THOMAS G. COURTNEY
 PAT WARD
 STEVE WARNSTADT

ON THE PART OF THE HOUSE

JIM LYKAM, Chair
 DOLORES M. MERTZ
 TODD TAYLOR

REPORT OF THE CHIEF CLERK OF THE HOUSE

MR. SPEAKER: Pursuant to House Rule 42, I report that in enrolling bills the following correction was made:

House File 911

1. Page 12, line 19 – Change allocate to allocated.

MARK BRANDSGARD
 Chief Clerk of the House

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on April 23 and 24, 2007. Had I been present, I would have voted "aye" on House Files 773, 783, 911 and Senate Files 435, 539, 546, 551 and 557.

BUKTA of Clinton

I was necessarily absent from the House chamber on April 20, 23 and 24, 2007. Had I been present, I would have voted "aye" on House Files 773, 783, 906, 912 and Senate Files 435, 530, 539, 546 and 557. I would have voted "nay" on House Files 907 and 911.

GRANZOW of Hardin

I was necessarily absent from the House chamber on Tuesday afternoon, April 24, 2007. Had I been present, I would have voted "aye" on amendment H—1719 to Senate File 447.

RAECKER of Polk

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- 2007\3020 Eleanor Jesse, La Porte City – For celebrating her 90th birthday.
- 2007\3021 Mabel Geltz, La Porte City – For celebrating her 90th birthday.
- 2007\3022 Francis and Clara Toale, Independence – For celebrating their 60th wedding anniversary.

SUBCOMMITTEE ASSIGNMENT

Senate File 591

Ways and Means: Shomshor, Chair; Huser and Sands.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 318

Ways and Means: T. Olson, Chair; Jochum and Sands.

House Study Bill 319

Appropriations: Jacoby, Chair; Cohoon and Watts.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 320 Ways and Means

Relating to qualifications for licensure as a real estate broker or salesperson upon conviction of specified offences.

H.S.B. 321 Ways and Means

Relating to revenue for the construction and maintenance of roads.

COMMITTEE RECOMMENDATION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON ADMINISTRATION AND RULES

Committee Bill (Formerly House Study Bill 232), relating to an annual budget for the daily operations of the House of Representatives.

Fiscal Note is not required.

Recommended **Do Pass** April 23, 2007.

RESOLUTION FILED

HR 51, by Roberts, Abdul-Samad, Alons, Anderson, Arnold, Bailey, Baudler, Bell, Berry, Boal, Bukta, Chambers, Clute, Cohoon, Dandekar, Davitt, De Boef, Deyoe, Dolecheck, Drake, Foege, Ford, Forristall, Frevert, Gaskill, Gayman, Gipp, Granzow, Grassley, Greiner, Heaton, Heddens, Hoffman, Horbach, Hunter, Huseman, Huser, Jacobs, Jacoby, Jochum, Kaufmann, Kelley, Kressig, Kuhn, Lensing, Lukan, Lykam, Mascher, May, Mertz, H. Miller, L. Miller, Murphy, Oldson, D. Olson, R. Olson, S. Olson, T. Olson, Palmer, Paulsen, Petersen, Pettengill, Quirk, Raecker, Rants, Rasmussen, Rayhons, Reasoner, Reichert, Sands, Schickel, Schueller, Shomshor, Smith, Soderberg, Staed, Struyk, Swaim, D. Taylor, T. Taylor, Thomas, Tjepkes, Tomenga, Tymeson, Upmeyer, Van Engelenhoven, Van Fossen, Watts, Wendt, Wenthe, Whitaker, Wessel-Kroeschell, Whitead, Wiencek, Wise, Winckler, Windschitl and Worthan, a resolution to recognize May 2007 as American Stroke Awareness Month and National High Blood Pressure Education Month..

Laid over under **Rule 25**.

AMENDMENTS FILED

H—1975	S.F.	588	Forristall of Pottawattamie
H—1976	S.F.	588	Raecker of Polk
H—1977	H.F.	908	Quirk of Chickasaw
H—1978	H.F.	897	Quirk of Chickasaw
H—1979	S.F.	510	Quirk of Chickasaw
H—1980	H.F.	920	Cohoon of Des Moines
H—1982	H.F.	897	Van Fossen of Scott
H—1984	H.F.	893	Heaton of Henry
			Wiencek of Black Hawk
H—1985	S.F.	580	Heaton of Henry
			Wiencek of Black Hawk
H—1986	S.F.	588	Reichert of Muscatine
			Wise of Lee
			Quirk of Chickasaw
H—1988	H.F.	829	Senate Amendment
H—1989	S.F.	413	Watts of Dallas
H—1990	S.F.	413	Watts of Dallas
H—1991	H.C.R.	10	Jochum of Dubuque
H—1992	S.F.	588	Struyk of Pottawattamie
			Pettengill of Benton
H—1993	S.F.	588	Tymeson of Madison
H—1994	S.F.	580	Watts of Dallas
H—1995	H.F.	893	Watts of Dallas
H—1997	S.F.	588	Forristall of Pottawattamie
H—1998	H.F.	923	Schueller of Jackson
H—2000	S.F.	588	Winckler of Scott
H—2001	S.F.	588	Boal of Polk
			Mascher of Johnson
H—2002	S.F.	588	Granzow of Hardin
H—2003	H.F.	789	Mascher of Johnson

On motion by McCarthy of Polk the House adjourned at 7:30 p.m., until 9:00 a.m., Wednesday, April 25, 2007.

JOURNAL OF THE HOUSE

One Hundred Eighth Calendar Day - Seventy-third Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, April 25, 2007

The House met pursuant to adjournment at 9:15 a.m., Speaker Murphy in the chair.

Prayer was offered by Reverend Jonathon Smith, pastor of Tipton Bible Church, Tipton. He was the guest of Representative Jeff Kaufmann of Cedar County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the 7th grade class of St. Augustine School, Des Moines. They were the guests of Representative Jo Oldson of Polk County and Representative Mark Smith of Marshall County.

The Journal of Tuesday, April 24, 2007 was approved.

INTRODUCTION OF BILL

House File 931, by committee on ways and means, a bill for an act relating to state and local budgets and taxes by authorizing a commercial property tax credit for individual and corporate income tax, reducing the assessment limitation for commercial and industrial property, establishing a legislative property tax study committee, and including effective and retroactive applicability date provisions.

Read first time and placed on the **ways and means calendar**.

SENATE MESSAGE CONSIDERED

Senate File 603, by Gronstal, a bill for an act relating to consumption of alcoholic beverages at the state capitol complex.

Read first time and **passed on file**.

On motion by Reasoner of Union, the House was recessed at 9:19 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened at 2:06 p.m., Speaker Murphy in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Gipp of Winneshiek, Heaton of Henry and Horbach of Tama on request of Rants of Woodbury.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 25, 2007, amended and passed the following bill in which the concurrence of the House is asked:

House File 912, a bill for an act relating to providing sales, use, and property tax exemptions for a certain web search portal business.

Also: That the Senate has on April 25, 2007, adopted the following resolution in which the concurrence of the House is asked:

Senate Joint Resolution 5, a joint resolution authorizing the temporary use and consumption of alcoholic beverages on the state capitol complex grounds in conjunction with the Hy-Vee BG World Cup Triathlon, and providing an effective date.

Also: that the Senate has on April 25, 2007, adopted the following resolution in which the concurrence of the House is asked:

Senate Joint Resolution 6, a joint resolution approving the permanent acknowledgement of elementary and secondary schools and individual citizens of this state for their contributions of foliage and items to be permanently located on the west capitol terrace and other capitol grounds and providing an effective date.

MICHAEL E. MARSHALL, Secretary

SENATE MESSAGES CONSIDERED

Senate Joint Resolution 5, by Gronstal, a joint resolution authorizing the temporary use and consumption of alcoholic

beverages on the state capitol complex grounds in conjunction with the Hy-Vee BG World Cup Triathlon, and providing an effective date.

Read first time and **passed on file.**

Senate Joint Resolution 6, by Gronstol, a joint resolution approving the permanent acknowledgement of elementary and secondary schools and individual citizens of this state for their contributions of foliage and items to be permanently located on the west capitol terrace and other capitol grounds and providing an effective date.

Read first time and **passed on file.**

CONSIDERATION OF BILLS Unfinished Business Calendar

Senate File 427, a bill for an act relating to the Iowa civil rights Act and discrimination based upon a person's sexual orientation or gender identity, with report of committee recommending passage, was taken up for consideration.

The House stood at ease at 2:16 p.m., until the fall of the gavel.

The House resumed session at 5:35 p.m., Speaker Murphy in the chair.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed eighty-seven members present, thirteen absent.

The House resumed consideration of Senate File 427.

Rants of Woodbury offered the following amendment H-1626 filed by him and moved its adoption:

H-1626

- 1 Amend Senate File 427, as passed by the Senate, as
- 2 follows:

- 3 1. Page 1, line 4, by striking the words
 4 "identity, appearance, expression, or behavior" and
 5 inserting the following: "identity".
 6 2. Page 8, by inserting after line 4 the
 7 following:
 8 "Sec. ____ NEW SECTION. 216.21 CONSTRUCTION OF
 9 CHAPTER.
 10 This chapter shall not be construed to allow
 11 marriage between persons of the same sex, in
 12 accordance with chapter 595."
 13 3. By renumbering as necessary.

Amendment H-1626 was adopted.

CALL OF THE HOUSE

Pursuant to Rule 78, the following members respectfully request a Call of the House on Senate File 427 and all motions and amendments filed thereto.

SPEAKER MURPHY of Dubuque
 BUKTA of Clinton
 HEDDENS of Story
 H. MILLER of Webster
 REASONER of Union
 WHITAKER of Van Buren

A roll call was requested by Speaker Murphy.

There were 96 members present:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foegge
Ford	Ferristall	Frevert	Gaskill
Gayman	Granzow	Grassley	Greiner
Heddens	Hoffman	Hunter	Huseman
Huser	Jacobs	Jacoby	Jochum
Kaufmann	Kelley	Kressig	Kuhn
Lensing	Lukan	Lykam	Mascher
May	McCarthy	Mertz	Miller, H.
Miller, L.	Oldson	Olson, D.	Olson, R.
Olson, S.	Olson, T.	Palmer	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rants	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Smith	Soderberg

Staed	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Wiencek	Winckler
Windschitl	Wise	Worthan	Mr. Speaker
			Murphy

Absent 4

Gipp	Heaton	Horbach	Zirkelbach
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Wessel-Kroeschell of Story moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 427)

The ayes were, 59:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Clute	Cohoon	Dandekar
Davitt	Foege	Ford	Forristall
Frevert	Gaskill	Gayman	Heddens
Hoffman	Hunter	Huser	Jacobs
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Miller, H.	Miller, L.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Raecker	Reasoner	Reichert
Schickel	Schueller	Shomshor	Smith
Staed	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wiencek
Winckler	Wise	Mr. Speaker	
		Murphy	

The nays were, 37:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	De Boef	Deyoe
Dolecheck	Drake	Granzow	Grassley
Greiner	Huseman	Kaufmann	Lukan
May	Mertz	Olson, S.	Paulsen
Pettengill	Quirk	Rants	Rasmussen
Rayhons	Roberts	Sands	Soderberg
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Windschitl
Worthan			

Absent or not voting, 4:

Gipp

Heaton

Horbach

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

INTRODUCTION OF BILL

House File 932, by committee on ways and means, a bill for an act relating to revenue for the construction and maintenance of roads.

Read first time and placed on the **ways and means calendar**.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **Senate Files 346** and **427** be immediately messaged to the Senate.

McCarthy of Polk moved that further presiding of the call of the House be dispensed with.

The motion prevailed.

On motion by McCarthy of Polk, the House was recessed at 6:02 p.m., until 6:30 p.m.

AFTERNOON SESSION

The House reconvened at 6:50 p.m., Abdul-Samad of Polk in the chair.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed ninety-six members present, four absent.

Raecker of Polk introduced to the House former Representative Jeff Elgin from Linn County.

The House rose and expressed its welcome.

SENATE AMENDMENT CONSIDERED

Wise of Lee called up for consideration **House File 912**, a bill for an act relating to providing sales, use, and property tax exemptions and refunds for a certain web search portal business, amended by the Senate, and moved that the House concur in the following Senate amendment H-2007:

H-2007

1 Amend House File 912, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 3, by inserting after line 14 the
4 following:

5 "Sec. ____ Section 423.4, Code 2007, is amended by
6 adding the following new subsection:

7 **NEW SUBSECTION.** 8. a. The owner of an
8 information technology facility located in this state
9 on July 1, 2007, and having a primary business with a
10 North American industry classification system number
11 518210 or 541519 as verified by the department of
12 economic development using nationally recognized
13 third-party sources such as Hoovers, Harris Directory
14 or others designated by the department of economic
15 development, may make an annual application for up to
16 five consecutive years to the department for the
17 refund of the sales or use tax upon the sales price of
18 all sales of fuel used in creating heat, power, and
19 steam for processing or generating electrical current,
20 or from the sale of electricity consumed by computers,
21 machinery, or other equipment for operation of the
22 technology facility.

23 b. An information technology facility shall
24 qualify for the refund in this subsection if all of
25 the following criteria are met:

26 (1) The facility's six-digit North American
27 industry classification system number 518210 or 541519
28 indicates that the facility is primarily engaged in
29 providing computer-related services.

30 (2) The capital expenditures for computers,
31 machinery, and other equipment used in the operation
32 of the facility equals at least one million dollars.

33 (3) The facility is certified as meeting the
34 Leadership in Energy and Environmental Design (LEED)
35 standards.

36 c. The refund may be obtained only in the
37 following manner and under the following conditions:

38 (1) The applicant shall use forms furnished by the
39 department.

40 (2) The applicant shall separately list the

41 amounts of sales and use tax paid during the reporting
42 period.

43 (3) The applicant may request when the refund
44 begins, but it must start on the first day of a month
45 and proceed for a continuous twelve-month period.

46 d. In determining the amount to be refunded, if
47 the dates of the utility billing or meter reading
48 cycle for the sale or furnishing of metered gas and
49 electricity is on or after the first day of the first
50 month through the last day of the last month of the

Page 2

1 refund year, the full amount of tax charged in the
2 billings shall be refunded. In determining the amount
3 to be refunded, if the dates of the sale or furnishing
4 of fuel for purposes of commercial energy and the
5 delivery of the fuel is on or after the first day of
6 the first month through the last day of the last month
7 of the refund year, the full amount of tax charged in
8 the billings shall be refunded.

9 e. To receive refunds during the five-year period,
10 the applicant shall file a refund claim within three
11 months after the end of each refund year.

12 f. The refund in this subsection applies only to
13 state sales and use tax paid and does not apply to
14 local option sales and services taxes imposed pursuant
15 to chapters 423B and 423E."

16 2. Title page, by striking line 2 and inserting
17 the following: "exemptions and refunds for certain
18 computer-related service businesses."

The motion prevailed and the House concurred in the Senate amendment H-2007.

Wise of Lee moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 912)

The ayes were, 95:

Alons	Anderson	Arnold	Bailey
Baudler	Bell	Berry	Boal
Bukta	Chambers	Clute	Cphoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman

Granzow	Grassley	Greiner	Heddens
Hoffman	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Murphy, Spkr.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Palmer	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Smith	Soderberg	Staed
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wienczek	Winckler	Windschitl
Wise	Worthan	Abdul-Samad, Presiding	

The nays were, 1:

Hunter

Absent or not voting, 4:

Gipp

Heaton

Horbach

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

ADOPTION OF THE REPORT OF THE CONFERENCE COMMITTEE (House File 808)

Huser of Polk called up for consideration the report of the conference committee on House File 808 and moved the adoption of the conference committee report and the amendments contained therein as follows:

REPORT OF THE CONFERENCE COMMITTEE ON HOUSE FILE 808

To the Speaker of the House of Representatives and the President of the Senate:

We, the undersigned members of the conference committee appointed to resolve the differences between the House of Representatives and the Senate on House File 808, a bill for an Act concerning accountability requirements for entities, administrators, and

boards created for joint exercise of governmental powers and providing effective dates, respectfully make the following report:

1. That the Senate recedes from its amendment, H-1758.

2. That House File 808, as amended, passed, and reprinted by the House, is amended to read as follows:

1. Page 2, line 3, by inserting after the words "paragraph "a"." the following: "However, such an entity shall file without charge, in an electronic format, the information described in paragraph "a" with the office of the county recorder in the most populous county served by the entity. The county recorder shall make the information submitted available to the public, which information shall also include access to a copy of the agreement creating the entity."

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE

GERI HUSER, Chair
DAN CLUTE
MARY GASKILL
DONOVAN OLSON
DAN RASMUSSEN

KEITH A KREIMAN, Chair
DICK L. DEARDEN
DAVID L. HARTSUCH
HERMAN C. QUIRMBACH
BRAD ZAUN

Huser of Polk moved the adoption of the committee report.

On the question "Shall the conference committee report be adopted?" (H.F. 808)

A non-record roll call was requested.

The ayes were 59, nays 34.

The motion prevailed and the conference committee report was adopted.

Huser of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 808)

The ayes were, 88:

Anderson	Arnold	Bailey	Bell
Berry	Boal	Bukta	Chambers
Clute	Cohoon	Dandekar	Davitt
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Granzow	Grassley	Greiner
Heddens	Hoffman	Hunter	Huseman

Huser	Jacobs	Jacoby	Jochum
Kaufmann	Kelley	Kressig	Kuhn
Lensing	Lukan	Lykam	Mascher
May	McCarthy	Mertz	Miller, H.
Miller, L.	Murphy, Spkr.	Oldson	Olson, D.
Olson, R.	Olson, S.	Olson, T.	Palmer
Petersen	Pettengill	Quirk	Raecker
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Schickel	Schueller	Shomshor
Smith	Soderberg	Staed	Struyk
Swaim	Taylor, D.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wiencsek
Winckler	Windschitl	Wise	Abdul-Samad, Presiding

The nays were, 6:

Alons	Baudler	Paulsen	Rants
Sands	Worthan		

Absent or not voting, 6:

De Boef	Gipp	Heaton	Horbach
Taylor, T.	Zirkelbach		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Speaker Murphy in the chair at 7:37 p.m.

Unfinished Business Calendar

House File 802, a bill for an act relating to regulation of children's services by the department of human services by increasing the age for certain children receiving child care regulated by the department and revising child welfare and juvenile justice service provisions, was taken up for consideration.

Swaim of Davis asked and received unanimous consent to withdraw amendment H-1530 filed by him on March 28, 2007.

SENATE FILE 503 SUBSTITUTED FOR HOUSE FILE 802

Mascher of Johnson asked and received unanimous consent to substitute Senate File 503 for House File 802.

Senate File 503, a bill for an act relating to regulation of children's services by the department of human services by increasing the age for certain children receiving child care regulated by the department and revising child welfare and juvenile justice service provisions, was taken up for consideration.

Swaim of Davis offered the following amendment H-1639 filed by him and moved its adoption:

H-1639

1 Amend Senate File 503, as passed by the Senate, as
2 follows:

3 1. Page 7, by inserting after line 14 the
4 following:

5 "DIVISION _____
6 PREADOPTIVE CARE PROVIDERS

7 Sec. ____ Section 232.91, subsection 3, Code 2007,
8 is amended to read as follows:

9 3. Any person who is entitled under section 232.88
10 to receive notice of a hearing concerning a child
11 shall be given the opportunity to be heard in any
12 other review or hearing involving the child. A foster
13 parent, relative, or other individual with whom a
14 child has been placed for preadoptive care shall have
15 the right to be heard in any proceeding involving the
16 child.

17 Sec. ____ Section 232.116, subsection 2, paragraph
18 c, Code 2007, is amended to read as follows:

19 c. ~~For a child who has been placed in foster~~
20 ~~family care, any~~ The relevant testimony or written
21 statement provided by the child's foster parents that
22 a foster parent, relative, or other individual with
23 whom the child has been placed for preadoptive care or
24 other care has a right to provide to the court."

25 2. By renumbering as necessary.

Amendment H-1639 was adopted.

Mascher of Johnson moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 503)

The ayes were, 95:

Abdul-Samad	Anderson	Arnold	Bailey
Baudler	Bell	Berry	Boal
Bukta	Chambers	Clute	Cohoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Granzow	Grassley	Greiner	Heddens
Hoffman	Hunter	Huseman	Huser
Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	Mascher	May
McCarthy	Mertz	Miller, H.	Miller, L.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Palmer	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Smith	Soderberg	Staed
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wiencek	Winckler	Windschitl
Wise	Worthan	Mr. Speaker	
		Murphy	

The nays were, none.

Absent or not voting, 5:

Alons	Gipp	Heaton	Horbach
Zirkelbach			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 802 WITHDRAWN

Mascher of Johnson asked and received unanimous consent to withdraw House File 802 from further consideration by the House.

Ways and Means Calendar

House File 925, a bill for an act relating to health-related activities and regulation, including the practices of optometry and mortuary science, establishment of a state public health dental

director and an oral health bureau, dependent adult abuse, membership on the child death review team, and immunity for emergency response, and providing for the revision of fees, was taken up for consideration.

T. Olson of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 925)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Granzow	Grassley	Greiner
Heddens	Hoffman	Hunter	Huseman
Huser	Jacobs	Jacoby	Jochum
Kaufmann	Kelley	Kressig	Kuhn
Lensing	Lukan	Lykam	Mascher
May	McCarthy	Mertz	Miller, H.
Miller, L.	Oldson	Olson, D.	Olson, R.
Olson, S.	Olson, T.	Palmer	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rants	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Smith	Soderberg
Staed	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Wiencek	Winkler
Windschitl	Wise	Worthan	Mr. Speaker Murphy

The nays were, none.

Absent or not voting, 4:

Gipp	Heaton	Horbach	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Bukta of Clinton in the chair at 7:58 p.m.

SENATE AMENDMENT CONSIDERED

Bailey of Hamilton called up for consideration **House File 817**, a bill for an act concerning the flag and veterans by providing for a study of regional veterans affairs offices, providing for the duties of the department of veterans affairs and the commission on veterans affairs prohibiting certain acts involving the flag, and establishing a counseling program for veterans, and providing a penalty, amended by the Senate, and moved that the House concur in the following Senate amendment H-1772:

H-1772

- 1 Amend House File 817, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 1, line 35, by striking the word "If" and
- 4 inserting the following: "Unless".
- 5 2. Page 2, line 1, by striking the words "does
- 6 not" and inserting the following: "votes to".
- 7 3. Page 2, line 2, by striking the word
- 8 "unanimous" and inserting the following:
- 9 "two-thirds".
- 10 4. Page 2, line 2, by inserting after the words
- 11 "at the" the following: "earlier of the".
- 12 5. Page 2, line 3, by inserting after the word
- 13 "commission" the following: "or a special meeting of
- 14 the commission called by the commission within thirty
- 15 days of the date the proposed rule is submitted".
- 16 6. Page 2, line 27, by striking the word
- 17 "Provide" and inserting the following: "Provide After
- 18 consultation with the commission, provide".
- 19 7. Page 3, line 8, by striking the figure "2007"
- 20 and inserting the following: "2007 2008".
- 21 8. Page 5, line 15, by striking the words
- 22 "development and implementation" and inserting the
- 23 following: "administration".
- 24 9. Title page, line 4, by striking the word
- 25 "affairs" and inserting the following: "affairs,".

The motion prevailed and the House concurred in the Senate amendment H-1772.

Bailey of Hamilton moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 817)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Chambers	Clute	Cohoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Granzow	Grassley	Greiner	Heddens
Hoffman	Hunter	Huseman	Huser
Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	Mascher	May
McCarthy	Mertz	Miller, H.	Miller, L.
Murphy, Spkr.	Oldson	Olson, D.	Olson, R.
Olson, S.	Olson, T.	Palmer	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rants	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Smith	Soderberg
Staed	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Wiencek	Winckler
Windschitl	Wise	Worthan	Bukta, Presiding

The nays were, none.

Absent or not voting, 4:

Gipp	Heaton	Horbach	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 25, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 671, a bill for an act prohibiting remote control or internet hunting of wild animals, or game birds or ungulates or preserve whitetail kept on hunting preserves, and providing penalties.

Also: That the Senate has on April 24, 2007, adopted the following resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 6, a concurrent resolution requesting the establishment of an interim study committee by the legislative council to conduct a study of issues related to amyotrophic lateral sclerosis

MICHAEL E. MARSHALL, Secretary

Unfinished Business Calendar

Senate File 559, a bill for an act relating to cemetery and funeral merchandise, funeral services, and cemeteries and providing fees and penalties, with report of committee recommending amendment and passage, was taken up for consideration.

Berry of Black Hawk offered the following amendment H-1627 filed by the committee on commerce and moved its adoption:

H-1627

1 Amend Senate File 559, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 14, line 16, by striking the words "
4 including a copy of" and inserting the following:
5 "describing".

6 2. Page 17, lines 28 and 29, by striking the
7 words "the end of the calendar month that we received"
8 and inserting the following: "receipt of".

9 3. Page 18, by striking lines 5 through 8, and
10 inserting the following:
11 ""An".

12 4. Page 18, line 15, by inserting after the word
13 "confirmation." the following: "For your protection,
14 you have the right to confirm that the insurance
15 policy or annuity is issued as required by law."

16 5. Page 18, by striking lines 26 through 29, and
17 inserting the following:
18 ""Coverage under a surety bond in".

19 6. Page 19, line 4, by inserting after the word
20 "agreement." the following: "For your protection, you
21 have the right to confirm that the surety bond is
22 issued as required by law."

23 7. Page 20, by striking lines 8 through 18, and
24 inserting the following:

25 "Sec. ____ Section 523A.703, Code 2007, is amended
26 to read as follows:

27 523A.703 FRAUDULENT PRACTICES.

28 A Except as otherwise provided in section 523A.704,

29 a person who willfully commits any of the following
30 acts commits a fraudulent practice and is punishable
31 as provided in chapter 714:

- 32 1. ~~Knowingly fails~~ Fails to comply with any
33 requirement of this chapter, ~~or any rule adopted or~~
34 order issued under this chapter.
- 35 2. ~~Knowingly makes~~ Makes, causes to be made, or
36 subscribes to a false statement or representation in a
37 report or other document required under this chapter,
38 implementing rules, or orders, or renders such a
39 report or document misleading through the deliberate
40 omission of information properly belonging in the
41 report or document.
- 42 3. ~~Conspires to defraud in~~ In connection with the
43 sale of cemetery merchandise, funeral merchandise,
44 funeral services, or a combination thereof ~~under this~~
45 chapter, directly or indirectly makes an untrue
46 statement of a material fact or omits to state a
47 material fact that is necessary to make the statements
48 made, in light of the circumstances under which they
49 were made, not misleading.
- 50 4. ~~Fails to deposit funds under sections 523A.201~~

Page 2

1 ~~and 523A.202 or withdraws any funds in a manner~~
2 ~~inconsistent with this chapter. Unless the purchase~~
3 ~~agreement expressly provides otherwise, excludes in~~
4 ~~the sale of cemetery merchandise, funeral merchandise,~~
5 ~~or a combination thereof, funeral services that are~~
6 ~~necessary for the delivery, use, or installation of~~
7 ~~the cemetery merchandise or funeral merchandise at the~~
8 ~~time of the burial or funeral.~~

9 5. ~~Knowingly sells or offers cemetery merchandise,~~
10 ~~funeral merchandise, funeral services, or a~~
11 ~~combination thereof without an establishment permit.~~

12 6. ~~Deliberately misrepresents or omits a material~~
13 ~~fact relative to the sale of cemetery merchandise,~~
14 ~~funeral merchandise, funeral services, or a~~
15 ~~combination thereof under this chapter. When selling~~
16 ~~cemetery merchandise or funeral merchandise, a seller~~
17 ~~shall not exclude the funeral services necessary for~~
18 ~~the delivery, use, or installation of the cemetery~~
19 ~~merchandise or funeral merchandise at the time of the~~
20 ~~funeral or burial unless the purchase agreement~~
21 ~~expressly provides otherwise.~~

22 Sec. ____ NEW SECTION. 523A.704 VIOLATIONS.

23 A person who willfully violates section 523A.501,
24 subsection 1, or section 523A.502, subsection 1, is
25 guilty of a class "D" felony."

26 8. Page 26, line 29, by inserting after the word
27 "requirement" the following: "or the seller has

28 previously provided to the commissioner a certified
 29 copy of an audit conducted by an independent certified
 30 public accountant verifying compliance with this
 31 chapter for each year in question and the examination
 32 conducted by the commissioner does not disclose that
 33 the seller has not complied with this chapter for the
 34 years in question".
 35 9. By renumbering as necessary.

The committee amendment H-1627 was adopted.

Paulsen of Linn asked and received unanimous consent to withdraw amendment H-1660 filed by him on April 10, 2007.

Berry of Black Hawk offered amendment H-1782 filed by Berry, et al., as follows:

H-1782

1 Amend Senate File 559, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 3, by striking lines 1 through 11 and
 4 inserting the following: "payments made under the
 5 purchase agreement, except that the seller a limited
 6 liability corporation that was formed in 2003 for the
 7 purpose of purchasing a cemetery from a foreign entity
 8 reorganizing under bankruptcy and such corporation is
 9 comprised of six establishments all located within the
 10 same county may withdraw so much of the interest or
 11 income as represents the difference between the amount
 12 needed to adjust the trust funds for inflation as set
 13 by the commissioner based on the consumer price index
 14 and the interest or income earned during the preceding
 15 year not to exceed fifty percent of the total interest
 16 or income on a calendar-year basis. The early
 17 withdrawal of interest or income under this provision
 18 does not affect the purchaser's right to a credit of
 19 such interest or income in the event of a
 20 nonguaranteed price agreement, cancellation, or
 21 nonperformance by the seller such limited liability
 22 corporation."
 23 2. Page 10, by striking lines 19 through 26 and
 24 inserting the following:
 25 "7. An initial permit is valid for two years from
 26 the date the application is filed. A permit may
 27 preneed seller's license shall be renewed for two
 28 every four years by filing the form prescribed by the
 29 commissioner under subsection 2, accompanied by a ten
 30 dollar renewal fee in an amount set by the
 31 commissioner by rule. Submission of purchase

32 ~~agreements is not required for renewals unless the~~
33 ~~purchase agreements have been modified since the last~~
34 ~~filing."~~

35 3. Page 13, by striking lines 11 through 16 and
36 inserting the following:

37 "5. ~~An initial permit expires one year from the~~
38 ~~date the application is filed. The permit may sales~~
39 ~~license shall be renewed for every four years by~~
40 ~~filing the form prescribed by the commissioner under~~
41 ~~subsection 3, accompanied by a twenty-dollar filing~~
42 ~~renewal fee in an amount set by the commissioner by~~
43 ~~rule."~~

44 4. Page 20, by inserting after line 34 the
45 following:

46 "Sec. ____ Section 523A.801, Code 2007, is amended
47 by adding the following new subsection:
48 NEW SUBSECTION. 3. The commissioner shall submit
49 an annual report to the legislative oversight
50 committee by October 1 of each year reporting on the

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1 administration of this chapter. The report shall set
2 forth any recommendations for changes in the law that
3 the commissioner deems necessary or desirable to
4 prevent abuses or evasions of this chapter or rules
5 implementing this chapter or to rectify undesirable
6 conditions in connection with the administration of
7 this chapter or rules implementing this chapter."

8 5. Page 24, by inserting after line 27 the
9 following:

10 "Sec. ____ Section 523I.201, Code 2007, is amended
11 by adding the following new subsection:
12 NEW SUBSECTION. 3. The commissioner shall submit
13 an annual report to the legislative oversight
14 committee by October 1 of each year reporting on the
15 administration of this chapter. The report shall set
16 forth any recommendations for changes in the law that
17 the commissioner deems necessary or desirable to
18 prevent abuses or evasions of this chapter or rules
19 implementing this chapter or to rectify undesirable
20 conditions in connection with the administration of
21 this chapter or rules implementing this chapter."

22 6. Page 26, line 26, by striking the word "five"
23 and inserting the following: "three".

24 7. By renumbering as necessary.

Raecker of Polk offered the following amendment H-1867, to amendment H-1782, filed by him and Berry of Black Hawk and moved its adoption:

H-1867

- 1 Amend the amendment, H-1782, to Senate File 559, as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 1, line 6, by striking the figure "2003"
- 5 and inserting the following: "2002".

Amendment H-1867 was adopted.

On motion by Berry of Black Hawk, amendment H-1782, as amended, was adopted.

Paulsen of Linn offered the following amendment H-1910 filed by him and moved its adoption:

H-1910

- 1 Amend Senate File 559, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 27, by inserting after line 32 the
- 4 following:
- 5 "Sec. ____ Section 523I.304, Code 2007, is amended
- 6 by adding the following new subsection:
- 7 NEW SUBSECTION. 7. A cemetery owned and
- 8 controlled by a governmental subdivision shall adopt
- 9 and enforce a rule allowing any veteran who is a
- 10 landowner or who lives within the governmental
- 11 subdivision to purchase an interment space and to be
- 12 interred within the cemetery. For the purposes of
- 13 this section, "veteran" means the same as defined in
- 14 section 35.1 or a resident of this state who served in
- 15 the armed forces of the United States, completed a
- 16 minimum aggregate of ninety days of active federal
- 17 service, and was discharged under honorable
- 18 conditions."
- 19 2. By renumbering as necessary.

Amendment H-1910 was adopted.

Berry of Black Hawk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 559)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Chambers	Clute	Cohoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Granzow	Grassley	Greiner	Heddens
Hoffman	Hunter	Huseman	Huser
Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	Mascher	May
McCarthy	Mertz	Miller, H.	Miller, L.
Murphy, Spkr.	Oldson	Olson, D.	Olson, R.
Olson, S.	Olson, T.	Palmer	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rants	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Smith	Soderberg
Staed	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Wiencsek	Winckler
Windschitl	Wise	Worthan	Bukta, Presiding

The nays were, none.

Absent or not voting, 4:

Gipp	Heaton	Horbach	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

SENATE AMENDMENT CONSIDERED

Thomas of Clayton called up for consideration **House File 829**, a bill for an act relating to the development and commercialization of businesses in the targeted industry areas of advanced manufacturing, bioscience, and information technology and including a contingent effective date provision, amended by the Senate, and moved that the House concur in the following Senate amendment H-1988:

H-1988

- 1 Amend House File 829, as amended, passed, and
- 2 reprinted by the House, as follows:

3 1. By striking everything after the enacting
4 clause and inserting the following:
5 "Section 1. NEW SECTION. 15.411 TARGETED
6 INDUSTRIES DEVELOPMENT – FINANCIAL ASSISTANCE.
7 1. As used in this section, unless the context
8 otherwise requires:
9 a. "Internship" means temporary employment of a
10 student that focuses on providing the student with
11 work experience in the student's field of study.
12 b. "Targeted industries" means the industries of
13 advanced manufacturing, biosciences, and information
14 technology.
15 2. The department shall, upon board approval,
16 contract with a provider through a request for
17 proposals process for services related to statewide
18 commercialization development in the targeted
19 industries. Services provided shall include all of
20 the following:
21 a. Assistance provided directly to businesses by
22 experienced serial entrepreneurs for all of the
23 following activities:
24 (1) Business plan development.
25 (2) Due diligence.
26 (3) Market assessments.
27 (4) Technology assessments.
28 (5) Other planning activities.
29 b. Operation and coordination of various available
30 competitive seed and prototype development funds.
31 c. Connecting businesses to private angel
32 investors and the venture capital community.
33 d. Assistance in obtaining access to an
34 experienced pool of managers and operations talent
35 that can staff, mentor, or advise start-up
36 enterprises.
37 e. Support and advice for accessing sources of
38 early stage financing.
39 3. The department shall establish and administer a
40 program to provide financial and technical assistance
41 to encourage prototype and concept development
42 activities that have a clear potential to lead to
43 commercially viable products or services within a
44 reasonable period of time in the targeted industries.
45 Financial assistance shall be awarded on a per project
46 basis upon board approval. The amount of financial
47 assistance available for a single project shall not
48 exceed one hundred fifty thousand dollars. In order to
49 receive financial assistance, an applicant must
50 demonstrate the ability to secure one dollar of

Page 2

1 nonstate moneys for every two dollars received from

2 the department.

3 4. The department shall, upon board approval,
4 establish and administer a program to provide
5 financial assistance for projects designed to
6 encourage collaboration between commercial users and
7 developers of information technology in the state for
8 the purpose of commercializing existing software and
9 applications technologies. Financial assistance shall
10 not exceed one hundred thousand dollars per project.
11 In order to receive financial assistance, an applicant
12 must demonstrate the ability to secure two dollars of
13 nonstate moneys for every one dollar received from the
14 department. Financial assistance shall be awarded to
15 projects that will result in technologies being
16 developed as commercial products for sale by Iowa
17 companies rather than as custom applications for
18 proprietary use by a participating firm.

19 5. The department shall, upon board approval,
20 establish and administer a program to provide
21 financial assistance to businesses or departments of
22 businesses engaged in the delivery of information
23 technology services in the state for the purpose of
24 upgrading the high-level technical skills of existing
25 employees. The amount of financial assistance shall
26 not exceed twenty-five thousand dollars for any
27 business site. In order to receive financial
28 assistance, an applicant must demonstrate the ability
29 to secure two dollars of nonstate moneys for every one
30 dollar received from the department.

31 6. The department shall, upon board approval,
32 establish and administer a targeted industries
33 internship program for students of Iowa community
34 colleges, private colleges, or institutions of higher
35 learning under the control of the state board of
36 regents. The purpose of the program is to link Iowa
37 students to small and medium sized firms in the
38 targeted industries through internship opportunities.
39 An employer may receive financial assistance in an
40 amount of one dollar for every two dollars paid by the
41 employer to an intern. The amount of financial
42 assistance shall not exceed three thousand one hundred
43 dollars for any single internship, or nine thousand
44 three hundred dollars for any single employer. In
45 order to be eligible to receive financial assistance
46 under this subsection, the employer must have five
47 hundred or fewer employees and must be engaged in a
48 targeted industry. The department shall encourage
49 youth who reside in economically distressed areas,
50 youth adjudicated to have committed a delinquent act,

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1 and youth transitioning out of foster care to
2 participate in the targeted industries internship
3 program.

4 7. The department of economic development shall
5 work with the department of workforce development to
6 create a statewide supplier capacity and product
7 database to assist the department of economic
8 development in linking suppliers to Iowa-based
9 companies. The department of economic development may
10 procure technical assistance for the creation of the
11 database from a third party through a request for
12 proposals process.

13 8. The technology commercialization committee
14 created pursuant to section 15.116 shall review all
15 applications for financial assistance and requests for
16 proposals pursuant to this section and make
17 recommendations to the board.

18 9. The board shall adopt rules pursuant to chapter
19 17A necessary for the administration of this section.
20 Sec. ___. Section 15G.111, subsection 1, paragraph
21 a, Code 2007, is amended to read as follows:

22 a. For the fiscal period beginning July 1, 2005,
23 and ending June 30, 2015, there is appropriated each
24 fiscal year from the grow Iowa values fund created in
25 section 15G.108, the following amounts for the
26 purposes designated:

27 (1) For the fiscal year beginning July 1, 2005,
28 and ending June 30, 2006, to the department of
29 economic development thirty-five million dollars for
30 programs administered by the department of economic
31 development.

32 (2) For each fiscal year of the fiscal period
33 beginning July 1, 2006, and ending June 30, ~~2009~~ 2007,
34 to the department of economic development thirty-three
35 million dollars for programs administered by the
36 department of economic development.

37 (3) For each fiscal year of the fiscal period
38 beginning July 1, 2007, and ending June 30, 2009, to
39 the department of economic development thirty million
40 dollars for programs administered by the department of
41 economic development.

42 ~~(3)~~ (4) For each fiscal year of the fiscal period
43 beginning July 1, 2009, and ending June 30, 2015, to
44 the department of economic development ~~thirty-five~~
45 ~~thirty-two~~ million dollars for programs administered
46 by the department of economic development.

47 Sec. ___. Section 15G.111, subsection 2,
48 unnumbered paragraph 3, Code 2007, is amended by
49 striking the unnumbered paragraph and inserting the
50 following:

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1 By September 30, 2007, the legislative services
 2 agency shall submit a written report to the fiscal
 3 committee of the legislative council and the standing
 4 committees on economic growth in the senate and the
 5 house of representatives regarding a review of
 6 expenditures by the state board of regents from
 7 appropriations under this subsection and 2006 Iowa
 8 Acts, chapter 1179, section 14.

9 Sec.____. 15G.111, Code 2007, is amended by adding
 10 the following new subsection:

11 NEW SUBSECTION. 7A. For the fiscal period
 12 beginning July 1, 2007, and ending June 30, 2015,
 13 there is appropriated for each fiscal year from the
 14 grow Iowa values fund created in section 15G.108 to
 15 the department of economic development three million
 16 dollars for the purpose of providing the
 17 commercialization services described in section
 18 15.411, subsections 2 and 3.

19 Sec.____. Section 262B.21, subsection 1, Code
 20 2007, is amended to read as follows:

21 1. For purposes of this section, and ~~sections~~
 22 ~~262B.22 and section~~ 262B.23, "core platform areas"
 23 means the areas of advanced manufacturing,
 24 biosciences, information solutions, and financial
 25 services.

26 Sec.____. Section 262B.22, Code 2007, is repealed.

27 Sec.____. ALLOCATION OF CERTAIN MONEYS FROM LOAN
 28 REPAYMENTS AND OTHER RECAPTURES. For the fiscal year
 29 beginning July 1, 2007, and ending June 30, 2008, the
 30 department of economic development may expend
 31 additional moneys that may become available from loan
 32 repayments or other recaptures of awards from federal
 33 economic stimulus funds for implementation of the
 34 recommendations provided in separate consultant
 35 reports on bioscience, advanced manufacturing,
 36 information technology, and entrepreneurship submitted
 37 to the department of economic development in the
 38 calendar years 2004, 2005, and 2006. The allocation
 39 of any additional available moneys shall be as
 40 follows:

- 41 1. For study and planning for the creation of a
 42 statewide lean manufacturing institute to provide
 43 executive level, in-depth training assistance to
 44 manufacturing companies in the state:
 45 \$ 100,000
- 46 2. For the study, planning, and creation of a
 47 statewide supplier capacity and product database:
 48 \$ 500,000
- 49 3. For the commercialization of orphaned
 50 technology as provided in section 15.411, subsection

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1	4:	
2	\$ 500,000
3	4. For information technology job training as	
4	provided in section 15.411, subsection 5:	
5	.....	\$ 500,000
6	5. For the targeted industries internship program	
7	provided in section 15.411, subsection 6:	
8	.....	\$ 480,000
9	6. For the sponsorship of student competitions in	
10	the areas of advanced manufacturing, biosciences,	
11	information technology, and entrepreneurial	
12	development:	
13	.....	\$ 130,000
14	7. For the sponsorship of connectivity events to	
15	bring together private industry and public sector	
16	researchers to facilitate technology transfer:	
17	.....	\$ 160,000
18	8. For the purpose of recruitment from	
19	out-of-state, personnel to fulfill the executive-level	
20	management and operations needs of new and expanding	
21	companies in the targeted industries:	
22	.....	\$ 280,000
23	9. For a statewide public awareness campaign aimed	
24	at educating Iowans about the job career opportunities	
25	available in the targeted industries including career	
26	academies:	
27	.....	\$ 250,000
28	10. For deployment of equipment and training	
29	software that is current and competitive to Iowa's	
30	community colleges for use in training programs and	
31	courses related to the targeted industries:	
32	.....	\$ 1,000,000
33	Sec. 500. MATH AND SCIENCE EDUCATION IMPROVEMENT	
34	GRANT PILOT PROJECT - APPROPRIATION.	
35	1. a. The department of education shall establish	
36	and administer a math and science education	
37	improvement grant pilot project to provide a grant to	
38	an area education agency for purposes of providing a	
39	regional and cooperative program for one or more of	
40	the following purposes:	
41	(1) Teacher training, professional development,	
42	and teacher-in-residence programs in the areas of math	
43	and science.	
44	(2) Supplemental math, science, engineering, and	
45	other technology-oriented educational opportunities	
46	for students, including opportunities for low-income,	
47	female, and minority students.	
48	(3) Internships and workplace learning	
49	opportunities in the areas of math and science.	
50	(4) Expansion and alignment of curriculum in the	

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1 areas of math and science.

2 b. Participation of one or more Iowa targeted
3 businesses or business organizations is required in
4 order for an area education agency to receive a grant.

5 c. Not more than two percent of the grant amount
6 awarded shall be used for administrative costs.

7 d. The department, in consultation with business
8 organizations, shall award a grant and require a
9 report from the recipient regarding uses of the grant
10 and progress of projects.

11 e. The area education agency receiving the grant,
12 in collaboration with the department, shall share the
13 methods and results of its program with other area
14 education agencies.

15 2. a. There is appropriated from the general fund
16 of the state to the department of education for the
17 fiscal year beginning July 1, 2006, and ending June
18 30, 2007, two hundred thousand dollars for purposes of
19 this section.

20 b. Notwithstanding section 8.33, moneys
21 appropriated in this section that remain unencumbered
22 or unobligated at the close of the fiscal year shall
23 not revert but shall remain available for expenditure
24 for the purposes designated until the close of the
25 succeeding fiscal year.

26 Sec. ___. LEGISLATIVE INTENT. It is the intent of
27 the general assembly to recognize the strong role that
28 innovation in the advanced manufacturing, biosciences,
29 and information technology industries will play in the
30 growth of this state's economy. To that end, the
31 department of economic development, the department of
32 workforce development, and the department of education
33 shall work together for the purpose of addressing key
34 issues that impact these industries by leveraging
35 their different competencies and resources to work on
36 the following areas:

- 37 1. Career awareness.
- 38 2. Data integration and assessment tools.
- 39 3. Identification of workforce competencies.
- 40 4. Retention of Iowans in the workforce and
41 recruitment of new workers to Iowa.

42 Sec. ___. REPORTING REQUIREMENT. By January 15,
43 2008, the department of economic development shall
44 file a written report with the general assembly and
45 the governor detailing all expenditures of moneys
46 appropriated and allocated to the department pursuant
47 to this Act and 2007 Iowa Acts, House File 911.

48 Sec. ___. EFFECTIVE DATE. Section 500 of this
49 Act, being deemed of immediate importance, takes
50 effect upon enactment."

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- 1 2. Title page, line 4, by striking the words "a
- 2 contingent" and inserting the following:
- 3 "appropriations and an".
- 4 3. By renumbering as necessary.

The motion prevailed and the House concurred in the Senate amendment H-1988.

Thomas of Clayton moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 829)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Chambers	Clute	Cohoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Granzow	Grassley	Greiner	Heddens
Hoffman	Hunter	Huseman	Huser
Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	Mascher	May
McCarthy	Mertz	Miller, H.	Miller, L.
Murphy, Spkr.	Oldson	Olson, D.	Olson, R.
Olson, S.	Olson, T.	Palmer	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rants	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Smith	Soderberg
Staed	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wenthe	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Wienczek	Winckler
Windschitl	Wise	Worthan	Bukta, Presiding

The nays were, none.

Absent or not voting, 4

Gipp

Heaton

Horbach

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

Unfinished Business Calendar

Senate File 421, a bill for an act relating to workers' compensation laws by regulating insurance policy exclusions and debt collection practices, with report of committee recommending passage, was taken up for consideration.

Palmer of Mahaska offered the following amendment H-1621 filed by the committee on labor and moved its adoption:

H-1621

- 1 Amend Senate File 421, as passed by the Senate, as
- 2 follows:
- 3 1. Page 2, line 17, by inserting after the word
- 4 "reasonable." the following: "This section does not
- 5 affect the responsibility of an insurance carrier or
- 6 an employer to pay amounts not in dispute or a health
- 7 service provider's right to receive payment from an
- 8 employee's nonoccupational plan as provided in section
- 9 85.38, subsection 2."
- 10 2. Page 2, by inserting after line 35 the
- 11 following:
- 12 "Sec. Section 537.5301, subsection 4, Code
- 13 2007, is amended to read as follows:
- 14 4. A person who willfully and knowingly violates
- 15 the provisions of section 537.7103 is guilty of a
- 16 serious misdemeanor. However, this subsection is not
- 17 applicable to a violation of section 537.7103,
- 18 subsection 7."
- 19 3. By renumbering as necessary.

The committee amendment H-1621 was adopted.

Palmer of Mahaska moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 421)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Chambers	Clute	Cohoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Granzow	Grassley	Greiner	Heddens
Hoffman	Hunter	Huseman	Huser
Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	Mascher	May
McCarthy	Mertz	Miller, H.	Miller, L.
Murphy, Spkr.	Oldson	Olson, D.	Olson, R.
Olson, S.	Olson, T.	Palmer	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rants	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Smith	Soderberg
Staed	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomonga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Wiencek	Winckler
Windschitl	Wise	Worthan	Bukta, Presiding

The nays were, none.

Absent or not voting, 4:

Gipp	Heaton	Horbach	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Appropriations Calendar

Senate File 588, a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, and providing effective dates, with report of committee recommending amendment and passage, was taken up for consideration.

Winckler of Scott offered amendment H-1827 filed by the committee on appropriations as follows:

H-1827

1 Amend Senate File 588, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. By striking page 19, line 31, through page 20,
4 line 1, and inserting the following: "adults with
5 disabilities and special needs. The funds shall be
6 used for a nationally recognized program that began in
7 1986 and has been replicated in at least thirty
8 other".

9 2. By striking page 26, line 34, through page 27,
10 line 15, and inserting the following:

11 "a. A school district that provides a virtual
12 class to a pupil in another school district and the
13 school district receiving that virtual class for a
14 pupil shall each receive a supplemental weighting of
15 one-twentieth of the percentage of the pupil's school
16 day during which the pupil attends the virtual class.

17 b. Fifty percent of the funding the school
18 district providing the virtual class receives as a
19 result of this subsection shall be reserved as
20 additional pay for the virtual classroom instructor.
21 If an instructor's contract provides additional pay
22 for teaching a virtual class, the instructor shall
23 receive the greater amount of either the amount
24 provided for in this paragraph or the amount provided
25 for in the instructor's contract.

26 c. A school district receiving a virtual class for
27 a pupil from a community college, which class meets
28 the sharing agreement requirements in section 257.11,
29 subsection 3, shall receive a supplemental funding
30 weighting of one-twentieth of the percentage of the
31 pupil's school day during which the pupil attends the
32 virtual class.

33 d. For the purposes of this subsection, "virtual
34 class" means either of the following:

35 (1) A class provided by a school district to a
36 pupil in another school district via the Iowa
37 communications network's video services.

38 (2) A class provided by a community college to a
39 pupil in a school district via the Iowa communications
40 network's video services."

41 3. Page 45, line 13, by inserting after the word
42 "EFFECTIVE" the following: "AND APPLICABILITY".

43 4. Page 45, by inserting after line 16 the
44 following:

45 "____. The section of this Act enacting section
46 257.11, subsection 6, takes effect July 1, 2008, and

47 is applicable to school budget years beginning on or
48 after July 1, 2008."

Reichert of Muscatine asked and received unanimous consent to withdraw amendment H-1986, to the committee amendment H-1827, filed by him on April 24, 2007.

Winckler of Scott offered the following amendment H-1913, to the committee amendment H-1827, filed by her and moved its adoption:

H-1913

1 Amend the amendment, H-1827, to Senate File 588, as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, by inserting after line 8 the
5 following:

6 "____. Page 21, by inserting after line 35 the
7 following:

8 "Sec. ____ STATE BOARD OF REGENTS - GEORGE
9 WASHINGTON CARVER ENDOWED CHAIR. There is
10 appropriated from the general fund of the state to the
11 state board of regents for the fiscal period beginning
12 July 1, 2007, and ending June 30, 2009, the following
13 amounts, or so much thereof as is necessary, to be
14 used for the purpose designated:

15 For purposes of recruiting and retaining
16 high-quality faculty and to support their academic
17 pursuits and endeavors through the establishment of
18 the George Washington Carver endowed chair at the Iowa
19 state university of science and technology:

20 FY 2007-2008	\$ 250,000
21 FY 2008-2009	\$ 250,000

22 Moneys appropriated for purposes of the George
23 Washington Carver endowed chair as provided by this
24 section shall be allocated only to the extent that the
25 state moneys are matched from other sources by the
26 Iowa state university of science and technology on a
27 basis of a two dollar university contribution for
28 every one dollar appropriated under this section.""

29 2. Page 1, line 46, by striking the figure "2008"
30 and inserting the following: "2007".

31 3. By renumbering as necessary.

Amendment H-1913 was adopted.

Kaufmann of Cedar offered the following amendment H-1939, to the committee amendment H-1827, filed by him and moved its adoption:

H-1939

- 1 Amend the amendment, H-1827, to Senate File 588, as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 1, line 20, by inserting after the word
- 5 "instructor" the following: ", including the virtual
- 6 classroom instructor employed by the community
- 7 college".

Amendment H-1939 lost.

The committee amendment H-1827, as amended, was adopted.

Chambers of O'Brien asked and received unanimous consent to withdraw amendments H-1906, H-1907 and H-1940 filed by him on April 23, 2007.

Raecker of Polk asked and received unanimous consent to withdraw amendment H-1976 filed by him on April 24, 2007.

Chambers of O'Brien offered the following amendment H-1941 filed by him and moved its adoption:

H-1941

- 1 Amend Senate File 588, as amended, passed, and
- 2 reprinted by the Senate, as follows:
3. 1. Page 3, by striking lines 8 through 14.
- 4 2. Page 33, line 32, by inserting after the
- 5 figure "260C" the following: ", an accredited private
- 6 institution as defined in section 261.9, subsection
- 7 1,".

Roll call was requested by Chambers of O'Brien and Paulsen of Linn.

On the question "Shall amendment H-1941 be adopted?" (S.F. 588)

The ayes were, 44:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Granzow	Grassley	Greiner	Hoffman
Huseman	Jacobs	Kaufmann	Lukan
May	Miller, L.	Olson, S.	Palmer
Paulsen	Raecker	Rants	Rasmussen
Rayhons	Roberts	Sands	Schickel
Soderberg	Struyk	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wienick	Windschitl	Worthan

The nays were, 52:

Abdul-Samad	Bailey	Bell	Berry
Cohoon	Dandekar	Davitt	Foege
Ford	Frevert	Gaskill	Gayman
Heddens	Hunter	Huser	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Mertz	Miller, H.	Murphy, Spkr.	Oldson
Olson, D.	Olson, R.	Olson, T.	Petersen
Pettengill	Quirk	Reasoner	Reichert
Schueller	Shomshor	Smith	Staed
Swaim	Taylor, D.	Taylor, T.	Thomas
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	Bukta, Presiding

Absent or not voting, 4:

Gipp	Heaton	Horbach	Zirkelbach
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Amendment H-1941 lost.

Upmeyer of Hancock offered the following amendment H-1942 filed by her and moved its adoption:

H-1942

- 1 Amend Senate File 588, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 3, by striking lines 15 through 27.
- 4 2. By renumbering as necessary.

Roll call was requested by Rants of Woodbury and Sands of Louisa.

On the question "Shall amendment H-1942 be adopted?" (S.F. 588)

The ayes were, 43:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Granzow	Grassley	Greiner	Hoffman
Huseman	Jacobs	Kaufmann	Lukan
May	Miller, L.	Olson, S.	Paulsen
Raecker	Rants	Rasmussen	Rayhons
Roberts	Sands	Schickel	Soderberg
Struyk	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wienczek	Windschitl	Worthan	

The nays were, 53:

Abdul-Samad	Bailey	Bell	Berry
Cohoon	Dandekar	Davitt	Foege
Ford	Frevert	Gaskill	Gayman
Heddens	Hunter	Huser	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Mertz	Miller, H.	Murphy, Spkr.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Pettengill	Quirk	Reasoner
Reichert	Schueller	Shomshor	Smith
Staed	Swaim	Taylor, D.	Taylor, T.
Thomas	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise
Bukta,			
Presiding			

Absent or not voting, 4:

Gipp	Heaton	Horbach	Zirkelbach
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Amendment H-1942 lost.

Chambers of O'Brien offered the following amendment H-1943 filed by him and moved its adoption:

H-1943

- 1 Amend Senate File 588, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 12, by striking line 13 and inserting the
- 4 following:
- 5 "..... \$.676,937"

Roll call was requested by Chambers of O'Brien and Rants of Woodbury.

On the question "Shall amendment H-1943 be adopted?" (S.F. 588)

The ayes were, 43:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Drake	Forristall	Granzow
Grassley	Greiner	Hoffman	Huseman
Jacobs	Kaufmann	Lukan	May
Mertz	Miller, L.	Olson, S.	Paulsen
Raecker	Rants	Rasmussen	Rayhons
Roberts	Sands	Schickel	Soderberg
Struyk	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wiencek	Windschitl	Worthan	

The nays were, 52:

Abdul-Samad	Bailey	Bell	Berry
Cohoon	Dandekar	Davitt	Foegen
Ford	Frevert	Gaskill	Gayman
Heddens	Hunter	Huser	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Miller, H.	Murphy, Spkr.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Pettengill	Quirk	Reasoner	Reichert
Schueller	Shomshor	Smith	Staed
Swaim	Taylor, D.	Taylor, T.	Thomas
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	Bukta, Presiding

Absent or not voting, 5:

Dolecheck	Gipp	Heaton	Horbach
Zirkelbach			

Amendment H-1943 lost.

Speaker Murphy in the chair at 9:23 p.m.

Upmeyer of Hancock offered the following amendment H-1944 filed by her and Wiencek of Black Hawk and moved its adoption:

H-1944

1 Amend Senate File 588, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 14, by striking lines 5 through 23 and
4 inserting the following:

5 "..... \$177,562,414

6 a. From the funds appropriated in this subsection,
7 \$5,600,000 shall be distributed to each community
8 college to supplement faculty salaries.

9 (1) The moneys shall be distributed to each
10 community college based on the proportional share of
11 the community college's total salary expenditures in
12 the instructional and instructional part-time
13 categories in the education functions of liberal arts
14 and sciences and vocational technical programs bears
15 to the total salary expenditures for all community
16 colleges in the education functions of liberal arts
17 and sciences and vocational technical programs as
18 reported in the 2005-2006 fiscal year unrestricted
19 general fund report AS-15E fund 1 report of the
20 department of education.

21 (2) Money distributed to each community college
22 under this lettered paragraph shall be included in
23 that community college's general state financial aid
24 for future general state financial aid allocations by
25 adding the moneys into that community college's
26 received general state financial aid for determining
27 future general state financial aid distribution among
28 community colleges under section 260C.18C, subsection

29 3. Moneys received by a community college under this
30 lettered paragraph shall be deemed to be part of that
31 community college's general state financial aid base
32 for fiscal years beginning July 1, 2008, and for each
33 succeeding fiscal year.

34 (3) Moneys allocated and distributed to a
35 community college pursuant to this lettered paragraph
36 shall be used to supplement and not supplant approved
37 faculty salary increases for the fiscal year of the
38 appropriation.

39 (4) Moneys distributed to a community college
40 pursuant to this lettered paragraph shall be allocated
41 separately from those personnel in the instructional
42 and instructional part-time categories as defined by
43 the Iowa community college accounting manual issued by
44 the department of education. The moneys shall be
45 allocated between the instructional and instructional
46 part-time categories for a community college based on
47 the proportional share that the salaries of that
48 instructional category bear to the total salaries of
49 those categories at the community college. The
50 portion of a community college's allocation that is

Page 2

1 based on the salaries of personnel in the
 2 instructional category shall be distributed to
 3 personnel in that category in a manner which provides
 4 that all such personnel receive the same percentage
 5 increase in salary per instructional unit. The
 6 portion of a community college's allocation that is
 7 based on the salaries of personnel in the
 8 instructional part-time category shall be distributed
 9 to personnel in that category in a manner which
 10 provides that all such personnel receive the same
 11 percentage increase per instructional compensation
 12 unit at that community college.

13 b. Notwithstanding the allocation formula in
 14 section 260C.18C, the funds appropriated in this
 15 subsection remaining after distribution as provided in
 16 paragraph "a" shall be allocated as follows:

17	(1) Merged Area I	\$ 8,472,001
18	(2) Merged Area II	\$ 9,282,134
19	(3) Merged Area III	\$ 8,544,806
20	(4) Merged Area IV	\$ 4,200,810
21	(5) Merged Area V	\$ 9,408,978
22	(6) Merged Area VI	\$ 8,169,643
23	(7) Merged Area VII	\$ 12,077,303
24	(8) Merged Area IX	\$ 15,025,656
25	(9) Merged Area X	\$ 25,854,970
26	(10) Merged Area XI	\$ 25,758,739
27	(11) Merged Area XII	\$ 9,918,232
28	(12) Merged Area XIII	\$ 10,041,096
29	(13) Merged Area XIV	\$ 4,251,743
30	(14) Merged Area XV	\$ 13,348,554
31	(15) Merged Area XVI	\$ 7,607,749"

32 2. By renumbering as necessary.

Roll call was requested by Chambers of O'Brien and Alons of Sioux.

.On the question "Shall amendment H-1944 be adopted?" (S.F. 588)

The ayes were, 41:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Granzow	Grassley	Greiner	Hoffman
Huseman	Jacobs	Lukan	May
Miller, L.	Olson, S.	Paulsen	Raecker

Rants	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wienczek	Windschitl
Worthan			

The nays were, 52:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, T.	Palmer	Petersen
Pettengill	Quirk	Reasoner	Reichert
Schueller	Shomshor	Smith	Staed
Swaim	Taylor, D.	Taylor, T.	Thomas
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	Mr. Speaker Murphy

Absent or not voting, 6:

Gipp	Heaton	Horbach	Olson, R.
Tomenga	Zirkelbach		

Under the provision of Rule 76, conflict of interest, Kaufmann of Cedar refrained from voting.

Amendment H-1944 lost.

Upmeyer of Hancock asked and received unanimous consent to withdraw amendment H-1945 filed by her on April 23, 2007.

Wise of Lee offered the following amendment H-1911 filed by him and Raecker of Polk and moved its adoption:

H-1911

- 1 Amend Senate File 588, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 14, line 24, by striking the words
- 4 "VOLUNTARY MODEL".
- 5 2. Page 14, line 27, by striking the words
- 6 "voluntary model".
- 7 3. Page 14, line 31, by striking the words
- 8 "voluntary model".

- 9 4. Page 14, line 34, by striking the words
 10 "voluntary model".
- 11 5. Page 15, line 3, by striking the words
 12 "voluntary model".
- 13 6. Page 24, line 1, by striking the words
 14 "voluntary model".
- 15 7. Page 24, line 9, by striking the words
 16 "voluntary model".
- 17 8. Page 24, line 12, by striking the words
 18 "voluntary model".
- 19 9. Page 24, by striking lines 18 through 28 and
 20 inserting the following: "areas. The state board
 21 shall utilize an inclusive process involving
 22 nationally recognized education researchers, and
 23 institutions or associations, and education
 24 stakeholders including but not limited to
 25 representatives from prekindergarten through grade
 26 twelve schools and school districts, community
 27 colleges and other accredited postsecondary
 28 institutions, and businesses."
- 29 10. By striking page 24, line 34, through page
 30 25, line 14, and inserting the following: "school.
 31 The standards shall be benchmarked, to the extent
 32 possible, on national and international assessments to
 33 ensure that students' knowledge and skills are
 34 internationally competitive. The board shall seek a
 35 federal waiver to allow Iowa to set rigorous
 36 expectations without impacting state or school
 37 district accountability or necessitating renegotiation
 38 of Iowa's state plan under the federal No Child Left
 39 Behind Act of 2001, Pub. L. No. 107-110."
- 40 11. By renumbering as necessary.

Roll call was requested by Rants of Woodbury and May of Dickinson.

On the question "Shall amendment H-1911 be adopted?" (S.F. 588)

The ayes were, 47:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Granzow	Grassley	Greiner	Hoffman
Huseman	Huser	Jacobs	Kaufman
Lukan	May	Miller, L.	Olson, S.
Paulsen	Pettengill	Quirk	Raecker
Rants	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tomenga	Tymeson	Upmeyer

Van Engelenhoven Windschitl	Van Fossen Wise	Watts Worthan	Wienczek
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The nays were, 49:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Mertz	Miller, H.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Reasoner	Reichert	Schueller	Shomshor
Smith	Staed	Swaim	Taylor, D.
Taylor, T.	Thomas	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Winckler
Mr. Speaker Murphy			

Absent or not voting, 4:

Gipp	Heaton	Horbach	Zirkelbach
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Amendment H-1911 lost.

Sands of Louisa asked and received unanimous consent to withdraw amendment H-1946 filed by him on April 23, 2007.

Wendt of Woodbury asked and received unanimous consent that amendment H-2014 be deferred.

Jacoby of Johnson asked and received unanimous consent to withdraw amendment H-1868 filed by Jacoby of Johnson, et al., on April 20, 2007.

Jacoby of Johnson offered the following amendment H-1935 filed by Jacoby, et al., and moved its adoption:

H-1935

1 Amend Senate File 588, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 15, by inserting after line 35 the
 4 following:
 5 "The state board of regents shall conduct a
 6 detailed study examining campus security protocols,
 7 processes, procedures, technologies, and prevention

- 8 counseling techniques in use at each of the
- 9 institutions of higher learning the board governs.
- 10 The study shall also explore process, protocol, and
- 11 technology improvements, as well as any other
- 12 improvements which may lead to significant
- 13 improvements in campus safety and security. The study
- 14 shall include a review of arming campus security
- 15 officers. The board shall complete the study by
- 16 October 1, 2007, and shall submit its findings and
- 17 recommendations in a report to the governor and the
- 18 general assembly by October 15, 2007."
- 19 2. By renumbering as necessary.

Amendment H-1935 was adopted.

Wiencek of Black Hawk offered the following amendment H-1947 filed by her and Deyoe of Story and moved its adoption:

H-1947

- 1 Amend Senate File 588, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 17, by striking line 3 and inserting the
- 4 following:
- 5 "..... \$ 66,000,000"

Roll call was requested by Wiencek of Black Hawk and Chambers of O'Brien.

On the question "Shall amendment H-1947 be adopted?" (S.F. 588)

The ayes were, 43:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Granzow	Grassley	Greiner	Hoffman
Huseman	Jacobs	Kaufmann	Lukan
May	Miller, L.	Olson, S.	Paulsen
Raecker	Rants	Rasmussen	Rayhons
Roberts	Sands	Schickel	Soderberg
Struyk	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wiencek	Windschitl	Worthan	

The nays were, 53:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt

Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Pettengill	Quirk	Reasoner
Reichert	Schueller	Shomshor	Smith
Staed	Swaim	Taylor, D.	Taylor, T.
Thomas	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise
Mr. Speaker			
Murphy			

Absent or not voting, 4:

Gipp	Heaton	Horbach	Zirkelbach
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Amendment H-1947 lost.

Wiencek of Black Hawk offered the following amendment H-1948 filed by her and moved its adoption:

H-1948

- 1 Amend Senate File 588, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 21, by striking line 9 and inserting the
- 4 following:
- 5 "..... \$ 85,955,931"

Roll call was requested by Wiencek of Black Hawk and Tymeson of Madison.

On the question "Shall amendment H-1948 be adopted?" (S.F. 588)

The ayes were, 42:

Alons	Arnold	Baudler	Boal
Chambers	Clute	De Boef	Deyoe
Dolecheck	Drake	Forristall	Granzow
Grassley	Greiner	Hoffman	Huseman
Jacobs	Kaufmann	Lukan	May
Miller, L.	Olson, S.	Paulsen	Raecker
Rants	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wiencek
Windschitl	Worthan		

The nays were, 53:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevort	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Pettengill	Quirk	Reasoner
Reichert	Schueller	Shomshor	Smith
Staed	Swaim	Taylor, D.	Taylor, T.
Thomas	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise
Mr. Speaker Murphy			

Absent or not voting, 5:

Anderson	Gipp	Heaton	Horbach
Zirkelbach			

Amendment H-1948 lost.

Struyk of Pottawattamie offered the following amendment H-1992 filed by him and Pettengill of Benton and moved its adoption:

H-1992

1	Amend Senate File 588, as amended, passed, and	
2	reprinted by the Senate, as follows:	
3	1. Page 21, by striking line 20 and inserting the	
4	following:	
5	"....."	\$ 9,712,663"
6	2. Page 21, by striking line 26 and inserting the	
7	following:	
8	"....."	\$ 5,435,157"

Amendment H-1992 lost.

Struyk of Pottawattamie asked and received unanimous consent to withdraw amendment H-1949 filed by him and Pettengill of Benton on April 23, 2007.

Chambers of O'Brien asked and received unanimous consent to withdraw amendment H-1950 filed by him on April 23, 2007.

Winckler of Scott offered the following amendment H-2000 filed by her and moved its adoption:

H-2000

1 Amend Senate File 588, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 22, by inserting after line 14 the
4 following:

5 "Sec. ____ PARTICIPATION IN AN INSTRUCTIONAL
6 SUPPORT PROGRAM BY SCHOOL DISTRICTS – SUSPENSION OF
7 REQUIREMENTS. Notwithstanding any contrary provision
8 in chapter 257, including sections 257.18 through
9 257.21, a school district that has participated in a
10 board-approved instructional support program during
11 the fiscal year beginning July 1, 2006, and ending
12 June 30, 2007, may continue to participate in the
13 board-approved instructional support program for the
14 fiscal year beginning July 1, 2007, and ending June
15 30, 2008, to the extent established by the board's
16 resolution, as if it had complied with those sections,
17 if all of the following apply:

18 1. The board of directors of the school district
19 has adopted or adopts a resolution not later than May
20 15, 2007, to participate in the board-approved
21 instructional support program as otherwise provided in
22 section 257.18. If the board of directors has adopted
23 a budget which did not account for the board-approved
24 instructional support program, the board of directors
25 may adjust its budget to account for the
26 board-approved instructional support program as
27 approved by the department of management.

28 2. The secretary of the board of directors does
29 not receive a petition as authorized in section
30 257.18, subsection 2, within twenty-eight days
31 following the adoption of the resolution by the board
32 of directors of the school district to participate in
33 the board-approved instructional support program as
34 provided in subsection 1, which asks that an election
35 be called to approve or disapprove the action of the
36 board of directors in adopting the resolution."

37 2. Page 45, by inserting after line 16 the
38 following:

39 " ____ . The section of this Act relating to a
40 suspension of the requirements for participation in an
41 instructional support program by school districts,
42 being deemed of immediate importance, takes effect
43 upon enactment."

44 3. Title page, line 4, by inserting after the
45 word "regents," the following: "providing for a
46 related matter concerning participation in an

- 47 instructional support program by school districts,"
48 4. By renumbering as necessary.

Amendment H-2000 was adopted.

Boal of Polk offered the following amendment H-2001 filed by her and moved its adoption:

H-2001

- 1 Amend Senate File 588, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 22, by inserting after line 14 the
4 following:
5 "Sec. _____. The Iowa learning technology commission
6 shall submit a report by January 1, 2008, to the
7 general assembly which shall include a description and
8 the results of the pilot programs which received
9 funding pursuant to chapter 280A.4 and, based on the
10 findings resulting from implementation of the
11 programs, the commission's recommendations for funding
12 and implementing statewide learning technology
13 initiatives."
14 2. Title page, line 4, by inserting after the
15 word "regents," the following: "providing for related
16 matters concerning the Iowa learning technology
17 commission,".
18 3. By renumbering as necessary.

Amendment H-2001 was adopted.

Tymeson of Madison asked and received unanimous consent to withdraw amendment H-1951 filed by her on April 23, 2007, placing out of order amendment H-2027 filed by R. Olson of Polk from the floor.

Tymeson of Madison asked and received unanimous consent to withdraw amendment H-1993 filed by her on April 24, 2007.

Raecker of Polk offered amendment H-1952 filed by him as follows:

H-1952

- 1 Amend Senate File 588, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 24, line 30, by striking the word

- 4 "subsection" and inserting the following:
5 "subsections".
6 2. Page 25, by inserting after line 14 the
7 following:
8 "NEW SUBSECTION. 28. a. Adopt rules establishing
9 minimum teacher salaries for the fiscal year beginning
10 July 1, 2007, and for each succeeding fiscal year, as
11 follows:
12 (1) For a beginning teacher, twenty-seven thousand
13 five hundred dollars.
14 (2) For a first-year career teacher, twenty-eight
15 thousand five hundred dollars.
16 (3) For a career teacher employed one year or more
17 at the career teacher level, twenty-nine thousand five
18 hundred dollars.
19 b. Notwithstanding section 284.7, subsection 1,
20 paragraph a, subparagraph (2), and section 284.7,
21 subsection 1, paragraph b, subparagraph (2), the
22 minimum teacher salaries for beginning and career
23 teachers statewide shall be as provided in subsection
24 "a".
25 3. By renumbering as necessary.

Winckler of Scott rose on a point of order that amendment H-1952 was not germane.

The Speaker ruled the point well taken and amendment H-1952 not germane.

Tymeson of Madison offered the following amendment H-1953 filed by her and moved its adoption:

H-1953

- 1 Amend Senate File 588, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 24, line 30, by striking the word
4 "subsection" and inserting the following:
5 "subsections".
6 2. Page 25, by inserting after line 14 the
7 following:
8 "NEW SUBSECTION. 28. a. Adopt a parent and
9 guardian involvement policy, which the board of
10 directors of each school district shall set in place,
11 that meets, at a minimum, the following criteria:
12 (1) Ensures that communication between home and
13 school is regular, two-way, and meaningful.
14 (2) Promotes and supports parenting skills.
15 (3) Recognizes and supports the integral role

- 16 parents and guardians play in assisting student
 17 learning.
 18 (4) Welcomes parents and guardians into the school
 19 and seeks their support and assistance.
 20 (5) Makes parents and guardians full participants
 21 in the decisions that affect children and families.
 22 (6) Utilizes community collaborations productively
 23 and community resources prolifically to strengthen
 24 schools, families, and student learning.
 25 b. Require each board of directors of each school
 26 district to publish the policy adopted pursuant to
 27 paragraph "a" in each student handbook published by
 28 school district attendance centers and, if the school
 29 district or its attendance centers maintain a website,
 30 the policy shall be placed on the school district or
 31 attendance center website."
 32 3. By renumbering as necessary.

Roll call was requested by Tymeson of Madison and Sands of Louisa.

On the question "Shall amendment H-1953 be adopted?" (S.F. 588)

The ayes were, 43:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	Dandekar
De Boef	Deyoe	Dolecheck	Drake
Granzow	Grassley	Greiner	Hoffman
Huseman	Jacobs	Lukan	May
Miller, L.	Olson, S.	Paulsen	Pettengill
Raecker	Rants	Rasmussen	Rayhons
Roberts	Sands	Schickel	Soderberg
Struyk	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wienczek	Windschitl	Worthan	

The nays were, 50:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Davitt	Foege
Ford	Frevert	Gaskill	Gayman
Heddens	Huser	Jacoby	Jochum
Kelley	Kressig	Kuhn	Lensing
Lykam	Mascher	McCarthy	Mertz
Miller, H.	Oldson	Olson, D.	Olson, R.
Olson, T.	Palmer	Petersen	Quirk
Reasoner	Reichert	Schueller	Shomshor
Smith	Staed	Swaim	Taylor, D.
Taylor, T.	Thomas	Wendt	Wenthe

Wessel-Kroeschell	Whitaker	Whitead	Winckler
Wise	Mr. Speaker Murphy		

Absent or not voting, 7:

Forristall	Gipp	Heaton	Horbach
Hunter	Kaufmann	Zirkelbach	

Amendment H-1953 lost.

Tymeson of Madison offered amendment H-1954 filed by her as follows:

H-1954

- 1 Amend Senate File 588, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 24, line 30, by striking the word
- 4 "subsection" and inserting the following:
- 5 "subsections".
- 6 2. Page 25, by inserting after line 14 the
- 7 following:
- 8 "NEW SUBSECTION. 28. Adopt rules requiring the
- 9 board of directors of each public school and the
- 10 authorities in charge of each nonpublic school to
- 11 cause the pledge of allegiance to be recited at the
- 12 beginning of each school day. Persons reciting the
- 13 pledge of allegiance shall stand holding their right
- 14 hand over their heart. A student shall not be
- 15 compelled, against the student's objections or those
- 16 of the student's parent or guardian, to recite the
- 17 pledge of allegiance, but shall be required to
- 18 maintain a respectful silence. A nonpublic school is
- 19 exempt from this requirement if the authorities in
- 20 charge of a nonpublic school determine that this
- 21 requirement conflicts with the school's religious
- 22 doctrines."
- 23 3. By renumbering as necessary.

The following amendments to amendment H-1954 were withdrawn by unanimous consent:

- Amendment H-2023 filed by Berry of Black Hawk from the floor.
- Amendment H-2026 filed by R. Olson of Polk from the floor.
- Amendment H-2018 filed by Smith of Marshall from the floor.

Winckler of Scott rose on a point of order that amendment H-1954 was not germane.

The Speaker ruled the point well taken and amendment H-1954 not germane.

Tymeson of Madison asked for unanimous consent to suspend the rules to consider amendment H-1954.

Objection was raised.

Tymeson of Madison moved to suspend the rules to consider amendment H-1954.

Roll call was requested by Rants of Woodbury and Paulsen of Linn.

On the question "Shall the rules be suspended to consider amendment H-1954?" (S.F. 588)

The ayes were, 43:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	Dandekar
De Boef	Deyoe	Dolecheck	Drake
Forristall	Granzow	Grassley	Greiner
Hoffman	Huseman	Jacobs	Kaufmann
Lukan	May	Miller, L.	Olson, S.
Paulsen	Raecker	Rants	Rasmussen
Rayhons	Roberts	Sands	Schickel
Soderberg	Struyk	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wienczek	Windschitl	Worthan	

The nays were, 52:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Davitt	Foege
Ford	Frevort	Gaskill	Gayman
Heddens	Hunter	Huser	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Mertz	Miller, H.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Pettengill	Quirk	Reasoner	Reichert
Schueller	Shomshor	Smith	Staed
Swaim	Taylor, D.	Taylor, T.	Thomas
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	Mr. Speaker Murphy

Absent or not voting, 5:

Gipp
Zirkelbach

Heaton

Horbach

Tjepkes

The motion to suspend the rules lost.

Tymeson of Madison offered amendment H-1955 filed by her as follows:

H-1955

- 1 Amend Senate File 588, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 24, line 30, by striking the word
- 4 "subsection" and inserting the following:
- 5 "subsections".
- 6 2. Page 25, by inserting after line 14 the
- 7 following:
- 8 "NEW SUBSECTION. 28. Adopt rules to permit,
- 9 notwithstanding section 20.9, a school district to
- 10 deduct, upon a teacher's or administrator's written
- 11 request, from the salary or wages of the teacher or
- 12 administrator, an amount specified by the teacher or
- 13 administrator for payment of dues or membership fees
- 14 for the teacher's or administrator's membership in a
- 15 not-for-profit, professional education association.
- 16 If a written request is granted, all other written
- 17 requests for salary or wage deductions for payment of
- 18 dues or membership fees for membership in the same
- 19 not-for-profit, professional education association
- 20 shall also be granted. The teacher or administrator
- 21 may withdraw the request for the deduction at any time
- 22 by giving the school district thirty days' written
- 23 notice. For purposes of this subsection,
- 24 "professional education association" means an
- 25 association in which the majority of members are
- 26 practitioners licensed in accordance with chapter
- 27 272."
- 28 3. By renumbering as necessary.

Winckler of Scott rose on a point of order that amendment H-1955 was not germane.

The Speaker ruled the point well taken and amendment H-1955 not germane.

Tymeson of Madison asked for unanimous consent to suspend the rules to consider amendment H-1955.

Objection was raised.

Tymeson of Madison moved to suspend the rules to consider amendment H-1955.

Roll call was requested by Paulsen of Linn and Chambers of O'Brien.

On the question "Shall the rules be suspended to consider amendment H-1955?" (S.F. 588)

The ayes were, 44:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	Dandekar
De Boef	Deyoe	Dolecheck	Drake
Forristall	Granzow	Grassley	Greiner
Hoffman	Huseman	Jacobs	Kaufmann
Lukan	May	Miller, L.	Olson, S.
Paulsen	Raecker	Rants	Rasmussen
Rayhons	Roberts	Sands	Schickel
Soderberg	Struyk	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wienczek	Windschitl	Worthan

The nays were, 50:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Foege	Ford
Frevert	Gaskill	Gayman	Heddens
Hunter	Huser	Jacoby	Jochum
Kelley	Kressig	Kuhn	Lensing
Lykam	Mascher	McCarthy	Mertz
Miller, H.	Oldson	Olson, D.	Olson, R.
Olson, T.	Palmer	Petersen	Pettengill
Quirk	Reichert	Schueller	Shomshor
Smith	Staed	Swaim	Taylor, D.
Taylor, T.	Thomas	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Winckler
Wise	Mr. Speaker		
	Murphy		

Absent or not voting, 6:

Davitt
Reasoner

Gipp
Zirkelbach

Heaton

Horbach

The motion to suspend the rules lost.

Tymeson of Madison asked and received unanimous consent to withdraw amendment H-1974 filed by her on April 23, 2007.

Granzow of Hardin asked and received unanimous consent to withdraw amendment H-2002 filed by her on April 24, 2007.

Forristall of Pottawattamie offered the following amendment H-1975 filed by him and moved its adoption:

H-1975

1 Amend Senate File 588, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 25, by inserting after line 14 the
4 following:

5 "Sec. ____ Section 256.9, Code 2007, is amended by
6 adding the following new subsection:

7 NEW SUBSECTION. 55. Establish and maintain a
8 process and a procedure, in cooperation with the board
9 of educational examiners, to compare a practitioner's
10 teaching assignment with the license and endorsements
11 held by the practitioner. The director may report
12 noncompliance issues identified by this process to the
13 board of educational examiners pursuant to section
14 272.15, subsection 3."

15 2. Page 39, by inserting after line 4 the
16 following:

17 "Sec. ____ Section 272.15, Code 2007, is amended
18 to read as follows:

19 272.15 SCHOOL REPORTING REQUIREMENT REQUIREMENTS
20 - COMPLAINTS.

21 1. The board of directors of a school district or
22 area education agency, the superintendent of a school
23 district or the chief administrator of an area
24 education agency, and the authorities in charge of a
25 nonpublic school shall report to the board the
26 nonrenewal or termination, for reasons of alleged or
27 actual misconduct, of a person's contract executed
28 under sections 279.12, 279.13, 279.15 through 279.21,
29 279.23, and 279.24, and the resignation of a person
30 who holds a license, certificate, or authorization
31 issued by the board as a result of or following an

32 incident or allegation of misconduct that, if proven,
 33 would constitute a violation of the rules adopted by
 34 the board to implement section 272.2, subsection 14,
 35 paragraph "b", subparagraph (1), when the board or
 36 reporting official has a good faith belief that the
 37 incident occurred or the allegation is true.
 38 Information reported to the board in accordance with
 39 this section is privileged and confidential, and
 40 except as provided in section 272.13, is not subject
 41 to discovery, subpoena, or other means of legal
 42 compulsion for its release to a person other than the
 43 respondent and the board and its employees and agents
 44 involved in licensee discipline, and is not admissible
 45 in evidence in a judicial or administrative proceeding
 46 other than the proceeding involving licensee
 47 discipline. The board shall review the information
 48 reported to determine whether a complaint should be
 49 initiated. In making that determination, the board
 50 shall consider the factors enumerated in section

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1 272.2, subsection 14, paragraph "a". For purposes of
 2 this section, unless the context otherwise requires,
 3 "misconduct" means an action disqualifying an
 4 applicant for a license or causing the license of a
 5 person to be revoked or suspended in accordance with
 6 the rules adopted by the board to implement section
 7 272.2, subsection 14, paragraph "b", subparagraph (1).
 8 2. If, in the course of performing official
 9 duties, an employee of the department becomes aware of
 10 any alleged misconduct by an individual licensed under
 11 this chapter, the employee shall report the alleged
 12 misconduct to the board of educational examiners under
 13 rules adopted pursuant to subsection 1.
 14 3. If the executive director of the board verifies
 15 through a review of official records that a teacher
 16 who holds a practitioner's license under this chapter
 17 is assigned instructional duties for which the teacher
 18 does not hold the appropriate license or endorsement,
 19 either by grade level or subject area, by a school
 20 district or accredited nonpublic school, the executive
 21 director may initiate a complaint against the teacher
 22 and the administrator responsible for the
 23 inappropriate assignment of instructional duties."
 24 3. Page 39, by inserting after line 18 the
 25 following:
 26 "Sec. __. **NEW SECTION. 279.43 REPORTING**
 27 **INAPPROPRIATE TEACHING ASSIGNMENTS.**
 28 An employee licensed by the board of educational
 29 examiners and holding a contract as described in
 30 section 279.13 shall disclose any occurrence of a

31 teaching assignment for which that employee is not
32 properly licensed to the school official responsible
33 for determining teaching assignments. Failure of the
34 employee to disclose this occurrence or failure of the
35 school official responsible for determining teaching
36 assignments to make appropriate adjustments to the
37 employee's teaching assignment once the employee
38 discloses the occurrence shall constitute an incident
39 of misconduct as provided in section 272.2, subsection
40 14, and is actionable by the board. If the school
41 official fails to make appropriate adjustments to the
42 teaching assignment once disclosure by the employee is
43 made, the employee shall report this occurrence to the
44 department or to the board for further action."

45 4. Page 41, by inserting after line 30 the
46 following:

47 "Sec. . NEW SECTION. 279.66 DISCIPLINE AND
48 PERSONAL CONDUCT STANDARDS.

49 The board of directors of a school district shall
50 review and modify existing policies related to student

Page 3

1 discipline and student conduct that are designed to
2 promote responsible behavior on school property and at
3 school functions in order that the policy shall govern
4 the conduct of students, teachers and other school
5 personnel, and visitors; provide opportunities for
6 students to exercise self-discipline and practice
7 cooperative classroom behavior; and encourage students
8 and practitioners to model fairness, equity, and
9 respect. The policy shall specify the
10 responsibilities of students, parents and guardians,
11 and practitioners in creating an atmosphere where all
12 individuals feel a sense of respect, safety, and
13 belonging, and shall set forth the consequences for
14 unacceptable behavior. The policy shall be published
15 in the student handbook."

16 5. By renumbering as necessary.

Amendment H-1975 was adopted.

Rants of Woodbury asked and received unanimous consent to
withdraw amendment H-1956 filed by him on April 23, 2007.

Rants of Woodbury offered amendment H-1957 filed by him as
follows:

H-1957

- 1 Amend Senate File 588, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 27, by inserting after line 15 the
 4 following:
 5 "Sec. ____ Section 257.15, subsection 4,
 6 paragraphs b, c, and d, Code 2007, are amended to read
 7 as follows:
 8 b. For the budget year beginning July 1, 2007,
 9 ~~twelve~~ thirty-seven million dollars.
 10 c. For the budget year beginning July 1, 2008,
 11 ~~eighteen~~ forty-three million dollars.
 12 d. For the budget year beginning July 1, 2009, and
 13 succeeding budget years, ~~twenty-four~~ forty-nine
 14 million dollars."
 15 2. By renumbering as necessary.

Winckler of Scott rose on a point of order that amendment H-1957 was not germane.

The Speaker ruled the point well taken and amendment H-1957 not germane.

Rants of Woodbury asked for unanimous consent to suspend the rules to consider amendment H-1957.

Objection was raised.

Rants of Woodbury moved to suspend the rules to consider amendment H-1957.

Roll call was requested by Rants of Woodbury and Paulsen of Linn.

On the question "Shall the rules be suspended to consider amendment H-1957?" (S.F. 588)

The ayes were, 42:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Granzow	Grassley	Greiner	Hoffman
Huseman	Jacobs	Kaufmann	Lukan
May	Miller, L.	Olson, S.	Paulsen
Raecker	Rants	Rasmussen	Rayhons
Roberts	Sands	Schickel	Soderberg

Struyk	Tjepkes	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wiencek
Windschitl	Worthan		

The nays were, 53:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Pettengill	Quirk	Reasoner	Reichert
Schueller	Shomshor	Smith	Staed
Swaim	Taylor, D.	Taylor, T.	Thomas
Tomenga	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise
Mr. Speaker Murphy			

Absent or not voting, 5:

Gipp	Heaton	Horbach	Petersen
Zirkelbach			

The motion to suspend the rules lost.

Chambers of O'Brien offered amendment H-1959 filed by him as follows:

H-1959

- 1 Amend Senate File 588, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 27, by inserting after line 15 the
- 4 following:
- 5 "Sec. ____ Section 260C.14, Code 2007, is amended
- 6 by adding the following new subsection:
- 7 **NEW SUBSECTION.** 22. Prepare and set in place a
- 8 campus safety plan. The plan shall be updated every
- 9 three years and notwithstanding chapter 22, shall be
- 10 considered a confidential record. Copies of the plan
- 11 and subsequent updates to the plan shall be submitted
- 12 to local law enforcement agencies and the local
- 13 emergency management commission. In developing and
- 14 implementing the plan, the directors shall do all the
- 15 following:
- 16 a. Recognize that the entire campus community,
- 17 including students, faculty, staff, local emergency

18 and law enforcement personnel, and neighboring areas
19 must be involved in crisis prevention.

20 b. Prepare contingency plans based on a variety of
21 possible emergencies. Include student and faculty
22 leaders who may assist in coordinating immediate
23 responses.

24 c. Develop mechanisms for communicating regularly,
25 and during emergencies, with law enforcement, faculty,
26 staff, students, returning students, and others.
27 Consider periodic open forums to answer questions and
28 clarify procedures.

29 d. Discuss campus safety and security activities
30 and plans with parents and students during
31 orientation. Provide reminders through the
32 communications network to update staff, faculty,
33 returning students, and parents to review, update, and
34 strengthen prevention and preparedness plans.

35 e. Use crime analysis and crime mapping tools to
36 identify crime trends and issues on campus, along with
37 incident analysis to refine and improve prevention and
38 response strategies."

39 2. Page 39, by inserting after line 4 the
40 following:

41 "Sec. ____ . Section 262.9, Code 2007, is amended by
42 adding the following new subsection:

43 **NEW SUBSECTION.** 31. Require that each institution
44 under its control prepare and set in place a campus
45 safety plan. The plan shall be updated every three
46 years and notwithstanding chapter 22, shall be
47 considered a confidential record. Copies of the plan
48 and subsequent updates to the plan shall be submitted
49 by each institution to the board, local law
50 enforcement agencies, and the local emergency

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1 management commission. In developing and implementing
2 the plan, each institution shall do all the following:

3 a. Recognize that the entire campus community,
4 including students, faculty, staff, local emergency
5 and law enforcement personnel, and neighboring areas
6 must be involved in crisis prevention.

7 b. Prepare contingency plans based on a variety of
8 possible emergencies. Include student and faculty
9 leaders who may assist in coordinating immediate
10 responses.

11 c. Develop mechanisms for communicating regularly,
12 and during emergencies, with law enforcement, faculty,
13 staff, students, returning students, and others.
14 Consider periodic open forums to answer questions and
15 clarify procedures.

16 d. Discuss campus safety and security activities

17 and plans with parents and students during
18 orientation. Provide reminders through the
19 communications network to update staff, faculty,
20 returning students, and parents to review, update, and
21 strengthen prevention and preparedness plans.

22 e. Use crime analysis and crime mapping tools to
23 identify crime trends and issues on campus, along with
24 incident analysis to refine and improve prevention and
25 response strategies."

26 3. Page 41, by inserting after line 30 the
27 following:

28 "Sec.____. NEW SECTION. 280.18 SCHOOL SAFETY
29 PLANS.

30 The board of directors of each local public school
31 district and the authorities in charge of each
32 nonpublic school shall prepare and set in place a
33 school safety plan. The plan shall be updated every
34 three years and notwithstanding chapter 22, shall be
35 considered a confidential record. Copies of the plan
36 and subsequent updates to the plan shall be submitted
37 to local law enforcement agencies and the local
38 emergency management commission. In developing and
39 implementing the plan, each board or governing
40 authority shall do all the following:

41 a. Recognize that the entire school community,
42 including students, faculty, staff, local emergency
43 and law enforcement personnel, and neighboring areas
44 must be involved in crisis prevention.

45 b. Prepare contingency plans based on a variety of
46 possible emergencies. Include student and faculty
47 leaders who may assist in coordinating immediate
48 responses.

49 c. Develop mechanisms for communicating regularly,
50 and during emergencies, with law enforcement, faculty,

Page 3

1 staff, students, returning students, and others.
2 Consider periodic open forums to answer questions and
3 clarify procedures.

4 d. Discuss school safety and security activities
5 and plans with parents and students during school
6 orientation. Provide reminders through the
7 communications network to update staff, faculty,
8 returning students, and parents to review, update, and
9 strengthen prevention and preparedness plans.

10 e. Use crime analysis and crime mapping tools to
11 identify crime trends and issues on campus, along with
12 incident analysis to refine and improve prevention and
13 response strategies."

14 4. Title page, line 3, by inserting after the
15 word "education," the following: "accredited

16 schools".

17 5. By renumbering as necessary.

Winckler of Scott rose on a point of order that amendment H-1959 was not germane.

The Speaker ruled the point well taken and amendment H-1959 not germane.

Forristall of Pottawattamie asked and received unanimous consent to withdraw amendment H-1997 filed by him on April 24, 2007.

Chambers of O'Brien offered the following amendment H-1960 filed by him and Alons of Sioux and moved its adoption:

H-1960

- 1 Amend Senate File 588, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 32, by striking lines 29 and 30 and
- 4 inserting the following: "~~forty-six~~ forty-nine
- 5 million ~~five~~ two hundred ~~six~~ ninety-six thousand ~~two~~
- 6 five hundred ~~eighteen~~ ninety-one dollars for".

Roll call was requested by Chambers of O'Brien and Alons of Sioux.

On the question "Shall amendment H-1960 be adopted?" (S.F. 588)

The ayes were, 43:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Granzow	Grassley	Greiner	Hoffman
Huseman	Jacobs	Kaufmann	Lukan
May	Miller, L.	Olson, S.	Paulsen
Raecker	Rants	Rasmussen	Rayhons
Roberts	Sands	Schickel	Soderberg
Struyk	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wienczek	Windschitl	Worthan	

The nays were, 52:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt

Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Miller, H.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Pettengill	Quirk	Reasoner	Reichert
Schueller	Shomshor	Smith	Staed
Swaim	Taylor, D.	Taylor, T.	Thomas
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	Mr. Speaker
			Murphy

Absent or not voting, 5:

Gipp	Heaton	Horbach	Mertz
Zirkelbach			

Amendment H-1960 lost.

Baudler of Adair offered amendment H-1869 filed by him as follows:

H-1869

1 Amend Senate File 588, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 39, by inserting after line 4 the
 4 following:
 5 "Sec. ____ Section 262.13, Code 2007, is amended
 6 to read as follows:
 7 262.13 SECURITY OFFICERS AT INSTITUTIONS AS PEACE
 8 OFFICERS.
 9 1. The board may authorize any institution under
 10 its control to commission one or more of its employees
 11 as special security officers. The board shall, at a
 12 minimum, authorize the commissioning of special
 13 security officers at the institutions of higher
 14 learning. Special security officers shall have the
 15 powers, privileges, and immunities of regular peace
 16 officers when acting in the interests of the
 17 institution by which they are employed. The board
 18 shall provide as rapidly as practicable for the
 19 adequate training of such special security officers at
 20 the Iowa law enforcement academy or in an equivalent
 21 training program, unless they have already received
 22 such training.
 23 2. The board shall require institutions of higher
 24 learning under its control to provide that individuals
 25 employed as special security officers by the
 26 institutions carry a firearm while performing security

- 27 duties. An individual who is employed as a special
 28 security officer at an institution shall meet all of
 29 the following requirements:
 30 a. Has successfully completed training at the Iowa
 31 law enforcement academy or a regional training faculty
 32 certified by the director of the Iowa law enforcement
 33 academy.
 34 b. Is certified by the Iowa law enforcement
 35 academy under chapter 80B.
 36 c. Possess a permit to carry weapons issued by the
 37 department of public safety."
 38 2. By renumbering as necessary.

Winckler of Scott rose on a point of order that amendment H-1869 was not germane.

The Speaker ruled the point well taken and amendment H-1869 not germane.

Baudler of Adair asked for unanimous consent to suspend the rules to consider amendment H-1869.

Objection was raised.

Baudler of Adair moved to suspend the rules to consider amendment H-1869.

Roll call was requested by Baudler of Adair and Paulsen of Linn.

On the question "Shall the rules be suspended to consider amendment H-1869?" (S.F. 588)

The ayes were, 46:

Alons	Arnold	Bailey	Baudler
Bell	Boal	Chambers	Clute
Dandekar	De Boef	Deyoe	Dolecheck
Drake	Forristall	Granzow	Grassley
Greiner	Hoffman	Huseman	Jacobs
Jacoby	Kaufmann	Lukan	May
Miller, L.	Olson, S.	Paulsen	Raecker
Rants	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Taylor, D.	Tjepkes	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wiencsek
Windschitl	Worthan		

The nays were, 50:

Abdul-Samad	Anderson	Berry	Bukta
Cohoon	Davitt	Foegen	Ford
Frevert	Gaskill	Gayman	Heddens
Hunter	Huser	Jochum	Kelley
Kressig	Kuhn	Lensing	Lykam
Mascher	McCarthy	Mertz	Miller, H.
Oldson	Olson, D.	Olson, R.	Olson, T.
Palmer	Petersen	Pettengill	Quirk
Reasoner	Reichert	Schueller	Shomshor
Smith	Staed	Swaim	Taylor, T.
Thomas	Tomenga	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Winckler
Wise	Mr. Speaker Murphy		

Absent or not voting, 4:

Gipp	Heaton	Horbach	Zirkelbach
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The motion to suspend the rules lost.

Lukan of Dubuque offered amendment H-1961 filed by him as follows:

H-1961

- 1 Amend Senate File 588, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 44, by inserting before line 2 the
- 4 following:
- 5 "Sec. ____ Section 422.11S, subsection 7,
- 6 paragraph a, subparagraph (2), Code 2007, is amended
- 7 to read as follows:
- 8 (2) "Total approved tax credits" means for the tax
- 9 year beginning in the 2006 calendar year, two million
- 10 five hundred thousand dollars, and for the tax years
- 11 year beginning on or after January 1, in the 2007
- 12 calendar year, five million dollars, and for tax years
- 13 beginning on or after January 1, 2008, ten million
- 14 dollars."
- 15 2. Title page, line 4, by inserting after the
- 16 word "regents," the following: "providing for related
- 17 matters concerning school tuition organization tax
- 18 credits,".
- 19 3. By renumbering as necessary.

Winckler of Scott rose on a point of order that amendment H-1961 was not germane.

The Speaker ruled the point well taken and amendment H-1961 not germane.

Lukan of Dubuque asked for unanimous consent to suspend the rules to consider amendment H-1961.

Objection was raised.

Lukan of Dubuque moved to suspend the rules to consider amendment H-1961.

Roll call was requested by Paulsen of Linn and Van Fossen of Scott.

On the question "Shall the rules be suspended to consider amendment H-1961?" (S.F. 588)

The ayes were, 41:

Alons	Arnold	Baudler	Boal
Chambers	Clute	De Boef	Deyoe
Dolecheck	Drake	Forristall	Granzow
Grassley	Greiner	Hoffman	Huseman
Jacobs	Kaufmann	Lukan	May
Miller, L.	Olson, S.	Paulsen	Raecker
Rants	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wiencek	Windschitl
Worthan			

The nays were, 52:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Coñoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Huser	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Mertz	Miller, H.	Oldson	Olson, D.
Olson, T.	Palmer	Petersen	Pettengill
Quirk	Reasoner	Reichert	Schueller
Shomshor	Smith	Staed	Swaim
Taylor, D.	Taylor, T.	Thomas	Tomenga
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wiße	Mr. Speaker
			Murphy

Absent or not voting, 7:

Anderson	Gipp	Heaton	Horbach
Hunter	Olson, R.	Zirkelbach	

The motion to suspend the rules lost.

Raecker of Polk offered the following amendment H-1962 filed by him and moved its adoption:

H-1962

- 1 Amend Senate File 588, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 44, by striking lines 3 through 31.
- 4 2. Page 45, by striking lines 14 through 16 and
- 5 inserting the following:
- 6 "1. The section of this Act amending 2006 Iowa
- 7 Acts, chapter 1180, being deemed of immediate
- 8 importance, takes effect upon enactment."
- 9 3. By renumbering as necessary.

Roll call was requested by Raecker of Polk and Van Fossen of Scott.

On the question "Shall amendment H-1962 be adopted?" (S.F. 588)

The ayes were, 40:

Alons	Arnold	Baudler	Boal
Chambers	Clute	De Boef	Deyoe
Dolecheck	Drake	Forristall	Granzow
Grassley	Greiner	Hoffman	Huseman
Jacobs	Kaufmann	May	Miller, L.
Olson, S.	Paulsen	Raecker	Rants
Rasmussen	Rayhons	Roberts	Sands
Schickel	Soderberg	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wiencek	Windschitl	Worthan

The nays were, 54:

Abdul-Samad	Anderson	Bailey	Bell
Berry	Bukta	Cohoon	Dandekar
Davitt	Foege	Ford	Frevert
Gaskill	Gayman	Heddens	Hunter
Huser	Jacoby	Jochum	Kelley
Kressig	Lensing	Lukan	Lykam

Mascher	McCarthy	Mertz	Miller, H.
Oldson	Olson, D.	Olson, R.	Olson, T.
Palmer	Petersen	Pettengill	Quirk
Reasoner	Reichert	Schueller	Shomshor
Smith	Staed	Swaim	Taylor, D.
Taylor, T.	Thomas	Wendt	Wenthe .
Wessel-Kroeschell	Whitaker	Whitead	Winckler
Wise	Mr. Speaker		
	Murphy		

Absent or not voting, 6:

Gipp	Heaton	Horbach	Kuhn
Struyk	Zirkelbach		

Amendment H-1962 lost.

Wendt of Woodbury asked and received unanimous consent to withdraw amendment H-2014, previously deferred, filed by him from the floor.

Raecker of Polk offered the following amendment H-2046 filed by him from the floor and moved its adoption:

H-2046

- 1 Amend Senate File 588, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 24, line 30, by striking the word
- 4 "subsection" and inserting the following:
- 5 "subsections".
- 6 2. Page 25, by inserting after line 14 the
- 7 following:
- 8 **"NEW SUBSECTION. 28.** Adopt rules establishing
- 9 minimum teacher salaries for the fiscal year beginning
- 10 July 1, 2007, and for each succeeding fiscal year, as
- 11 follows:
- 12 a. For a beginning teacher, twenty-seven thousand
- 13 five hundred dollars.
- 14 b. For a first-year career teacher, twenty-eight
- 15 thousand five hundred dollars.
- 16 c. For a career teacher employed one year or more
- 17 at the career teacher level, twenty-nine thousand five
- 18 hundred dollars."
- 19 3. By renumbering as necessary.

Roll call was requested by Raecker of Polk and Rants of Woodbury.

On the question "Shall amendment H-2046 be adopted?" (S.F. 588)

The ayes were, 43:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Granzow	Grassley	Greiner	Hoffman
Huseman	Jacobs	Lukan	May
Miller, L.	Olson, S.	Paulsen	Raecker
Rants	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wiencek
Windschitl	Wise	Worthan	

The nays were, 51:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Mertz	Miller, H.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Pettengill	Quirk	Reasoner	Reichert
Schueller	Shomshor	Smith	Staed
Swaim	Taylor, D.	Taylor, T.	Thomas
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Mr. Speaker	
		Murphy	

Absent or not voting, 6:

Gipp	Heaton	Horbach	Huser
Kaufmann	Zirkelbach		

Amendment H-2046 lost.

Winckler of Scott moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 588)

The ayes were, 56:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Dolecheck	Foege	Ford	Frevert
Gaskill	Gayman	Greiner	Heddens

Hunter	Jacoby	Jochum	Kelley
Kressig	Kuhn	Lensing	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Oldson	Olson, D.	Olson, R.
Olson, T.	Palmer	Petersen	Pettengill
Quirk	Reasoner	Reichert	Schueller
Shomshor	Smith	Staed	Swaim
Taylor, D.	Taylor, T.	Thomas	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Wienczek	Winckler	Wise	Mr. Speaker Murphy

The nays were, 40:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Drake	Forristall	Granzow
Grassley	Hoffman	Huseman	Huser
Jacobs	Kaufmann	Lukan	Miller, L.
Olson, S.	Paulsen	Raecker	Rants
Rasmussen	Rayhons	Roberts	Sands
Schickel	Soderberg	Struyk	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Windschitl	Worthan

Absent or not voting, 4:

Gipp	Heaton	Horbach	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

INTRODUCTION OF BILL

House File 933, by committee on government oversight, a bill for an act relating to insurance by allowing certain associations to qualify as self-insurers for purposes of Iowa's motor vehicle financial responsibility laws and by expanding the powers of the commissioner of insurance to enforce the state's insurance laws.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 25, 2007, amended and passed the following bill in which the concurrence of the House is asked:

House File 909, a bill for an act relating to and making appropriations for health and human services and including other related provisions and appropriations, and including effective date provisions.

Also: That the Senate has on April 25, 2007, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 427, a bill for an act relating to the Iowa civil rights Act and discrimination based upon a person's sexual orientation or gender identity.

Also: That the Senate has on April 25, 2007, amended the House amendment, concurred in the House amendment as amended and passed the following bill in which the concurrence of the House is asked:

Senate File 551, a bill for an act relating to and making appropriations involving state government, by providing for agriculture, natural resources, and environmental protection.

Also: That the Senate has on April 25, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 604, a bill for an act relating to the percentage of actual value at which residential property and certain commercial residential property are assessed for purposes of property taxation and providing an annual appropriation for a specified number of years to replace commercial property tax revenues lost to counties and cities.

MICHAEL E. MARSHALL, Secretary

MOTIONS TO RECONSIDER (House File 918)

I move to reconsider the vote by which House File 918 passed the House on April 24, 2007.

MCCARTHY of Polk

(House File 927)

I move to reconsider the vote by which House File 927 passed the House on April 24, 2007.

MCCARTHY of Polk

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Fourth grade students from Valerius Elementary, Urbandale, Iowa, accompanied by Jana Jones. By Raecker of Polk.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- 2007\3023 Verabeth Bricker, Victor – For celebrating her 80th birthday.
- 2007\3024 Maxine Ahrens, Conroy – For celebrating her 90th birthday.
- 2007\3025 Bessie Weber, Richland – For celebrating her 90th birthday.
- 2007\3026 John Sieren, Keota – For celebrating his 90th birthday.
- 2007\3027 Nadine Mason, Sigourney – For celebrating her 90th birthday.
- 2007\3028 Bob and Sherry Allen, Ames – For celebrating their 50th wedding anniversary.
- 2007\3029 Willis and Delores Montgomery, Brooklyn – For celebrating their 55th wedding anniversary.
- 2007\3030 Larry and Margaret Schweitzer, Hedrick – For celebrating their 50th wedding anniversary.
- 2007\3031 Floyd and Phyllis Seaba, North English – For celebrating their 60th wedding anniversary.
- 2007\3032 Wilbur and Lois Shine, Victor – For celebrating their 65th wedding anniversary.
- 2007\3033 Lyle and Charlotte Engel, Waverly – For celebrating their 50th wedding anniversary.
- 2007\3034 James and Beverly Conklin, Waverly – For celebrating their 50th wedding anniversary.

- 2007\3035 Chuck and Betty Struck, Waverly – For celebrating their 50th wedding anniversary.
- 2007\3036 Roger and Shirley Thurm, Denver – For celebrating their 50th wedding anniversary.
- 2007\3037 Mike and Heather Haines, North English – For winning the National Dairy Quality Award.
- 2007\3038 Marjorie Swenson, Exira – For celebrating her 90th birthday.
- 2007\3039 Frances Hansen, Brayton – For celebrating her 90th birthday.
- 2007\3040 Evelyn Huffman, Audubon – For celebrating her 80th birthday.
- 2007\3041 Leonard and Ilene Greenwood, Coralville – For celebrating their 50th wedding anniversary.
- 2007\3042 Dixie Meyer, Kossuth Regional Health Center – For being selected at the University of Iowa College of Nursing as one of Iowa's 100 Great Nurses.
- 2007\3043 Jerry and Roberta Bell, Columbus Junction – For celebrating their 50th wedding anniversary.
- 2007\3044 Shari Dunn, Good Shepard Health Center, Inc. – For being selected at the University of Iowa College of Nursing as one of Iowa's 100 Great Nurses.
- 2007\3045 Edward Ryan, Kanawha – For celebrating his 90th birthday.
- 2007\3046 Clair Blakewell, Clear Lake – For celebrating his 90th birthday.
- 2007\3047 Walt and Tillie Nelson, Hampton – For celebrating their 60th wedding anniversary.
- 2007\3048 Adam Grayson, Mason City – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\3049 Clayton Velasquez, Hampton – For being selected to the 2007 Celebration Iowa Singers and Jazz Band.
- 2007\3050 Jared Walker, Mount Pleasant – For being selected as a delegate to the America Legion Hawkeye Boys State by American Legion Post #593 of Crawfordsville.
- 2007\3051 Jason Schultz, Ollie – For being selected as a delegate to the America Legion Hawkeye Boys State by American Legion Post #504 of Richland.

- 2007\3052 Adam Rogers, What Cheer – For being selected as a delegate to the America Legion Hawkeye Boys State by American Legion Post #319 of Keswick.
- 2007\3053 Ken and Sandy Burkhart, West Union – For celebrating their 50th wedding anniversary.
- 2007\3054 Marvis F. Brown, Marshalltown – For celebrating her 76th birthday.
- 2007\3055 Darlene M. Hanner, Marshalltown – For celebrating her 79th birthday.
- 2007\3056 Robert Vernon Ray, Marshalltown – For celebrating his 85th birthday.

SUBCOMMITTEE ASSIGNMENT

Senate File 596

Ways and Means: Schueller, Chair; T. Olson and Van Fossen.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 320

Ways and Means: Shomshor, Chair; Davitt, Deyoe, Forristall, Frevert, Grassley, Huser, Jacobs, Jochum, Kaufmann, Kelley, T. Olson, Pettengill, Quirk, Reasoner, Sands, Schueller, Soderberg, Struyk, Thomas, Van Fossen, Wendt, Wiencek, Windschitl and Wise.

House Study Bill 321

Ways and Means: Huser, Chair; Sands and Shomshor.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Senate File 601, a bill for an act relating to state and local finances by providing for funding of property tax credits and reimbursements, by making, increasing and reducing appropriations, providing for salaries and compensation of state employees,

providing for tax credits, providing for fees and penalties, and providing for properly related matters, and including effective date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass with Amendment H—2004** April 24, 2007.

COMMITTEE ON GOVERNMENT OVERSIGHT

Committee Bill (Formerly House Study Bill 313), relating to the powers of the commissioner of insurance to enforce the state's insurance laws.

Fiscal Note is not required.

Recommended **Do Pass** April 25, 2007.

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly House File 905), relating to state and local budgets and taxes by authorizing a commercial property tax credit for individual and corporate income tax, reducing the assessment limitation for commercial and industrial property, repealing authorization of a city or county to levy property taxes except for debt service, repealing authorization of a school district or merged area to levy property taxes except for debt service, increasing the maximum rate for local hotel and motel taxes, setting a specific appropriation for and making an appropriation to the statewide fire and police retirement system, establishing a legislative property tax study committee, and including effective and retroactive applicability date provisions.

Fiscal Note is required.

Recommended **Amend and Do Pass** April 24, 2007.

Committee Bill (Formerly House Study Bill 321), relating to revenue for the construction and maintenance of roads.

Fiscal Note is required.

Recommended **Amend and Do Pass** April 24, 2007.

RESOLUTIONS FILED

HR 52, by Bell, Roberts, Gipp and Murphy, a resolution supporting a free trade agreement between the Republic of China on Taiwan and the United States.

Laid over under **Rule 25**.

SCR 6, by Black and Zaun, a concurrent resolution requesting the establishment of an interim study committee by the legislative

council to conduct a study of issues related to amyotrophic lateral sclerosis.

Referred to **administration and rules.**

AMENDMENTS FILED

H—2004	S.F.	601	Committee on Appropriations
H—2005	S.F.	601	Dandekar of Linn
			Mertz of Kossuth
			Kelley of Black Hawk
			Pettengill of Benton
H—2006	H.F.	641	R. Olson of Polk
H—2008	S.F.	601	Alons of Sioux
			Lukan of Dubuque
H—2009	S.F.	601	Alons of Sioux
H—2010	H.F.	922	Forristall of Pottawattamie
H—2011	H.F.	922	Forristall of Pottawattamie
H—2012	S.F.	601	May of Dickinson
H—2013	S.F.	601	Alons of Sioux
H—2015	S.F.	601	Sands of Louisa
H—2016	H.F.	922	Petersen of Polk
H—2017	S.F.	517	Reichert of Muscatine
H—2019	H.F.	922	Heaton of Henry
H—2020	H.F.	922	Heaton of Henry
H—2021	H.F.	922	Heaton of Henry
H—2022	S.F.	488	T. Taylor of Linn
H—2024	H.F.	922	Upmeyer of Hancock
H—2025	S.F.	601	Jochum of Dubuque
			Raecker of Polk
H—2029	HCR	10	Jochum of Dubuque
H—2030	H.F.	932	Huser of Polk
H—2031	S.F.	601	Granzow of Hardin
			May of Dickinson
			Dolecheck of Ringgold
			Lukan of Dubuque
			Deyoe of Story
			Heaton of Henry
			De Boef of Keokuk
			Baudler of Adair
			Jacobs of Polk
H—2032	S.F.	601	Jochum of Dubuque

H—2033	S.F.	601	Winckler of Scott
H—2034	S.F.	580	Raecker of Polk Van Fossen of Scott
H—2035	S.F.	601	Rants of Woodbury
H—2036	S.F.	601	Kressig of Black Hawk
H—2037	S.F.	593	Huser of Polk Swaim of Davis
			Palmer of Mahaska Anderson of Page Pettengill of Benton
H—2039	S.F.	601	Van Fossen of Scott
H—2040	S.F.	551	Senate Amendment
H—2041	H.F.	909	Senate Amendment

On motion by McCarthy of Polk the House adjourned at 12:42 a.m., until 9:00 a.m., Thursday, April 26, 2007.

JOURNAL OF THE HOUSE

One Hundred Ninth Calendar Day - Seventy-fourth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, April 26, 2007

The House met pursuant to adjournment at 9:23 a.m., Speaker Murphy in the chair.

Prayer was offered by the Honorable Dolores Mertz of Kossuth County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by James VanBruggen, clerk to Representative Dennis Cohoon of Des Moines County.

The Journal of Wednesday, April 25, 2007 was approved.

SENATE MESSAGE CONSIDERED

Senate File 604, by committee on ways and means, a bill for an act relating to assessment of property for property tax purposes by establishing the minimum percentage of actual value at which residential property and certain commercial residential property are assessed for purposes of property taxation, providing an annual appropriation for a specified number of years to replace commercial property tax revenues lost to counties and cities, and by allowing multiple assessments of a parcel of commercial residential property in certain circumstances, and by establishing a legislative property tax study committee.

Read first time and referred to committee on **ways and means**.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Horbach of Tama on request of Rants of Woodbury.

ADOPTION OF HOUSE RESOLUTION 45

Upmeyer of Hancock called up for consideration **House Resolution 45**, a resolution honoring the activities and commitment of the Patriot Guard Riders, and moved its adoption.

The motion prevailed and the resolution was adopted.

McCarthy of Polk asked and received unanimous consent for the immediate consideration of House Resolution 51.

ADOPTION OF HOUSE RESOLUTION 51

Smith of Marshall and Roberts of Carroll called up for consideration **House Resolution 51**, a resolution to recognize May 2007 as American Stroke Awareness Month and National High Blood Pressure Education Month, and moved its adoption.

The motion prevailed and the resolution was adopted.

McCarthy of Polk asked and received unanimous consent for the immediate consideration of House Resolution 52.

ADOPTION OF HOUSE RESOLUTION 52

Bell of Jasper and Roberts of Carroll called up for consideration **House Resolution 52**, a resolution supporting a free trade agreement between the Republic of China on Taiwan and the United States, and moved its adoption.

The motion prevailed and the resolution was adopted.

SPECIAL PRESENTATION TO HOUSE PAGES

Speaker Murphy invited the House pages to the Speaker's station for a special presentation and thanked them for their service to the House of Representatives.

Certificates of excellence for serving with honor and distinction as a House Page during the First Regular Session of the Eighty-second General Assembly were presented to the following Pages by Speaker

Murphy, Majority Leader Kevin McCarthy and Minority Leader Christopher Rants:

Jordan Anderson
 Jordan Campbell
 Desmond Grady
 Kelsey Heino
 Lena Mays
 Angela Tweedy
 Trevor Boeckmann
 Abby Finkenauer
 Chynna Frana
 Brian Gress
 Amanda Greider

Allyson Hansen
 Heidi Horstman
 Tiffany Kelderhouse-Tucker
 Lindsay Norton
 Alejandro Patino
 Madison Short
 Elizabeth Smith
 Brianna Steitzer
 Krista Wiley
 Katie Wollan

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 808, 817, 829** and **Senate Files 421, 503 and 559**.

ADOPTION OF THE REPORT OF THE CONFERENCE COMMITTEE (Senate File 472)

T. Taylor of Linn called up for consideration the report of the conference committee on **Senate File 472** and moved the adoption of the conference committee report and the amendments contained therein as follows:

REPORT OF THE CONFERENCE COMMITTEE ON SENATE FILE 472

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and the House of Representatives on Senate File 472, a bill for an Act requiring the posting of close-clearance warning devices along railroad tracks and providing a penalty, respectfully make the following report:

1. That the House recedes from its amendment, S-3360.
1. Page 1, by inserting after line 30 the following:

2. That Senate File 472, as amended, passed, and reprinted by the Senate, is amended to read as follows:

"7. This section only applies to a location where a close-clearance warning device is required to be placed pursuant to rules of the department when funds are available from the department to reimburse the owner of the railroad track for the cost of the close-clearance warning device, including cost of installation."

ON THE PART OF THE SENATE

DICK L. DEARDEN, Chair
THOMAS G COURTNEY
PAT WARD
STEVE WARNSTADT

ON THE PART OF THE HOUSE

JIM LYKAM, Chair
DOLORES M. MERTZ
TODD TAYLOR

T. Taylor of Linn moved the adoption of the conference committee report.

A non-record roll call was requested.

The ayes were 50, nays 42.

The conference committee report was adopted.

T. Taylor of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 472)

The ayes were, 56:

Abdul-Samad	Anderson	Bailey	Bell
Bukta	Cohoon	Dandekar	Davitt
Foegen	Ford	Frevert	Gaskill
Gayman	Granzow	Heddens	Hunter
Huser	Jacoby	Jochum	Kelley
Kressig	Kuhn	Lensing	Lykam
Mascher	McCarthy	Mertz	Miller, H.
Oldson	Olson, D.	Olson, T.	Palmer
Petersen	Pettengill	Quirk	Reasoner
Reichert	Schueller	Shomshor	Smith
Staed	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Wiencsek	Winckler	Wise	Mr. Speaker Murphy

The nays were, 39:

Alons	Arnold	Baudler	Boal
Chambers	Clute	De Boef	Deyoe
Dolecheck	Drake	Forristall	Grassley
Greiner	Heaton	Hoffman	Huseman
Jacobs	Kaufmann	Lukan	May
Miller, L.	Olson, S.	Paulsen	Raecker
Rants	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Windschitl	Worthan	

Absent or not voting, 5:

Berry	Gipp	Horbach	Olson, R.
Zirkelbach			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE REFUSES TO CONCUR

Foege of Linn called up for consideration **House File 909**, a bill for an act relating to and making appropriations for health and human services and including other related provisions and appropriations, and including effective date provisions amended by the Senate, and moved that the House concur in the following Senate amendment H-2041:

H-2041

- 1 Amend House File 909, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 5, line 16, by striking the word "if" and
- 4 inserting the following: "as".
- 5 2. Page 6, by striking lines 10 through 12 and
- 6 inserting the following: "shall be used to administer
- 7 or implement the information and".
- 8 3. Page 7, line 13, by striking the figure
- 9 "1,690,000" and inserting the following: "2,215,000".
- 10 4. Page 7, by inserting after line 13 the
- 11 following:
- 12 "The amount appropriated in this subsection for
- 13 addictive disorders reflects an increase of \$525,000
- 14 from the funding remaining in the gambling treatment
- 15 fund from the carryforward of appropriations made for
- 16 addictive disorders in previous fiscal years. Of this
- 17 amount, \$50,000 shall be transferred to the department

18 of corrections to supplement funding for the adult
19 drug court program in the fifth judicial district,
20 \$25,000 shall be transferred to the department of
21 corrections to supplement funding for the adult drug
22 court program in the second judicial district,
23 \$150,000 shall be transferred to the department of
24 human rights to supplement funding for the family
25 development and self-sufficiency grant program, and
26 \$300,000 shall be transferred to the department of
27 human rights to be used in addition to any other
28 funding appropriated in this Act for the energy
29 utility assessment and resolution program established
30 pursuant to section 216A.104, as enacted by this Act."

31 5. Page 9, line 18, by inserting after the word
32 "FUND." the following:

33 "1."

34 6. Page 9, by striking lines 27 through 30 and
35 inserting the following: "of the United States, in
36 accordance with section 35A.15, as enacted by 2007
37 Iowa Acts, Senate File 407:"

38 7. Page 9, line 32, by striking the word
39 "section" and inserting the following: "subsection".

40 8. Page 10, line 1, by striking the word
41 "section" and inserting the following: "subsection".

42 9. Page 10, line 4, by striking the word
43 "section" and inserting the following: "subsection".

44 10. Page 10, line 15, by striking the word
45 "section" and inserting the following: "subsection".

46 11. Page 10, by inserting after line 17 the
47 following:

48 "2. If after the contingent appropriation is made
49 in subsection 1 the balance in the veterans trust fund
50 for the fiscal year beginning July 1, 2007, exceeds

Page 2

1 \$5,000,000, exclusive of any amount from interest or
2 earnings on moneys in the trust fund or otherwise
3 received from a source other than the general fund of
4 the state or the rebuild Iowa infrastructure fund, the
5 amount in excess of \$5,000,000 is appropriated to the
6 department of veterans affairs for the fiscal year
7 beginning July 1, 2007, and ending June 30, 2008, for
8 transfer to the Iowa finance authority to be used as
9 funding in addition to the appropriation in subsection
10 1 for the home ownership assistance program."

11 12. Page 10, line 26, by striking the word
12 "commission" and inserting the following:
13 "department".

14 13. Page 10, lines 29 and 30, by striking the
15 words ", which shall be done by" and inserting the
16 following: "no later than".

17 14. Page 11, by inserting after line 18 the
 18 following:
 19 "Notwithstanding section 8.33, not more than 5
 20 percent of the moneys designated in this subsection
 21 that are allocated by the department for contracted
 22 services other than family self-sufficiency grant
 23 services allocated under this subsection, that remain
 24 unencumbered or unobligated at the close of the fiscal
 25 year shall not revert but shall remain available for
 26 expenditure for the purposes designated until the
 27 close of the succeeding fiscal year. However, unless
 28 such moneys are encumbered or obligated on or before
 29 September 30, 2008, the moneys shall revert."

30 15. Page 14, by inserting after line 22 the
 31 following:
 32 "0a. To be retained by the department of human
 33 services to be used for coordinating with the
 34 department of human rights to more effectively serve
 35 participants in the FIP program and other shared
 36 clients and to meet federal reporting requirements
 37 under the federal temporary assistance for needy
 38 family block grant:
 39 \$ 20,000"

40 16. Page 14, line 27, by striking the figure
 41 "5,583,042" and inserting the following: "5,563,042".

42 17. Page 14, line 32, by inserting after the word
 43 "department" the following: "of human rights".

44 18. By striking page 14, line 35, through page
 45 15, line 4, and inserting the following:
 46 "(3) The department of human rights is responsible
 47 for complying with all federal temporary assistance
 48 for needy family block grant requirements with respect
 49 to the funds allocated in this lettered paragraph and
 50 for any federal penalty that may result from a failure

Page 3

1 to meet the requirements. These responsibilities
 2 include but are not limited to ensuring that all
 3 expenditures of federal block grant and state
 4 maintenance of effort funds are appropriate and
 5 allowable in accordance with federal requirements and
 6 meet federal work participation requirements with
 7 respect to the population receiving benefits or
 8 services under the family development and
 9 self-sufficiency grant program that are subject to
 10 work requirements.

11 (4) With the allocation of funding for the family
 12 development and self-sufficiency grant program
 13 directly to the department of human rights in lieu of
 14 allocation through the department of human services,
 15 the department of human rights shall assume all

16 responsibility for the grant program. The
 17 responsibility includes identifying and addressing
 18 implementation of any revisions in state law or
 19 administrative rule needed to effect this change,
 20 including but not limited to identifying any
 21 amendments needed to section 217.12.

22 (5) The department of human rights, consistent
 23 with the Accountable Government Act in chapter 8E,
 24 shall adopt appropriate performance measures for the
 25 grant program, including but not limited to measures
 26 demonstrating how the program helps families achieve
 27 self-sufficiency. The department of human rights
 28 shall submit to the governor and general assembly on
 29 or before August 31, 2008, a report detailing these
 30 measures and the outcomes achieved for fiscal year
 31 2007-2008.

32 (6) The department of human rights shall develop a
 33 memorandum of agreement with the department of human
 34 services to coordinate referrals and delivery of
 35 services to participants in the FIP program and other
 36 shared clients and shall provide the department of
 37 human services with information necessary for
 38 compliance with federal temporary assistance for needy
 39 families block grant state plan and reporting
 40 requirements, including but not limited to financial
 41 and data reports."

42 19. By striking page 15, line 34, through page
 43 16, line 8.

44 20. Page 16, line 21, by inserting after the word
 45 "funding." the following: "If child support
 46 collections assigned under FIP are greater than
 47 estimated or are otherwise determined not to be
 48 required for maintenance of effort, the state share of
 49 either amount may be transferred to or retained in the
 50 child support payment account."

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1 21. Page 16, line 35, by inserting after the word
 2 "designated" the following: "and for not more than
 3 the following full-time equivalent positions".

4 22. Page 17, by inserting after line 4 the
 5 following:

6 "..... FTEs 16.50"

7 23. Page 20, line 10, by striking the figure
 8 "618,926,820" and inserting the following:
 9 "618,826,820".

10 24. Page 20, by inserting after line 28 the
 11 following:

12 "1A. Medically necessary abortions do not include
 13 partial birth abortions as defined in section 707.8A."

14 25. Page 23, line 2, by inserting after the

15 figure "2008." the following: "If a prescriber
 16 determines that all smoking cessation aids on the
 17 preferred drug list are not effective or medically
 18 appropriate for a patient, the prescriber may apply
 19 for an exception to policy for another product
 20 approved by the United States food and drug
 21 administration for smoking cessation pursuant to 441
 22 IAC 1.8(1)."

23 26. Page 24, line 9, by inserting after the word
 24 "purposes" the following: "and for not more than the
 25 following full-time equivalent positions".

26 27. Page 24, by inserting after line 10 the
 27 following:

28 "..... FTEs 21.00"

29 28. Page 24, line 17, by inserting after the word
 30 "purposes" the following: "and for not more than the
 31 following full-time equivalent positions".

32 29. Page 24, by inserting after line 18, the
 33 following:

34 "..... FTEs 6.00"

35 30. Page 25, line 22, by inserting after the word
 36 "PROGRAM." the following:
 37 "1."

38 31. Page 25, by inserting after line 33 the
 39 following:

40 "2. If sufficient funding is available under this
 41 Act, and if federal reauthorization of the state
 42 children's health insurance program provides
 43 sufficient federal allocations to the state and
 44 authorization to cover the following populations as an
 45 option under the state children's health insurance
 46 program, the department may expand coverage under the
 47 state children's health insurance program as follows:
 48 a. By eliminating the categorical exclusion of
 49 state employees from receiving state children's health
 50 insurance program benefits.

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1 b. By providing coverage for legal immigrant
 2 children and pregnant women not eligible under current
 3 federal guidelines.

4 c. By covering children up to age twenty-one, or
 5 up to age twenty-three if the child is attending
 6 school."

7 32. Page 25, by inserting after line 33 the
 8 following:

9 "3. If the United States congress does not
 10 authorize additional federal funds necessary to
 11 address the shortfall for the state children's health
 12 insurance program for the federal fiscal year
 13 beginning October 1, 2006, and ending September 30,

14 2007, the department may use 100 percent state funds
15 from the appropriation made in this section for the
16 period beginning July 1, 2007, and ending September
17 30, 2007, and may, after consultation with the
18 governor and the general assembly, utilize funding
19 from the appropriations made in this Act for medical
20 assistance to maintain the state children's health
21 insurance program. If deemed necessary, the
22 department shall request a supplemental appropriation
23 from the Eighty-second General Assembly, 2008 Session,
24 to address any remaining shortfall for the fiscal year
25 beginning July 1, 2007."

26 33. Page 33, line 31, by striking the words "and
27 related".

28 34. Page 37, line 25, by striking the figure
29 "5,273,361" and inserting the following: "5,367,652".

30 35. Page 37, line 31, by striking the figure
31 "6,409,501" and inserting the following: "6,540,101".

32 36. Page 38, line 2, by striking the figure
33 "9,358,177" and inserting the following: "9,606,542".

34 37. Page 38, line 8, by striking the figure
35 "1,339,216" and inserting the following: "1,522,598".

36 38. Page 43, line 29, by striking the figure
37 "15,901,927" and inserting the following:
38 "16,101,927".

39 39. Page 44, by inserting after line 3 the
40 following:

41 "3. Of the funds appropriated in this section,
42 \$100,000 is transferred to the department of human
43 rights to be used in addition to any other funding
44 appropriated in this Act for the energy utility
45 assessment and resolution program established pursuant
46 to section 216A.104, as enacted by this Act."

47 40. Page 51, by inserting after line 32 the
48 following:

49 "Sec. ____ Section 217.23, subsection 2, Code
50 2007, is amended to read as follows:

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1 2. The department is hereby authorized to may
2 expend moneys from the support allocation of the
3 department as reimbursement for replacement or repair
4 of personal items of the department's employees
5 damaged or destroyed by clients of the department
6 during the employee's tour of duty. However, the
7 reimbursement shall not exceed ~~one~~ three hundred ~~fifty~~
8 dollars for each item. The department shall establish
9 rules in accordance with chapter 17A to carry out the
10 purpose of this section."

11 41. Page 51, by inserting after line 32 the
12 following:

13 "Sec. ____ Section 231.33, Code 2007, is amended
 14 by adding the following new subsection:
 15 NEW SUBSECTION. 21. Provide the opportunity for
 16 elders residing in the planning and service area to
 17 offer substantive suggestions regarding the employment
 18 practices of the area agency on aging."

19 42. By striking page 72, line 35, through page
 20 73, line 8.

21 43. Page 74, by inserting before line 14 the
 22 following:

23 "Sec. ____ Section 331.439, subsection 5, Code
 24 2007, is amended to read as follows:

25 5. a. A county shall implement the county's
 26 management plan in a manner so as to provide adequate
 27 funding for the entire fiscal year by budgeting for
 28 ninety-nine percent of the funding anticipated to be
 29 available for the plan. A county may expend all of
 30 the funding anticipated to be available for the plan.

31 b. If a county determines that the county cannot
 32 provide services in accordance with the county's
 33 management plan and remain in compliance with the
 34 budgeting requirement of paragraph "a" for the fiscal
 35 year, the county may implement a waiting list for the
 36 services. The procedures for establishing and
 37 applying a waiting list shall be specified in the
 38 county's management plan. If a county implements a
 39 waiting list for services, the county shall notify the
 40 department of human services. The department shall
 41 maintain on the department's internet website an
 42 up-to-date listing of the counties that have
 43 implemented a waiting list and the services affected
 44 by each waiting list.

45 Sec. ____ Section 331.440, subsection 4, as
 46 enacted by 2006 Iowa Acts, chapter 1115, section 17,
 47 is amended to read as follows:

48 4. a. An application for services may be made
 49 through the central point of coordination process of
 50 an adult person's county of residence. Effective July

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1 1, 2007, if an adult person who is subject to a
 2 central point of coordination process has legal
 3 settlement in another county, the central point of
 4 coordination process functions relating to the
 5 application shall be performed by the central point of
 6 coordination process of the person's county of
 7 residence in accordance with the county of residence's
 8 management plan approved under section 331.439 and the
 9 person's county of legal settlement is responsible for
 10 the cost of the services or other support authorized
 11 at the rates reimbursed by the county of residence.

12 b. The county of residence shall determine whether
 13 or not the person's county of legal settlement has
 14 implemented a waiting list in accordance with section
 15 331.439, subsection 5. If the person's county of
 16 legal settlement has implemented a waiting list, the
 17 services or other support for the person shall be
 18 authorized by the county of residence in accordance
 19 with the county of legal settlement's waiting list
 20 provisions.

21 c. At the time services or other support are
 22 authorized, the county of residence shall send the
 23 county of legal settlement a copy of the authorization
 24 notice."

25 44. Page 84, line 30, by inserting after the word
 26 "pool." the following: "The mental health, mental
 27 retardation, developmental disabilities, and brain
 28 injury commission shall adopt rules pursuant to
 29 chapter 17A providing criteria for the purposes of
 30 this lettered paragraph and as necessary to implement
 31 the other provisions of this subsection."

32 45. Page 85, line 19, by striking the word "A".

33 46. Page 85, by striking lines 20 and 21 and
 34 inserting the following: "Any unobligated".

35 47. Page 85, line 30, by inserting after the word
 36 "individual." the following: "UA county may submit a
 37 reapproval application beginning on July 1 for the
 38 fiscal year of submission and the risk pool board
 39 shall notify the county of the risk pool board's
 40 decision concerning the application within forty-five
 41 days of receiving the application."

42 48. Page 86, line 12, by striking the word "The"
 43 and inserting the following: "The Subject to the
 44 amount available and obligated from the risk pool for
 45 a fiscal year, the".

46 49. Page 86, by inserting after line 27 the
 47 following:

48 "l. If the board has made its decisions but has
 49 determined that there are otherwise qualifying
 50 requests for risk pool assistance that are beyond the

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1 amount available in the risk pool fund for a fiscal
 2 year, the board shall compile a list of such requests
 3 and the supporting information for the requests. The
 4 list and information shall be submitted to the mental
 5 health, mental retardation, developmental
 6 disabilities, and brain injury commission, the
 7 department of human services, and the general
 8 assembly. "

9 50. Page 94, line 18, by inserting after the
 10 figure "331.424A." the following: "A county

11 transferring moneys from other funds of the county to
 12 the county's services fund pursuant to this section or
 13 utilizing the nonreversion authority provided in the
 14 division of this Act relating to decategorization
 15 project funding, shall submit a report detailing the
 16 transfers made and fund affected and explaining how
 17 the moneys made available by the nonreversion
 18 authority were expended. The county shall submit the
 19 report along with the county expenditure and
 20 information report submitted by December 1, 2007, in
 21 accordance with section 331.439."

22 51. Page 94, line 31, by striking the figure
 23 "9,332,254" and inserting the following: "8,993,754".

24 52. Page 95, line 14, by striking the figure
 25 "8,200,254" and inserting the following: "7,861,754".

26 53. Page 95, line 24, by inserting after the word
 27 "promotion." the following: "Of the funds allocated
 28 in this lettered paragraph, not more than \$500,000
 29 shall be used for cessation media promotion. Of the
 30 funds allocated in this lettered paragraph, \$255,000
 31 may be utilized by the department for administrative
 32 purposes."

33 54. Page 95, by striking lines 25 and 26.

34 55. Page 95, line 30, by striking the figure
 35 "439,000" and inserting the following: "687,500".

36 56. Page 96, line 8, by striking the figure "337"
 37 and inserting the following: "910".

38 57. Page 96, line 12, by striking the figure
 39 "517" and inserting the following: "906".

40 58. Page 96, by inserting after line 12 the
 41 following:

42 "e. Of the funds appropriated in this subsection,
 43 \$10,000 shall be used for public health education and
 44 awareness of the children's vision initiatives,
 45 including the InfantSee program and the student vision
 46 program, administered through a statewide association
 47 of optometric professionals for infants and preschool
 48 children.

49 f. Of the funds appropriated in this subsection,
 50 \$238,500 shall be used to provide audiological

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1 services and hearing aids for children. The
 2 department may enter into a contract to administer
 3 this paragraph."

4 59. Page 96, line 14, by striking the figure
 5 "1,178,981" and inserting the following: "1,188,981".

6 60. Page 96, by striking lines 20 and 21 and
 7 inserting the following: "shall be used for the
 8 comprehensive cancer control program to reduce the
 9 burden of cancer in Iowa through".

10 61. Page 96, by inserting after line 31 the
 11 following:
 12 "e. Of the funds appropriated in this subsection,
 13 \$10,000 shall be allocated to the university of Iowa,
 14 Carver college of medicine, department of
 15 cardiothoracic surgery, to offer extracorporeal
 16 support for donation after cardiac death."

17 62. Page 96, line 33, by striking the figure
 18 "3,025,000" and inserting the following: "2,890,000".

19 63. Page 97, line 3, by striking the figure
 20 "200,000" and inserting the following: "300,000".

21 64. Page 98, by striking lines 18 through 20.

22 65. Page 98, by inserting after line 26 the
 23 following:

24 "ff. Of the funds appropriated in this subsection,
 25 \$75,000 shall be used for implementation of the
 26 recommendations of the direct care worker task force
 27 established pursuant to 2005 Iowa Acts, chapter 88,
 28 based upon the report submitted to the governor and
 29 the general assembly in December 2006.

30 fff. Of the funds appropriated in this subsection,
 31 \$140,000 shall be used for allocation to an
 32 independent statewide direct care worker association
 33 for education, outreach, leadership development,
 34 mentoring, and other initiatives intended to enhance
 35 the recruitment and retention of direct care workers
 36 in health and long-term care."

37 66. Page 99, line 8, by striking the figure
 38 "97,103,096" and inserting the following:
 39 "97,203,096".

40 67. Page 99, line 10, by striking the figure
 41 "78,065,357" and inserting the following:
 42 "78,165,357".

43 68. Page 100, by striking lines 28 through 32.

44 69. Page 100, by inserting before line 33 the
 45 following:

46 "Sec. ____ DEPARTMENT OF MANAGEMENT – COMMUNITY
 47 EMPOWERMENT OFFICE. There is appropriated from the
 48 health care trust fund created in section 453A.35A to
 49 the department of management for the fiscal year
 50 beginning July 1, 2007, and ending June 30, 2008, the

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1 following amount, or so much thereof as is necessary,
 2 for the purposes designated:

3 For the community empowerment office to implement
 4 the families with a newborn child voluntary home
 5 visits program pursuant to section 28.11, as enacted
 6 by this Act, and for not more than the following
 7 full-time equivalent positions:

8 \$ 190,000

9 FTEs 1.00

10 Sec. ____ DEPARTMENT OF CORRECTIONS. There is
11 appropriated from the health care trust fund created
12 in section 453A.35A to the department of corrections
13 for the fiscal year beginning July 1, 2007, and ending
14 June 30, 2008, the following amount, or so much
15 thereof as is necessary, for the purposes designated:
16 For additional funding for the drug court program
17 in the fourth judicial district:

18 \$ 25,000

19 Of the funds appropriated and allocated to the
20 department of corrections in this Act and in 2007 Iowa
21 Acts, House File 907, if enacted, for each drug court
22 program in the first, second, third, fourth, sixth,
23 seventh, and eighth judicial districts, \$50,000 shall
24 be used for substance abuse treatment, and for the
25 drug court program in the fifth judicial district
26 \$100,000 shall be used for substance abuse treatment."

27 70. Page 106, by striking lines 23 through 35 and
28 inserting the following: "providers for provision to
29 patients at the point of care, including the
30 development of a centralized intake concept to
31 determine the eligibility of safety net provider
32 patients for the prescription drug donation repository
33 program pursuant to chapter 135M, a drug discount
34 card, and pharmaceutical manufacturer assistance
35 programs."

36 71. Page 107, by striking lines 5 through 7 and
37 inserting the following:

38 "3. Utilization of a pharmacy benefits manager to
39 provide low cost patient access to drug therapies."

40 72. Page 107, by striking lines 8 through 10.

41 73. Page 107, line 18, by striking the word
42 "three" and inserting the following: "two".

43 74. Page 117, by striking lines 24 through 29 and
44 inserting the following:

45 "Sec. ____ FUNDING - CONTINGENCY.

46 1. The provision in this division of this Act
47 relating to eligibility for certain persons with
48 disabilities under the medical assistance program
49 shall only be implemented if the department of human
50 services determines that funding is available in

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1 appropriations made in this Act, in combination with
2 federal allocations to the state, for the state
3 children's health insurance program, in excess of the
4 amount needed to cover the current and projected
5 enrollment under the state children's health insurance
6 program. If such a determination is made, the
7 department of human services shall transfer funding

8 from the appropriations made in this Act for the state
9 children's health insurance program, not otherwise
10 required for that program, to the appropriations made
11 in this Act for medical assistance, as necessary, to
12 implement such provision of this division of this Act.

13 2. The provision in this division of this Act
14 relating to the development and support of a
15 family-to-family health information center shall be
16 implemented only if discretionary funding is received
17 from the health resources and services administration
18 of the United States department of health and human
19 services for this purpose."

20 75. Page 124, by inserting after line 21 the
21 following:

22 "DIVISION ____

23 DEPENDENT ADULT ABUSE

24 Sec. ____ Section 235B.3, subsection 1, Code 2007,
25 is amended to read as follows:

26 1. a. The department shall receive dependent
27 adult abuse reports and shall collect, maintain, and
28 disseminate the reports by establishing a central
29 registry for dependent adult abuse information. The
30 department shall evaluate the reports expeditiously.
31 However, the department of inspections and appeals is
32 solely responsible for the evaluation and disposition
33 of dependent adult abuse cases within health care
34 facilities and shall inform the department of human
35 services of such evaluations and dispositions.

36 b. Reports of dependent adult abuse which is the
37 result of the acts or omissions of the dependent adult
38 shall be collected and maintained in the files of the
39 dependent adult as assessments only and shall not be
40 included in the central registry.

41 c. A report of dependent adult abuse that meets
42 the definition of dependent adult abuse under section
43 235B.2, subsection 5, paragraph "a", subparagraph (1),
44 subparagraph subdivision (a) or (d), which the
45 department determines is minor, isolated, and unlikely
46 to reoccur shall be collected and maintained by the
47 department as an assessment only for a five-year
48 period and shall not be included in the central
49 registry and shall not be considered to be founded
50 dependent adult abuse. However, a subsequent report

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1 of dependent adult abuse that meets the definition of
2 dependent adult abuse under section 235B.2, subsection
3 5, paragraph "a", subparagraph (1), subparagraph
4 subdivision (a) or (d), that occurs within the
5 five-year period and that is committed by the
6 caretaker responsible for the act or omission which

7 was the subject of the previous report of dependent
 8 adult abuse which the department determined was minor,
 9 isolated, and unlikely to reoccur shall not be
 10 considered minor, isolated, and unlikely to reoccur.
 11 Sec. _____. Section 235B.9, Code 2007, is amended by
 12 adding the following new subsection:
 13 **NEW SUBSECTION. 5.** Dependent adult abuse
 14 information which is determined to be minor, isolated,
 15 and unlikely to reoccur shall be expunged five years
 16 after the receipt of the initial report by the
 17 department. If a subsequent report of dependent adult
 18 abuse committed by the caretaker responsible for the
 19 act or omission which was the subject of the previous
 20 report of dependent adult abuse which the department
 21 determined was minor, isolated, and unlikely to
 22 reoccur is received by the department within the
 23 five-year period, the information shall be sealed ten
 24 years after receipt of the subsequent report unless
 25 good cause can be shown why the information should
 26 remain open to authorized access.

27 **DIVISION _____**

28 **ENERGY UTILITY ASSESSMENT AND**
 29 **RESOLUTION PROGRAM**

30 Sec. _____. **NEW SECTION. 216A.104 ENERGY UTILITY**
 31 **ASSESSMENT AND RESOLUTION PROGRAM.**

32 1. The general assembly finds that provision of
 33 assistance to prevent utility disconnections will also
 34 prevent the development of public health risks due to
 35 such disconnections. The division shall establish an
 36 energy utility assessment and resolution program
 37 administered by each community action agency for
 38 persons with low incomes who have or need a deferred
 39 payment agreement or are in need of an emergency fuel
 40 delivery to address home energy utility costs.
 41 2. A person must meet all of the following
 42 requirements to be eligible for the program:
 43 a. The person is eligible for the federal
 44 low-income home energy assistance program.
 45 b. The person is a residential customer of an
 46 energy utility approved for the program by the
 47 division.
 48 c. The person has or is in need of a deferred
 49 payment agreement to address the person's home energy
 50 utility costs.

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1 d. The person is able to maintain or regain
 2 residential energy utility service in the person's own
 3 name.
 4 e. The person provides the information necessary
 5 to determine the person's eligibility for the program.

- 6 f. The person complies with other eligibility
7 requirements adopted in rules by the division.
8 3. The program components shall include but are
9 not limited to all of the following:
10 a. Analysis of a program participant's current
11 financial situation.
12 b. Review of a program participant's resource and
13 money management options.
14 c. Skills development and assistance for a program
15 participant in negotiating a deferred payment
16 agreement with the participant's energy utility.
17 d. Development of a written household energy
18 affordability plan.
19 e. Provision of energy conservation training and
20 assistance.
21 f. A requirement that a program participant must
22 make uninterrupted, regular utility payments while
23 participating in the program.
24 4. The division shall implement accountability
25 measures for the program and require regular reporting
26 on the measures by the community action agencies.
27 5. The division shall implement the program
28 statewide, subject to the funding made available for
29 the program.

30 DIVISION ____
31 PASSPORT SANCTIONS

- 32 Sec. ____ Section 252B.5, subsection 11, paragraph
33 a, Code 2007, is amended to read as follows:
34 a. Comply with federal procedures to periodically
35 certify to the secretary of the United States
36 department of health and human services, a list of the
37 names of obligors determined by the unit to owe
38 delinquent support, under a support order as defined
39 in section 252J.1, in excess of five two thousand five
40 hundred dollars. The certification of the delinquent
41 amount owed may be based upon one or more support
42 orders being enforced by the unit if the delinquent
43 support owed exceeds five two thousand five hundred
44 dollars. The certification shall include any amounts
45 which are delinquent pursuant to the periodic payment
46 plan when a modified order has been retroactively
47 applied. The certification shall be in a format and
48 shall include any supporting documentation required by
49 the secretary.
50 Sec. ____ Section 252B.5, subsection 11, paragraph

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- 1 b, subparagraph (1), subparagraph subdivision (b),
2 Code 2007, is amended to read as follows:
3 (b) A statement providing information that if the
4 delinquency is in excess of five two thousand five

5 hundred dollars, the United States secretary of state
 6 may apply a passport sanction by revoking,
 7 restricting, limiting, or refusing to issue a passport
 8 as provided in 42 U.S.C. § 652(k).
 9 Sec. ____ Section 252B.5, subsection 11, paragraph
 10 b, subparagraph (2), subparagraph subdivision (a),
 11 unnumbered paragraph 1, Code 2007, is amended to read
 12 as follows:

13 A challenge shall be based upon mistake of fact.
 14 For the purposes of this subsection, "mistake of fact"
 15 means a mistake in the identity of the obligor or a
 16 mistake in the amount of the delinquent child support
 17 owed if the amount did not exceed ~~five~~ two thousand
 18 five hundred dollars on the date of the unit's
 19 decision on the challenge.

20 Sec. ____ Section 252B.5, subsection 11, paragraph
 21 c, Code 2007, is amended to read as follows:
 22 c. Following certification to the secretary, if
 23 the unit determines that an obligor no longer owes
 24 delinquent support in excess of ~~five~~ two thousand five
 25 hundred dollars, the unit shall provide information
 26 and notice as the secretary requires to withdraw the
 27 certification for passport sanction.

28 Sec. ____ EFFECTIVE DATE. This division of this
 29 Act takes effect October 1, 2007.

30 DIVISION ____

31 MANDATORY REVIEW AND ADJUSTMENT 32 OF CHILD SUPPORT ORDERS

33 Sec. ____ Section 252B.26, Code 2007, is amended
 34 to read as follows:

35 252B.26 SERVICE OF PROCESS.

36 Notwithstanding any provision of law to the
 37 contrary, the unit may serve a petition, notice, or
 38 rule to show cause under chapter 252A, 252C, 252F,
 39 252H, 252K, 598, or 665 as specified in each chapter,
 40 or as follows:

- 41 1. The unit may serve a petition, notice, or rule
 42 to show cause by certified mail. Return
 43 acknowledgment is required to prove service by
 44 certified mail, rules of civil procedure 1.303(5) and
 45 1.308(5) shall not apply, and the return
 46 acknowledgment shall be filed with the clerk of court.
- 47 2. The unit may serve a notice of intent under
 48 chapter 252H, or a notice of decision under section
 49 252H.14A, upon any party or parent who is receiving
 50 family investment program assistance for the parent or

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- 1 child by sending the notice by regular mail to the
- 2 address maintained by the department. Rules of civil
- 3 procedure 1.303(5) and 1.308(5) shall not apply and

4 the unit shall file proof of service as provided in
5 chapter 252H. If the notice is determined to be
6 undeliverable, the unit shall serve the notice as
7 otherwise provided in this section or by personal
8 service.

9 Sec. _____. Section 252H.7, subsection 2, unnumbered
10 paragraph 1, Code 2007, is amended to read as follows:

11 A parent may waive the postreview waiting period
12 provided for in section 252H.8, subsection 1A or 6,
13 for a court hearing or in section 252H.17 for
14 requesting of a second review.

15 Sec. _____. Section 252H.8, subsection 1, Code 2007,
16 is amended to read as follows:

17 1. For actions initiated under ~~subchapter II~~
18 section 252H.15, either parent or the unit may request
19 a court hearing within thirty days from the date of
20 issuance of the notice of decision under section
21 252H.16, or within ten days of the date of issuance of
22 the second notice of decision under section 252H.17,
23 whichever is later.

24 Sec. _____. Section 252H.8, Code 2007, is amended by
25 adding the following new subsection:

26 NEW SUBSECTION. 1A. For actions initiated under
27 section 252H.14A, either parent or the unit may
28 request a court hearing within ten days of the
29 issuance of the second notice of decision under
30 section 252H.17.

31 Sec. _____. Section 252H.8, subsection 4, paragraph
32 b, Code 2007, is amended to read as follows:

33 b. The return of service, proof of service,
34 acceptance of service, or signed statement by the
35 parent requesting review and adjustment or requesting
36 modification, waiving service of the notice.

37 Sec. _____. Section 252H.8, subsection 6, Code 2007,
38 is amended to read as follows:

39 6. For actions initiated under ~~subchapter II~~
40 section 252H.15, a hearing shall not be held for at
41 least thirty-one days following the date of issuance
42 of the notice of decision unless the parents have
43 jointly waived, in writing, the thirty-day postreview
44 period.

45 Sec. _____. Section 252H.9, subsection 1, Code 2007,
46 is amended to read as follows:

47 1. If timely request for a court hearing is not
48 made pursuant to section 252H.8, the unit shall
49 prepare and present an administrative order for
50 adjustment or modification, as applicable, for review

3 Notwithstanding any other law to the contrary, if more
4 than one support order exists involving children with
5 the same legally established parents, for the purposes
6 of this subsection, the district court reviewing and
7 approving the matter shall have jurisdiction over all
8 other support orders entered by a court of this state
9 and affected under this subsection.

10 Sec. _____. Section 252H.10, unnumbered paragraph 1,
11 Code 2007, is amended to read as follows:

12 Pursuant to section 598.21C, any administrative or
13 court order resulting from an action initiated under
14 this chapter may be made retroactive only ~~to~~ from
15 three months after the date that all parties were
16 successfully served the notice required under section
17 252H.14A, 252H.15, or section 252H.19, as applicable.

18 Sec. _____. Section 252H.11, subsection 2, Code
19 2007, is amended to read as follows:

20 2. If the modification action filed by the parent
21 is subsequently dismissed before being heard by the
22 court, the unit shall continue the action previously
23 initiated under subchapter II or III, or initiate a
24 new action as follows:

25 a. If the unit previously initiated an action
26 under subchapter II, and had not issued a notice of
27 decision as required under section 252H.14A or
28 252H.16, the unit shall proceed as follows:

29 (1) If notice of intent to review was served
30 ninety days or less prior to the date the modification
31 action filed by the parent is dismissed, the unit
32 shall complete the review and issue the notice of
33 decision.

34 (2) If the modification action filed by the parent
35 is dismissed more than ninety days after the original
36 notice of intent to review was served, the unit shall
37 serve or issue a new notice of intent to review and
38 conduct the review.

39 (3) If the unit initiated a review under section
40 252H.14A, the unit may issue the notice of decision.

41 b. If the unit previously initiated an action
42 under subchapter II and had issued the notice of
43 decision as required under section 252H.14A or
44 252H.16; the unit shall proceed as follows:

45 (1) If the notice of decision was issued ninety
46 days or less prior to the date the modification action
47 filed by the parent is dismissed, the unit shall
48 request, obtain, and verify any new or different
49 information concerning the financial circumstances of
50 the parents and issue a revised notice of decision to

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1 each parent, or if applicable, to the parent's
2 attorney.

3 (2) If the modification action filed by the parent
4 is dismissed more than ninety days after the date of
5 issuance of the notice of decision, the unit shall
6 serve or issue a new notice of intent to review
7 pursuant to section 252H.15 and conduct a review
8 pursuant to section 252H.16, or conduct a review and
9 serve a new notice of decision under section 252H.14A.

10 c. If the unit previously initiated an action
11 under subchapter III, the unit shall proceed as
12 follows:

13 (1) If the modification action filed by the parent
14 is dismissed more than ninety days after the original
15 notice of intent to modify was served, the unit shall
16 serve a new notice of intent to modify pursuant to
17 section 252H.19.

18 (2) If the modification action filed by the parent
19 is dismissed ninety days or less after the original
20 notice of intent to modify was served, the unit shall
21 complete the original modification action initiated by
22 the unit under this subchapter.

23 (3) Each parent shall be allowed at least twenty
24 days from the date the administrative modification
25 action is reinstated to request a court hearing as
26 provided for in section 252H.8.

27 Sec. ____ NEW SECTION. 252H.14A REVIEWS
28 INITIATED BY THE CHILD SUPPORT RECOVERY UNIT -
29 ABBREVIATED METHOD.

30 1. Notwithstanding section 252H.15, to assist the
31 unit in meeting the requirement for reviews and
32 adjustments under the federal Deficit Reduction Act of
33 2005, Pub. L. No. 109-171, the unit may use procedures
34 under this section to review a support order if all
35 the following apply:

36 a. The right to ongoing child support is assigned
37 to the state of Iowa due to the receipt of family
38 investment program assistance, and a review of the
39 support order is required under section 7302 of the
40 federal Deficit Reduction Act of 2005, Pub. L. No.
41 109-171.

42 b. The unit has access to information concerning
43 the financial circumstances of each parent and one of
44 the following applies:

45 (1) The parent is a recipient of family investment
46 program assistance, medical assistance, or food
47 assistance from the department.

48 (2) The parent's income is from supplemental
49 security income paid pursuant to 42 U.S.C. § 1381a.

50 (3) The parent is a recipient of disability

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1 benefits under the Act because of the parent's
2 disability.

3 (4) The parent is an inmate of an institution
4 under the control of the department of corrections.

5 2. If the conditions of subsection 1 are met, the
6 unit may conduct a review and determine whether an
7 adjustment is appropriate using information accessible
8 by the unit without issuing a notice under section
9 252H.15 or requesting additional information from the
10 parent.

11 3. Upon completion of the review, the unit shall
12 issue a notice of decision to each parent, or if
13 applicable, to each parent's attorney. The notice
14 shall be served in accordance with the rules of civil
15 procedure or as provided in section 252B.26.

16 4. All of the following shall be included in the
17 notice of decision:

18 a. The legal basis and purpose of the action,
19 including an explanation of the procedures for
20 determining child support, the criteria for
21 determining the appropriateness of an adjustment, and
22 a statement that the unit used the child support
23 guidelines established pursuant to section 598.21B and
24 the provisions for medical support pursuant to chapter
25 252E.

26 b. Information sufficient to identify the affected
27 parties and the support order or orders affected.

28 c. An explanation of the legal rights and
29 responsibilities of the affected parties, including
30 time frames in which the parties must act.

31 d. A statement indicating whether the unit finds
32 that an adjustment is appropriate and the basis for
33 the determination.

34 e. Procedures for contesting the action, including
35 that if a parent requests a second review both parents
36 will be requested to submit financial or income
37 information as necessary for application of the child
38 support guidelines established pursuant to section
39 598.21B.

40 f. Other information as appropriate.

41 5. Section 252H.16, subsection 5, regarding a
42 revised notice of decision shall apply to a notice of
43 decision issued under this section.

44 6. Each parent shall have the right to challenge
45 the notice of decision issued under this section by
46 requesting a second review by the unit as provided in
47 section 252H.17. If there is no new or different
48 information to consider for the second review, the
49 unit shall issue a second notice of decision based on
50 prior information. Each parent shall have the right

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1 to challenge the second notice of decision by
2 requesting a court hearing as provided in section
3 252H.8.

4 Sec. _____. Section 252H.15, subsection 1, Code
5 2007, is amended to read as follows:

6 1. Prior Unless an action is initiated under
7 section 252H.14A, prior to conducting a review of a
8 support order, the unit shall issue a notice of intent
9 to review and adjust to each parent, or if applicable,
10 to each parent's attorney. However, notice to a child
11 support agency or an agency entitled to receive child
12 or medical support payments as the result of an
13 assignment of support rights is not required.

14 Sec. _____. Section 252H.16, subsection 1, Code
15 2007, is amended to read as follows:

16 1. The For actions initiated under section
17 252H.15, the unit shall conduct the review and
18 determine whether an adjustment is appropriate. As
19 necessary, the unit shall make a determination of the
20 controlling order or the amount of delinquent support
21 due based upon the receipt of social security
22 disability payments as provided in sections 598.22 and
23 598.22C.

24 Sec. _____. Section 252H.17, subsections 1, 2, and
25 6, Code 2007, are amended to read as follows:

26 1. Each parent shall have the right to challenge
27 the notice of decision issued under section 252H.14A
28 or 252H.16, by requesting a second review by the unit.

29 2. A challenge shall be submitted, in writing, to
30 the local child support office that issued the notice
31 of decision, within thirty days of service of the
32 notice of decision under section 252H.14A or within
33 ten days of the issuance of the notice of decision
34 under section 252H.16.

35 6. The unit shall conduct a second review,
36 utilizing any new or additional information provided
37 or available since issuance of the notice of decision
38 under section 252H.14A or under section 252H.16, to
39 determine whether an adjustment is appropriate.

40 Sec. _____. RULES. Until the department of human
41 services amends rules pursuant to chapter 17A
42 necessary to conform with this Act, any existing rule
43 relating to review and adjustment of support orders
44 shall also apply to reviews initiated under section
45 252H.14A, as created in this Act, except that a
46 provision for a time limit, notice, or other procedure
47 which conflicts with a provision of this Act shall not
48 apply.

49 Sec. _____. EFFECTIVE DATE. This division of this
50 Act takes effect October 1, 2007.

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1 DIVISION ____
2 MEDICAL SUPPORT

3 Sec. ____ Section 252B.5, subsection 2, Code 2007,
4 is amended to read as follows:

5 2. Aid in establishing paternity and securing a
6 court or administrative order for support pursuant to
7 chapter 252A, 252C, 252F, or 600B, or any other
8 chapter providing for the establishment of paternity
9 or support. In an action to establish support, the
10 resident parent may be a proper party defendant for
11 purposes of determining medical support as provided in
12 section 252E.1A. The unit's independent cause of
13 action shall not bar a party from seeking support in a
14 subsequent proceeding.

15 Sec. Section 252C.1, subsection 6, Code 2007,
16 is amended to read as follows:

17 6. "Medical support" means either the provision of
18 coverage under a health benefit plan, including a
19 group or employment-related or an individual health
20 benefit plan, or a health benefit plan provided
21 pursuant to chapter 514E, to meet the medical needs of
22 a dependent and the cost of any premium required by a
23 health benefit plan, or the payment to the obligee of
24 a monetary amount in lieu of providing coverage under
25 a health benefit plan, either of which is an
26 obligation separate from any monetary amount of child
27 support ordered to be paid. "Medical support" which
28 consists of payment of a monetary amount in lieu of a
29 health benefit plan is also an obligation separate
30 from any monetary amount a parent is ordered to pay
31 for uncovered medical expenses pursuant to the
32 guidelines established pursuant to section 598.21B.

33 Sec. ____ Section 252C.3, subsection 1, unnumbered
34 paragraph 1, Code 2007, is amended to read as follows:

35 The administrator may issue a notice stating the
36 intent to secure an order for either ~~payment of~~
37 ~~medical support established as defined provided in~~
38 ~~chapter 252E or payment of an accrued or accruing~~
39 ~~support debt due and owed to the department or an~~
40 ~~individual under section 252C.2, or both. The notice~~
41 ~~shall be served upon the responsible person in~~
42 ~~accordance with the rules of civil procedure. The~~
43 ~~notice shall include all of the following:~~

44 Sec. ____ Section 252C.3, subsection 1, paragraph
45 c, subparagraph (1), Code 2007, is amended to read as
46 follows:

47 (1) A statement that if the responsible person
48 desires to discuss the amount of support that the a
49 responsible person should be required to pay, the
50 responsible person may, within ten days after being

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1 served, contact the office of the child support
2 recovery unit which sent the notice and request a
3 negotiation conference.

4 Sec. ____ Section 252C.12, subsection 2, Code
5 2007, is amended to read as follows:

6 2. Upon receipt of a signed statement from ~~the~~
7 each responsible person waiving the time limitations
8 established in section 252C.3, the administrator may
9 proceed to enter an order for support and the court
10 may approve the order, whether or not the time
11 limitations have expired.

12 Sec. ____ Section 252D.18A, Code 2007, is amended
13 to read as follows:

14 252D.18A MULTIPLE INCOME WITHHOLDING ORDERS –
15 ORDERS FOR HEALTH BENEFIT PLANS – AMOUNTS WITHHELD BY
16 PAYOR.

17 When the obligor is ~~responsible for paying~~ has more
18 than one support obligation ~~and or~~ the payor of income
19 has received more than one ~~income withholding~~ order or
20 notice ~~of an order~~ for the obligor ~~for income~~
21 withholding or for coverage under a health benefit
22 plan pursuant to chapter 252E, the payor shall
23 withhold amounts in accordance with all of the
24 following:

25 1. The total of all amounts withheld shall not
26 exceed the amounts specified in 15 U.S.C. § 1673(b).
27 For orders or notices issued by the child support
28 recovery unit, the limit for the amount to be withheld
29 shall be specified in the order or notice.

30 2. As reimbursement for the payor's processing
31 costs, the payor may deduct a fee of no more than two
32 dollars for each payment withheld in addition to the
33 amount withheld for support.

34 3. Priority shall be given to the withholding of
35 current support ~~rather than delinquent support~~. The
36 payor shall not allocate amounts withheld in a manner
37 which results in the failure to withhold an amount for
38 one or more of the current child or spousal support
39 obligations. If the limits specified in subsection 1
40 prevent withholding the full amount specified in the
41 order or notice, the payor shall withhold amounts in
42 the following priority:

43 a. Withhold the amount specified for current child
44 and spousal support. To arrive at the amount to be
45 withheld for each obligee, the payor shall total the
46 amounts due for current child and spousal support
47 under the income withholding orders and the notices of
48 orders and determine the proportionate share for each
49 obligee. The proportionate share shall be determined
50 by dividing the amount due for current child and

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1 spousal support for each order or notice of order by
2 the total due for current child and spousal support
3 for all orders and notices of orders. The results are
4 the percentages of the obligor's net income which
5 shall be withheld for each obligee.

6 b. If, after completing the calculation in
7 paragraph "a", the withholding limit specified under
8 subsection 1 has not been attained, the payor shall
9 withhold the amount necessary to comply with an order
10 or notice of order for a current premium for coverage
11 of a child under a health benefit plan as provided in
12 section 252D.30 or section 252E.1A, subsection 2, or
13 for a current monetary amount for the child for
14 medical support. If there is more than one medical
15 support order or notice of order for a current
16 monetary amount for a child, the payor shall total the
17 amounts due for current monetary amounts for all
18 children for medical support and determine the
19 proportionate share for each obligee. The
20 proportionate amounts shall be established utilizing
21 the procedures established in paragraph "a" for
22 current child and spousal support obligations.

23 b. c. If, after completing the calculation
24 calculations in paragraph paragraphs "a" and "b", the
25 withholding limit specified under subsection 1 has not
26 been attained, the payor shall total the amounts due
27 for arrearages and determine the proportionate share
28 for each obligee. The proportionate share amounts
29 shall be established utilizing the procedures
30 established in paragraph "a" for current child and
31 spousal support obligations.

32 d. If after completing the calculations in
33 paragraphs "a", "b", and "c", the withholding limit
34 specified in subsection 1 has not been attained, the
35 payor shall withhold the amount necessary for other
36 child support obligations, unless the order or notice
37 directs otherwise as provided by Title IV, part D, of
38 the federal Social Security Act.

39 4. The payor shall identify and report payments by
40 the obligor's name, account number, amount, and date
41 withheld pursuant to section 252D.17. ~~Until October~~
42 ~~1, 1999, if payments for multiple obligees are~~
43 ~~combined, the portion of the payment attributable to~~
44 ~~each obligee shall be specifically identified.~~
45 ~~Beginning October 1, 1999, if If payments for multiple~~
46 ~~obligees are combined, the portion of the payment~~
47 ~~attributable to each obligee shall be specifically~~
48 ~~identified only if the payor is directed to do so by~~
49 ~~the child support recovery unit.~~

50 Sec. ____ . Section 252E.1, subsection 9, Code 2007,

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1 is amended to read as follows:

2 9. "Medical support" means either the provision of
3 a health benefit plan, including a group or
4 employment-related or an individual health benefit
5 plan, or a health benefit plan provided pursuant to
6 chapter 514E, to meet the medical needs of a dependent
7 and the cost of any premium required by a health
8 benefit plan, or the payment to the obligee of a
9 monetary amount in lieu of a health benefit plan,
10 either of which is an obligation separate from any
11 monetary amount of child support ordered to be paid.
12 Medical support is not alimony. "Medical support"
13 which consists of payment of a monetary amount in lieu
14 of a health benefit plan is also an obligation
15 separate from any monetary amount a parent is ordered
16 to pay for uncovered medical expenses pursuant to the
17 guidelines established pursuant to section 598.21B.

18 Sec. ____ NEW SECTION. 252E.1A ESTABLISHING AND
19 MODIFYING ORDERS FOR MEDICAL SUPPORT.

20 This section shall apply to all initial or modified
21 orders for support entered under chapter 234, 252A,
22 252C, 252F, 252H, 598, 600B, or any other applicable
23 chapter.

24 1. An order or judgment that provides for
25 temporary or permanent support for a child shall
26 include a provision for medical support for the child
27 as provided in this section.

28 2. The court shall order as medical support for
29 the child a health benefit plan if available to either
30 parent at the time the order is entered or modified.
31 A plan is available if the plan is accessible and the
32 cost of the plan is reasonable.

33 a. The cost of a health benefit plan is considered
34 reasonable, and such amount shall be stated in the
35 order, if one of the following applies:

36 (1) The premium cost for a child to the parent
37 ordered to provide the plan does not exceed five
38 percent of that parent's gross income.

39 (2) The premium cost for a child exceeds five
40 percent of the gross income of the parent ordered to
41 provide the plan and that parent consents or does not
42 object to entry of that order.

43 b. For purposes of this section, "gross income"
44 has the same meaning as gross income for calculation
45 of support under the guidelines established under
46 section 598.21B.

47 c. For purposes of this section, the premium cost
48 for a child to the parent ordered to provide the plan
49 means the amount of the premium cost for family
50 coverage to the parent which is in excess of the

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1 premium cost for single coverage, regardless of the
2 number of individuals covered under the plan.
3 However, this paragraph shall not be interpreted to
4 reduce the amount of the health insurance premium
5 deduction a parent may be entitled to when calculating
6 the amount of a child support obligation under Iowa
7 court rule 9.5 of the child support guidelines.

8 3. If a health benefit plan is not available at
9 the time of the entry of the order, the court shall
10 order a reasonable monetary amount in lieu of a health
11 benefit plan, which amount shall be stated in the
12 order. For purposes of this subsection, a reasonable
13 amount means five percent of the gross income of the
14 parent ordered to provide the monetary amount for
15 medical support. This subsection shall not apply in
16 any of the following circumstances:

17 a. If the parent's monthly support obligation
18 established pursuant to the child support guidelines
19 prescribed by the supreme court pursuant to section
20 598.21B is the minimum obligation amount.

21 b. If subsection 7, paragraph "e" applies.

22 4. If the court orders the custodial parent to
23 provide a health benefit plan under subsection 2, the
24 court may also order the noncustodial parent to
25 provide a reasonable monetary amount in lieu of a
26 health benefit plan. For purposes of this subsection,
27 a reasonable monetary amount means an amount not to
28 exceed the lesser of a reasonable amount as described
29 in subsection 3, or the premium cost of coverage for
30 the child to the custodial parent as described in
31 subsection 2, paragraph "c".

32 5. Notwithstanding the requirements of this
33 section, the court may order provisions in the
34 alternative to those provided in this section to
35 address the health care needs of the child if the
36 court determines that extreme circumstances so require
37 and documents the court's written findings in the
38 order.

39 6. An order, decree, or judgment entered before
40 March 1, 2008, that provides for the support of a
41 child may be modified in accordance with this section.

42 7. If the child support recovery unit is providing
43 services under chapter 252B and initiating an action
44 to establish or modify support, all the following
45 shall also apply:

46 a. If a health benefit plan is available as
47 described in subsection 2 to the noncustodial parent,
48 the unit shall seek an order for the noncustodial
49 parent to provide the plan.

50 b. If a health benefit plan is available as

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1 described in subsection 2 to the custodial parent and
2 not to the noncustodial parent, the unit shall seek an
3 order for the custodial parent to provide the plan.

4 c. If a health benefit plan is available as
5 described in subsection 2 to each parent, and if there
6 is an order for joint physical care, the unit shall
7 seek an order for the parent currently ordered to
8 provide a health benefit plan to provide the plan. If
9 there is no current order for a health benefit plan
10 for the child, the unit shall seek an order for the
11 parent who is currently providing a health benefit
12 plan to provide the plan.

13 d. If a health benefit plan is not available, and
14 the noncustodial parent does not have income which may
15 be subject to income withholding for collection of a
16 reasonable monetary amount in lieu of a health benefit
17 plan at the time of the entry of the order, the unit
18 shall seek an order that the noncustodial parent
19 provide a health benefit plan when a plan becomes
20 available at reasonable cost, and the order shall
21 specify the amount of reasonable cost as defined in
22 subsection 2.

23 e. This section shall not apply to chapter 252H,
24 subchapter IV.

25 Sec. ____ NEW SECTION. 252E.2A SATISFACTION OF
26 MEDICAL SUPPORT ORDER.

27 This section shall apply if the child support
28 recovery unit is providing services under chapter
29 252B.

30 1. Notwithstanding any law to the contrary and
31 without a court order, a medical support order for a
32 child shall be deemed satisfied with regard to the
33 department, the child, the obligor, and the obligee
34 for the period during which all the following
35 conditions are met:

36 a. The order is issued under any applicable
37 chapter of the Code.

38 b. The unit is notified that the conditions of
39 paragraph "c" are met and there is a pending action to
40 establish or modify support initiated by the unit, or
41 the parent ordered to provide medical support submits
42 a written statement to the unit that the requirements
43 of paragraph "c" are met.

44 c. The parent ordered to provide medical support
45 or the parent from whom the unit is seeking to
46 establish or modify medical support meets at least one
47 of the following conditions:

48 (1) The parent is an inmate of an institution
49 under the control of the department of corrections or
50 a comparable institution in another state.

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1 (2) The parent's monthly child support obligation
2 under the guidelines established pursuant to section
3 598.21B is the minimum obligation amount.

4 (3) The parent is a recipient of assistance under
5 chapter 239B or 249A, or under comparable laws of
6 another state.

7 (4) The parent is residing with any child for whom
8 the parent is legally responsible and that child is a
9 recipient of assistance under chapter 239B, 249A, or
10 514I, or under comparable laws of another state. For
11 purposes of this subparagraph, "legally responsible"
12 means the parent has a legal obligation to the child
13 as specified in Iowa court rule 9.7 of the child
14 support guidelines.

15 d. The unit files a notice of satisfaction with
16 the clerk of the district court. The effective date
17 of the satisfaction shall be stated in the notice and
18 the effective date shall be no later than forty-five
19 days after the unit issues the notice of satisfaction.

20 2. If a medical support order is satisfied under
21 subsection 1, the satisfaction shall continue until
22 all of the following apply:

23 a. The unit is notified that none of the
24 conditions specified in subsection 1, paragraph "c",
25 still applies.

26 b. The unit files a satisfaction termination
27 notice that the requirements for a satisfaction under
28 this section no longer apply. The effective date
29 shall be stated in the satisfaction termination notice
30 and the effective date shall be no later than
31 forty-five days after the unit issues the satisfaction
32 termination notice.

33 3. The unit shall mail a copy of the notice of
34 satisfaction and the satisfaction termination notice
35 to the last known address of the obligor and obligee.

36 4. The department of human services may match data
37 for enrollees of the hawk-i program created pursuant
38 to chapter 514I with data of the unit to assist the
39 unit in implementing this section.

40 5. An order, decree, or judgment entered or
41 pending on or before March 1, 2008, that provides for
42 the support of a child may be satisfied as provided in
43 this section.

44 Sec. ____ Section 252E.4, subsection 1, Code 2007,
45 is amended to read as follows:

46 1. When a support order requires an obligor to
47 provide coverage under a health benefit plan, the
48 district court or the department may enter an ex parte
49 order directing an employer to take all actions
50 necessary to enroll an obligor's dependent for

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1 coverage under a health benefit plan or may include
2 the provisions in an ex parte income withholding order
3 or notice of income withholding pursuant to chapter
4 252D. The child support recovery unit, where
5 appropriate, shall issue a national medical support
6 notice to an employer within two business days after
7 the date information regarding a newly hired employee
8 is entered into the centralized employee registry and
9 matched with a noncustodial parent in the case being
10 enforced by the unit, or upon receipt of other
11 employment information for such parent. The
12 department may amend the information in the ex parte
13 order or may amend or terminate the national medical
14 support notice regarding health insurance provisions
15 if necessary to comply with health insurance
16 requirements including but not limited to the
17 provisions of section 252E.2, subsection 2, or to
18 correct a mistake of fact.

19 Sec. ____ Section 252E.5, subsection 3, Code 2007,
20 is amended to read as follows:

21 3. The employer shall withhold from the employee's
22 compensation, the employee's share, if any, of
23 premiums for the health benefit plan in an amount that
24 does not exceed the amount specified in the national
25 medical support notice or order or the amount
26 specified in 15 U.S.C. § 1673(b) and which is
27 consistent with federal law. The employer shall
28 forward the amount withheld to the insurer. If the
29 employee has more than one obligation and if there is
30 insufficient compensation available to meet the
31 employee's share necessary for coverage of the child
32 under a health benefit plan as required under this
33 section or section 252D.30, and to comply with an
34 order to withhold or notice under section 252D.17, the
35 employer shall allocate the funds available in
36 accordance with section 252D.18A.

37 Sec. ____ Section 252F.1, Code 2007, is amended by
38 adding the following new subsection:

39 NEW SUBSECTION. 3A. "Party" means a putative
40 father or a mother.

41 Sec. ____ Section 252F.3, subsection 1, unnumbered
42 paragraph 1, Code 2007, is amended to read as follows:
43 The unit may prepare a notice of alleged paternity
44 and support debt to be served on ~~the putative father a~~
45 party if the mother of the child provides a written
46 statement to the unit certifying in accordance with
47 section 622.1 that the putative father is or may be
48 the biological father of the child or children
49 involved. The notice shall be accompanied by a copy
50 of the statement and served on the putative father in

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- 1 accordance with rule of civil procedure 1.305.
2 Service upon the mother shall not constitute valid
3 service upon the putative father. The notice shall
4 include or be accompanied by all of the following:
5 Sec. ____ . Section 252F.3, subsection 1, paragraphs
6 d, f, g, h, j, k, and m, Code 2007, are amended to
7 read as follows:
- 8 d. A statement that if paternity is established,
9 ~~the putative father~~ a party has a duty to provide
10 accrued and accruing medical support to the child or
11 children in accordance with chapter 252E.
- 12 f. (1) The right of ~~the putative father~~ a party
13 to request a conference with the unit to discuss
14 paternity establishment and the amount of support that
15 ~~the putative father~~ a party may be required to pay
16 provide, within ten days of the date of service of the
17 original notice or, if paternity is contested and
18 paternity testing is conducted, within ten days of the
19 date the paternity test results are issued or mailed
20 to ~~the putative father~~ a party by the unit.
- 21 (2) A statement that if a conference is requested,
22 ~~the putative father~~ a party shall have one of the
23 following time frames, whichever is the latest, to
24 send a written request for a court hearing on the
25 issue of support to the unit:
- 26 (a) Ten days from the date set for the conference.
27 (b) Twenty days from the date of service of the
28 original notice.
- 29 (c) If paternity was contested and paternity
30 testing was conducted, and ~~the putative father~~ a party
31 does not deny paternity after the testing or challenge
32 the paternity test results, twenty days from the date
33 paternity test results are issued or mailed by the
34 unit to the ~~putative father~~ party.
- 35 (3) A statement that after the holding of the
36 conference, the unit shall issue a new notice of
37 alleged paternity and finding of financial
38 responsibility for child support or medical support,
39 or both, to be provided in person to ~~the putative~~
40 ~~father~~ each party or sent to ~~the putative father~~ each
41 party by regular mail addressed to the putative
42 ~~father's~~ party's last known address or, if applicable,
43 to the last known address of the ~~putative father's~~
44 party's attorney.
- 45 (4) A statement that if the unit issues a new
46 notice of alleged paternity and finding of financial
47 responsibility for child support or medical support,
48 or both, ~~the putative father~~ a party shall have one of
49 the following time frames, whichever is the latest, to
50 send a written request for a court hearing on the

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1 issue of support to the unit:

2 (a) Ten days from the date of issuance of the new
3 notice.

4 (b) Twenty days from the date of service of the
5 original notice.

6 (c) If paternity was contested and paternity
7 testing conducted, and the putative father a party
8 does not deny paternity after the testing or challenge
9 the paternity test results, twenty days from the date
10 the paternity test results are issued or mailed to the
11 putative father party by the unit.

12 g. A statement that if a conference is not
13 requested, and ~~the putative father a party~~ does not
14 deny paternity or challenge the results of any
15 paternity testing conducted but objects to the finding
16 of financial responsibility or the amount of child
17 support or medical support, or both, the ~~putative~~
18 father party shall send a written request for a court
19 hearing on the issue of support to the unit within
20 twenty days of the date of service of the original
21 notice, or, if paternity was contested and paternity
22 testing conducted, and ~~the putative father a party~~
23 does not deny paternity after the testing or challenge
24 the paternity test results, within twenty days from
25 the date the paternity test results are issued or
26 mailed to the ~~putative father party~~ by the unit,
27 whichever is later.

28 h. A statement that if a timely written request
29 for a hearing on the issue of support is received by
30 the unit, the ~~putative father party~~ shall have the
31 right to a hearing to be held in district court and
32 that if no timely written request is received and
33 paternity is not contested, the administrator shall
34 enter an order establishing the putative father as the
35 father of the child or children and establishing child
36 support or medical support, or both, in accordance
37 with the notice of alleged paternity and support debt.

38 j. A written explanation of ~~the putative father's~~
39 a party's right to deny paternity, the procedures for
40 denying paternity, and the consequences of the denial.

41 k. A statement that if ~~the putative father a party~~
42 contests paternity, the ~~putative father party~~ shall
43 have twenty days from the date of service of the
44 original notice to submit a written denial of
45 paternity to the unit.

46 m. A statement that if paternity tests are
47 conducted, the unit shall provide a copy of the test
48 results to ~~the putative father each party~~ in person or
49 send a copy to ~~the putative father each party~~ by
50 regular mail, addressed to the ~~putative father's~~

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1 party's last known address, or, if applicable, to the
2 last known address of the ~~putative father's~~ party's
3 attorney.

4 Sec. ____ Section 252F.3, subsection 3, unnumbered
5 paragraph 1, Code 2007, is amended to read as follows:

6 If notice is served on ~~the putative father~~ a party,
7 the unit shall file a true copy of the notice and the
8 original return of service with the appropriate clerk
9 of the district court as follows:

10 Sec. ____ Section 252F.3, subsection 4, unnumbered
11 paragraph 1, Code 2007, is amended to read as follows:

12 A ~~putative father~~ party or the child support
13 recovery unit may request a court hearing regarding
14 establishment of paternity or a determination of
15 support, or both.

16 Sec. ____ Section 252F.3, subsection 4, paragraph
17 c, Code 2007, is amended to read as follows:

18 c. Any objection to the results of paternity tests
19 shall be filed no later than twenty days after the
20 date paternity test results are issued or mailed to
21 ~~the putative father~~ each party by the unit. Any
22 objection to paternity test results filed by a party
23 more than twenty days after the date paternity tests
24 are issued or mailed to the ~~putative father~~ party by
25 the unit shall not be accepted or considered by the
26 court.

27 Sec. ____ Section 252F.3, subsection 5, Code 2007,
28 is amended to read as follows:

29 5. If a timely written response and request for a
30 court hearing is not received by the unit and the
31 ~~putative father~~ a party does not deny paternity, the
32 administrator shall enter an order in accordance with
33 section 252F.4.

34 Sec. ____ Section 252F.3, subsection 6, paragraphs
35 a, f, and m, Code 2007, are amended to read as
36 follows:

37 a. If a party contests the establishment of
38 paternity, the party shall submit, within twenty days
39 of service of the notice on the ~~putative father~~ party
40 under subsection 1, a written statement contesting
41 paternity establishment to the unit. Upon receipt of
42 a written challenge of paternity establishment, or
43 upon initiation by the unit, the administrator shall
44 enter ex parte administrative orders requiring the
45 mother, child or children involved, and the putative
46 father to submit to paternity testing. Either the
47 mother or putative father may contest paternity under
48 this chapter.

49 f. An original copy of the test results shall be
50 filed with the clerk of the district court in the

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1 county where the notice was filed. The child support
2 recovery unit shall issue a copy of the filed test
3 results to ~~the putative father and mother of the child~~
4 ~~or children~~ each party in person, or by regular mail
5 to the last known address of each, or if applicable,
6 to the last known address of the attorney for each.
7 However, if the action is the result of a request from
8 a foreign jurisdiction, the unit shall issue a copy of
9 the results to the initiating agency in that foreign
10 jurisdiction.

11 m. If the paternity test results exclude the
12 putative father as a potential biological father of
13 the child or children, and additional tests are not
14 requested by either party or conducted on the unit's
15 initiative, or if additional tests exclude the
16 putative father as a potential biological father, the
17 unit shall withdraw its action against the putative
18 father and shall file a notice of the withdrawal with
19 the clerk of the district court, and shall provide a
20 copy of the notice to ~~the putative father~~ each party
21 in person, or by regular mail sent to ~~the putative~~
22 ~~father's~~ each party's last known address, or if
23 applicable, the last known address of the ~~putative~~
24 ~~father's party's~~ party's attorney.

25 Sec. ____ Section 252F.4, Code 2007, is amended to
26 read as follows:

27 252F.4 ENTRY OF ORDER.

28 1. ~~If the putative father fails~~ both parties fail
29 to respond to the initial notice within twenty days
30 after the date of service of the notice or ~~fails fail~~
31 to appear at a conference pursuant to section 252F.3
32 on the scheduled date of the conference, and paternity
33 has not been contested and ~~the putative father fails~~
34 both parties fail to timely request a court hearing on
35 the issue of support, the administrator shall enter an
36 order against the ~~putative father parties~~, declaring
37 the putative father to be the legal father of the
38 child or children involved and assessing any accrued
39 and accruing child support obligation pursuant to the
40 guidelines established under section 598.21B, and
41 medical support pursuant to chapter 252E, ~~against the~~
42 ~~father~~.

43 2. If paternity is contested pursuant to section
44 252F.3, subsection 6, and the party contesting
45 paternity fails to appear for a paternity test and
46 fails to request a rescheduling pursuant to section
47 252F.3, or fails to appear for both the initial and
48 the rescheduled paternity tests and ~~the putative~~
49 ~~father fails~~ both parties fail to timely request a
50 court hearing on the issue of support, the

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1 administrator shall enter an order against the
2 ~~putative father parties~~ declaring the putative father
3 to be the legal father of the child or children
4 involved and assessing any accrued and accruing child
5 support obligation pursuant to the guidelines
6 established under section 598.21B, and medical support
7 pursuant to chapter 252E, ~~against the father.~~

8 3. If the ~~putative father appears at a conference~~
9 pursuant to section 252F.3 is held, and paternity is
10 not contested, and the ~~putative father fails both~~
11 ~~parties fail~~ to timely request a court hearing on the
12 issue of support, the administrator shall enter an
13 order against the ~~putative father parties~~ after the
14 second notice has been sent declaring the putative
15 father to be the legal father of the child or children
16 involved and assessing any accrued and accruing child
17 support obligation pursuant to the guidelines
18 established under section 598.21B, and medical support
19 pursuant to chapter 252E, ~~against the father.~~

20 4. If paternity was contested and paternity
21 testing was performed and the putative father was not
22 excluded, if the test results indicate that the
23 probability of the putative father's paternity is
24 ninety-five percent or greater, if the test results
25 are not timely challenged, and if the ~~putative father~~
26 ~~fails both parties fail~~ to timely request a court
27 hearing on the issue of support, the administrator
28 shall enter an order against the ~~putative father~~
29 ~~parties~~ declaring the putative father to be the legal
30 father of the child or children involved and assessing
31 any accrued and accruing child support obligation
32 pursuant to the guidelines established under section
33 598.21B, and medical support pursuant to chapter 252E,
34 ~~against the father.~~

35 5. The administrator shall establish a support
36 obligation under this section based upon the best
37 information available to the unit and pursuant to
38 section 252B.7A.

39 6. The order shall contain all of the following:

- 40 a. A declaration of paternity.
- 41 b. The amount of monthly support to be paid, with
42 direction as to the manner of payment.
- 43 c. The amount of accrued support.
- 44 d. The name of the custodial parent or caretaker.
- 45 e. The name and birth date of the child or
46 children to whom the order applies.
- 47 f. A statement that property of the ~~father a party~~
48 ~~ordered to provide support~~ is subject to income
49 withholding, liens, garnishment, tax offset, and other
50 collection actions.

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- 1 g. The medical support required pursuant to
2 chapter 598 and chapter 252E.
- 3 h. A statement that ~~the father~~ a party who is
4 ordered to provide support is required to inform the
5 child support recovery unit, on a continuing basis, of
6 the name and address of the ~~father's~~ party's current
7 employer, whether the ~~father~~ party has access to
8 health insurance coverage ~~through employment or at~~
9 ~~reasonable cost through other sources~~ as required in
10 the order, and if so, the health insurance policy
11 information.
- 12 i. If paternity was contested by the putative
13 father, the amount of any judgment assessed to the
14 father for costs of paternity tests conducted pursuant
15 to this chapter.
- 16 j. Statements as required pursuant to section
17 598.22B.
- 18 7. If paternity is not contested but ~~the putative~~
19 ~~father~~ a party does wish to challenge the issues of
20 child or medical support, the administrator shall
21 enter an order establishing paternity and reserving
22 the issues of child or medical support for
23 determination by the district court.
- 24 Sec. ____ Section 252F.5, subsection 2, Code 2007,
25 is amended to read as follows:
- 26 2. An action under this chapter may be certified
27 to the district court if a party timely contests
28 paternity establishment or paternity test results, or
29 if ~~the putative father~~ a party requests a court
30 hearing on the issues of child or medical support, or
31 both, or upon the initiation of the unit as provided
32 in this chapter. Review by the district court shall
33 be an original hearing before the court.
- 34 Sec. ____ Section 252F.5, subsection 3, paragraph
35 c, Code 2007, is amended to read as follows:
- 36 c. A timely written objection to paternity
37 establishment or paternity test results has been
38 received from a party, or a timely written request for
39 a court hearing on the issue of support has been
40 received from ~~the putative father~~ a party by the unit,
41 or the unit has requested a court hearing on the
42 unit's own initiative.
- 43 Sec. ____ Section 252H.2, subsection 2, paragraph
44 b, Code 2007, is amended to read as follows:
- 45 b. An addition of or change to provisions for
46 medical support as ~~defined~~ provided in ~~section 252E.1~~
47 chapter 252E.
- 48 Sec. ____ Section 252H.2, subsection 13, Code
49 2007, is amended to read as follows:
- 50 13. "Support order" means a ~~"court order"~~ as

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1 ~~defined in section 252C.1 or an order establishing~~
2 ~~support entered pursuant to an administrative or~~
3 ~~quasi-judicial process if authorized by law an order~~
4 ~~for support issued pursuant to chapter 232, 234, 252A,~~
5 ~~252C, 252E, 252F, 252H, 598, 600B, or any other~~
6 ~~applicable chapter, or under a comparable statute of a~~
7 ~~foreign jurisdiction as registered with the clerk of~~
8 ~~court or certified to the child support recovery unit.~~

9 Sec. ____ NEW SECTION. 252H.3A ADDING A PARTY.

10 A mother or father may be added as a proper party
11 defendant to a support order upon service of a notice
12 as provided in this chapter and without a court order
13 as provided in the rules of civil procedure.

14 Sec. ____ Section 252H.14, subsection 1, paragraph
15 b, Code 2007, is amended to read as follows:

16 ~~b. The right to any ongoing medical support~~
17 ~~obligation is currently assigned to the state due to~~
18 ~~the receipt of public assistance unless:~~

19 (1) ~~b.~~ The support order does not already
20 ~~includes include provisions requiring the parent~~
21 ~~ordered to pay child support to also provide for~~
22 ~~medical support.~~

23 (2) ~~The parent entitled to receive support has~~
24 ~~satisfactory health insurance coverage for the~~
25 ~~children, excluding coverage resulting from the~~
26 ~~receipt of public assistance benefits.~~

27 Sec. ____ Section 252H.14, subsection 2, Code
28 2007, is amended to read as follows:

29 2. The unit may periodically initiate a request to
30 a child support agency of another state to conduct a
31 review of a support order entered in that state when
32 the right to any ongoing child or medical support
33 obligation due under the order is currently assigned
34 to the state of Iowa or if the order does not include
35 provisions for medical support.

36 Sec. ____ Section 598.21B, subsection 3, Code
37 2007, is amended to read as follows:

38 3. MEDICAL SUPPORT. The court shall order as
39 child medical support a health benefit plan as defined
40 in chapter 252E if available to either parent at a
41 reasonable cost. A health benefit plan is considered
42 reasonable in cost if it is employment related or
43 other group health insurance, regardless of the
44 service delivery mechanism as provided in section
45 252E.1A. The premium cost of the a health benefit
46 plan may be considered by the court as a reason for
47 varying from the child support guidelines. If a
48 health benefit plan is not available at a reasonable
49 cost, the court may order any other provisions for
50 medical support as defined in chapter 252E.

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1 Sec. ____ Section 598.21C, subsection 2, paragraph
2 a, Code 2007, is amended to read as follows:
3 a. Subject to 28 U.S.C. §1738B, but
4 notwithstanding subsection 1, a substantial change of
5 circumstances exists when the court order for child
6 support varies by ten percent or more from the amount
7 which would be due pursuant to the most current child
8 support guidelines established pursuant to section
9 598.21B or the obligor a parent has access to a health
10 benefit plan, available as provided in section 252E.1A
11 and the current order for support does not contain
12 provisions for medical support, ~~and the dependents are~~
13 ~~not covered by a health benefit plan provided by the~~
14 ~~obligee, excluding coverage pursuant to chapter 249A~~
15 ~~or a comparable statute of a foreign jurisdiction.~~

16 Sec. ____ AMENDING AND NULLIFICATION OF
17 ADMINISTRATIVE RULES.

18 1. Until the department of human services amends
19 rules pursuant to chapter 17A necessary to conform
20 with this Act, all of the following shall apply:

21 a. The child support recovery unit may initiate
22 proceedings to establish or modify orders for medical
23 support for a child in accordance with section 252E.1A
24 as created in this Act, regardless of whether support,
25 is assigned to the state.

26 b. The term "child support account" in existing
27 rules shall also mean a specified monetary amount for
28 medical support, unless the context otherwise
29 requires.

30 c. A reference to a health benefit plan at
31 reasonable cost shall mean reasonable cost as defined
32 in section 252E.1A, as enacted in this Act.

33 d. A requirement for including a provision for an
34 employment-related or other group health benefit plan,
35 or for determining medical support, shall be limited
36 and applied in accordance with section 252E.1A, as
37 created in this Act.

38 2. 441 Iowa administrative Code, rule 98.3,
39 relating to the establishment of medical support is
40 nullified.

41 Sec. ____ EFFECTIVE DATE. This division of this
42 Act takes effect March 1, 2008.

43 DIVISION ____
44 PHYSICIAN ASSISTANTS

45 Sec. ____ Section 147.14, subsection 12, Code
46 2007, is amended to read as follows:

47 12. For the board of physician assistant
48 examiners, ~~three~~ five members licensed to practice as
49 physician assistants, at least two of whom practice in
50 counties with a population of less than fifty

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1 thousand, one member licensed to practice medicine and
2 surgery who supervises a physician assistant, one
3 member licensed to practice osteopathic medicine and
4 surgery who supervises a physician assistant, and two
5 members who are not licensed to practice either
6 medicine and surgery or osteopathic medicine and
7 surgery or licensed as a physician assistant and who
8 shall represent the general public. At least one of
9 the physician members shall be in practice in a county
10 with a population of less than fifty thousand. A
11 majority of members of the board constitutes a quorum.
12 Sec. ____ . NEW SECTION. 148C.12 ANNUAL REPORT.
13 By January 31 of each year the board and the board
14 of medical examiners shall provide to the general
15 assembly and the governor a joint report detailing the
16 boards' collaborative efforts and team building
17 practices.

18 DIVISION ____

19 NEWBORN HOME VISITS

20 Sec. ____ . NEW SECTION. 28.11 HOUSEHOLDS WITH A
21 NEWBORN CHILD – VOLUNTARY HOME VISITS.

22 1. a. The Iowa empowerment board shall develop a
23 program with the goal of offering all households in
24 the state with a newborn child a voluntary home visit.
25 The components of the home visit shall include but are
26 not limited to assessing the child's home environment,
27 identifying the family and child needs and the
28 services that could appropriately meet those needs,
29 and assisting the family in accessing appropriate
30 services.

31 b. The Iowa board shall coordinate with existing
32 programs that provide home-based instruction or
33 support to households with a newborn child as
34 necessary to make the best use of resources while
35 expanding the availability of home visits.

36 2. All of the following requirements shall apply
37 to services provided under the program:

38 a. Home visits shall be made by qualified and
39 trained staff.

40 b. Staff shall demonstrate a capacity to
41 competently complete home visits, including the
42 ability to identify family and child needs and
43 facilitate referrals to and interventions by other
44 resources available in the community, based upon needs
45 identified during a home visit.

46 c. The program shall have a plan for implementing
47 a cooperative arrangement with local hospitals and
48 birthing centers for the hospitals and centers to
49 provide referral information for contacting families
50 with a newborn child.

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1 d. The program shall incorporate performance
2 measures and provide for reporting of outcome measures
3 on a regular basis, both as identified by the Iowa
4 board.

5 3. The Iowa board shall implement the provisions
6 of this section subject to the funding provided for
7 purposes of this section.

8 DIVISION ____

9 TELECOMMUTING

10 Sec. ____ STATE EMPLOYEE TELECOMMUTING - POLICY
11 DEVELOPMENT - IMPLEMENTATION.

12 1. The director of a department or state agency to
13 which appropriations are made pursuant to the
14 provisions of this Act shall assess the extent to
15 which job classifications or individual employment
16 positions with the department or agency might be
17 effectively performed from an employee's residence or
18 other remote location through telecommuting, thereby
19 increasing office space within the department or
20 agency and reducing administrative costs. The
21 assessment shall include an estimate of the number of
22 department or agency employees whose job
23 responsibilities could be effectively performed on a
24 telecommuting basis, projected costs of establishing
25 and maintaining work stations at an employee's
26 residence or other remote location and providing
27 telecommuter support, anticipated savings to the
28 department or agency through a reduction in the
29 office-based workforce, and anticipated time and cost
30 savings to telecommuting employees. A report
31 summarizing the assessment shall be submitted to the
32 director of the department of administrative services,
33 and the members of the general assembly, by November
34 1, 2007.

35 2. Based on the assessment conducted pursuant to
36 subsection 1, the director shall develop a
37 telecommuter employment policy for the department or
38 agency and a timeline for initial policy
39 implementation and plans for expanding the number of
40 telecommuting employees. Specific office-based
41 workforce reduction percentages shall be left to the
42 discretion of the director, but the director shall
43 implement a policy transferring some number of
44 office-based employees to telecommuter status by
45 January 1, 2008. The director shall report to the
46 director of the department of administrative services
47 and the members of the general assembly on an annual
48 basis beginning January 1, 2009, the number of
49 telecommuting employees, cost savings achieved by the
50 department or agency, and plans for continued transfer

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1 of office-based employees to telecommuter status.

2 DIVISION ____

3 DENTAL BOARD

4 Sec. ____ Section 10A.402, subsection 1, Code
5 2007, as amended by 2007 Iowa Acts, Senate File 74,
6 section 6, is amended to read as follows:

7 1. Investigations relative to the practice of
8 regulated professions and occupations, except those
9 within the jurisdiction of the board of medicine, the
10 board of pharmacy, the dental board of ~~dentistry~~, and
11 the board of nursing.

12 Sec. ____ Section 135.11A, unnumbered paragraph 1,
13 Code 2007, as amended by 2007 Iowa Acts, Senate File
14 74, section 19, is amended to read as follows:

15 There shall be a professional licensure division
16 within the department of public health. Each board
17 under chapter 147 or under the administrative
18 authority of the department, except the board of
19 nursing, board of medicine, dental board of ~~dentistry~~,
20 and board of pharmacy, shall receive administrative
21 and clerical support from the division and may not
22 employ its own support staff for administrative and
23 clerical duties.

24 Sec. ____ Section 135.24, subsection 2, paragraph
25 a, Code 2007, as amended by 2007 Iowa Acts, Senate
26 File 74, section 20, is amended to read as follows:

27 a. Procedures for registration of health care
28 providers deemed qualified by the board of medicine,
29 the board of physician assistants, the dental board of
30 ~~dentistry~~, the board of nursing, the board of
31 chiropractic, the board of psychology, the board of
32 social work, the board of behavioral science, the
33 board of pharmacy, the board of optometry, the board
34 of podiatry, the board of physical and occupational
35 therapy, the board for respiratory care, and the Iowa
36 department of public health, as applicable.

37 Sec. ____ Section 135.31, Code 2007, as amended by
38 2007 Iowa Acts, Senate File 74, section 21, is amended
39 to read as follows:

40 135.31 LOCATION OF BOARDS – RULEMAKING.

41 The offices for the board of medicine, the board of
42 pharmacy, the board of nursing, and the dental board
43 of ~~dentistry~~ shall be located within the department of
44 public health. The individual boards shall have
45 policymaking and rulemaking authority.

46 Sec. ____ Section 136C.3, subsection 2, unnumbered
47 paragraph 1, Code 2007, as amended by 2007 Iowa Acts,
48 Senate File 74, section 23, is amended to read as
49 follows:

50 Establish minimum training standards including

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1 continuing education requirements, and administer
2 examinations and disciplinary procedures for operators
3 of radiation machines and users of radioactive
4 materials. A state of Iowa license to practice
5 medicine, osteopathy, chiropractic, podiatry,
6 dentistry, dental hygiene, or veterinary medicine, or
7 licensure as a physician assistant pursuant to chapter
8 148C, or certification by the dental board of
9 dentistry in dental radiography, or by the board of
10 podiatry in podiatric radiography, or enrollment in a
11 program or course of study approved by the Iowa
12 department of public health which includes the
13 application of radiation to humans satisfies the
14 minimum training standards for operation of radiation
15 machines only.

16 Sec. ____ Section 139A.22, subsection 6, Code
17 2007, as amended by 2007 Iowa Acts, Senate File 74,
18 section 25, is amended to read as follows:

19 6. The board of medicine, the board of physician
20 assistants, the board of podiatry, the board of
21 nursing, the dental board of dentistry, and the board
22 of optometry shall require that licensees comply with
23 the recommendations issued by the centers for disease
24 control and prevention of the United States department
25 of health and human services for preventing
26 transmission of human immunodeficiency virus and
27 hepatitis B virus to patients during exposure-prone
28 invasive procedures, with the recommendations of the
29 expert review panel established pursuant to subsection
30 3, with hospital protocols established pursuant to
31 subsection 1, and with health care facility procedures
32 established pursuant to subsection 2, as applicable.

33 Sec. ____ Section 147.13, subsection 8, Code 2007,
34 as amended by 2007 Iowa Acts, Senate File 74, section
35 32, is amended to read as follows:

36 8. For dentistry, dental hygiene, and dental
37 assisting, the dental board of dentistry.

38 Sec. ____ Section 147.40, Code 2007, as amended by
39 2007 Iowa Acts, Senate File 74, section 50, is amended
40 to read as follows:

41 147.40 CERTIFICATION OF APPLICANTS.

42 Every examination shall be passed upon in
43 accordance with the established rules of the board and
44 shall be satisfactory to at least a majority of the
45 professional members of the board. In the case of the
46 dental board of dentistry, only licensed dentist
47 members of the board shall determine whether an
48 applicant has passed the examination to practice as a
49 licensed dentist. After each examination, the board
50 shall certify the names of the successful applicants

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1 to the department in the manner prescribed by it. The
2 department shall then issue the proper license.

3 Sec. ____ . Section 147.80, subsections 1 and 11,
4 Code 2007, as amended by 2007 Iowa Acts, Senate File
5 74, section 63, are amended to read as follows:

6 1. License to practice dentistry issued upon the
7 basis of an examination given by the dental board of
8 ~~dentistry~~, license to practice dentistry issued under
9 a reciprocal agreement, resident dentist's license,
10 renewal of a license to practice dentistry.

11 11. License to practice dental hygiene issued upon
12 the basis of an examination given by the dental board
13 ~~of dentistry~~, license to practice dental hygiene
14 issued under a reciprocal agreement, renewal of a
15 license to practice dental hygiene.

16 Sec. ____ . Section 147.80, unnumbered paragraph 3,
17 Code 2007, as amended by 2007 Iowa Acts, Senate File
18 74, section 63, is amended to read as follows:

19 The board of medicine, the board of pharmacy, the
20 dental board of ~~dentistry~~, and the board of nursing
21 shall retain individual executive officers, but shall
22 make every effort to share administrative, clerical,
23 and investigative staffs to the greatest extent
24 possible. The department shall annually submit a
25 status report to the general assembly in December
26 regarding the sharing of staff during the previous
27 fiscal year.

28 Sec. ____ . Section 147.88, Code 2007, as amended by
29 2007 Iowa Acts, Senate File 74, section 65, is amended
30 to read as follows:

31 147.88 INSPECTIONS.

32 The department of inspections and appeals may
33 perform inspections as required by this subtitle,
34 except for the board of medicine, board of pharmacy,
35 board of nursing, and the dental board of ~~dentistry~~.
36 The department of inspections and appeals shall employ
37 personnel related to the inspection functions.

38 Sec. ____ . Section 147.107, subsection 2,
39 unnumbered paragraph 1, Code 2007, as amended by 2007
40 Iowa Acts, Senate File 74, section 78, is amended to
41 read as follows:

42 A pharmacist, physician, dentist, or podiatric
43 physician who dispenses prescription drugs, including
44 but not limited to controlled substances, for human
45 use, may delegate nonjudgmental dispensing functions
46 to staff assistants only when verification of the
47 accuracy and completeness of the prescription is
48 determined by the pharmacist or practitioner in the
49 pharmacist's or practitioner's physical presence.
50 However, the physical presence requirement does not

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1 apply when a pharmacist or practitioner is utilizing
 2 an automated dispensing system. When using an
 3 automated dispensing system the pharmacist or
 4 practitioner shall utilize an internal quality control
 5 assurance plan that ensures accuracy for dispensing.
 6 Verification of automated dispensing accuracy and
 7 completeness remains the responsibility of the
 8 pharmacist or practitioner and shall be determined in
 9 accordance with rules adopted by the board of
 10 pharmacy, the board of medicine, the dental board of
 11 dentistry, and the board of podiatry for their
 12 respective licensees.

13 Sec. ____ Section 147.114, Code 2007, as amended
 14 by 2007 Iowa Acts, Senate File 74, section 81, is
 15 amended to read as follows:

16 147.114 INSPECTOR.

17 An inspector may be appointed by the dental board
 18 of dentistry pursuant to the provisions of chapter 8A,
 19 subchapter IV.

20 Sec. ____ Section 153.12, as enacted by 2007 Iowa
 21 Acts, Senate File 74, section 132, is amended to read
 22 as follows:

23 153.12 BOARD DEFINED.

24 As used in this chapter, "board" means the dental
 25 board of dentistry, created under chapter 147.

26 Sec. ____ Section 272C.1, subsection 6, paragraph
 27 j, Code 2007, as amended by 2007 Iowa Acts, Senate
 28 File 74, section 171, is amended to read as follows:

29 j. The dental board of dentistry, created pursuant
 30 to chapter 147."

31 76. Page 124, by inserting after line 21 the
 32 following:

33 "DIVISION ____

34 BODY PIERCING AND MODIFICATION

35 Sec. ____ Section 135.37, Code 2007, is amended to
 36 read as follows:

37 135.37 TATTOOING, BODY PIERCING, BODY MODIFICATION
 38 -- PERMIT REQUIREMENT - PARENTAL CONSENT - PENALTY.

39 1. A person shall not own, control and lease, act
 40 as an agent for, conduct, manage, or operate an
 41 establishment to practice the art of tattooing, body
 42 piercing, or body modification, or engage in the
 43 practice of tattooing, body piercing, or body
 44 modification, without first applying for and receiving
 45 a permit from the Iowa department of public health.

46 2. A minor shall not obtain a tattoo, or undergo a
 47 body piercing or body modification, and a person shall
 48 not provide a tattoo, body piercing, or body
 49 modification to a minor. ~~For the purposes of this~~
 50 ~~section, "minor" means an unmarried person who is~~

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1 Sec. ____ NEW SECTION. 217.41B PROVIDER APPEALS
2 - FINAL DECISION.

3 1. a. Notwithstanding any conflicting provision
4 of chapter 17A, when an administrative law judge,
5 assigned by the division of administrative hearings in
6 accordance with the provisions of section 10A.801, is
7 the presiding officer at a provider appeal hearing as
8 described in subsection 2, the administrative law
9 judge shall make a proposed decision that shall
10 include findings of fact and conclusions of law,
11 separately stated.

12 b. When the presiding officer makes a proposed
13 decision, that decision then becomes the final
14 decision of the department, and shall meet the
15 requirements of a final decision pursuant to section
16 17A.16, without further proceedings, unless there is
17 an appeal to, or review on motion of, the department
18 within the time provided by rule.

19 c. On appeal or review of the proposed decision,
20 the department may only reject or modify the presiding
21 officer's findings of fact and conclusions of law if
22 the department states, with particularity, the
23 department's reasons for rejecting or modifying each
24 finding of fact and conclusion of law.

25 (1) The department may only reject or modify
26 findings of fact if the department first determines
27 from a review of the entire record, and states with
28 particularity in the order, that the findings of fact
29 were clearly erroneous in view of the reliable,
30 probative, and substantial evidence on the record as a
31 whole, or that the proceedings on which the findings
32 were based did not comply with the essential
33 requirements of law.

34 (2) The department may only reject or modify the
35 conclusions of law if the department first determines
36 from a review of the entire record, and states with
37 particularity in the order, that the conclusions of
38 law were clearly erroneous in view of the reliable,
39 probative, and substantial evidence on the record as a
40 whole.

41 (3) Rejection or modification of conclusions of
42 law shall not form the basis for rejection or
43 modification of findings of fact.

44 d. A party to a provider appeal hearing as
45 described in subsection 2 may file a request for
46 rehearing pursuant to section 17A.16.

47 e. A party who is aggrieved or adversely affected
48 by a final decision under this section is entitled to
49 judicial review as provided in section 17A.19.

50 2. A provider appeal hearing shall be available to

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1 a provider, if any of the following conditions, which
 2 constitutes a contested case, is met:
 3 a. The provider's license, certification,
 4 registration, approval, or accreditation has been
 5 denied or revoked or has not been acted upon in a
 6 timely manner.
 7 b. The provider's claim for payment or request for
 8 prior authorization for payment has been denied.
 9 c. The provider's contract as a medical assistance
 10 patient manager has been terminated.
 11 d. The provider has been notified that an
 12 overpayment has been established and repayment is
 13 requested.
 14 e. The provider has been notified that the
 15 reconsideration process has been exhausted and the
 16 provider is not satisfied with the result.
 17 f. The provider's claim for payment was not made
 18 according to department policy.
 19 g. The provider's application for a child care
 20 quality rating has not been acted upon in a timely
 21 manner, the provider disagrees with the department's
 22 quality rating decision, or the provider's certificate
 23 of quality rating has been revoked.
 24 3. For purposes of this subsection, "provider"
 25 means provider as defined in section 249A.2 or a
 26 provider of child care as defined in section 237A.1."
 27 78. Page 124, by inserting after line 21 the
 28 following:

29 "DIVISION ____
 30 GRANDPARENT AND GREAT-GRANDPARENT VISITATION
 31 Sec. ____. **NEW SECTION.** 600C.1 GRANDPARENT AND
 32 GREAT-GRANDPARENT VISITATION.
 33 1. The grandparent or great-grandparent of a minor
 34 child may petition the court for grandchild or
 35 great-grandchild visitation.
 36 2. The court shall consider a fit parent's
 37 objections to granting visitation under this section.
 38 A rebuttable presumption arises that a fit parent's
 39 decision to deny visitation to a grandparent or
 40 great-grandparent is in the best interest of a minor
 41 child.
 42 3. The court may grant visitation to the
 43 grandparent or great-grandparent if the court finds
 44 all of the following by clear and convincing evidence:
 45 a. The grandparent or great-grandparent has
 46 established a substantial relationship with the child
 47 prior to the filing of the petition.
 48 b. The parent who is being asked to temporarily
 49 relinquish care, custody, and control of the child to
 50 provide visitation is unfit to make the decision

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1 regarding visitation.

2 c. It is in the best interest of the child to
3 grant such visitation.

4 4. For the purposes of this section, "court" means
5 the district court or the juvenile court if that court
6 currently has jurisdiction over the child in a pending
7 action. If an action is not pending, the district
8 court has jurisdiction.

9 5. Notwithstanding any provision of this chapter
10 to the contrary, venue for any action to establish,
11 enforce, or modify visitation under this section shall
12 be in the county where either parent resides if no
13 final custody order determination relating to the
14 grandchild or great-grandchild has been entered by any
15 other court. If a final custody order has been
16 entered by any other court, venue shall be located
17 exclusively in the county where the most recent final
18 custody order was entered. If any other custodial
19 proceeding is pending when an action to establish,
20 enforce, or modify visitation under this section is
21 filed, venue shall be located exclusively in the
22 county where the pending custodial proceeding was
23 filed.

24 6. Notice of any proceeding to establish, enforce,
25 or modify visitation under this section shall be
26 personally served upon all parents of a child whose
27 interests are affected by a proceeding brought
28 pursuant to this section and all grandparents or
29 great-grandparents who have previously obtained a
30 final order or commenced a proceeding under this
31 section.

32 7. The court shall not enter any temporary order
33 to establish, enforce, or modify visitation under this
34 section.

35 8. An action brought under this section is subject
36 to chapter 598B, and in an action brought to
37 establish, enforce, or modify visitation under this
38 section, each party shall submit in its first pleading
39 or in an attached affidavit all information required
40 by section 598B.209.

41 9. In any action brought to establish, enforce, or
42 modify visitation under this section, the court may
43 award attorney fees to the prevailing party in an
44 amount deemed reasonable by the court.

45 10. If a proceeding to establish or enforce
46 visitation under this section is commenced when a
47 dissolution of marriage proceeding is pending
48 concerning the parents of the affected minor child,
49 the record and evidence of the dissolution action
50 shall remain impounded pursuant to section 598.26.

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1 The impounded information shall not be released or
2 otherwise made available to any person who is not the
3 petitioner or respondent or an attorney of record in
4 the dissolution of marriage proceeding.

5 Sec. ____ Section 600.11, subsection 2, paragraph
6 e, Code 2007, is amended to read as follows:

7 e. A person who has been granted visitation rights
8 with the child to be adopted pursuant to section
9 ~~598.35~~ 600C.1.

10 Sec. ____ Section 598.35, Code 2007, is repealed."

11 79. By renumbering, relettering, or redesignating
12 and correcting internal references as necessary.

The motion lost and the House refused to concur in the Senate amendment H-2041.

HOUSE REFUSES TO CONCUR

Kuhn of Floyd called up for consideration **Senate File 551**, a bill for an act relating to and making appropriations involving state government, by providing for agriculture, natural resources, and environmental protection, amended by the House, further amended by the Senate and moved that the House concur in the following Senate amendment H-2040 to the House amendment:

H-2040

1 Amend the House amendment, S-3436, to Senate File
2 551, as amended, passed, and reprinted by the Senate,
3 as follows:

4 1. Page 1, by inserting before line 3, the
5 following:

6 " ____ Page 3, by striking line 9, and inserting
7 the following: "maintenance, miscellaneous purposes,
8 and for not more than the following full-time
9 equivalent positions:"

10 ____ Page 3, by inserting after line 10, the
11 following:

12 "..... FTEs 1.00"

13 ____ Page 11, line 26, by striking the figure
14 "1,500,000" and inserting the following: "1,480,000".

15 ____ Page 12, line 35, by striking the figure
16 "600,000" and inserting the following: "580,000".

17 ____ Page 13, line 2, by striking the figure
18 "400,000" and inserting the following: "386,667".

19 ____ Page 13, line 8, by striking the figure
20 "200,000" and inserting the following: "193,333".

21 ____ Page 13, by inserting after line 17, the
 22 following:
 23 " ____ For purposes of supporting a farm-to-school
 24 program, as provided in chapter 190A, if enacted by
 25 2007 Iowa Acts, Senate File 601, including salaries,
 26 support, maintenance, and miscellaneous purposes:
 27 \$ 80,000
 28 ____ For purposes of supporting the office of
 29 state apiarist, including the state apiarist who shall
 30 be appointed by the secretary of agriculture pursuant
 31 to section 160.1, and for carrying out the duties of
 32 the state apiarist as provided in chapter 160:
 33 \$ 40,000"
 34 ____ Page 14, line 5, by striking the figure
 35 "2,490,000" and inserting the following: "2,470,000".
 36 ____ Page 14, line 19, by striking the figure
 37 "400,000" and inserting the following: "360,000".
 38 ____ Page 15, line 9, by striking the figure
 39 "500,000" and inserting the following: "480,000".
 40 2. Page 2, by inserting after line 16 the
 41 following:
 42 " ____ Page 20, by inserting after line 27 the
 43 following:
 44 "DIVISION ____
 45 E-85 GASOLINE
 46 Sec. ____ Section 455G.31, Code 2007, is amended
 47 to read as follows:
 48 455G.31 E-85 GASOLINE STORAGE AND DISPENSING
 49 INFRASTRUCTURE.
 50 1. As used in this section, unless the context

Page 2

1 otherwise requires:
 2 a. "E-85 gasoline", "ethanol blended gasoline",
 3 and "retail dealer" mean the same as defined in
 4 section 214A.1.
 5 b. "Gasoline storage and dispensing
 6 infrastructure" means any storage tank located below
 7 ground or above ground and any associated equipment
 8 including but not limited to a pipe, hose, connection,
 9 fitting seal, or pump, which is used to store,
 10 measure, and dispense gasoline by a retail dealer.
 11 2. A retail dealer may use gasoline storage and
 12 dispensing infrastructure to store and dispense E-85
 13 gasoline if all of the following apply:
 14 a. For gasoline storage and dispensing
 15 infrastructure other than the dispenser, the
 16 department of natural resources under this chapter or
 17 the state fire marshal under chapter 101 must
 18 determine that it is compatible with E-85 gasoline.
 19 If the compatibility of the thread sealant or adhesive

20 is undetermined, the thread sealant or adhesive may
21 continue to be used if precision line testing is
22 conducted annually and if an analysis to determine
23 compatibility of the thread sealant or adhesive is
24 completed by July 1, 2011.

25 b. For a dispenser, the manufacturer must state
26 all of the following shall apply:

27 (1) That the dispenser is, in the opinion of the
28 manufacturer, not incompatible with E-85 gasoline.
29 The manufacturer must state that the dispenser is
30 listed by an independent testing laboratory as
31 compatible with ethanol blended gasoline.

32 (2) The manufacturer has initiated the process of
33 applying to an independent testing laboratory for
34 listing of the equipment for use in dispensing E-85
35 gasoline.

36 A manufacturer's statement must include a written
37 statement, with reference to a particular type and
38 model of equipment for use in dispensing E-85
39 gasoline, signed by a responsible official on behalf
40 of the manufacturer, provided either to the retail
41 dealer using the gasoline storage and dispensing
42 infrastructure or to the department of natural
43 resources or the state fire marshal. If the written
44 statement is provided to a retail dealer, the
45 statement shall be retained in the files on the
46 premises of the retail dealer and shall be available
47 to personnel of the department of natural resources or
48 the state fire marshal upon request. The owner or
49 operator or a person authorized by the owner or
50 operator must visually inspect the dispenser and the

Page 3

1 dispenser sump daily for leaks and equipment failure
2 and maintain a record of such inspection for at least
3 one year after the inspection. If a leak is detected,
4 the department of natural resources shall be notified
5 pursuant to section 455B.386.

6 If a commercially available dispenser is listed as
7 compatible for use with E-85 gasoline by an
8 independent testing laboratory, this paragraph "b"
9 shall not apply to new dispensers installed after the
10 commercial availability of such a certified dispenser.

11 3. This section is repealed July 1, 2009."

12 3. By renumbering, relettering, or redesignating
13 and correcting internal references as necessary.

The motion lost and the House refused to concur in the Senate amendment H-2040, to the House amendment.

Unfinished Business Calendar

Senate File 538, a bill for an act relating to a parent's cause of action for the recovery of expenses and actual loss of services, companionship, and society resulting from the injury to or death of a child and including an applicability date provision, with report of committee recommending passage, was taken up for consideration.

Windschitl of Harrison offered the following amendment H-1705 filed by Horbach of Tama and moved its adoption:

H-1705

- 1 Amend Senate File 538, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, line 21, by inserting after the word
- 4 "respectively" the following: "provided that any
- 5 recovery by a parent for the wrongful death of a child
- 6 who had attained the age of majority at the time of
- 7 death shall be restricted to the actual loss of
- 8 economic support based upon an established record of
- 9 economic support provided to the parent prior to the
- 10 child's death".
- 11 2. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 37, nays 44.

Amendment H-1705 lost.

Huser of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 538)

The ayes were, 56:

Abdul-Samad	Anderson	Bailey	Bell
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lykam	Mascher	McCarthy	Mertz

Miller, H.	Oldson	Olson, D.	Olson, R.
Olson, T.	Palmer	Petersen	Pettengill
Quirk	Reasoner	Reichert	Schueller
Shomshor	Smith	Staed	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	Mr. Speaker Murphy

The nays were, 40:

Alons	Arnold	Baudler	Boal
Chambers	Clute	De Boef	Deyoe
Dolecheck	Drake	Forristall	Granzow
Grassley	Greiner	Heaton	Hoffman
Huseman	Lukan	May	Miller, L.
Olson, S.	Paulsen	Raecker	Rants
Rasmussen	Rayhons	Roberts	Sands
Schickel	Soderberg	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wiencek	Windschitl	Worthan

Absent or not voting, 4:

Berry	Gipp	Horbach	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House File 909** and **Senate Files 472, 538 and 551**.

House File 669, a bill for an act relating to enforcement of certain solid waste disposal requirements and providing civil penalties, was taken up for consideration.

D. Olson of Boone asked and received unanimous consent to withdraw amendment H-1529 filed by him on March 28, 2007.

SENATE FILE 344 SUBSTITUTED FOR HOUSE FILE 669

Kressig of Black Hawk asked and received unanimous consent to substitute Senate File 344 for House File 669.

Senate File 344, a bill for an act relating to enforcement of certain solid waste disposal requirements and providing civil penalties, was taken up for consideration.

D. Olson of Boone offered the following amendment H-2052 filed by him from the floor and moved its adoption:

H-2052

- 1 Amend Senate File 344 as follows:
- 2 1. Page 1, line 34, by striking the word "thirty"
- 3 and inserting the following: "sixty".
- 4 2. Page 1, line 35, by inserting after the word
- 5 "department" the following: "by certified mail".

Amendment H-2052 was adopted.

Kressig of Black Hawk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 344):

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foegel
Ford	Forristall	Frevert	Gaskill
Gayman	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Hunter
Huseman	Huser	Jacobs	Jacoby
Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Oldson	Olson, D.	Olson, R.
Olson, S.	Olson, T.	Palmer	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rants	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Smith	Soderberg
Staed	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker

Whitead	Wiencek	Winckler	Windschitl
Wise	Worthan	Mr. Speaker Murphy	

The nays were, none.

Absent or not voting, 5:

Gipp	Horbach	Miller, L.	Van Engelenhoven
Zirkelbach			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 669 WITHDRAWN

Kressig of Black Hawk asked and received unanimous consent to withdraw House File 669 from further consideration by the House.

Ways and Means Calendar

House File 904, a bill for an act relating to withholding tax and the repeal of the loan agencies tax, was taken up for consideration.

Sands of Louisa moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 904)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Bukta	Chambers	Clute	Cohon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Granzow	Grassley	Greiner	Heaton
Heddens	Hoffman	Hunter	Huseman
Huser	Jacobs	Jacoby	Jochum
Kaufmann	Kelley	Kressig	Kuhn
Lensing	Lukan	Lykam	Mascher
May	McCarthy	Mertz	Miller, H.
Miller, L.	Oldson	Olson, D.	Olson, R.
Olson, S.	Olson, T.	Palmer	Paulsen
Petersen	Pettengill	Quirk	Raecker

Rants	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Smith	Soderberg
Staed	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Wienczek	Winckler
Windschitl	Wise	Worthan	Mr. Speaker Murphy

The nays were, none.

Absent or not voting, 4:

Boal	Gipp	Horbach	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 913, a bill for an act relating to the streamlined sales and use tax agreement and administration of the tax and related laws by the department of revenue, including administration of sales and use taxes, and providing an effective date, was taken up for consideration.

SENATE FILE 592 SUBSTITUTED FOR HOUSE FILE 913

T. Olson of Linn asked and received unanimous consent to substitute Senate File 592 for House File 913.

Senate File 592, a bill for an act relating to the streamlined sales and use tax agreement and administration of the tax and related laws by the department of revenue, including administration of sales and use taxes, and providing an effective date, was taken up for consideration.

T. Olson of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 592)

The ayes were, 89:

Abdul-Samad	Alons	Anderson	Bailey
Bell	Berry	Boal	Bukta
Chambers	Clute	Cohoon	Dandekar
Davitt	De Boef	Deyoe	Dolecheck
Drake	Foege	Ford	Forristall
Frevert	Gaskill	Gayman	Granzow
Heaton	Heddens	Hoffman	Hunter
Huseman	Huser	Jacobs	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lukan	Lykam	Mascher
May	McCarthy	Mertz	Miller, H.
Miller, L.	Oldson	Olson, D.	Olson, R.
Olson, S.	Olson, T.	Palmer	Petersen
Pettengill	Quirk	Raecker	Rants
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor
Smith	Soderberg	Staed	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Watts	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wienczek
Winckler	Windschitl	Wise	Worthan
Mr. Speaker			
Murphy			

The nays were, 8:

Arnold	Baudler	Grassley	Greiner
Kaufmann	Paulsen	Rasmussen	Van Fossen

Absent or not voting and 3:

Gipp	Horbach	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 913 WITHDRAWN

T. Olson of Linn asked and received unanimous consent to withdraw House File 913 from further consideration by the House.

House File 923, a bill for an act relating to the policy and technical administration of the tax and related laws by the department of revenue, including administration of income, sales, use, cigarette, and tobacco taxes and including a retroactive applicability date provision, was taken up for consideration.

Schueller of Jackson offered the following amendment H-1998 filed by him and moved its adoption:

H-1998

1 Amend House File 923 as follows:

2 1. Page 14, by striking lines 15 through 26.

3 2. Page 14, by inserting before line 27 the
4 following:

5 "Sec. ____ .Section 453A.43, subsections 1 and 2,
6 Code 2007, as amended by 2007 Iowa Acts, Senate File
7 128, are amended to read as follows:

8 1. a. A tax is imposed upon all tobacco products
9 in this state and upon any person engaged in business
10 as a distributor of tobacco products, at the rate of
11 twenty-two percent of the wholesale sales price of the
12 tobacco products, except little cigars and snuff as
13 defined in section 453A.42.

14 b. In addition to the tax imposed under paragraph
15 "a", a tax is imposed upon all tobacco products in
16 this state and upon any person engaged in business as
17 a distributor of tobacco products, at the rate of
18 twenty-eight percent of the wholesale sales price of
19 the tobacco products, except little cigars and snuff
20 as defined in section 453A.42, ~~with the limitation
21 that if the tobacco product is a cigar, the additional
22 tax shall not exceed fifty cents per cigar.~~

23 c. Notwithstanding the rate of tax imposed
24 pursuant to paragraphs "a" and "b", if the tobacco
25 product is a cigar, the total amount of the tax
26 imposed pursuant to paragraphs "a" and "b" combined
27 shall not exceed fifty cents per cigar.

28 e. d. Little cigars shall be subject to the same
29 rate of tax imposed upon cigarettes in section 453A.6,
30 payable at the time and in the manner provided in
31 section 453A.6; and stamps shall be affixed as
32 provided in division I of this chapter. Snuff shall
33 be subject to the tax as provided in subsections 3 and
34 4.

35 d. e. The taxes on tobacco products, excluding
36 little cigars and snuff, shall be imposed at the time
37 the distributor does any of the following:

38 (1) Brings, or causes to be brought, into this
39 state from outside the state tobacco products for
40 sale.

41 (2) Makes, manufactures, or fabricates tobacco
42 products in this state for sale in this state.

43 (3) Ships or transports tobacco products to
44 retailers in this state, to be sold by those
45 retailers.

46 2. a. A tax is imposed upon the use or storage by

47 consumers of tobacco products in this state, and upon
 48 the consumers, at the rate of twenty-two percent of
 49 the cost of the tobacco products.
 50 b. In addition to the tax imposed in paragraph

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1 "a", a tax is imposed upon the use or storage by
 2 consumers of tobacco products in this state, and upon
 3 the consumers, at a rate of twenty-eight percent of
 4 the cost of the tobacco products, ~~with the limitation~~
 5 ~~that if the tobacco product is a cigar, the additional~~
 6 ~~tax shall not exceed fifty cents per cigar.~~

7 c. Notwithstanding the rate of tax imposed
 8 pursuant to paragraphs "a" and "b", if the tobacco
 9 product is a cigar, the total amount of the tax
 10 imposed pursuant to paragraphs "a" and "b" combined
 11 shall not exceed fifty cents per cigar.

12 ~~e. d.~~ The taxes imposed by this subsection shall
 13 not apply if the taxes imposed by subsection 1 on the
 14 tobacco products have been paid.

15 ~~d. e.~~ The taxes imposed under this subsection
 16 shall not apply to the use or storage of tobacco
 17 products in quantities of:

18 (1) Less than twenty-five cigars.

19 (2) Less than one pound smoking or chewing tobacco
 20 or other tobacco products not specifically mentioned
 21 herein, in the possession of any one consumer."

22 3. Page 17, by inserting after line 17 the
 23 following:

24 "Sec.____. REFUNDS. Refunds of taxes which result
 25 from the amendment to section 453A.43, in this
 26 division of this Act, relating to the limitation on
 27 the taxes imposed on cigars occurring between March
 28 15, 2007, and the effective date of the amendment to
 29 section 453A.43 in this division of this Act, shall
 30 not be allowed unless refund claims are filed prior to
 31 October 1, 2007, notwithstanding any other provision
 32 of law. Claimants shall not be entitled to interest
 33 on any refunds.

34 Sec.____. EFFECTIVE DATE AND APPLICABILITY. The
 35 provision in this division of this Act amending
 36 section 453A.43, and the section of this division of
 37 this Act providing refunds resulting from the
 38 amendment of section 453A.43, being deemed of
 39 immediate importance, take effect upon enactment and
 40 are retroactively applicable to March 15, 2007."

41 4. Title page, by striking lines 4 and 5 and
 42 inserting the following: "taxes, providing an
 43 effective date, and providing retroactive
 44 applicability date provisions."

45 5. By renumbering as necessary.

Amendment H-1998 was adopted.

Schueller of Jackson moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 923)

The ayes were, 92:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Forristall	Frevert	Gaskill	Gayman
Granzow	Grassley	Greiner	Heaton
Heddens	Hoffman	Huseman	Huser
Jacobs	Jacoby	Kaufmann	Kelley
Kressig	Kuhn	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Oldson	Olson, D.
Olson, R.	Olson, S.	Olson, T.	Palmer
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rants	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Smith
Soderberg	Staed	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wiencek
Windschitl	Wise	Worthan	Mr. Speaker Murphy

The nays were, 5:

Ford	Hunter	Jochum	Lensing
Winckler			

Absent or not voting, 3:

Gipp	Horbach	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

SENATE AMENDMENT CONSIDERED

Abdul-Samad of Polk called up for consideration **House File 830**, a bill for an act relating to the construction bidding procedures Act by modifying procedures and requirements for letting public improvement contracts, and making corrections, amended by the Senate, and moved that the House concur in the following Senate amendment H-1972:

H-1972

1 Amend House File 830, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 1, by inserting after line 8 the
4 following:

5 "Sec. ____ Section 26.2, subsection 4, Code 2007,
6 is amended to read as follows:

7 4. "Repair or maintenance work" means the
8 preservation of a ~~road, street, bridge, culvert~~
9 building, storm sewer, sanitary sewer, or other public
10 facility ~~or structure~~ so that it remains in sound or
11 proper condition, including minor replacements and
12 additions as necessary to restore the public facility
13 or structure to its original condition with the same
14 design."

15 2. Page 1, by striking lines 17 through 20 and
16 inserting the following: "to bidders shall be
17 published at least once, not less than four and not
18 more than forty-five days before the date for filing
19 bids, in a newspaper published at least once weekly
20 and having general circulation in the geographic area
21 served by the governmental entity. Additionally, the
22 governmental entity may".

23 3. Page 2, line 24, by inserting before the words
24 "The governmental", the following: "The date and time
25 that each bid is received by the governmental entity,
26 together with the name of the person receiving the
27 bid, shall be recorded on the envelope containing the
28 bid. All bids received after the deadlines for
29 submission of bids as stated in the project
30 specifications shall not be considered and shall be
31 returned to the late bidder unopened."

32 4. Page 4, by inserting after line 27 the
33 following: "Good faith effort shall include advising
34 all contractors who have filed with the governmental
35 entity a request for notice of projects. The
36 governmental entity shall provide such notice in a
37 timely manner so that a requesting contractor will
38 have a reasonable opportunity to submit a competitive
39 quotation."

40 5. Page 6, by inserting after line 19 the
41 following:
42 "Sec. ____ Section 314.1B, subsection 2,
43 paragraphs b and d, Code 2007, are amended to read as
44 follows:
45 b. The subcommittee appointed under this
46 subsection shall review the competitive bid thresholds
47 applicable to governmental entities under chapter 26.
48 The subcommittee shall review price adjustments for
49 all types of construction, reconstruction, and public
50 improvement projects based on the changes in the

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1 construction price index, building cost index, and
2 material cost index from the preceding year
3 adjustment. Upon completion of the review the
4 subcommittee may make adjustments in the applicable
5 bid thresholds for types of work based on the price
6 adjustments.

7 d. Beginning July 1, 2006, the subcommittee shall
8 make adjustments to the competitive quotation
9 threshold amounts in section 26.14 for vertical
10 infrastructure in accordance with adjustments made by
11 the horizontal infrastructure subcommittee under
12 subsection 1 applicable to city and county highway,
13 bridge, and culvert projects the methodology of
14 paragraph "b".

15 Sec. ____ Section 314.1B, subsection 2, Code 2007,
16 is amended by adding the following new paragraph:
17 NEW PARAGRAPH. e. After 2012, the subcommittee
18 shall adjust the competitive quotation threshold
19 amounts in section 26.14 at the same time and by the
20 same percentage as adjustments are made to the
21 competitive bid threshold.

22 Sec. ____ Section 331.341, subsection 1, Code
23 2007, is amended to read as follows:

24 1. When the estimated total cost of a public
25 improvement, other than improvements which may be paid
26 for from the secondary road fund, exceeds the
27 competitive bid threshold in section 26.3, or as
28 established in section 314.1B, the board shall follow
29 the competitive bid procedures for governmental
30 entities in chapter 26 and the contract letting
31 procedures in section 384.103. As used in this
32 section, "public improvement" means the same as
33 defined in section 26.2 as modified by this
34 subsection."

35 6. By renumbering as necessary.

The motion prevailed and the House concurred in the Senate amendment H-1972.

Abdul-Samad of Polk moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 830)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Hunter
Huseman	Huser	Jacobs	Jacoby
Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Oldson	Olson, D.	Olson, R.
Olson, S.	Olson, T.	Palmer	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rants	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Smith	Soderberg
Staed	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Wiencek	Winckler
Windschitl	Wise	Worthan	Mr. Speaker
			Murphy

The nays were, none.

Absent or not voting, 4:

Gipp	Horbach	Miller, L.	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Ways and Means Calendar

House File 893, a bill for an act relating to a tax amnesty program, making appropriations, and including an effective date provision, was taken up for consideration.

H. Miller of Webster in the chair at 11:17 a.m.

SENATE FILE 580 SUBSTITUTED FOR HOUSE FILE 893

Kelley of Black Hawk asked and received unanimous consent to substitute Senate File 580 for House File 893, placing the following amendments out of order:

Amendment H-1658 filed by Raecker of Polk on April 10, 2007.

Amendment H-1677 filed by Paulsen of Linn on April 11, 2007.

Amendment H-1698 filed by Van Fossen of Scott on April 12, 2007.

Amendment H-1914 filed by Paulsen of Linn on April 23, 2007.

Amendment H-1915 filed by Watts of Dallas on April 23, 2007.

Amendment H-1916 filed by Watts of Dallas on April 23, 2007.

Amendment H-1917 filed by Van Fossen of Scott on April 23, 2007.

Amendment H-1918 filed by Watts of Dallas on April 23, 2007.

Amendment H-1984 filed by Heaton of Henry and Wiencek of Black Hawk on April 24, 2007.

Amendment H-1995 filed by Watts of Dallas on April 24, 2007.

Senate File 580, a bill for an act relating to a tax amnesty program, making appropriations, and including an effective date provision, was taken up for consideration.

Speaker Murphy in the chair at 11:25 a.m.

DISSENT ON SENATE FILE 580

Mr. Speaker:

Article III Section 10 of the Constitution of the State of Iowa provides:

Protest - record of vote - Every member of the general assembly shall have the liberty to dissent from, or protest against any act or resolution which he may think injurious to the public, or an individual, and have the reasons for his dissent entered on the journals; and the yeas and nays of the members of either house, on any question, shall, at the desire of any two members present, be entered on the journals.

I have here a written statement explaining the reasons for my dissent on Senate File 580 to be placed into the journal as provided by Article III Section 10.

On 25 January 2007, the Iowa House passed Senate Concurrent Resolution 3 establishing the joint rules for the 82nd General Assembly. Joint rule 20.3 states that in the 14th week no House files may be debated in the House and no Senate files may be debated in the Senate. The Iowa Senate considered and passed Senate File 580 on 9 April 2007 in clear violation of joint rules. I believe that Senate File 580 is not properly before the House and is not eligible for debate.

The joint rules were adopted for the protection of both the Minority and Majority party members, as well as the citizens of Iowa. The integrity of each member of the Iowa House is weakened by this body's failure to abide by, and enforce its own rules.

Representative Christopher Rants

The Speaker ruled the point not well taken and Senate File 580 in order.

Van Fossen of Scott offered amendment H-1931 filed by him as follows:

H-1931

1 Amend Senate File 580, as passed by the Senate, as
2 follows:

3 1. Page 1, line 1, by striking the word "This"
4 and inserting the following: "Sections 1 through 4 of
5 this".

6 2. By striking page 2, line 34, through page 3,
7 line 2.

8 3. Page 3, by striking lines 3 and 4 and
9 inserting the following:

10 "Sec. ____ Section 421.8, Code 2007, is amended to
11 read as follows:

12 421.8 PENALTY FOR DEFECTIVE RETURN UNDER CERTAIN
13 CIRCUMSTANCES.

14 If a person files a purported return of tax which
15 does not contain information on which the substantial
16 correctness of the self-assessment may be judged or
17 which contains information that on its face indicates
18 that the self-assessment is substantially incorrect
19 and the conduct previously referred to in this section
20 is due to a position which is frivolous or a desire
21 which appears on the purported return to delay or
22 impede the administration of the tax laws of this
23 state, then the person shall pay a penalty of five
24 hundred ~~one thousand~~ dollars. This penalty shall be
25 in addition to any other penalty provided by law.

26 Sec. ____ Section 421.27, subsection 1, unnumbered
27 paragraph 1, Code 2007, is amended to read as follows:

28 If a person fails to file with the department on or
29 before the due date a return or deposit form there
30 shall be added to the tax shown due or required to be
31 shown due a penalty of ~~ten~~ twenty percent of the tax
32 shown due or required to be shown due. The penalty,
33 if assessed, shall be waived by the department upon a
34 showing of any of the following conditions:
35 Sec. _____. Section 421.27, subsection 2, unnumbered
36 paragraph 1, Code 2007, is amended to read as follows:
37 If a person fails to pay the tax shown due or
38 required to be shown due, on a return or deposit form
39 on or before the due date there shall be added to the
40 tax shown due or required to be shown due a penalty of
41 ~~five~~ ten percent of the tax due. The penalty, if
42 assessed, shall be waived by the department upon a
43 showing of any of the following conditions:
44 Sec. _____. Section 421.27, subsection 3, unnumbered
45 paragraph 1, Code 2007, is amended to read as follows:
46 If any person fails to pay the tax required to be
47 shown due with the filing of a return or deposit and
48 the department discovers the underpayment, there shall
49 be added to the tax required to be shown due a penalty
50 of ~~five~~ ten percent of the tax required to be shown

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1 due. The penalty, if assessed, shall be waived by the
2 department upon a showing of any of the following
3 conditions:
4 Sec. _____. Section 421.27, subsections 4, 5, 6, and
5 7, Code 2007, are amended to read as follows:
6 4. WILLFUL FAILURE TO FILE OR DEPOSIT. In case of
7 willful failure to file a return or deposit form with
8 the intent to evade tax, or in case of willfully
9 filing a false return or deposit form with the intent
10 to evade tax, in lieu of the penalties otherwise
11 provided in this section, a penalty of ~~seventy-five~~
12 one hundred fifty percent shall be added to the amount
13 shown due or required to be shown as tax on the return
14 or deposit form. If penalties are applicable for
15 failure to file a return or deposit form and failure
16 to pay the tax shown due or required to be shown due
17 on the return or deposit form, the penalty provision
18 for failure to file shall be in lieu of the penalty
19 provisions for failure to pay the tax shown due or
20 required to be shown due on the return or deposit
21 form, except in the case of willful failure to file a
22 return or deposit form or willfully filing a false
23 return or deposit form with intent to evade tax.
24 The penalties imposed under this subsection are not
25 subject to waiver.
26 5. FAILURE TO REMIT ON EXTENSION. If a person

27 fails to remit at least ninety percent of the tax
 28 required to be shown due by the time an extension for
 29 further time to file a return is made, there shall be
 30 added to the tax shown due or required to be shown due
 31 a penalty of ~~ten~~ twenty percent of the tax due.

32 6. IMPROPER RECEIPT OF REFUND OR CREDIT. A person
 33 who makes an erroneous application for refund shall be
 34 liable for any overpayment received plus interest at
 35 the rate in effect under section 421.7. In addition,
 36 a person who willfully makes a false or frivolous
 37 application for refund with intent to evade tax is
 38 guilty of a fraudulent practice and is liable for a
 39 penalty equal to ~~seventy-five~~ one hundred fifty
 40 percent of the refund claimed. Repayments, penalties,
 41 and interest due under this subsection may be
 42 collected and enforced in the same manner as the tax
 43 imposed.

44 7. FAILURE TO USE REQUIRED FORM. If a person
 45 fails to remit payment of taxes in the form required
 46 by the rules of the director, there shall be added to
 47 the amount of the tax a penalty of ~~five~~ ten percent of
 48 the amount of tax shown due or required to be shown
 49 due. The penalty imposed by this subsection shall be
 50 waived if the taxpayer did not receive notification of

Page 3

1 the requirement to remit tax payments electronically
 2 or if the electronic transmission of the payment was
 3 not in a format or by means specified by the director
 4 and the payment was made before the taxpayer was
 5 notified of the requirement to remit tax payments
 6 electronically.

7 Sec. ____ Section 452A.74A, subsection 3, Code
 8 2007, is amended to read as follows:

9 3. IMPROPER RECEIPT OF REFUND. If a person files
 10 an incorrect refund claim, in addition to the excess
 11 amount of the claim, a penalty of ~~ten~~ twenty percent
 12 shall be added to the amount by which the amount
 13 claimed and refunded exceeds the amount actually due
 14 and shall be paid to the department. If a person
 15 knowingly files a fraudulent refund claim with the
 16 intent to evade the tax, the penalty shall be
 17 ~~seventy-five~~ one hundred fifty percent in lieu of the
 18 ~~ten~~ twenty percent. The person shall also pay
 19 interest on the excess refunded at the rate per month
 20 specified in section 421.7, counting each fraction of
 21 a month as an entire month, computed from the date the
 22 refund was issued to the date the excess refund is
 23 repaid to the state.

24 Sec. ____ Section 453A.31, subsection 1, Code
 25 2007, is amended to read as follows:

- 26 1. For possession of unstamped cigarettes:
 27 a. A ~~two~~ four hundred dollar penalty for the first
 28 violation if a person is in possession of more than
 29 forty but not more than four hundred unstamped
 30 cigarettes.
 31 b. A ~~five hundred~~ one thousand dollar penalty for
 32 the first violation if a person is in possession of
 33 more than four hundred but not more than two thousand
 34 unstamped cigarettes.
 35 c. A ~~twenty-five~~ fifty dollar per pack penalty for
 36 the first violation if a person is in possession of
 37 more than two thousand unstamped cigarettes.
 38 d. For a second violation within three years of
 39 the first violation, the penalty is ~~four~~ eight hundred
 40 dollars if a person is in possession of more than
 41 forty but not more than four hundred unstamped
 42 cigarettes; ~~one~~ two thousand dollars if a person is in
 43 possession of more than four hundred but not more than
 44 two thousand unstamped cigarettes; and ~~thirty-five~~
 45 seventy dollars per pack if a person is in possession
 46 of more than two thousand unstamped cigarettes.
 47 e. For a third or subsequent violation within
 48 three years of the first violation, the penalty is ~~six~~
 49 one thousand two hundred dollars if a person is in
 50 possession of more than forty but not more than four

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1 hundred unstamped cigarettes; ~~one~~ three thousand ~~five~~
 2 hundred dollars if a person is in possession of more
 3 than four hundred but not more than two thousand
 4 unstamped cigarettes; and ~~forty-five~~ ninety dollars
 5 per pack if a person is in possession of more than two
 6 thousand unstamped cigarettes.

7 Sec. ____ EFFECTIVE DATE.

8 1. Sections 1 through 4 of this Act, being deemed
 9 of immediate importance, take effect upon enactment.

10 2. Except as provided in subsection 1, this Act
 11 takes effect January 1, 2008, for taxes due and
 12 payable on or after that date."

13 4. Title page, line 2, by inserting after the
 14 word "and" the following: "providing penalties, and".

Kelley of Black Hawk rose on a point of order that amendment H-1931 was not germane.

The Speaker ruled the point well taken and amendment H-1931 not germane.

Van Fossen of Scott asked for unanimous consent to suspend the rules to consider amendment H-1931.

Objection was raised.

Van Fossen of Scott moved to suspend the rules to consider amendment H-1931.

Roll call was requested by Rants of Woodbury and Van Fossen of Scott.

On the question "Shall the rules be suspended to consider amendment H-1931?" (S.F. 580)

The ayes were, 45:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gaskill	Granzow	Grassley	Greiner
Heaton	Hoffman	Huseman	Jacobs
Kaufmann	Lukari	May	Miller, L.
Olson, S.	Paulsen	Raecker	Rants
Rasmussen	Rayhons	Roberts	Sands
Schickel	Soderberg	Struyk	Taylor, D.
Tjepkes	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wienczek	Windschitl
Worthan			

The nays were, 52:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gayman
Heddens	Hunter	Huser	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Mertz	Miller, H.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Pettengill	Quirk	Reasoner	Reichert
Schueller	Shomshor	Smith	Staed
Swaim	Taylor, T.	Thomas	Tomenga
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	Mr. Speaker
			Murphy

Absent or not voting, 3:

Gipp	Horbach	Zirkelbach
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The motion to suspend the rules lost.

Paulsen of Linn offered the following amendment H-1925 filed by him and moved its adoption:

H-1925

- 1 Amend Senate File 580, as passed by the Senate, as
- 2 follows:
- 3 1. Page 1, line 19, by inserting after the figure
- 4 "2006." the following: "However, the tax amnesty
- 5 program shall not apply to taxpayers who participated
- 6 in the Iowa tax amnesty Act of 1986."

Roll call was requested by Paulsen of Linn and Van Fossen of Scott.

On the question "Shall amendment H-1925 be adopted?" (S.F. 580)

The ayes were, 45:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Granzow	Grassley	Greiner	Heaton
Hoffman	Huseman	Jacobs	Kaufmann
Lukan	May	Miller, L.	Olson, S.
Paulsen	Raecker	Rants	Rasmussen
Rayhons	Roberts	Sands	Schickel
Soderberg	Struyk	Taylor, D.	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wiencck	Windschitl
Worthan			

The nays were, 52:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Pettengill	Quirk	Reasoner
Reichert	Schueller	Shomshor	Smith
Staed	Swaim	Taylor, T.	Thomas
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	Mr. Speaker Murphy

Absent or not voting, 3:

Gipp Horbach Zirkelbach

Amendment H-1925 lost.

Paulsen of Linn offered the following amendment H-1926 filed by him and moved its adoption:

H-1926

1 Amend Senate File 580, as passed by the Senate, as
2 follows:

3 1. Page 2, by inserting after line 6 the
4 following:

5 "____. A taxpayer who participates in the tax
6 amnesty program shall relinquish any right to
7 confidentiality as to the taxpayer's name, type of
8 tax, and amount of tax liability that is covered by
9 the tax amnesty program."

10 2. Page 2, line 31, by inserting after the word
11 "collected" the following: ", name of each taxpayer
12 and the amount of the taxpayer's liability".

13 3. Page 2, line 33, by inserting after the figure
14 "2008." the following: "The report shall be
15 considered a public document that shall be available
16 to the public notwithstanding any confidentiality
17 provisions of the Code."

Roll call was requested by Paulsen of Linn and Smith of Marshall.

Rule 75 was invoked.

On the question "Shall amendment H-1926 be adopted?" (S.F. 580)

The ayes were, 44:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Grassley	Greiner	Heaton	Hoffman
Huseman	Jacobs	Kaufmann	Lukan
May	Miller, L.	Olson, S.	Paulsen
Raecker	Rants	Rasmussen	Rayhons
Roberts	Sands	Schickel	Soderberg
Struyk	Taylor, D.	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wiencek	Windschitl	Worthan

The nays were, 52:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Pettengill	Quirk	Reasoner
Reichert	Schueller	Shomshor	Smith
Staed	Swaim	Taylor, T.	Thomas
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	Mr. Speaker Murphy

Absent or not voting, 4:

Gipp	Granzow	Horbach	Zirkelbach
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Amendment H-1926 lost.

McCarthy of Polk asked and received unanimous consent that Senate File 580 be deferred and that the bill retain its place on the calendar.

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 26, 2007, insisted on its amendment to House File 909, a bill for an act relating to and making appropriations for health and human services and including other related provisions and appropriations, and including effective date provisions. (Formerly HSB 301), and the members of the Conference Committee on the part of the Senate are: the Senator from Polk, Senator Hatch, Chair; the Senator from Johnson, Senator Bolkom; the Senator from Johnson, Senator Dvorsky; the Senator from Osceola, Senator Johnson; the Senator from Harrison, Senator Seymour.

Also: that the Senate has on April 26, 2007, insisted on its amendment to Senate File 551, a bill for an act relating to and making appropriations involving state government, by providing for agriculture, natural resources, and environmental protection. (Formerly SSB 1305.), and the members of the Conference Committee on the part of the Senate are: the Senator from Scott, Senator Seng, Chair; the Senator from Jasper, Senator Black; the Senator from Mahaska, Senator Rielly; the Senator from Hancock, Senator Gaskill; the Senator from Pottawattamie, Senator Houser.

MICHAEL E. MARSHALL, Secretary

CONFERENCE COMMITTEE APPOINTED
(House File 909)

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning House File 909: Foege of Linn, Chair; Oldson of Polk, Wise of Lee, Heaton of Henry and Upmeyer of Hancock.

CONFERENCE COMMITTEE APPOINTED
(Senate File 551)

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning Senate File 551: Kuhn of Floyd, Chair; Mertz of Kossuth, Reasoner of Union, De Boef of Keokuk and S. Olson of Clinton.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **House Files 904 and 923** be immediately messaged to the Senate.

On motion by McCarthy of Polk, the House was recessed at 12:25 p.m., until 8:00 p.m.

AFTERNOON SESSION

The House reconvened at 5:17 p.m., Paulsen of Linn in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 26, 2007, adopted the conference committee report and passed the following bill:

House File 808, a bill for an act concerning accountability requirements for entities and boards created for joint exercise of governmental powers and providing an effective date.

Also: That the Senate has on April 26, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 864, a bill for an act providing for candidate physical ability tests for fire fighter applicants under the statewide fire and police retirement system and providing an effective date.

Also: That the Senate has on April 26, 2007, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 421, a bill for an act relating to workers' compensation laws by regulating insurance policy exclusions and debt collection practices.

Also: That the Senate has on April 26, 2007, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 503, a bill for an act relating to regulation of children's services by the department of human services by increasing the age for certain children receiving child care regulated by the department and revising child welfare and juvenile justice service provisions.

Also: That the Senate has on April 26, 2007, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 559, a bill for an act relating to cemetery and funeral merchandise, funeral services, and cemeteries and providing fees and penalties.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on Thursday, April 26, 2007. Had I been present, I would have voted "aye" on House File 904.

BOAL of Polk

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Students from Ogden Middle School, Ogden, Iowa, accompanied by teacher Michelle Kruse. By D. Olson of Boone.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- 2007\3057 Irvin and Gay Birkenholz, Knoxville – For celebrating their 50th wedding anniversary.
- 2007\3058 Marvin Buechler, Ankeny – For celebrating his 90th birthday.
- 2007\3059 Vijay Niels Permeswaran, Le Mars – For receiving the Presidential Scholarship Award from the University of Iowa.
- 2007\3060 Harold and Dorothy Greiner, Sigourney – For celebrating their 60th wedding anniversary.
- 2007\3061 Leroy Smith, North English – For celebrating his 90th birthday.
- 2007\3062 Leroy “Buster” Brown, Sigourney – For celebrating his 88th birthday.
- 2007\3063 Milford Collingwood, Williamsburg – For celebrating his 80th birthday.
- 2007\3064 Richard and Sharen Gibson, Toledo – For celebrating their 50th wedding anniversary.
- 2007\3065 Darlene Foley, Traer – For celebrating her 80th birthday.
- 2007\3066 Francis Kacer, Toledo – For celebrating her 90th birthday.
- 2007\3067 Elizabeth T. Wagner, Marshalltown – For celebrating her 81st birthday.
- 2007\3068 Lewis J. Oswood, Marshalltown – For celebrating his 76th birthday.
- 2007\3069 Violet O. Haas, Marshalltown – For celebrating her 86th birthday.
- 2007\3070 Walter Keith Gould, Marshalltown – For celebrating his 81st birthday.
- 2007\3071 Betty Lettisha Emmons, Marshalltown – For celebrating her 81st birthday.
- 2007\3072 Betty Dunham, Marshalltown – For celebrating her 82nd birthday.
- 2007\3073 Shirley Jeanne Bein, Marshalltown – For celebrating her 80th birthday.
- 2007\3074 Minnie L. Dickerson, Marshalltown – For celebrating her 104th birthday.
- 2007\3075 Lowell Duane Davis, Marshalltown – For celebrating his 76th birthday.
- 2007\3076 Lawrence and Doris Kadolph, Hubbard – For celebrating their 60th wedding anniversary.

- 2007\3077 Delmer Janssen, Ackley – For celebrating his 80th birthday.
- 2007\3078 Dick and Diana Castell, State Center – For celebrating their 50th wedding anniversary.
- 2007\3079 Maynard and LaVonne Olson, Story City – For celebrating their 50th wedding anniversary.
- 2007\3080 Pratt Sanitation, Nevada – For celebrating its 50th year in business.
- 2007\3081 Gerald Olberding, Dyersville – For 60 years of continuous membership in American Legion Post 137.
- 2007\3082 Vincent Rubner, New Vienna – For 60 years of continuous membership in American Legion Post 137.
- 2007\3083 Michael Knepper, Dyersville – For 50 years of continuous membership in American Legion Post 137.
- 2007\3084 Fred Knozen, Dyersville – For 50 years of continuous membership in American Legion Post 137.
- 2007\3085 Thomas Lukan, Dyersville – For 50 years of continuous membership in American Legion Post 137.
- 2007\3086 Allen White, Dyersville – For 50 years of continuous membership in American Legion Post 137.
- 2007\3087 Marvin Tauke, Dyersville – For 50 years of continuous membership in American Legion Post 137.

AMENDMENTS FILED

H—2047	S.F.	601	Whitaker of Van Buren
H—2048	S.F.	601	Whitaker of Van Buren
H—2049	S.F.	601	Worthan of Buena Vista
H—2050	S.F.	601	Wessel-Kroeschell of Story
H—2051	S.F.	514	Mascher of Johnson
H—2053	S.F.	601	Winckler of Scott
H—2054	S.F.	601	Rants of Woodbury
H—2055	S.F.	601	Heddens of Story Frevert of Palo Alto
H—2056	S.F.	580	Raecker of Polk Van Fossen of Scott
H—2057	S.F.	601	Alons of Sioux
H—2058	S.F.	601	Lukan of Dubuque

H—2059	S.F.	601	Ford of Polk
H—2060	S.F.	601	Thomas of Clayton
H—2061	H.F.	931	Alons of Sioux
H—2062	S.F.	601	Grassley of Butler
H—2063	S.F.	601	Frevert of Palo Alto
H—2064	S.F.	601	Alons of Sioux
			Worthan of Buena Vista
			Kaufmann of Cedar
			Deyoe of Story
H—2065	H.F.	922	Roberts of Carroll
H—2066	H.F.	933	Lensing of Johnson

On motion by McCarthy of Polk the House adjourned at 5:17 p.m., until 9:00 a.m., Friday, April 27, 2007.

JOURNAL OF THE HOUSE

One Hundred Tenth Calendar Day - Seventy-fifth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, April 27, 2007

The House met pursuant to adjournment at 9:25 a.m., Speaker Murphy in the chair.

Prayer was offered by the Honorable Mary Mascher, state representative from Johnson County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Dustin Wagner, clerk of Representative Mary Mascher of Johnson County.

The Journal of Thursday, April 26, 2007 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Horbach of Tama on request of Rants of Woodbury; Mertz of Kossuth, until her arrival, on request of McCarthy of Polk.

MOTION TO RECONSIDER WITHDRAWN (House File 752)

McCarthy of Polk asked and received unanimous consent to withdraw the motion to reconsider **House File 752**, a bill for an act relating to and making transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund, filed by him on April 19, 2007.

MOTION TO RECONSIDER WITHDRAWN (House File 874)

McCarthy of Polk asked and received unanimous consent to withdraw the motion to reconsider **House File 874**, a bill for an act relating to and making appropriations to certain state departments,

agencies, funds, and certain other entities and providing an effective date, filed by him on April 19, 2007.

MOTION TO RECONSIDER WITHDRAWN
(House File 918)

McCarthy of Polk asked and received unanimous consent to withdraw the motion to reconsider **House File 918**, a bill for an act establishing the office of energy independence and the Iowa power fund and related provisions, and providing an effective date, filed by him on April 24, 2007.

MOTION TO RECONSIDER WITHDRAWN
(House File 927)

McCarthy of Polk asked and received unanimous consent to withdraw the motion to reconsider **House File 927**, a bill for an act making appropriations for specified energy-related purposes and providing an effective date, filed by him on April 24, 2007.

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 752, 874, 909, 918, 927** and **Senate File 551**.

CONSIDERATION OF BILLS
Ways and Means Calendar

The House resumed consideration of **Senate File 580**, a bill for an act relating to a tax amnesty program, making appropriations, and including an effective date provision, was taken up for consideration, previously deferred and found on page 1891 of the House Journal.

Watts of Dallas offered amendment H-1929 filed by him as follows:

H-1929

- 1 Amend Senate File 580, as passed by the Senate, as
- 2 follows:
- 3 1. Page 2, by inserting after line 16 the
- 4 following:

5 "____. All tax revenue collected under the tax
6 amnesty program, including all interest, shall be
7 deposited and credited to the road use tax fund."

Kelley of Black Hawk rose on a point of order that amendment H-1929 was not germane.

The Speaker ruled the point well taken and amendment H-1929 not germane.

Watts of Dallas asked and received unanimous consent to withdraw amendment H-1930 filed by him on April 23, 2007.

Alons of Sioux offered amendment H-1934 filed by him as follows:

H-1934

1 Amend Senate File 580, as passed by the Senate, as
2 follows:
3 1. Page 2, by inserting after line 16 the
4 following:
5 "____. All tax revenue collected under the tax
6 amnesty program, including all interest, shall be
7 deposited and credited to the veteran's fund."

Kelley of Black Hawk rose on a point of order that amendment H-1934 was not germane.

The Speaker ruled the point well taken and amendment H-1934 not germane.

Alons of Sioux asked for unanimous consent to suspend the rules to consider amendment H-1934.

Objection was raised.

Alons of Sioux moved to suspend the rules to consider amendment H-1934.

Roll call was requested by Alons of Sioux and Rants of Woodbury.

On the question "Shall the rules be suspended to consider amendment H-1934?" (S.F. 580).

The ayes were, 43:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Grassley	Greiner	Heaton	Hoffman
Huseman	Jacobs	Kaufmann	Lukan
May	Miller, L.	Olson, S.	Paulsen
Raecker	Rants	Rasmussen	Rayhons
Roberts	Sands	Schickel	Soderberg
Struyk	Taylor, D.	Tjepkes	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wiencek	Windschitl	Worthan	

The nays were, 50:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevrt	Gaskill
Gayman	Heddens	Hunter	Huser
Jochum	Kelley	Kuhn	Lensing
Lykam	Mascher	McCarthy	Miller, H.
Oldson	Olson, D.	Olson, R.	Olson, T.
Palmer	Petersen	Pettengill	Quirk
Reasoner	Reichert	Schueller	Shomshor
Smith	Staed	Swaim	Taylor, T.
Thomas	Tomenga	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Winckler
Wise	Mr. Speaker		
	Murphy		

Absent or not voting, 7:

Gipp	Granzow	Horbach	Jacoby
Kressig	Mertz	Zirkelbach	

The motion to suspend the rules lost.

Heaton of Henry offered amendment H-1985 filed by him and Wiencek of Black Hawk as follows:

H-1985

- 1 Amend Senate File 580, as passed by the Senate, as
- 2 follows:
- 3 1. Page 2, by inserting after line 16 the
- 4 following:
- 5 "____. All tax revenue collected under the tax
- 6 amnesty program, including all interest, shall be
- 7 deposited and credited to the senior living trust
- 8 fund."

Kelley of Black Hawk rose on a point of order that amendment H-1985 was not germane.

The Speaker ruled the point well taken and amendment H-1985 not germane.

Heaton of Henry asked for unanimous consent to consider amendment H-1985.

Objection was raised.

Heaton of Henry moved to suspend the rules to consider amendment H-1985.

Roll call was requested by Heaton of Henry and Paulsen of Linn.

On the Question "Shall the rules be suspended to consider amendment H-1985?" (S. F. 580)

The ayes were, 43:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Granzow	Grassley	Greiner	Heaton
Hoffman	Huseman	Jacobs	Kaufmann
Lukan	May	Miller, L.	Olson, S.
Paulsen	Raecker	Rants	Rasmussen
Rayhons	Roberts	Sands	Schickel
Soderberg	Struyk	Tjepkes	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wiencek	Windschitl	Worthan	

The nays were, 52:

Abdul-Samad	Bell	Berry	Bukta
Cohoon	Dandekar	Davitt	Foege
Ford	Frevert	Gaskill	Gayman
Heddens	Hunter	Huser	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Miller, H.	Oldson	Olson, D.	Olson, R.
Olson, T.	Palmer	Petersen	Pettengill
Quirk	Reasoner	Reichert	Schueller
Shomshor	Smith	Staed	Swaim
Taylor, D.	Taylor, T.	Thomas	Tomenga

Wendt
Whitead

Wenthe
Winckler

Wessel-Kroeschell
Wise

Whitaker
Mr. Speaker
Murphy

Absent or not voting, 5:

Bailey
Zirkelbach

Gipp

Horbach

Mertz

The motion to suspend the rules lost.

Watts of Dallas offered amendment H-1994 filed by him as follows:

H-1994

- 1 Amend Senate File 580, as passed by the Senate, as
- 2 follows:
- 3 1. Page 2, by inserting after line 16 the
- 4 following:
- 5 "____. Five million dollars of the tax revenue
- 6 collected under the tax amnesty program shall be
- 7 deposited and credited to the veterans trust fund and
- 8 the remaining tax revenues, including all interest,
- 9 shall be deposited and credited to the senior living
- 10 trust fund."

Kelley of Black Hawk rose on a point of order that amendment H-1994 was not germane.

The Speaker ruled the point well taken and amendment H-1994 not germane.

Watts of Dallas asked for unanimous consent to suspend the rules to consider amendment H-1994.

Objection was raised.

Watts of Dallas moved to suspend the rules to consider amendment H-1994.

Roll call was requested by Watts of Dallas and Tjepkes of Webster.

On the question "Shall the rules be suspended to consider amendment H-1994?" (S.F. 580)

The ayes were, 42:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Granzow	Grassley	Greiner	Hoffman
Huseman	Jacobs	Kaufmann	Lukan
May	Miller, L.	Olson, S.	Paulsen
Raecker	Rants	Rasmussen	Rayhons
Roberts	Sands	Schickel	Soderberg
Struyk	Tjepkes	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wiencek
Windschitl	Worthan		

The nays were, 52:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Miller, H.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Quirk	Reasoner	Reichert	Schueller
Shomshor	Smith	Staed	Swaim
Taylor, D.	Taylor, T.	Thomas	Tomenga
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	Mr. Speaker Murphy

Absent or not voting, 6:

Gipp	Heaton	Horbach	Mertz
Pettengill	Zirkelbach		

The motion to suspend the rules lost.

Raecker of Polk asked and received unanimous consent to withdraw amendment H-2034 filed by him and Van Fossen of Scott on April 25, 2007.

Raecker of Polk offered the following amendment H-2056 filed by him and Van Fossen of Scott and moved its adoption:

H-2056

- 1 Amend Senate File 580 as follows:
- 2 1. Page 2, by inserting after line 16 the
- 3 following:

4 "____. In promoting and marketing the tax amnesty
5 program, the director and the Iowa lottery shall
6 collaborate in the use of television, print, and radio
7 advertising."

Amendment H-2056 was adopted.

Raecker of Polk asked and received unanimous consent to withdraw amendment H-2028 filed by him on April 25, 2007.

Watts of Dallas offered the following amendment H-1928 filed by him and moved its adoption:

H-1928

1 Amend Senate File 580, as passed by the Senate, as
2 follows:
3 1. Page 2, by inserting after line 29 the
4 following:
5 "____. If new full-time equivalent positions are
6 hired by the department as a result of the
7 appropriation made in subsection 1 or 2, the
8 department shall eliminate such full-time equivalent
9 positions by June 30, 2008, and these full-time
10 equivalent positions are not authorized for employment
11 by the department after that date."

Amendment H-1928 was adopted.

Van Fossen of Scott offered the following amendment H-1927 filed by him and moved its adoption:

H-1927

1 Amend Senate File 580, as passed by the Senate, as
2 follows:
3 1. Page 2, by striking lines 30 through 33 and
4 inserting the following:
5 "Sec. ____ COMPREHENSIVE REPORT. The department
6 shall provide a comprehensive report of the tax
7 amnesty program by March 1, 2008. The report shall
8 include a summary of the program and the legislation
9 establishing the program, a detailed description of
10 the promotion activities related to the program, the
11 appropriation and expenditures related to program, the
12 number of applications and identity of applicants, the
13 amnesty requests and collections by the state, amnesty
14 applications and collections by county, other state

15 amnesty collections, and the collections by type of
16 tax."

Amendment H-1927 lost.

Kelley of Black Hawk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 580)

The ayes were, 55:

Abdul-Samad	Anderson	Bailey	Bell
Berry	Bukta	Cohoon	Dandekar
Davitt	Foege	Ford	Frevert
Gaskill	Gayman	Heddens	Hunter
Huser	Jacoby	Jochum	Kelley
Kressig	Kuhn	Lensing	Lykam
Mascher	McCarthy	Mertz	Miller, H.
Oldson	Olson, D.	Olson, R.	Olson, T.
Palmer	Petersen	Pettengill	Quirk
Reasoner	Reichert	Schueller	Shomshor
Smith	Staed	Swaim	Taylor, D.
Taylor, T.	Thomas	Tomenga	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Winckler	Wise	Mr. Speaker	
		Murphy	

The nays were, 42:

Alons	Arnold	Baudler	Boal
Chambers	Clute	De Boef	Deyoe
Dolecheck	Drake	Forristall	Granzow
Grassley	Greiner	Heaton	Hoffman
Huseman	Jacobs	Kaufmann	Lukan
May	Miller, L.	Olson, S.	Paulsen
Raecker	Rants	Rasmussen	Rayhons
Roberts	Sands	Schickel	Soderberg
Struyk	Tjepkes	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wiencek
Windschitl	Worthan		

Absent or not voting, 3:

Gipp	Horbach	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **House File 830** be immediately messaged to the Senate.

Senate File 586, a bill for an act creating a special gold star motor vehicle registration plate and providing fees and an effective date, with report of committee recommending passage, was taken up for consideration.

Huser of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 586)

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Hunter
Huseman	Huser	Jacobs	Jacoby
Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Oldson	Olson, D.
Olson, R.	Olson, S.	Olson, T.	Palmer
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rants	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Smith
Soderberg	Staed	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wendt	Wentke
Wessel-Kroeschell	Whitaker	Whitead	Wienczek
Winckler	Windschilt	Wise	Worthan
Mr. Speaker			
Murphy			

The nays were, none.

Absent or not voting, 3:

Gipp

Horbach

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

SENATE AMENDMENT CONSIDERED

Gaskill of Wapello called up for consideration **House File 844**, a bill for an act relating to inspection of absentee ballot affidavit envelopes by the county commissioner of elections, amended by the following Senate amendment H-1701:

H-1701

- 1 Amend House File 844, as passed by the House, as
- 2 follows:
- 3 1. Page 1, by inserting before line 1 the
- 4 following:
- 5 "Section 1. Section 39A.4, subsection 1, paragraph
- 6 c, subparagraphs (11) and (12), Code 2007, as amended
- 7 by 2007 Iowa Acts, House File 848, are amended to read
- 8 as follows:
- 9 (11) Returning a voted absentee ballot, by mail or
- 10 in person, to the commissioner's office and the person
- 11 returning the ballot is not the voter, ~~an immediate~~
- 12 ~~family member authorized by the voter to return the~~
- 13 ~~ballot, an absentee ballot courier~~ the voter's
- 14 designee, or a special precinct election official
- 15 designated pursuant to section 53.22, subsection 1, ~~or~~
- 16 ~~the designee of a voter described in section 53.22,~~
- 17 ~~subsection 5.~~
- 18 (12) Making a false or untrue statement reporting
- 19 that a voted absentee ballot was returned to the
- 20 commissioner's office, by mail or in person, by a
- 21 person other than the voter, ~~an immediate family~~
- 22 ~~member authorized by the voter to return the ballot,~~
- 23 ~~an absentee ballot courier~~ the voter's designee, or a
- 24 special precinct election official designated pursuant
- 25 to section 53.22, subsection 1, ~~or the designee of a~~
- 26 ~~voter described in section 53.22, subsection 5.~~
- 27 Sec. 2. Section 53.8, subsection 2, Code 2007, as
- 28 amended by 2007 Iowa Acts, House File 848, is amended
- 29 to read as follows:
- 30 2. a. The commissioner shall enclose with the
- 31 absentee ballot a statement informing the applicant

32 that the sealed carrier envelope may be mailed to the
33 commissioner by the registered voter or the voter's
34 designee or may be personally delivered to the
35 commissioner's office by the registered voter or the
36 voter's designee. The statement shall also inform the
37 voter that the voter may request that the voter's
38 designee complete a receipt when retrieving the ballot
39 from the voter. A blank receipt shall be enclosed
40 with the absentee ballot.

41 b. If an application is received so late that it
42 is unlikely that the absentee ballot can be returned
43 in time to be counted on election day, the
44 commissioner shall enclose with the absentee ballot a
45 statement to that effect. The statement shall also
46 point out that it is possible for the applicant, an
47 immediate family member of the applicant, or the
48 applicant's designee if the absentee ballot is voted
49 by a voter described in section 53.22, subsection 5,
50 to personally deliver the completed absentee ballot to

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1 ~~the office of the commissioner at any time before the~~
2 ~~closing of the polls on election day. The statement~~
3 ~~shall also point out that it is possible for an~~
4 ~~absentee ballot courier to personally deliver the~~
5 ~~completed absentee ballot to the office of the~~
6 ~~commissioner within seventy-two hours of retrieving~~
7 ~~the completed ballot or before the closing of the~~
8 ~~polls on election day, whichever is earlier."~~

9 2. Page 1, by inserting after line 15 the
10 following:

11 "Sec. ____ Section 53.17, subsection 1, paragraph
12 a, Code 2007, as amended by 2007 Iowa Acts, House File
13 848, is amended by striking the paragraph and
14 inserting in lieu thereof the following:

15 a. The sealed carrier envelope may be delivered by
16 the registered voter, by the voter's designee, or by
17 the special precinct election officials designated
18 pursuant to section 53.22, subsection 1, to the
19 commissioner's office no later than the time the polls
20 are closed on election day. However, if delivered by
21 the voter's designee, the envelope shall be delivered
22 within seventy-two hours of retrieving it from the
23 voter or before the closing of the polls on election
24 day, whichever is earlier.

25 Sec. ____ Section 53.17, subsection 1, paragraphs
26 b and c, Code 2007, are amended to read as follows:

27 b. The sealed carrier envelope may be mailed to
28 the commissioner by the registered voter, by an
29 immediate family member of the voter, or by the
30 voter's designee if the ballot is voted by a voter

Jacobs of Polk offered the following amendment H-1781, to the Senate amendment H-1701, filed by her and moved its adoption:

H-1781

- 1 Amend the Senate amendment, H-1701, to House File
- 2 844, as passed by the House, as follows:
- 3 1. Page 1, by inserting before line 5 the
- 4 following:
- 5 ""Sec.____. Section 39A.2, subsection 1, paragraph
- 6 b, Code 2007, is amended by adding the following new
- 7 subparagraph:
- 8 NEW SUBPARAGRAPH. (4A) As a person designated by
- 9 the voter to return an application for a ballot or an
- 10 absentee ballot, fails to return the application or
- 11 ballot to the commissioner with the intent of
- 12 interfering with the voter's right to vote."
- 13 2. Page 1, by striking lines 37 and 38 and
- 14 inserting the following: "voter that the voter's
- 15 designee shall complete a receipt when retrieving the
- 16 ballot".
- 17 3. Page 2, line 44, by striking the words ", upon
- 18 request of the voter,".
- 19 4. Page 3, line 19, by striking the word
- 20 "subsection." and inserting the following:
- 21 "subsection and inserting in lieu thereof the
- 22 following:
- 23 5. Within fourteen days after the date of the
- 24 election, the commissioner shall notify each person
- 25 who requested an absentee ballot if the person failed
- 26 to return a completed ballot and if the person did not
- 27 vote at the polling place on election day.""
- 28 5. Page 3, line 26, by inserting after the word
- 29 "ballots" the following: "and making penalties
- 30 applicable".
- 31 6. By renumbering as necessary.

Roll call was requested by Jacobs of Polk and Rants of Woodbury.

On the question "Shall amendment H-1781 to the Senate amendment H-1701 be adopted?" (H.F. 844)

The ayes were, 43:

Alons	Arnold	Baudler	Boal
Chambers	Clute	De Boef	Deyoe
Dolecheck	Drake	Forristall	Granzow
Grassley	Greiner	Heaton	Hoffman
Huseman	Jacobs	Lukan	May
Miller, H.	Miller, L.	Olson, S.	Paulsen

Raecker	Rants	Rasmussen	Rayhons
Roberts	Sands	Schickel	Soderberg
Struyk	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wiencek	Windschitl	Worthan	

The nays were, 52:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Pettengill	Quirk	Reasoner	Reichert
Schuell	Shomshor	Smith	Staed
Swaim	Taylor, D.	Taylor, T.	Thomas
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	Mr. Speaker Murphy

Absent or not voting, 5:

Anderson	Gipp	Horbach	Kaufmann
Zirkelbach			

Amendment H-1781 lost.

Jacobs of Polk offered the following amendment H-1780, to the Senate amendment H-1701, filed by her and moved its adoption:

H-1780

- 1 Amend the Senate amendment, H-1701, to House File
- 2 844, as passed by the House, as follows:
- 3 1. Page 1, by inserting before line 27 the
- 4 following:
- 5 "Sec. ____ Section 53.8, subsection 1, Code 2007,
- 6 is amended to read as follows:
- 7 1. Upon receipt of an application for an absentee
- 8 ballot and immediately after the absentee ballots are
- 9 printed, the commissioner shall mail an absentee
- 10 ballot to the applicant within twenty-four hours,
- 11 except as otherwise provided in subsection 3. The
- 12 absentee ballot shall be enclosed in an unsealed
- 13 envelope bearing a serial number and affidavit. The
- 14 absentee ballot and unsealed envelope shall be
- 15 enclosed in or with a return carrier envelope marked
- 16 postage paid which bears the same serial number as the

17 unsealed envelope. The return carrier envelope shall
 18 also contain spaces for the printed name and signature
 19 of the voter's designee should the voter designate a
 20 person to return the completed absentee ballot. The
 21 absentee ballot, unsealed envelope, and carrier
 22 envelope shall be enclosed in a third envelope to be
 23 sent to the registered voter. If the ballot cannot be
 24 folded so that all of the votes cast on the ballot
 25 will be hidden, the commissioner shall also enclose a
 26 secrecy envelope with the absentee ballot."
 27 2. By renumbering as necessary.

Roll call was requested by Jacobs of Polk and Roberts of Carroll.

On the question "Shall amendment H-1780 to the Senate amendment H-1701 be adopted?" (H.F. 844)

The ayes were, 47:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Granzow	Grassley	Greiner	Heaton
Hoffman	Hunter	Huseman	Huser
Jacobs	Kaufmann	Lukan	May
Mertz	Miller, L.	Olson, S.	Paulsen
Raecker	Rants	Rasmussen	Rayhons
Roberts	Sands	Schickel	Soderberg
Struyk	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wienczek	Windschitl	Worthan	

The nays were, 50:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frèvert	Gaskill
Gayman	Heddens	Jacoby	Jochum
Kelley	Kressig	Kuhn	Lensing
Lykam	Mascher	McCarthy	Miller, H.
Oldson	Olson, D.	Olson, R.	Olson, T.
Palmer	Petersen	Pettengill	Quirk
Reasoner	Reichert	Schueller	Shomshor
Smith	Staed	Swaim	Taylor, D.
Taylor, T.	Thomas	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Winckler
Wise	Mr. Speaker		
	Murphy		

Absent or not voting, 3:

Gipp

Horbach

Zirkelbach

Amendment H-1780 lost.

Jacobs of Polk offered the following amendment H-1779, to the Senate amendment H-1701, filed by her and moved its adoption:

H-1779

1 Amend the Senate amendment, H-1701, to House File
2 844, as passed by the House, as follows:

3 1. Page 1, by striking lines 37 and 38 and
4 inserting the following: "voter that the voter's
5 designee shall complete a receipt when retrieving the
6 ballot".

7 2. Page 2, line 44, by striking the words ", upon
8 request of the voter,".

9 3. Page 3, line 19, by striking the word
10 "subsection." and inserting the following:
11 "subsection and inserting in lieu thereof the
12 following:

13 5. a. A person who acts as an actual or implied
14 agent of a political party, candidate, or committee,
15 as defined by chapter 68A, shall be registered with
16 the commissioner as a voter's designee in order to
17 deliver completed absentee ballots to the
18 commissioner. A candidate whose name is on the ballot
19 or an elected official shall not be registered as a
20 voter's designee.

21 b. A voter's designee described in paragraph "a"
22 shall be registered with the commissioner by the
23 person providing the training required in paragraph
24 "c". The registration shall include the designee's
25 name and address and the best means for contacting the
26 person or the political party, candidate, or committee
27 for which the person is acting as an actual or implied
28 agent. A voter's designee described in paragraph "a"
29 must be registered with the commissioner prior to each
30 election for which the person will be delivering
31 completed absentee ballots to the commissioner.
32 However, if a person has completed training as a
33 voter's designee described in paragraph "a" and the
34 trainer is unable to register the person because the
35 commissioner's office is closed, the person may
36 retrieve completed absentee ballots if the trainer
37 registers such voter's designee with the commissioner
38 by facsimile transmission within twenty-four hours of
39 completion of training or by personally delivering the
40 registration information to the commissioner's office

41 by the close of the next business day following
 42 completion of training or by mailing the registration
 43 information to the commissioner, in which case the
 44 mailing must be postmarked no later than the next
 45 business day following completion of training. For
 46 each election, the commissioner shall maintain a list
 47 of all persons who have been registered as a voter's
 48 designee described in paragraph "a".
 49 c. A person wishing to be registered as a voter's
 50 designee described in paragraph "a" must complete a

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1 training course in the laws, procedures, and penalties
 2 related to handling completed absentee ballots. The
 3 training course shall be conducted by the
 4 commissioner; the commissioner's designee; or, in the
 5 case of partisan elections, by the respective state or
 6 county central committees, or a member of the paid
 7 staff of such committees, or by the county party or
 8 the state party, or a member of the paid staff of such
 9 parties. The curriculum for the training course shall
 10 be established by the state commissioner by rule
 11 adopted pursuant to chapter 17A.

12 d. A voter's designee described in paragraph "a"
 13 shall submit a cover sheet listing the names of
 14 persons whose ballots are being delivered each time
 15 the designee delivers ballots to the commissioner's
 16 office. A completed ballot and cover sheet shall only
 17 be delivered to the commissioner's office by the
 18 voter's designee who retrieved the ballot or by one
 19 other voter's designee designated by the political
 20 party, candidate, or committee for which the voter's
 21 designees are acting as actual or implied agents. The
 22 cover sheet shall include space for the name and
 23 signature of the voter's designee who retrieved the
 24 ballot and the name and signature of any second
 25 voter's designee designated to deliver the ballot and
 26 cover sheet to the commissioner's office."

27 4. By renumbering as necessary.

Roll call was requested by Jacobs of Polk and Sands of Louisa.

On the question "Shall amendment H-1779 to the Senate
 amendment H-1701 be adopted?" (H.F. 844)

The ayes were, 43:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Granzow	Grassley	Greiner	Heaton

Hoffman	Huseman	Jacobs	Kaufmann
Lukan	May	Miller, L.	Olson, S.
Paulsen	Raecker	Rants	Rasmussen
Rayhons	Roberts	Sands	Schickel
Soderberg	Struyk	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Watts
Wiencek	Windschitl	Worthan	

The nays were, 53:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Pettengill	Quirk	Reasoner
Reichert	Schueller	Shomshor	Smith
Staed	Swaim	Taylor, D.	Taylor, T.
Thomas	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise
Mr. Speaker			
Murphy			

Absent or not voting, 4:

Gipp	Horbach	Van Fossen	Zirkelbach
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Amendment H-1779 lost.

McCarthy of Polk asked and received unanimous consent that House File 844 be deferred and that the bill retain its place on the calendar. (Senate amendment H-1701 pending.)

On motion by McCarthy of Polk, the House was recessed at 11:09 a.m., until 2:00 p.m.

AFTERNOON SESSION

The House reconvened at 4:00 p.m., Speaker Murphy in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Raecker of Polk on request of Rants of Woodbury.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 27, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 925, a bill for an act relating to health-related activities and regulation, including the practices of optometry and mortuary science, establishment of a state public health dental director and an oral health bureau, dependent adult abuse, membership on the child death review team, and immunity for emergency response, and providing for the revision of fees.

Also: That the Senate has on April 27, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 512, a bill for an act relating to the regulation of pharmacy benefits managers and providing penalties.

Also: That the Senate has on April 27, 2007, adopted the following resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 7, a concurrent resolution relating to the establishment of a criminal code revisions legislative study committee

MICHAEL E. MARSHALL, Secretary

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed eighty-nine members present, eleven absent.

McCarthy of Polk asked and received unanimous consent for the immediate consideration of House File 932.

CONSIDERATION OF BILLS

Ways and Means Calendar

House File 932, a bill for an act relating to revenue for the construction and maintenance of roads, was taken up for consideration.

Huser of Polk offered the following amendment H-2030 filed by her and moved its adoption:

H-2030

- 1 Amend House File 932 as follows:
 2 1. Page 2, line 9, by striking the word "repair"
 3 and inserting the following: "construction, repair,".

Amendment H-2030 was adopted.

Huser of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 932)

The ayes were, 92:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Bell	Berry	Boal
Bukta	Chambers	Clute	Cohoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gayman	Granzow
Grassley	Greiner	Heaton	Heddens
Hoffman	Hunter	Huseman	Huser
Jacobs	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill
Quirk	Rants	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Smith
Soderberg	Staed	Struyk	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomonga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Wiencek	Winckler
Windschitl	Wise	Worthan	Mr. Speaker Murphy

The nays were, 4:

Baudler	Gaskill	Jacoby	Swaim
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Absent or not voting, 4:

Gipp	Horbach	Raecker	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Gipp of Winneshiek, Roberts of Carroll, until his return, on request of Rants of Woodbury.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **House File 932** be immediately messaged to the Senate.

House File 897, a bill for an act establishing statewide licensure and certification of electricians and installers, providing for inspections, establishing fees, and providing penalties, was taken up for consideration.

Quirk of Chickasaw offered the following amendment H-1978 filed by him and moved its adoption:

H-1978

- 1 Amend House File 897 as follows:
- 2 1. Page 24, line 10, by striking the words "other
- 3 than a person".

Amendment H-1978 was adopted.

Van Fossen of Scott asked and received unanimous consent to withdraw amendment H-1982 filed by him on April 24, 2007.

Quirk of Chickasaw moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 897)

The ayes were, 93:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Huseman
Huser	Jacobs	Jacoby	Jochum
Kaufmann	Kelley	Kressig	Kuhn
Lensing	Lukan	Lykam	Mascher
May	McCarthy	Mertz	Miller, H.
Miller, L.	Oldson	Olson, D.	Olson, R.
Olson, S.	Olson, T.	Palmer	Paulsen
Petersen	Pettengill	Quirk	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Sands	Schickel	Schueller	Shomshor
Smith	Soderberg	Staed	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Wienczek	Windschitl	Wise	Worthan
Mr. Speaker			
Murphy			

The nays were, 2:

Hunter	Winckler
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Absent or not voting, 5:

Gipp	Horbach	Raecker	Roberts
Zirkelbach			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House File 897** and **Senate Files 580** and **586**.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 27, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 904, a bill for an act relating to withholding tax and the repeal of the loan agencies tax.

Also: That the Senate has on April 27, 2007, amended and passed the following bill in which the concurrence of the House is asked:

House File 923, a bill for an act relating to the policy and technical administration of the tax and related laws by the department of revenue, including administration of income, sales, use, cigarette, and tobacco taxes, providing an effective date, and providing retroactive applicability provisions.

Also: That the Senate has on April 27, 2007, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 344, a bill for an act relating to enforcement of certain solid waste disposal requirements and providing civil penalties.

MICHAEL E. MARSHALL, Secretary

SENATE MESSAGE CONSIDERED

Senate File 512, by committee on state government, a bill for an act relating to the regulation of pharmacy benefits managers and making penalties applicable, and providing an effective date.

Read first time and **passed on file.**

CONSIDERATION OF BILLS Appropriations Calendar

House File 920, a bill for an act authorizing the state board of regents to borrow moneys and issue revenue bonds to finance the costs of certain building and facility improvement programs, was taken up for consideration.

Cohoon of Des Moines offered the following amendment H-1980 filed by him and moved its adoption:

H-1980

- 1 Amend House File 920 as follows:
 2 1. Page 3, line 34, by inserting after the word
 3 "initiatives," the following: "completion of phase II
 4 of the college of veterinary medicine project at Iowa
 5 state university of science and technology,".

Amendment H-1980 was adopted.

Cohoon of Des Moines moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 920)

The ayes were, 51:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevort	Gaskill
Gayman	Heddens	Hunter	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Mertz	Miller, H.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Quirk	Reasoner	Reichert	Schueller
Shomshor	Smith	Staed	Swaim
Taylor, D.	Taylor, T.	Thomas	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Winckler	Wise	Mr. Speaker	
		Murphy	

The nays were, 44:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Granzow	Grassley	Greiner	Heaton
Hoffman	Huseman	Huser	Jacobs
Kaufmann	Lukan	May	Miller, L.
Olson, S.	Paulsen	Pettengill	Rants
Rasmussen	Rayhons	Sands	Schickel
Soderberg	Struyk	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wiencek	Windschitl	Worthan

Absent or not voting, 5:

Gipp
Zirkelbach

Horbach

Raecker

Roberts

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **House File 920** be immediately messaged to the Senate.

Ways and Means Calendar

Senate File 593, a bill for an act relating to the assessment of civil and criminal court fees and penalties, with report of committee recommending amendment and passage, was taken up for consideration.

Huser of Polk offered the following amendment H-1924 filed by the committee on ways and means and moved its adoption:

H-1924

- 1 Amend Senate File 593, as passed by the Senate, as
- 2 follows:
- 3 1. Page 1, by inserting after line 10 the
- 4 following:
- 5 "Sec. ____ Section 664A.1, subsection 2, Code
- 6 2007, is amended to read as follows:
- 7 2. "Protective order" means a protective order
- 8 issued pursuant to chapter 232, a court order or
- 9 court-approved consent agreement entered pursuant to
- 10 chapter 236, including a valid foreign protective
- 11 order under section 236.19, subsection 3, a temporary
- 12 or permanent protective order or order to vacate the
- 13 homestead under chapter 598, ~~and~~ or an order that
- 14 establishes conditions of release or is a protective
- 15 order or sentencing order in a criminal prosecution
- 16 arising from a domestic abuse assault under section
- 17 708.2A, or a civil injunction issued pursuant to
- 18 section 915.22.
- 19 Sec. ____ Section 664A.2, subsection 2, Code 2007,
- 20 is amended to read as follows:
- 21 2. A protective order issued in a civil proceeding
- 22 shall be issued pursuant to chapter 232, 236, ~~or~~ 598,

23 or 915. Punishment for a violation of a protective
24 order shall be imposed pursuant to section 664A.7.
25 Sec.____. Section 664A.3, Code 2007, is amended by
26 adding the following new subsection:
27 NEW SUBSECTION. 1A. Notwithstanding chapters 804
28 and 805, a person taken into custody pursuant to
29 section 236.11 or arrested pursuant to section 236.12
30 may be released on bail or otherwise only after
31 initial appearance before a magistrate as provided in
32 chapter 804 and the rules of criminal procedure or
33 section 236.11, whichever is applicable.
34 Sec.____. Section 664A.5, Code 2007, is amended to
35 read as follows:
36 664A.5 MODIFICATION – ENTRY.OF PERMANENT
37 NO-CONTACT ORDER.
38 If a defendant is convicted of, receives a deferred
39 judgment for, or pleads guilty to a public offense
40 referred to in section 664A.2, subsection 1, or is
41 held in contempt for a violation of a no-contact order
42 issued under section 664A.3 or for a violation of a
43 protective order issued pursuant to chapter 232, 236,
44 or 598, or 915, the court shall either terminate or
45 modify the temporary no-contact order issued by the
46 magistrate. The court may enter a no-contact order or
47 continue the no-contact order already in effect for a
48 period of five years from the date the judgment is
49 entered or the deferred judgment is granted,
50 regardless of whether the defendant is placed on

Page 2

1 probation.
2 Sec.____. Section 664A.6, Code 2007, is amended by
3 adding the following new subsection:
4 NEW SUBSECTION. 3. A peace officer shall not be
5 held civilly or criminally liable for acting pursuant
6 to this section provided the peace officer acts in
7 good faith and on reasonable grounds and the peace
8 officer's acts do not constitute a willful or wanton
9 disregard for the rights or safety of another.
10 Sec.____. Section 664A.7, subsections 3 and 4,
11 Code 2007, are amended to read as follows:
12 3. If convicted of or held in contempt for a
13 violation of a no-contact order or a modified
14 no-contact order for a public offense referred to in
15 section 664A.2, subsection 1, or held in contempt of a
16 no-contact order issued during a contempt proceeding
17 brought pursuant to section 236.11, the person shall
18 be confined in the county jail for a minimum of seven
19 days. A jail sentence imposed pursuant to this
20 subsection shall be served on consecutive days. No
21 portion of the mandatory minimum term of confinement

22 imposed by this subsection shall be deferred or
 23 suspended. A deferred judgment, deferred sentence, or
 24 suspended sentence shall not be entered for a
 25 violation of a no-contact order, ~~or~~ modified
 26 no-contact order, or protective order and the court
 27 shall not impose a fine in lieu of the minimum
 28 sentence, although a fine may be imposed in addition
 29 to the minimum sentence.

30 4. Violation of a no-contact order entered for the
 31 offense or alleged offense of domestic abuse assault
 32 in violation of section 708.2A or a violation of a
 33 protective order issued pursuant to chapter 232, 236,
 34 ~~or 598, or 915~~ constitutes a public offense and is
 35 punishable as a simple misdemeanor. Alternatively,
 36 the court may hold a person in contempt of court for
 37 such a violation, as provided in subsection 3.

38 Sec. _____. Section 664A.7, Code 2007, is amended by
 39 adding the following new subsection:

40 NEW SUBSECTION. 3A. If convicted or held in
 41 contempt for a violation of a civil protective order
 42 referred to in section 664A.2, the person shall serve
 43 a jail sentence. A jail sentence imposed pursuant to
 44 this subsection shall be served on consecutive days.
 45 A person who is convicted of or held in contempt for a
 46 violation of a protective order referred to in section
 47 664A.2 may be ordered by the court to pay the
 48 plaintiff's attorney's fees and court costs.

49 Sec. _____. Section 664A.8, Code 2007, is amended to
 50 read as follows:

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1 664A.8 EXTENSION OF NO-CONTACT ORDER.

2 Upon the filing of an application by the state or
 3 by the victim of any public offense referred to in
 4 section 664A.2, subsection 1 which is filed within
 5 ninety days prior to the expiration of a modified
 6 no-contact order, the court shall modify and extend
 7 the no-contact order for an additional period of five
 8 years, unless the court finds that the defendant no
 9 longer poses a threat to the safety of the victim,
 10 persons residing with the victim, or members of the
 11 victim's family. The number of modifications
 12 extending the no-contact order permitted by this
 13 section is not limited.

14 2. Page 1, line 18, by inserting after the figure
 15 "907.14." the following: "However, the court shall
 16 assess any required surcharge, court cost, or fee upon
 17 the total amount of the fine prior to reduction
 18 pursuant to this subsection."

19 3. Title page, by striking lines 1 and 2 and
 20 inserting the following: "An Act relating to civil

21 and criminal fees, penalties, and protective orders."

22 4. By renumbering as necessary.

The committee amendment H-1924 was adopted.

Huser of Polk offered the following amendment H-2037 filed by Huser, et al., and moved its adoption:

H-2037

1 Amend Senate File 593, as passed by the Senate, as
2 follows:

3 1. Page 1, by inserting before line 1 the
4 following:

5 "Section 1. Section 598.16, Code 2007, is amended
6 to read as follows:

7 598.16 CONCILIATION – DOMESTIC RELATIONS
8 DIVISIONS.

9 1. A majority of the judges in any judicial
10 district, with the cooperation of any county board of
11 supervisors in the district, may establish a domestic
12 relations division of the district court of the county
13 where the board is located. The division shall offer
14 counseling and related services to persons before the
15 court.

16 2. Upon Except as provided in subsection 7, upon
17 the application of the petitioner in the petition or
18 by the respondent in the responsive pleading thereto
19 or, within twenty days of appointment, of an attorney
20 appointed under section 598.12, the court shall
21 require the parties to participate in conciliation
22 efforts for a period of sixty days from the issuance
23 of an order setting forth the conciliation procedure
24 and the conciliator.

25 3. At any time upon its own motion or upon the
26 application of a party the court may require the
27 parties to participate in conciliation efforts for
28 sixty days or less following the issuance of such an
29 order.

30 4. Every order for conciliation shall require the
31 conciliator to file a written report by a date certain
32 which shall state the conciliation procedures
33 undertaken and such other matters as may have been
34 required by the court. The report shall be a part of
35 the record unless otherwise ordered by the court.
36 Such conciliation procedure may include, but is not
37 limited to, referrals to the domestic relations
38 division of the court, if established, public or
39 private marriage counselors, family service agencies,
40 community health centers, physicians and clergy.

41 5. The costs of conciliation procedures shall be
 42 paid in full or in part by the parties and taxed as
 43 court costs; however, if the court determines that the
 44 parties will be unable to pay the costs without
 45 prejudicing their financial ability to provide
 46 themselves and any minor children with economic
 47 necessities, the costs may be paid in full or in part
 48 by the county.
 49 6. Persons providing counseling and other services
 50 pursuant to this section are not court employees, but

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1 are subject to court supervision.
 2 7. Upon application, the court shall grant a
 3 waiver from the requirements of this section if a
 4 party demonstrates that a history of domestic abuse,
 5 as defined in section 236.2, exists. In determining
 6 whether a history of domestic abuse exists, the
 7 court's consideration shall include, but is not
 8 limited to, commencement of an action pursuant to
 9 section 236.3, the issuance of a protective order
 10 against a party or the issuance of a court order or
 11 consent agreement pursuant to section 236.5, the
 12 issuance of an emergency order pursuant to section
 13 236.6, the holding of a party in contempt pursuant to
 14 section 664A.7, the response of a peace officer to the
 15 scene of alleged domestic abuse or the arrest of a
 16 party following response to a report of alleged
 17 domestic abuse, or a conviction for domestic abuse
 18 assault pursuant to section 708.2A."
 19 2. Title page, line 1, by inserting after the
 20 word "to" the following: "court procedures including
 21 conciliation proceedings and".

Amendment H-2037 was adopted.

Huser of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 593)

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foegel

Ford	Forristall	Frevert	Gaskill
Gayman	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Hunter
Huseman	Huser	Jacobs	Jacoby
Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Oldson	Olson, D.
Olson, R.	Olson, S.	Olson, T.	Palmer
Paulsen	Petersen	Pettengill	Quirk
Rants	Rasmussen	Rayhons	Reasoner
Reichert	Sands	Schickel	Schueller
Shomshor	Smith	Soderberg	Staed
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wiencek	Winckler	Windschitl
Wise	Worthan	Mr. Speaker	
		Murphy	

The nays were, none.

Absent or not voting, 5:

Gipp	Horbach	Raecker	Roberts
Zirkelbach			

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **Senate File 593** be immediately messaged to the Senate.

SENATE AMENDMENT CONSIDERED

Swaim of Davis called up for consideration **House File 641**, a bill for an act relating to judicial branch practices and procedures, including distribution of court revenue to cities and counties, and reporting requirements in pending conservatorships, guardianships, estates, or trusts, and providing an effective date, amended by the following Senate amendment H-1971:

H-1971

- 1 Amend House File 641, as amended, passed, and
- 2 reprinted by the House, as follows:

- 3 1. Page 1, by inserting before line 1 the
 4 following:
 5 "Section 1. NEW SECTION. 321.210B INSTALLMENT
 6 PAYMENT PLAN PROGRAM – REINSTATEMENT.
 7 The department may establish an installment payment
 8 plan program for reinstatement of a driver's license
 9 for persons whose driver's licenses have been
 10 suspended pursuant to section 321.210A.
 11 Sec. ____ Section 602.8105, subsection 2,
 12 paragraph e, Code 2007, is amended to read as follows:
 13 e. For filing a praecipe to issue execution under
 14 chapter 626, twenty-five dollars. The fee shall be
 15 recoverable by the creditor against whom the execution
 16 is issued. A fee payable by a political subdivision
 17 of the state under this paragraph shall be collected
 18 by the clerk of the district court as provided in
 19 section 602.8109. However, the fee shall be waived
 20 and shall not be collected from a political
 21 subdivision of the state if a county attorney or
 22 county attorney's designee is collecting a delinquent
 23 judgment pursuant to section 602.8107, subsection 4."
 24 2. Page 3, by striking lines 14 through 35.
 25 3. Title page, line 2, by inserting after the
 26 word "including" the following: "issuance of a
 27 driver's license when delinquent on court obligations,
 28 and".
 29 4. Title page, by striking lines 3 through 5 and
 30 inserting the following: "counties, and the state."
 31 5. By renumbering, relettering, or redesignating
 32 and correcting internal references as necessary.

R. Olson of Polk asked and received unanimous consent to withdraw amendment H–2006, to the Senate amendment H–1971, filed by him on April 25, 2007.

R. Olson of Polk offered the following amendment H–2088, to the Senate amendment H–1971, filed by him from the floor and moved its adoption:

H–2088

- 1 Amend the Senate amendment, H–1971, to House File
 2 641, as amended, passed, and reprinted by the House,
 3 as follows:
 4 1. Page 1, by striking lines 5 through 10 and
 5 inserting the following:
 6 ""Section 1. Section 321.210A, Code 2007, is
 7 amended by adding the following new subsection:
 8 NEW SUBSECTION. 4. If after suspension, the
 9 person enters into an installment agreement with the

10 county attorney in accordance with section 321.210B to
11 pay the fine, penalty, court cost, or surcharge, the
12 person's license shall be reinstated by the department
13 upon receipt of a report of an executed installment
14 agreement.

15 Sec. 2. NEW SECTION. 321.210B INSTALLMENT
16 AGREEMENT.

17 1. If a person's fine, penalty, surcharge, or
18 court cost is deemed delinquent as provided in section
19 602.8107, subsection 3, and the person's driver's
20 license has been suspended pursuant to section
21 321.210A, the person may execute an installment
22 agreement with the county attorney or the county
23 attorney's designee to pay the delinquent amount and
24 the fee assessed in subsection 7 in installments.
25 Prior to execution of the installment agreement, the
26 person shall provide the county attorney or the county
27 attorney's designee with a financial statement in
28 order for the parties to the agreement to determine
29 the amount of the installment payments.

30 2. A person shall execute an installment agreement
31 in the county where the fine, penalty, surcharge, or
32 court cost was imposed. If the county where the fine,
33 penalty, surcharge, or court cost was imposed does not
34 have an installment agreement program, the person
35 shall execute an installment agreement in the person's
36 county of residence. If the county of residence does
37 not have an installment agreement program, the person
38 may execute an installment agreement with any county
39 attorney or county attorney's designee.

40 3. The county attorney or the county attorney's
41 designee shall file the installment agreement with the
42 clerk of the district court in the county where the
43 fine, penalty, surcharge, or court cost was imposed,
44 within five days of execution of the agreement.

45 4. Upon receipt of an executed installment
46 agreement and after the first installment payment, the
47 clerk of the district court shall report the receipt
48 of the executed installment agreement to the
49 department of transportation.

50 5. Upon receipt of the report from the clerk of

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1 the district court and payment of the reinstatement
2 fee as provided in section 321.191, the department
3 shall immediately reinstate the driver's license of
4 the person unless the driver's license of the person
5 is otherwise suspended, revoked, denied, or barred
6 under another provision of law.

7 6. If a driver's license is reinstated upon
8 receipt of a report of an executed installment

9 agreement the driver shall provide proof of financial
10 responsibility pursuant to section 321A.17, if
11 otherwise required by law.

12 7. The civil penalty, if assessed pursuant to
13 section 321.218A, shall be added to the amount owing
14 under the installment agreement. The clerk of the
15 district court shall transmit to the department, from
16 the first moneys collected, an amount equal to the
17 amount of any civil penalty assessed and added to the
18 installment agreement. The department shall transmit
19 the money received from the clerk of the district
20 court pursuant to this subsection to the treasurer of
21 state for deposit in the juvenile detention home fund
22 created in section 232.142.

23 8. Upon determination by the county attorney or
24 the county attorney's designee that the person is in
25 default, the county attorney or the county attorney's
26 designee shall notify the clerk of the district court.

27 9. The clerk of the district court, upon receipt
28 of a notification of a default from the county
29 attorney or the county attorney's designee, shall
30 report the default to the department of
31 transportation.

32 10. Upon receipt of a report of a default from the
33 clerk of the district court, the department shall
34 suspend the driver's license of a person as provided
35 in section 321.210A. For purposes of suspension and
36 reinstatement of the driver's license of a person in
37 default, the suspension and any subsequent
38 reinstatement shall be considered a suspension
39 pursuant to section 321.210A.

40 11. If a new fine, penalty, surcharge, or court
41 cost is imposed on a person after the person has
42 executed an installment agreement with the county
43 attorney or the county attorney's designee, and the
44 new fine, penalty, surcharge, or court cost is deemed
45 delinquent as provided in section 602.8107, subsection
46 3, and the person's driver's license has been
47 suspended pursuant to section 321.210A, the person may
48 enter into a second installment agreement with the
49 county attorney or county attorney's designee to pay
50 the delinquent amount and the fee, if assessed, in

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1 subsection 7 in installments.

2 12. If an installment agreement is in default, the
3 fine, penalty, surcharge, or court cost covered under
4 the agreement shall not become part of any new
5 installment agreement.

6 13. A person is eligible to enter into five
7 installment agreements in the person's lifetime.

8 14. Except for the civil penalty if assessed and
9 collected pursuant to subsection 7, any amount
10 collected under the installment agreement shall be
11 distributed as provided in section 602.8107,
12 subsection 4.

13 Sec. 3. Section 321.215, subsection 1, Code 2007,
14 is amended by adding the following new paragraph:
15 NEW PARAGRAPH. f. The person's appointments with
16 the person's parole or probation officer.

17 Sec. 4. Section 321.210C, Code 2007, is amended to
18 read as follows:

19 321.210C PROBATION PERIOD.

20 1. A person whose driver's license or operating
21 privileges have been suspended, revoked, or barred
22 under this chapter for a conviction of a moving
23 traffic violation, or suspended, revoked, or barred
24 under section 321.205 or section 321.210, subsection
25 1, paragraph "e", or chapter 321J, must satisfactorily
26 complete a twelve-month probation period beginning
27 immediately after the end of the period of suspension,
28 revocation, or bar. Upon a second conviction of a
29 moving traffic violation which occurred during the
30 probation period, the department may suspend the
31 driver's license or operating privileges for an
32 additional period equal in duration to the original
33 period of suspension, revocation, or bar, or for one
34 year, whichever is the shorter period.

35 2. A person whose driver's license or operating
36 privileges have been revoked under chapter 321J, must
37 satisfactorily complete a twelve-month probation
38 period beginning immediately after the end of the
39 period of revocation. Upon conviction of a moving
40 traffic violation which occurs during the probation
41 period, the department may revoke the driver's license
42 or operating privileges for an additional period equal
43 in duration to the original period of revocation, or
44 for one year, whichever is the shorter period.

45 3. For purposes of determining a conviction under
46 this section, the department shall not consider the
47 first two speeding violations within the probation
48 period that are ten miles per hour or less over the
49 legal speed limit in speed zones having a legal speed
50 limit between thirty-four miles per hour and fifty-six

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1 miles per hour.

2 Sec. 5. Section 321.218A, Code 2007, is amended to
3 read as follows:

4 321.218A CIVIL PENALTY - DISPOSITION -
5 REINSTATEMENT.

6 When the department suspends, revokes, or bars a

7 person's driver's license or nonresident operating
8 privilege for a conviction under this chapter, the
9 department shall assess the person a civil penalty of
10 two hundred dollars. However, for persons age
11 nineteen or under, the civil penalty assessed shall be
12 fifty dollars. The civil penalty does not apply to a
13 suspension issued for a violation of section 321.180B.
14 The money collected by the department under this
15 section shall be transmitted to the treasurer of state
16 who shall deposit the money in the juvenile detention
17 home fund created in section 232.142. A Except as
18 provided in section 321.210B, a temporary restricted
19 license shall not be issued or a driver's license or
20 nonresident operating privilege reinstated until the
21 civil penalty has been paid.

22 Sec. 6. Section 321J.20, subsection 1, unnumbered
23 paragraph 1, Code 2007, is amended to read as follows:
24 The department may, on application, issue a
25 temporary restricted license to a person whose
26 noncommercial driver's license is revoked under this
27 chapter allowing the person to drive to and from the
28 person's home and specified places at specified times
29 which can be verified by the department and which are
30 required by the person's full-time or part-time
31 employment, continuing health care or the continuing
32 health care of another who is dependent upon the
33 person, continuing education while enrolled in an
34 educational institution on a part-time or full-time
35 basis and while pursuing a course of study leading to
36 a diploma, degree, or other certification of
37 successful educational completion, substance abuse
38 treatment, and court-ordered community service
39 responsibilities, and appointments with the person's
40 parole or probation officer if the person's driver's
41 license has not been revoked previously under section
42 321J.4, 321J.9, or 321J.12 and if any of the following
43 apply:

44 Sec. 7. Section 331.756, subsection 5, Code 2007,
45 is amended to read as follows:

46 5. a. Enforce all forfeited bonds and
47 recognizances and prosecute all proceedings necessary
48 for the recovery of debts, revenues, moneys, fines,
49 penalties, restitution of court-appointed attorney
50 fees ordered pursuant to section 815.9, including the

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1 expense of a public defender, and forfeitures accruing
2 to the state, the county or a road district in the
3 county, and all suits in the county against public
4 service corporations which are brought in the name of
5 the state. To assist in this duty, the county

6 attorney may procure professional collection services
7 provided by persons or organizations, including
8 private attorneys, which are generally considered to
9 have knowledge and special abilities which are not
10 generally available to state or local government or
11 may designate another county official or agency a
12 designee to assist with collection efforts.

13 b. If the designee is a professional collection
14 services are procured agency, the county attorney
15 shall file with the clerk of the district court an
16 indication of the satisfaction of each obligation to
17 the full extent of all moneys collected in
18 satisfaction of that obligation, including all fees
19 and compensation retained by the collection service
20 designee incident to the collection and not paid into
21 the office of the clerk.

22 c. Before a county attorney designates another
23 county official or agency to assist with collection of
24 debts, revenues, moneys, fines, penalties, restitution
25 of court-appointed attorney fees ordered pursuant to
26 section 815.9, including the expense of a public
27 defender, and forfeitures, the board of supervisors of
28 the county must approve the designation.

29 d. All fines, penalties, court costs, fees, and
30 restitution for court-appointed attorney fees ordered
31 pursuant to section 815.9, including the expenses of a
32 public defender which are delinquent as defined in
33 section 602.8107 may be collected by the county
34 attorney or the person procured or designated by the
35 county attorney county attorney's designee. The
36 county attorney or the county attorney's designee may
37 collect delinquent obligations under an installment
38 agreement pursuant to section 321.210B.

39 e. In order to receive a percentage of the amounts
40 collected pursuant to section 602.8107, the county
41 attorney must file annually with the clerk of the
42 district court on or before July 1 a notice of full
43 commitment to collect delinquent obligations and must
44 file on the first day of each month a list of the
45 cases in which the county attorney or the person
46 procured or designated by the county attorney county
47 attorney's designee is pursuing the collection of
48 delinquent obligations. The list shall include a list
49 of cases where delinquent obligations are being
50 collected under an installment agreement pursuant to

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1 section 321.210B, and a list of cases in default which
2 are no longer being collected under an installment
3 agreement but remain delinquent. The annual notice
4 shall contain a list of procedures which will be

5 initiated by the county attorney. Amounts collected
6 by the county attorney or the ~~person procured or~~
7 ~~designated by the county attorney~~ county attorney's
8 designee shall be distributed in accordance with
9 section 602.8107.

10 f. As used in this subsection, "designee" means a
11 professional collection services agency operated by a
12 person or organization, including a private attorney,
13 that is generally considered to have knowledge and
14 special abilities not generally possessed by the
15 state, a local government, or another county official
16 or agency, or a county attorney or a county attorney's
17 designee in another county where the fine, penalty,
18 surcharge, or court cost was not imposed."

19 2. Page 1, by inserting after line 23 the
20 following:

21 "____. Page 2, by inserting after line 6 the
22 following:

23 "Sec.____. Section 602.8107, subsection 6,
24 unnumbered paragraph 1, Code 2007, is amended to read
25 as follows:

26 If a county attorney does not file the notice and
27 list of cases required in section 331.756, subsection
28 5, including the list of installment agreements under
29 section 321.210B, the judicial branch may assign cases
30 to the centralized collection unit of the department
31 of revenue or its designee to collect debts owed to
32 the clerk of the district court. In addition, an
33 installment agreement in default that remains
34 delinquent may also be assigned to the centralized
35 collection unit of the department of revenue or its
36 designee."

37 3. Page 1, by inserting before line 24 the
38 following:

39 "____. Page 3, by inserting before line 14 the
40 following:

41 "Sec.____. PROCESSING OF INSTALLMENT AGREEMENTS.
42 Notwithstanding section 602.8107, subsection 4, and
43 section 602.8108, for the fiscal year beginning July
44 1, 2007, and ending June 30, 2008, up to the first
45 three hundred thousand dollars of the remainder to be
46 paid to the clerk pursuant to section 602.8107,
47 subsection 4, shall be allocated to the judicial
48 branch to enhance the ability of the judicial branch
49 to efficiently process installment agreements filed
50 with the clerk pursuant to section 321.210B.

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1 Sec.____. INSTALLMENT AGREEMENT – COOPERATION.
2 It is the intent of the general assembly that the
3 judicial branch, the department of transportation, the

4 department of workforce development, county attorneys,
5 and other state and local agencies cooperate in the
6 collection of delinquent court fines, penalties,
7 surcharges, and court costs by coordinating efforts in
8 the collection of installment agreement payments under
9 section 321.210B.

10 Sec.____. APPLICABILITY.

11 An installment agreement shall not be executed in
12 any county until January 1, 2008, except an
13 installment agreement may be executed and, if
14 executed, a driver's license shall be reinstated as
15 provided in section 321.210B for a fine, penalty,
16 court cost, or surcharge imposed in Polk or Linn
17 county.""

18 4. Page 1, line 27, by inserting after the word
19 "obligations" the following: "or after suspension or
20 revocation".

21 5. Page 1, line 30, by inserting after the word
22 "state" the following: ", and including applicability
23 provisions".

Amendment H-2088 was adopted.

On motion by R. Olson of Polk the House concurred in the Senate amendment H-1971, as amended.

Swaim of Davis moved that the bill, as amended by the Senate, further amended and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 641)

The ayes were, 94:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Bell	Berry	Boal
Bukta	Chambers	Clute	Cohoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Granzow	Grassley	Greiner	Heaton
Heddens	Hoffman	Hunter	Huseman
Huser	Jacobs	Jacoby	Jochum
Kaufmann	Kelley	Kressig	Kuhn
Lensing	Lukan	Lykam	Mascher
May	McCarthy	Mertz	Miller, H.
Miller, L.	Oldson	Olson, D.	Olson, R.
Olson, S.	Olson, T.	Palmer	Paulsen

Petersen	Pettengill	Quirk	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Sands	Schickel	Schueller	Shomshor
Smith	Soderberg	Staed	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Wienczek	Winckler	Windschitl	Wise
Worthan	Mr. Speaker		
	Murphy		

The nays were, 1:

Baudler

Absent or not voting, 5:

Gipp	Horbach	Raecker	Roberts
Zirkelbach			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **House File 641** be immediately messaged to the Senate.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 27, 2007, amended the House amendment, concurred in the House amendment as amended, and passed the following bill in which the concurrence of the House is asked:

Senate File 588, a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, and providing effective dates.

MICHAEL E. MARSHALL, Secretary

McCarthy of Polk asked and received unanimous consent for the immediate consideration of House File 924.

Ways and Means Calendar

House File 924, a bill for an act relating to qualifications for licensure as a real estate broker or salesperson upon conviction of specified offenses, was taken up for consideration.

Grassley of Butler offered amendment H-2111 filed by him from the floor as follows:

H-2111

- 1 Amend House File 924 as follows:
- 2 1. Page 1, line 5, by striking the word
- 3 "indictable".
- 4 2. Page 1, line 6, by inserting after the word
- 5 "offense" the following: "specified in this
- 6 subsection".
- 7 3. Page 1, by striking lines 10 and 11.
- 8 4. Page 1, line 12, by striking the figure "(2)"
- 9 and inserting the following: "(1)".
- 10 5. Page 1, by striking line 14 and inserting the
- 11 following:
- 12 "(2) Notwithstanding subparagraph (1), for".

Amendment H-2111 was adopted.

Grassley of Butler moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 924)

The ayes were, 94:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Hunter
Huseman	Huser	Jacobs	Jacoby
Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Oldson	Olson, D.
Olson, R.	Olson, S.	Olson, T.	Palmer
Paulsen	Petersen	Pettengill	Rants
Rasmussen	Rayhons	Reasoner	Reichert

Sands	Schickel	Schueller	Shomshor
Smith	Soderberg	Staed	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Wienczek	Winckler	Windschitl	Wise
Worthan	Mr. Speaker Murphy		

The nays were, none.

Absent or not voting, 6:

Gipp	Horbach	Quirk	Raecker
Roberts	Zirkelbach		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **House File 924** be immediately messaged to the Senate.

Appropriations Calendar

House File 928, a bill for an act relating to regulation of underground storage tanks by the department of natural resources, making appropriations, and providing contingent effective date provisions, was taken up for consideration.

SENATE FILE 499 SUBSTITUTED FOR HOUSE FILE 928

H. Miller of Webster asked and received unanimous consent to substitute Senate File 499 for House File 928.

Senate File 499, a bill for an act relating to regulation of underground storage tanks by the department of natural resources, making appropriations, and providing contingent effective date provisions, was taken up for consideration.

H. Miller of Webster moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 499)

The ayes were, 94:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Hunter
Huseman	Huser	Jacobs	Jacoby
Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Oldson	Olson, D.
Olson, R.	Olson, S.	Olson, T.	Palmer
Paulsen	Petersen	Pettengill	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Sands	Schickel	Schueller	Shomshor
Smith	Soderberg	Staed	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Wienczek	Winckler	Windschitl	Wise
Worthan	Mr. Speaker		
	Murphy		

The nays were, none.

Absent or not voting, 6:

Gipp	Horbach	Quirk	Raecker
Roberts	Zirkelbach		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 928 WITHDRAWN

H. Miller of Webster asked and received unanimous consent to withdraw House File 928 from further consideration by the House.

Senate File 578, a bill for an act creating a Vietnam Conflict veterans bonus for a certain period of active duty military service, making an appropriation, providing a tax exemption and a penalty,

and including a retroactive applicability provision, with report of committee recommending passage, was taken up for consideration.

Kaufmann of Cedar asked and received unanimous consent to withdraw amendment H-2070 filed by him from the floor.

Jacoby of Johnson moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 578)

The ayes were, 94:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Hunter
Huseman	Huser	Jacobs	Jacoby
Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Oldson	Olson, D.
Olson, R.	Olson, S.	Olson, T.	Palmer
Paulsen	Petersen	Pettengill	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Sands	Schickel	Schueller	Shomshor
Smith	Soderberg	Staed	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Wiencsek	Winckler	Windschitl	Wise
Worthan	Mr. Speaker		
	Murphy		

The nays were, none.

Absent or not voting, 6:

Gipp	Horbach	Quirk	Raecker
Roberts	Zirkelbach		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 499 and 578.**

McCarthy of Polk asked and received unanimous consent for the immediate consideration of House File 798.

Unfinished Business Calendar

House File 798, a bill for an act relating to the regulation of pharmacy benefits managers and providing penalties, was taken up for consideration.

Pettengill asked and received unanimous consent to withdraw the following amendments:

Amendment H-1684 filed by Pettengill of Benton, et al., on April 11, 2007.

Amendment H-1687 filed by Pettengill of Benton, et al., on April 11, 2007.

Lensing of Johnson offered the following amendment H-2100 filed by her and Jacobs of Polk from the floor and moved its adoption:

H-2100

- 1 Amend House File 798 as follows:
- 2 1. By striking everything after the enacting
- 3 clause and inserting the following:
- 4 "Section 1. NEW SECTION. 510B.1 DEFINITIONS.
- 5 As used in this chapter, unless the context
- 6 otherwise requires:
- 7 1. "Commissioner" means the commissioner of
- 8 insurance.
- 9 2. "Covered entity" means a nonprofit hospital or
- 10 medical services corporation, health insurer, health
- 11 benefit plan, or health maintenance organization; a
- 12 health program administered by a department or the

13 state in the capacity of provider of health coverage;
14 or an employer, labor union, or other group of persons
15 organized in the state that provides health coverage.
16 "Covered entity" does not include a self-funded health
17 coverage plan that is exempt from state regulation
18 pursuant to the federal Employee Retirement Income
19 Security Act of 1974 (ERISA), as codified at 29 U.S.C.
20 § 1001 et seq., a plan issued for health coverage for
21 federal employees, or a health plan that provides
22 coverage only for accidental injury, specified
23 disease, hospital indemnity, Medicare supplemental,
24 disability income, or long-term care, or other limited
25 benefit health insurance policy or contract.

26 3. "Covered individual" means a member,
27 participant, enrollee, contract holder, policyholder,
28 or beneficiary of a covered entity who is provided
29 health coverage by the covered entity, and includes a
30 dependent or other person provided health coverage
31 through a policy, contract, or plan for a covered
32 individual.

33 4. "Generic drug" means a chemically equivalent
34 copy of a brand-name drug with an expired patent.

35 5. "Labeler" means a person that receives
36 prescription drugs from a manufacturer or wholesaler
37 and repackages those drugs for later retail sale and
38 that has a labeler code from the federal food and drug
39 administration pursuant to 21 C.F.R. § 207.20.

40 6. "Pharmacy" means pharmacy as defined in section
41 155A.3.

42 7. "Pharmacy benefits management" means the
43 administration or management of prescription drug
44 benefits provided by a covered entity under the terms
45 and conditions of the contract between the pharmacy
46 benefits manager and the covered entity.

47 8. "Pharmacy benefits manager" means a person who
48 performs pharmacy benefits management services.
49 "Pharmacy benefits manager" includes a person acting
50 on behalf of a pharmacy benefits manager in a

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1 contractual or employment relationship in the
2 performance of pharmacy benefits management services
3 for a covered entity. "Pharmacy benefits manager"
4 does not include a health insurer licensed in the
5 state if the health insurer or its subsidiary is
6 providing pharmacy benefits management services
7 exclusively to its own insureds, or a public
8 self-funded pool or a private single employer
9 self-funded plan that provides such benefits or
10 services directly to its beneficiaries.

11 9. "Prescription drug" means prescription drug as

12 defined in section 155A.3.

13 10. "Prescription drug order" means prescription
14 drug order as defined in section 155A.3.

15 Sec. 2. NEW SECTION. 510B.2 CERTIFICATION AS A
16 THIRD-PARTY ADMINISTRATOR REQUIRED.

17 A pharmacy benefits manager doing business in this
18 state shall obtain a certificate as a third-party
19 administrator under chapter 510, and the provisions
20 relating to a third-party administrator pursuant to
21 chapter 510 shall apply to a pharmacy benefits
22 manager.

23 Sec. 3. NEW SECTION. 510B.3 ENFORCEMENT –
24 RULES.

25 1. The commissioner shall enforce the provisions
26 of this chapter.

27 2. The commissioner shall adopt rules pursuant to
28 chapter 17A to administer this chapter including rules
29 relating to all of the following:

30 a. Timely payment of pharmacy claims.

31 b. A process for adjudication of complaints and
32 settlement of disputes between a pharmacy benefits
33 manager and a licensed pharmacy related to pharmacy
34 auditing practices, termination of pharmacy
35 agreements, and timely payment of pharmacy claims.

36 Sec. 4. NEW SECTION. 510B.4 PERFORMANCE OF
37 DUTIES – GOOD FAITH – CONFLICT OF INTEREST.

38 1. A pharmacy benefits manager shall perform the
39 pharmacy benefits manager's duties exercising good
40 faith and fair dealing in the performance of its
41 contractual obligations toward the covered entity.

42 2. A pharmacy benefits manager shall notify the
43 covered entity in writing of any activity, policy,
44 practice ownership interest, or affiliation of the
45 pharmacy benefits manager that presents any conflict
46 of interest.

47 Sec. 5. NEW SECTION. 510B.5 CONTACTING COVERED
48 INDIVIDUAL – REQUIREMENTS.

49 A pharmacy benefits manager, unless authorized
50 pursuant to the terms of its contract with a covered

Page 3

1 entity, shall not contact any covered individual
2 without the express written permission of the covered
3 entity.

4 Sec. 6. NEW SECTION. 510B.6 DISPENSING OF
5 SUBSTITUTE PRESCRIPTION DRUG FOR PRESCRIBED DRUG.

6 1. The following provisions shall apply when a
7 pharmacy benefits manager requests the dispensing of a
8 substitute prescription drug for a prescribed drug to
9 a covered individual:

10 a. The pharmacy benefits manager may request the

11 substitution of a lower priced generic and
12 therapeutically equivalent drug for a higher priced
13 prescribed drug.
14 b. If the substitute drug's net cost to the
15 covered individual or covered entity exceeds the cost
16 of the prescribed drug, the substitution shall be made
17 only for medical reasons that benefit the covered
18 individual.

19 2. A pharmacy benefits manager shall obtain the
20 approval of the prescribing practitioner prior to
21 requesting any substitution under this section.

22 3. A pharmacy benefits manager shall not
23 substitute an equivalent prescription drug contrary to
24 a prescription drug order that prohibits a
25 substitution.

26 Sec. 7. NEW SECTION. 510B.7 DUTIES TO PHARMACY
27 NETWORK PROVIDERS.

28 1. A pharmacy benefits manager shall not mandate
29 basic recordkeeping that is more stringent than that
30 required by state or federal law or regulation.

31 2. If a pharmacy benefits manager receives notice
32 from a covered entity of termination of the covered
33 entity's contract, the pharmacy benefits manager shall
34 notify, within ten working days of the notice, all
35 pharmacy network providers of the effective date of
36 the termination.

37 3. Within three business days of a price increase
38 notification by a manufacturer or supplier, a pharmacy
39 benefits manager shall adjust its payment to the
40 pharmacy network provider consistent with the price
41 increase.

42 Sec. 8. PHARMACY BENEFITS MANAGER LEGISLATIVE
43 INTERIM COMMITTEE. The legislative council is
44 requested* to establish a legislative interim committee
45 on pharmacy benefits managers to review all of the
46 following:

47 1. Transparency and disclosure arrangements
48 between pharmacy benefits managers and covered
49 entities.

50 2. Confidentiality protections for information

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1 disclosed to covered entities and remedies for
2 unauthorized disclosure.

3 3. The ability of covered entities to audit
4 pharmacy benefits managers.

5 4. Appropriate remedies for covered entities to
6 enforce a provision of or for violation of a provision
7 of chapter 510B, as enacted in this Act.

8 Sec. 9. EFFECTIVE DATE - DIRECTIVE TO
9 COMMISSIONER OF INSURANCE.

- 10 1. This Act takes effect January 1, 2008.
11 2. Notwithstanding the effective date of this Act,
12 the commissioner of insurance shall commence the
13 process of developing proposed rules to implement and
14 administer this Act beginning July 1, 2007."
15 2. Title page, by striking line 2 and inserting
16 the following: "and making penalties applicable, and
17 providing an effective date."

Amendment H-2100 was adopted, placing out of order the following amendments:

Amendment H-1662 filed by Boal of Polk on April 10, 2007.

Amendment H-1683 filed by Quirk of Chickasaw, et al., on April 11, 2007.

Amendment H-1685 filed by Quirk of Chickasaw, et al., on April 11, 2007.

Amendment H-1686 filed by Pettengill of Benton, et al., on April 11, 2007.

Amendment H-1688 filed by Pettengill of Benton, et al., on April 11, 2007.

Amendment H-1689 filed by Pettengill of Benton, et al., on April 11, 2007.

Amendment H-1690 filed by Pettengill of Benton, et al., on April 11, 2007.

Amendment H-1691 filed by Pettengill of Benton, et al., on April 11, 2007.

SENATE FILE 512 SUBSTITUTED FOR HOUSE FILE 798

Lensing of Johnson asked and received unanimous consent to substitute Senate File 512 for House File 798.

Senate File 512, a bill for an act relating to the regulation of pharmacy benefits managers and making penalties applicable, and providing an effective date, was taken up for consideration.

Lensing of Johnson moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 512)

The ayes were, 94:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Ford
Forristall	Frevert	Gaskill	Gayman
Granzow	Grassley	Greiner	Heaton
Heddens	Hoffman	Hunter	Huseman
Huser	Jacobs	Jacoby	Jochum
Kaufmann	Kelley	Kressig	Kuhn
Lensing	Lukan	Lykam	Mascher
May	McCarthy	Mertz	Miller, H.
Miller, L.	Oldson	Olson, D.	Olson, R.
Olson, S.	Olson, T.	Palmer	Paulsen
Petersen	Pettengill	Quirk	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Sands	Schickel	Schueller	Shomshor
Smith	Soderberg	Staed	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Wiencek	Winckler	Windschitl	Wise
Worthan	Mr. Speaker		
	Murphy		

The nays were, none.

Absent or not voting, 6:

Foege	Gipp	Horbach	Raecker
Roberts	Zirkelbach		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **Senate File 512** be immediately messaged to the Senate.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 26, 2007, amended and passed the following bill in which the concurrence of the House is asked:

House File 911, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, vertical infrastructure fund, the endowment for Iowa's health restricted capitals fund, and the technology reinvestment fund, and related matters, and providing an effective date.

Also: That the Senate has on April 27, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 918, a bill for an act establishing the office of energy independence and the Iowa power fund and related provisions, and providing an effective date.

Also: That the Senate has on April 27, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 927, a bill for an act making appropriations for specified energy-related purposes and providing an effective date.

Also: That the Senate has on April 27, 2007, adopted the conference committee report and passed Senate File 551, a bill for an act relating to and making appropriations involving state government, by providing for agriculture, natural resources, and environmental protection.

Also: That the Senate has on April 27, 2007, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 580, a bill for an act relating to a tax amnesty program, making appropriations, and including an effective date provision.

MICHAEL E. MARSHALL, Secretary

On motion by McCarthy of Polk, the House was recessed at 5:44 p.m., until 9:00 p.m.

EVENING SESSION

The House reconvened at 9:36 p.m., Speaker Murphy in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 27, 2007, amended and passed the following bill in which the concurrence of the House is asked:

House File 556, a bill for an act establishing the Iowa propane education and research council, providing for the development of programs and projects related to propane, providing for an assessment on the sale of odorized propane, providing criminal penalties, and providing for effective dates.

Also: That the Senate has on April 27, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 920, a bill for an act authorizing the state board of regents to borrow moneys and issue revenue bonds to finance the costs of certain building and facility improvement programs.

Also: That the Senate has on April 27, 2007, concurred in the House amendment and passed the following bill in which the concurrence of the Senate is asked:

Senate File 593, a bill for an act relating to the assessment of civil and criminal court fees and penalties.

MICHAEL E. MARSHALL, Secretary

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed ninety-three members present, seven absent.

CONSIDERATION OF BILLS Ways and Means Calendar

House File 908, a bill for an act relating to the licensing and regulation of plumbers and mechanical professionals, and providing an appropriation and penalties, was taken up for consideration.

Schueller of Jackson offered the following amendment H-1791 filed by him and moved its adoption:

H-1791

- 1 Amend House File 908 as follows:
- 2 1. Page 1, line 11, by inserting after the word
- 3 "is" the following: "progressing toward completion of
- 4 an apprenticeship training program registered by the
- 5 office of apprenticeship of the United States
- 6 department of labor while".
- 7 2. Page 12, line 32, by striking the words "or a
- 8 successor agency".
- 9 3. Page 17, line 24, by inserting after the word
- 10 "board." the following: "The board, in connection

11 with a proceeding under this chapter, may issue
12 subpoenas to compel attendance and testimony of
13 witnesses and the disclosure of evidence, and may
14 request the attorney general to bring an action to
15 enforce the subpoena."

16 4. Page 19, line 2, by inserting before the word
17 "PENALTY" the following: "CIVIL".

18 5. Page 19, by striking lines 3 through 6 and
19 inserting the following:

20 "1. In addition to any other penalties provided
21 for in this chapter, the board may, by order, impose a
22 civil penalty upon a person violating any provision of
23 this chapter. Each day of a continued violation
24 constitutes a separate offense, except that offenses
25 resulting from the same or common facts or
26 circumstances shall be considered a single offense.
27 Before issuing an order under this section, the board
28 shall provide the person written notice and the
29 opportunity to request a hearing on the record. The
30 hearing must be requested within thirty days of the
31 issuance of the notice.

32 2. A person aggrieved by the imposition of a civil
33 penalty under this section may seek judicial review in
34 accordance with section 17A.19.

35 3. If a person fails to pay a civil penalty within
36 thirty days after entry of an order under subsection
37 1, or if the order is stayed pending an appeal within
38 ten days after the court enters a final judgment in
39 favor of the board, the board shall notify the
40 attorney general. The attorney general may commence
41 an action to recover the amount of the penalty,
42 including reasonable attorney fees and costs.

43 4. An action to enforce an order under this
44 section may be joined with an action for an
45 injunction."

46 6. Page 19, line 20, by inserting after the word
47 "report." the following: "The opening of an office or
48 place of business for the purpose of providing any
49 services for which a license is required by this
50 chapter, the announcing to the public in any way the

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1 intention to provide any such service, the use of any
2 professional designation, or the use of any sign,
3 card, circular, device, vehicle, or advertisement, as
4 a provider of any such services shall be prima facie
5 evidence of engaging in the practice of a plumber or
6 mechanical professional."

7 7. Page 19, by striking lines 21 and 22 and
8 inserting the following:

9 "Sec. ____ NEW SECTION. 104C.30 ATTORNEY

10 GENERAL."

11 8. Page 19, by striking lines 26 through 28 and
12 inserting the following: "any provision of this
13 chapter."

14 9. Page 20, by inserting after line 27 the
15 following:

16 "Sec. ____ EFFECTIVE DATE. This Act takes effect
17 July 1, 2008."

18 10. Title page, line 3, by inserting after the
19 word "penalties" the following: "and providing an
20 effective date".

21 11. By renumbering as necessary.

Amendment H-1791 was adopted.

Quirk of Chickasaw offered the following amendment H-1977 filed by him and moved its adoption:

H-1977

1 Amend House File 908 as follows:

2 1. Page 3, by striking lines 24 through 27 and
3 inserting the following:

4 "a. The director of public health or the
5 director's designee.

6 b. The commissioner of public safety or the
7 commissioner's designee."

8 2. Page 11, line 27, by inserting after the word
9 "professionals" the following: "and contractors".

Amendment H-1977 was adopted.

Kelley of Black Hawk offered the following amendment H-1937 filed by her and moved its adoption:

H-1937

1 Amend House File 908 as follows:

2 1. Page 9, by inserting after line 2 the
3 following:

4 "3. The board may allow a two-year delay in
5 implementing the licensure requirements for
6 contractors who employ less than ten mechanical
7 professionals."

Amendment H-1937 was adopted.

Jacobs of Polk offered the following amendment H-2119 filed by her from the floor and moved its adoption:

H-2119

- 1 Amend House File 908 as follows:
- 2 1. Page 9, line 16, by inserting after the word
- 3 "commercial" the following: "retail".

Amendment H-2119 was adopted.

Quirk of Chickasaw moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 908)

The ayes were, 75:

Abdul-Samad	Alons	Anderson	Bailey
Bell	Berry	Boal	Bukta
Chambers	Clute	Cphoon	Dandekar
Davitt	Drake	Foege	Ford
Frevrt	Gaskill	Gayman	Granzow
Greiner	Heaton	Hedden	Hoffman
Huseman	Huser	Jacobs	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	May
McCarthy	Mertz	Miller, H.	Miller, L.
Oldson	Olson, D.	Olson, R.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill
Quirk	Rants	Rasmussen	Reasoner
Reichert	Schickel	Schueller	Shomshor
Smith	Soderberg	Staed	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tomenga	Van Fossen	Wendt	Wenthe
Whitaker	Whitead	Wiencsek	Winckler
Wise	Worthan	Mr. Speaker	
		Murphy	

The nays were, 19:

Arnold	Baudler	De Boef	Deoye
Dolecheck	Forristall	Grassley	Hunter
Kaufmann	Lukan	Olson, S.	Rayhons
Sands	Tjepkes	Tymeson	Upmeyer
Van Engelenhoven	Watts	Windschitl	

Absent or not voting 6:

Gipp

Horbach

Raecker

Roberts

Wessel-Kroeschell

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

SENATE AMENDMENT CONSIDERED

Schueller of Jackson called up for consideration **House File 923**, a bill for an act relating to the policy and technical administration of the tax and related laws by the department of revenue, including administration of income, sales, use, cigarette, and tobacco taxes, providing an effective date, and providing retroactive applicability date provisions, amended by the following Senate amendment H-2110:

H-2110

1 Amend House File 923, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 1, by inserting after line 20 the
4 following:

5 "Sec. ____ Section 331.434, subsection 1, Code
6 2007, is amended to read as follows:

7 1. The budget shall show the amount required for
8 each class of proposed expenditures, a comparison of
9 the amounts proposed to be expended with the amounts
10 expended for like purposes for the two preceding
11 years, the revenues from sources other than property
12 taxation, a tax increment financing budget including
13 information required under section 384.16 for each
14 urban renewal area established by the county, and the
15 amount to be raised by property taxation, in the
16 detail and form prescribed by the director of the
17 department of management.

18 Sec. ____ Section 384.16, subsection 1, Code 2007,
19 is amended by adding the following new paragraph:
20 NEW PARAGRAPH. d. A tax increment financing
21 budget for each urban renewal area established by the
22 city.

23 Sec. ____ Section 384.16, subsection 1, unnumbered
24 paragraph 2, Code 2007, is amended to read as follows:
25 A budget must show comparisons between the
26 estimated expenditures in each program in the
27 following year, the latest estimated expenditures in
28 each program in the current year, and the actual
29 expenditures in each program from the annual report as

30 provided in section 384.22, or as corrected by a
31 subsequent audit report. Wherever practicable, as
32 provided in rules of the committee, a budget,
33 including the tax increment financing budget, must
34 show comparisons between the levels of service
35 provided by each program as estimated for the
36 following year, and actual levels of service provided
37 by each program during the two preceding years.
38 Wherever practicable, the tax increment financing
39 budget shall include estimated and actual tax
40 increment financing revenues and all estimated and
41 actual expenditures of the revenues, proceeds from
42 debt and all estimated and actual expenditures of the
43 debt proceeds, and identification of any entity
44 receiving a direct payment of taxes funded by tax
45 increment financing revenues."
46 2. Page 9, by inserting after line 4 the
47 following:
48 "Sec.____. Section 427.3, Code 2007, is amended to
49 read as follows:
50 427.3 ABATEMENT OF TAXES OF CERTAIN EXEMPT

Page 2

1 ENTITIES.

2 The board of supervisors may abate the taxes levied
3 against property acquired by gift or purchase by a
4 person or entity if the property acquired by gift or
5 purchase was transferred to the person or entity after
6 the deadline for filing for property tax exemption in
7 the year in which the property was transferred and the
8 property acquired by gift or purchase would have been
9 exempt under section 427.1, subsection 7, 8, or 9, if
10 the person or entity had been able to file for
11 exemption in a timely manner.

12 Sec.____. REFUND OF PROPERTY TAXES.

13 Notwithstanding the deadline for filing a claim for
14 property tax exemption for property described in
15 section 427.1, subsection 8 or 9, and notwithstanding
16 any other provision to the contrary, the board of
17 supervisors of a county having a population based upon
18 the latest federal decennial census of more than
19 eighty-eight thousand but not more than ninety-five
20 thousand shall refund the property taxes paid, with
21 all interest, penalties, fees, and costs which were
22 due and payable in the fiscal year beginning July 1,
23 2002, and in the fiscal year beginning July 1, 2005,
24 on the land and buildings of an institution that
25 purchased property and that did not receive a property
26 tax exemption for the property due to the inability or
27 failure to file for the exemption. To receive the
28 refund provided for in this section, the institution

29 shall apply to the county board of supervisors by
 30 October 1, 2007, and provide appropriate information
 31 establishing that the land and buildings for which the
 32 refund is sought were used by the institution for its
 33 appropriate objectives during the fiscal year
 34 beginning July 1, 2002, and during the fiscal year
 35 beginning July 1, 2005. The refund allowed under this
 36 section only applies to property taxes, with all
 37 interest, penalties, fees, and costs, due and payable
 38 in the fiscal year beginning July 1, 2002, and in the
 39 fiscal year beginning July 1, 2005.

40 Sec.____. IMMEDIATE EFFECTIVE DATE. The section
 41 of this division of this Act, amending section 427.3,
 42 being deemed of immediate importance, takes effect
 43 upon enactment and applies retroactively to property
 44 taxes due and payable in the fiscal year beginning
 45 July 1, 2002, and in the fiscal year beginning July 1,
 46 2005."

47 3. By renumbering, relettering, or redesignating
 48 and correcting internal references as necessary.

Schueller of Jackson offered the following amendment H-2120, to the Senate amendment H-2110, filed by him from the floor and moved its adoption:

H-2120

1 Amend the Senate amendment, H-2110, to House File
 2 923, as amended, passed, and reprinted by the House,
 3 as follows:

4 1. Page 1, by striking lines 12 through 14 and
 5 inserting the following: "taxation, and the".

6 2. Page 1, line 17, by inserting after the word
 7 "management." the following: "For each county that
 8 has established an urban renewal area, the budget
 9 shall include estimated and actual tax increment
 10 financing revenues and all estimated and actual
 11 expenditures of the revenues, proceeds from debt and
 12 all estimated and actual expenditures of the debt
 13 proceeds, and identification of any entity receiving a
 14 direct payment of taxes funded by tax increment
 15 financing revenues and shall include the total amount
 16 of loans, advances, indebtedness, or bonds outstanding
 17 at the close of the most recently ended fiscal year,
 18 which qualify for payment from the special fund
 19 created in section 403.19, including interest
 20 negotiated on such loans, advances, indebtedness, or
 21 bonds. For purposes of this subsection,
 22 "indebtedness" includes written agreements whereby the
 23 county agrees to suspend, abate, exempt, rebate,
 24 refund, or reimburse property taxes, provide a grant

25 for property taxes paid, or make a direct payment of
 26 taxes, with moneys in the special fund. The amount of
 27 loans, advances, indebtedness, or bonds shall be
 28 listed in the aggregate for each county reporting.
 29 The county finance committee, in consultation with the
 30 department of management and the legislative services
 31 agency, shall determine reporting criteria and shall
 32 prepare a form for reports filed with the department
 33 pursuant to this section. The department shall make
 34 the information available by electronic means."
 35 3. Page 1, by striking lines 18 through 22.
 36 4. Page 1, line 32, by striking the word
 37 "budget," and inserting the following: "budget".
 38 5. Page 1, by striking line 33 and inserting the
 39 following: "must".
 40 6. Page 1, by striking line 38 and inserting the
 41 following: "For each city that has established an
 42 urban renewal area, the".
 43 7. Page 1, line 45, by inserting after the word
 44 "revenues" the following: "and shall include the
 45 total amount of loans, advances, indebtedness, or
 46 bonds outstanding at the close of the most recently
 47 ended fiscal year, which qualify for payment from the
 48 special fund created in section 403.19, including
 49 interest negotiated on such loans, advances,
 50 indebtedness, or bonds. For purposes of this

Page 2

1 subsection, "indebtedness" includes written agreements
 2 whereby the city agrees to suspend, abate, exempt,
 3 rebate, refund, or reimburse property taxes, provide a
 4 grant for property taxes paid, or make a direct
 5 payment of taxes, with moneys in the special fund.
 6 The amount of loans, advances, indebtedness, or bonds
 7 shall be listed in the aggregate for each city
 8 reporting. The city finance committee, in
 9 consultation with the department of management and the
 10 legislative services agency, shall determine reporting
 11 criteria and shall prepare a form for reports filed
 12 with the department pursuant to this section. The
 13 department shall make the information available by
 14 electronic means".
 15 8. Page 2, by inserting after line 11 the
 16 following:
 17 "Sec. ____ . Section 403.23, Code 2007, is
 18 repealed."
 19 9. By renumbering as necessary.

Amendment H-2120 was adopted.

On motion by Schueller of Jackson the House concurred in the Senate amendment H-2110, as amended.

Schueller of Jackson moved that the bill, as amended by the Senate, further amended and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 923)

The ayes were, 94:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Hunter
Huseman	Huser	Jacobs	Jacoby
Kaufmann	Kelley	Kressig	Kuhn
Lensing	Lukan	Lykam	Mascher
May	McCarthy	Mertz	Miller, H.
Miller, L.	Oldson	Olson, D.	Olson, R.
Olson, S.	Olson, T.	Palmer	Paulsen
Petersen	Pettengill	Quirk	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Sands	Schickel	Schueller	Shomshor
Smith	Soderberg	Staed	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Wienczek	Winckler	Windschitl	Wise
Worthan	Mr. Speaker		
	Murphy		

The nays were, none.

Absent or not voting, 6:

Gipp	Horbach	Jochum	Raecker
Roberts	Zirkelbach		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

SENATE AMENDMENT CONSIDERED

Reichert of Muscatine called up for consideration **House File 556**, a bill for an act establishing the Iowa propane education and research council, providing for the development of programs and projects related to propane, providing for an assessment on the sale of odorized propane, providing criminal penalties, and providing for effective dates, amended by the Senate, and moved that the House concur in the following Senate amendment H-2115:

H-2115

- 1 Amend House File 556, as passed by the House, as
- 2 follows:
- 3 1. Page 2, line 21, by inserting after the word
- 4 "ten" the following: "voting".
- 5 2. Page 3, by inserting after line 11 the
- 6 following:
- 7 "____. The following persons shall be ex officio,
- 8 nonvoting members of the council designated for
- 9 three-year terms as follows:
- 10 a. A professional fire fighter designated by the
- 11 Iowa association of professional fire chiefs.
- 12 b. A volunteer fire fighter designated by the Iowa
- 13 firemen's association.
- 14 c. An experienced plumber involved in plumbing
- 15 training programs designated by the Iowa state
- 16 building and construction trades council.
- 17 d. A heating, ventilation, and air conditioning
- 18 professional involved in heating, ventilation, and air
- 19 conditioning training programs designated by the Iowa
- 20 state building and construction trades council.
- 21 e. A community college instructor with experience
- 22 in conducting fire safety programs designated by the
- 23 Iowa association of community college presidents.
- 24 f. A representative of a property and casualty
- 25 insurance company with experience in insuring sellers
- 26 of propane gas designated by the Iowa insurance
- 27 institute."
- 28 3. Page 3, line 32, by inserting after the word
- 29 "The" the following: "voting members of the".
- 30 4. Page 3, line 33, by striking the words "its
- 31 membership" and inserting the following: "the voting
- 32 members".
- 33 5. Page 4, by striking lines 31 and 32, and
- 34 inserting the following: "undertaken. The council
- 35 shall submit the".
- 36 6. Page 6, by striking lines 1 through 14 and
- 37 inserting the following: "annual assessment. Upon

38 establishment of the council and each year thereafter
 39 the annual assessment shall be made at a rate of
 40 one-tenth of one cent on each gallon of odorized
 41 propane sold."
 42 7. Page 7, lines 14 and 15, by striking the words
 43 "INCREASED ASSESSMENTS OR".
 44 8. By striking page 7, line 16, through page 8,
 45 line 1.
 46 9. Page 8, line 2, by striking the figure "2."
 47 10. Page 8, by striking lines 8 through 10 and
 48 inserting the following: "whether the council should
 49 be terminated or suspended. Voting rights in the
 50 referendum shall be based on the volume of odorized

Page 2

1 propane sold in this state by each retail propane
 2 marketer during the previous calendar year. Each
 3 retail propane marketer voting in the referendum shall
 4 certify to the independent auditing firm the volume of
 5 odorized propane sold by that person as represented by
 6 that person's vote. Upon the approval of those retail
 7 propane".
 8 11. Page 8, line 28, by striking the words "fire
 9 marshal" and inserting the following: "general
 10 assembly".
 11 12. Page 9, by inserting after line 28 the
 12 following:
 13 "Sec. . NEW SECTION. 101B.14 FUTURE REPEAL.
 14 This chapter is repealed December 31, 2014."
 15 13. Title page, line 5, by inserting after the
 16 word "for" the following: "a future repeal and for".
 17 14. By renumbering, relettering, or redesignating
 18 and correcting internal references as necessary.

The motion prevailed and the House concurred in the Senate amendment H-2115.

Reichert of Muscatine moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 556)

The ayes were, 68:

Abdul-Samad
Berry

Anderson
Bukta

Bailey
Clute

Bell
Cohoon

Dandekar	Davitt	Drake	Foege
Ford	Frevert	Gaskill	Gayman
Granzow	Greiner	Heaton	Heddens
Hoffman	Hunter	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Pettengill	Quirk	Reasoner	Reichert
Schueller	Shomshor	Smith	Soderberg
Staed	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	Mr. Speaker Murphy

The nays were, 27:

Alons	Arnold	Baudler	Boal
Chambers	De Boef	Deyoe	Dolecheck
Forristall	Grassley	Huseman	Miller, L.
Olson, S.	Paulsen	Rants	Rasmussen
Rayhons	Sands	Schickel	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wiencek	Windschitl	Worthan	

Absent or not voting, 5:

Gipp	Horbach	Raecker	Roberts
Zirkelbach			

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 556, 908 and 923.**

Ways and Means Calendar

House File 883, a bill for an act relating to the state earned income tax credit by increasing the amount of the tax credit and making the tax credit refundable and including effective and retroactive applicability date provisions, was taken up for consideration.

SENATE FILE 590 SUBSTITUTED FOR HOUSE FILE 883

T. Olson of Linn asked and received unanimous consent to substitute Senate File 590 for House File 883, placing out of order the following amendments:

Amendment H-1578 filed by Tymeson of Madison on April 4, 2007

Amendment H-1579 filed by Tymeson of Madison on April 4, 2007.

Amendment H-1601 filed by Sands of Louisa on April 5, 2007.

Amendment H-1602 filed by Lukan of Dubuque on April 5, 2007.

Amendment H-1615 filed by Alons of Sioux on April 5, 2007.

Amendment H-1696 filed by Grassley of Butler on April 12, 2007.

Amendment H-1697 filed by Upmeyer of Hancock on April 12, 2007.

Amendment H-1703 filed by Van Fossen of Scott on April 12, 2007.

Amendment H-1708 filed by Lukan of Dubuque, et al., on April 12, 2007.

Amendment H-1709 filed by Lukan of Dubuque, et al., on April 12, 2007.

Senate File 590, a bill for an act relating to the state earned income tax credit by increasing the amount of the tax credit and making the tax credit refundable and including effective and retroactive applicability date provisions, was taken up for consideration.

Grassley of Butler offered amendment H-2075 filed by him from the floor as follows:

H-2075

1 Amend Senate File 590, as passed by the Senate, as
2 follows:

3 1. Page 1, by inserting before line 1 the
4 following:

5 "Section 1. Section 422.12, subsection 2,
6 unnumbered paragraph 1, Code 2007, is amended to read
7 as follows:

8 A tuition credit equal to ~~twenty-five~~ fifty percent
9 of the first one thousand dollars which the taxpayer
10 has paid to others for each dependent in grades
11 kindergarten through twelve, for tuition and textbooks
12 of each dependent in attending an elementary or
13 secondary school situated in Iowa, which school is
14 accredited or approved under section 256.11, which is
15 not operated for profit, and which adheres to the

16 provisions of the federal Civil Rights Act of 1964 and
 17 chapter 216. As used in this subsection, "textbooks"
 18 means books and other instructional materials and
 19 equipment used in elementary and secondary schools in
 20 teaching only those subjects legally and commonly
 21 taught in public elementary and secondary schools in
 22 this state and does not include instructional books
 23 and materials used in the teaching of religious
 24 tenets, doctrines, or worship, the purpose of which is
 25 to inculcate those tenets, doctrines, or worship.
 26 "Textbooks" includes books or materials used for
 27 extracurricular activities including sporting events,
 28 musical or dramatic events, speech activities,
 29 driver's education, or programs of a similar nature.
 30 Notwithstanding any other provision, all other credits
 31 allowed under this section and section 422.12B shall
 32 be deducted before the tuition credit under this
 33 subsection. The department, when conducting an audit
 34 of a taxpayer's return, shall also audit the tuition
 35 tax credit portion of the tax return."
 36 2. Title page, line 1, by inserting after the
 37 words "relating to" the following: "the increase in
 38 the tuition tax credit and to".

T. Olson of Linn rose on a point of order that amendment H-2075 was not germane.

The Speaker ruled the point well taken and amendment H-2075 not germane.

Grassley of Butler moved to suspend the rules to consider amendment H-2075.

Roll call was requested by Rants of Woodbury and Grassley of Butler.

On the question "Shall the rules be suspended to consider amendment H-2075?" (S.F. 590)

The ayes were, 42:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Granzow	Grassley	Greiner	Heaton
Hoffman	Huseman	Jacobs	Kaufmann
Lukan	May	Miller, L.	Olson, S.
Paulsen	Pettengill	Rants	Rasmussen

Rayhons	Sands	Schickel	Soderberg
Struyk	Tjepkes	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wienczek
Windschitl	Worthan		

The nays were, 52:

Abdul-Samad	Bell	Berry	Bukta
Cohoon	Dandekar	Davitt	Foege
Ford	Frevert	Gaskill	Gayman
Heddens	Hunter	Huser	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Mertz	Miller, H.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Quirk	Reasoner	Reichert	Schueller
Shomshor	Smith	Staed	Swaim
Taylor, D.	Taylor, T.	Thomas	Tomenga
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	Mr. Speaker Murphy

Absent or not voting, 6:

Bailey	Gipp	Horbach	Raecker
Roberts	Zirkelbach		

The motion to suspend the rules lost.

Sands of Louisa offered amendment H-2076 filed by him as follows:

H-2076

1 Amend Senate File 590, as passed by the Senate, as
 2 follows:
 3 1. Page 1, by inserting before line 1 the
 4 following:
 5 "Section 1. Section 422.7, Code 2007, is amended
 6 by adding the following new subsection:
 7 NEW SUBSECTION. 50. Subtract, to the extent
 8 included, the amount of gain realized from the sale of
 9 farmland to the state department of transportation, if
 10 such gain is deposited into a qualified pension plan
 11 pursuant to section 401 of the Internal Revenue Code
 12 for the benefit of the taxpayer. If only a portion of
 13 the gain realized is deposited into the qualified
 14 pension plan, then only that portion shall be
 15 subtracted under this subsection. For purposes of
 16 this subsection, "farmland" means land of two acres or
 17 more that in good faith is used for agricultural or

18 horticultural purposes."

19 2. Title page, line 1, by inserting after the
20 words "relating to" the following: "the taxable gain
21 from the sale of farmland to the department of
22 transportation and to".

T. Olson of Linn rose on a point of order that amendment H-2076 was not germane.

The Speaker ruled the point well taken and amendment H-2076 not germane.

Van Fossen of Scott offered the following amendment H-2077 filed by him from the floor and moved its adoption:

H-2077

1 Amend Senate File 590, as passed by the Senate, as
2 follows:

3 1. Page 1, by inserting before line 1 the
4 following:

5 "Section 1. Section 422.7, subsection 8, Code
6 2007, is amended to read as follows:

7 8. a. Subtract the amount of the federal work
8 opportunity tax credit allowable for the tax year
9 under section 51 of the Internal Revenue Code to the
10 extent that the credit increased federal adjusted
11 gross income.

12 b. Add the amount of the state work opportunity
13 tax credit allowable for the tax year.

14 Sec. ____. NEW SECTION. 422.11T STATE WORK
15 OPPORTUNITY TAX CREDIT.

16 The taxes imposed under this division shall be
17 reduced by a state work opportunity tax credit equal
18 to twenty-five percent of the federal work opportunity
19 tax credit provided in section 51 of the Internal
20 Revenue Code. Any credit in excess of the tax
21 liability is nonrefundable."

22 2. Page 1, by inserting after line 8 the
23 following:

24 "Sec. ____. Section 422.33, Code 2007, is amended
25 by adding the following new subsection:

26 NEW SUBSECTION. 24. The taxes imposed under this
27 division shall be reduced by a state work opportunity
28 tax credit equal to twenty-five percent of the federal
29 work opportunity tax credit provided in section 51 of
30 the Internal Revenue Code. Any credit in excess of
31 the tax liability is nonrefundable.

32 Sec. ____. Section 422.35, subsection 5, Code 2007,

33 is amended to read as follows:

34 5. a. Subtract the amount of the federal work
35 opportunity tax credit allowable for the tax year
36 under section 51 of the Internal Revenue Code to the
37 extent that the credit increased federal taxable
38 income.

39 b. Add the amount of the state work opportunity
40 tax credit allowable for the tax year.

41 Sec. ____ Section 422.60, Code 2007, is amended by
42 adding the following new subsection:

43 NEW SUBSECTION. 13. The taxes imposed under this
44 division shall be reduced by a state work opportunity
45 tax credit equal to twenty-five percent of the federal
46 work opportunity tax credit provided in section 51 of
47 the Internal Revenue Code. Any credit in excess of
48 the tax liability is nonrefundable."

49 3. Title page, line 3, by inserting after the
50 word "refundable" the following: "and to a state work

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1 opportunity tax credit,".

T. Olson of Linn rose on a point of order that amendment H-2077 was not germane.

The Speaker ruled the point well taken and amendment H-2077 not germane.

Van Fossen of Scott moved to suspend the rules to consider amendment H-2077.

Roll call was requested by Van Fossen of Scott and Grassley of Butler.

On the question "Shall the rules be suspended to consider amendment H-2077?" (S.F. 590)

The ayes were, 40:

Alons	Arnold	Baudler	Boal
Chambers	Clute	De Boef	Deyoe
Dolecheck	Drake	Forristall	Granzow
Grassley	Greiner	Heaton	Hoffman
Huseman	Jacobs	Kaufmann	Lukan
May	Miller, L.	Olson, S.	Paulsen
Rants	Rasmussen	Rayhons	Sands
Schickel	Soderberg	Struyk	Tjepkes

Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wiencek	Windschitl	Worthan

The nays were, 53:

Abdul-Samad	Anderson	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Quirk	Reasoner	Reichert
Schueller	Shomshor	Smith	Staed
Swaim	Taylor, D.	Taylor, T.	Thomas
Tomenga	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise
Mr. Speaker Murphy			

Absent or not voting, 7:

Bailey	Gipp	Horbach	Pettengill
Raecker	Roberts	Zirkelbach	

The motion to suspend the rules lost.

Lukan of Dubuque offered amendment H-2078 filed by him from the floor as follows:

H-2078

1 Amend Senate File 590, as passed by the Senate, as
 2 follows:
 3 1. Page 1, by inserting before line 1 the
 4 following:
 5 "Section 1. Section 422.7, subsection 13, Code
 6 2007, is amended to read as follows:
 7 13. a. Subtract, to the extent included, the
 8 amount of additional social security benefits taxable
 9 under the Internal Revenue Code for tax years
 10 beginning on or after January 1, 1994, but before
 11 January 1, ~~2014~~ 2011. The amount of social security
 12 benefits taxable as provided in section 86 of the
 13 Internal Revenue Code, as amended up to and including
 14 January 1, 1993, continues to apply for state income
 15 tax purposes for tax years beginning on or after
 16 January 1, 1994, but before January 1, ~~2014~~ 2011.
 17 b. (1) For tax years beginning in the 2007
 18 calendar year, subtract, to the extent included,

19 thirty-two percent of taxable social security benefits
20 remaining after the subtraction in paragraph "a".

21 (2) For tax years beginning in the 2008 calendar
22 year, subtract, to the extent included, ~~thirty-two~~
23 forty percent of taxable social security benefits
24 remaining after the subtraction in paragraph "a".

25 (3) For tax years beginning in the 2009 calendar
26 year, subtract, to the extent included, ~~forty-three~~
27 sixty percent of taxable social security benefits
28 remaining after the subtraction in paragraph "a".

29 (4) For tax years beginning in the 2010 calendar
30 year, subtract, to the extent included, ~~fifty-five~~
31 eighty percent of taxable social security benefits
32 remaining after the subtraction in paragraph "a".

33 ~~(5) For tax years beginning in the 2011 calendar~~
34 ~~year, subtract, to the extent included, sixty-seven~~
35 ~~percent of taxable social security benefits remaining~~
36 ~~after the subtraction in paragraph "a".~~

37 ~~(6) For tax years beginning in the 2012 calendar~~
38 ~~year, subtract, to the extent included, seventy-seven~~
39 ~~percent of taxable social security benefits remaining~~
40 ~~after the subtraction in paragraph "a".~~

41 ~~(7) For tax years beginning in the 2013 calendar~~
42 ~~year, subtract, to the extent included, eighty-nine~~
43 ~~percent of taxable social security benefits remaining~~
44 ~~after the subtraction in paragraph "a".~~

45 c. Married taxpayers, who file a joint federal
46 income tax return and who elect to file separate
47 returns or who elect separate filing on a combined
48 return for state income tax purposes, shall allocate
49 between the spouses the amount of benefits subtracted
50 under paragraphs "a" and "b" from net income in the

Page 2

1 ratio of the social security benefits received by each
2 spouse to the total of these benefits received by both
3 spouses.

4 d. For tax years beginning on or after January 1,
5 ~~2014~~ 2011, subtract, to the extent included, the
6 amount of social security benefits taxable under
7 section 86 of the Internal Revenue Code."

8 2. Title page, line 1, by inserting after the
9 words "relating to" the following: "the phase out of
10 the tax on social security benefits, and to".

T. Olson of Linn rose on a point of order that amendment H-2078 was not germane.

The Speaker ruled the point well taken and amendment H-2078

not germane.

Lukan of Dubuque asked for unanimous consent to suspend the rules to consider amendment H-2078.

Objection was raised.

Lukan of Dubuque moved to suspend the rules to consider amendment H-2078.

Roll call was requested by Lukan of Dubuque and Grassley of Butler.

On the question "Shall the rules be suspended to consider amendment H-2078?" (S.F. 590)

The ayes were, 41:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Granzow	Grassley	Greiner	Heaton
Hoffman	Huseman	Jacobs	Kaufmann
Lukan	May	Miller, L.	Olson, S.
Paulsen	Rants	Rasmussen	Rayhons
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wienczek	Windschitl
Worthan			

The nays were, 54:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Pettengill	Quirk	Reasoner
Reichert	Schueller	Shomshor	Smith
Staed	Swaim	Taylor, D.	Taylor, T.
Thomas	Tomenga	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Winckler
Wise	Mr. Speaker		
	Murphy		

Absent or not voting, 5:

Gipp
Zirkelbach

Horbach

Raecker

Roberts

The motion to suspend the rules lost.

Tymeson of Madison asked and received unanimous consent to withdraw amendment H-2079 filed by her from the floor.

Tymeson of Madison offered amendment H-2080 filed by her from the floor as follows:

H-2080

- 1 Amend Senate File 590, as passed by the Senate, as
- 2 follows:
- 3 1. Page 1, by inserting after line 8 the
- 4 following:
- 5 "Sec. ____ Section 423.3, Code 2007, is amended by
- 6 adding the following new subsection:
- 7 NEW SUBSECTION. 68A. The sales price from the
- 8 sale of general school supplies which are intended for
- 9 classroom use if all of the following apply:
- 10 a. The sales price of each item is less than
- 11 twenty dollars.
- 12 b. The sale takes place during a period beginning
- 13 at 12:01 a.m. on the first Friday in August and ending
- 14 at midnight on the following Saturday."
- 15 2. Title page, line 1, by inserting after the
- 16 words "relating to" the following: "a sales tax
- 17 exemption for general school supplies and to".
- 18 3. By renumbering as necessary.

T. Olson of Linn rose on a point of order that amendment H-2080 was not germane.

The Speaker ruled the point well taken and amendment H-2080 not germane.

Tymeson of Madison moved to suspend the rules to consider amendment H-2080.

Roll call was requested by Tymeson of Madison and Paulsen of Linn.

On the question "Shall the rules be suspended to consider amendment H-2080?" (S.F. 590)

The ayes were, 40:

Alons	Arnold	Baudler	Boal
Chambers	Clute	De Boef	Deyoe
Dolecheck	Drake	Forristall	Granzow
Grassley	Greiner	Heaton	Hoffman
Huseman	Jacobs	Kaufmann	Lukan
May	Miller, L.	Olson, S.	Paulsen
Rants	Rasmussen	Rayhons	Sands
Schickel	Soderberg	Struyk	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wiencek	Windschitl	Worthan

The nays were, 53:

Abdul-Samad	Anderson	Bailey	Bell
Berry	Bukta	Cohoon	Dandekar
Davitt	Foege	Ford	Frevert
Gaskill	Gayman	Heddens	Hunter
Huser	Jacoby	Jochum	Kelley
Kressig	Kuhn	Lensing	Lykam
Mascher	McCarthy	Mertz	Miller, H.
Olson, D.	Olson, R.	Olson, T.	Palmer
Pettengill	Quirk	Reasoner	Reichert
Schueller	Shomshor	Smith	Staed
Swaim	Taylor, D.	Taylor, T.	Thomas
Tomenga	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise
Mr. Speaker Murphy			

Absent or not voting, 7:

Gipp	Horbach	Oldson	Petersen
Raecker	Roberts	Zirkelbach	

The motion to suspend the rules lost.

Alons of Sioux offered amendment H-2081 filed by him from the floor as follows:

H-2081

- 1 Amend Senate File 590, as passed by the Senate, as
- 2 follows:
- 3 1. Page 1, by inserting after line 8 the
- 4 following:
- 5 "Sec. ____ Section 423.3, Code 2007, is amended by

6 adding the following new subsection:

7 NEW SUBSECTION. 92. a. The sales price from the
8 sale of any of the following:

9 (1) Medical equipment and supplies, home
10 respiratory equipment and accessories, hospital beds
11 and accessories, ambulatory aids, manual and powered
12 wheelchairs, stairway lifts, braille writers,
13 electronic braille equipment, scooters, reading
14 machines, electronic print enlargers and magnifiers,
15 and electronic alternative and augmentative
16 communication devices to or on behalf of individuals
17 with disabilities to enable the disabled person to
18 function more independently.

19 (2) Items used solely to modify a motor vehicle to
20 permit its use by an individual with a disability in
21 order to enable the disabled person to function more
22 independently.

23 b. For purposes of this subsection, "disability"
24 means, with respect to an individual, a physical or
25 mental impairment that substantially limits one or
26 more of the major life activities of the individual, a
27 record of physical or mental impairment that
28 substantially limits one or more of the major life
29 activities of the individual, or being regarded as an
30 individual with a physical or mental impairment that
31 substantially limits one or more of the major life
32 activities of the individual."

33 2. Title page, line 1, by inserting after the
34 words "relating to" the following: "a sales tax
35 exemption for certain medical assistive devices used
36 by persons with mental or physical impairments and
37 to".

T. Olson of Linn rose on a point of order that amendment H-2081 was not germane.

The Speaker ruled the point well taken and amendment H-2081 not germane.

Alons of Sioux asked for unanimous consent to suspend the rules to consider amendment H-2081.

Objection was raised.

Alons of Sioux moved to suspend the rules to consider amendment H-2081.

Roll call was requested by Alons of Sioux and Paulsen of Linn.

On the question "Shall the rules be suspended to consider amendment H-2081?" (S.F. 590)

The ayes were, 42:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Granzow	Grassley	Greiner	Heaton
Hoffman	Huseman	Jacobs	Kaufmann
Kuhn	Lukan	May	Miller, L.
Olson, S.	Paulsen	Rants	Rasmussen
Rayhons	Sands	Schickel	Soderberg
Struyk	Tjepkes	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wiencek
Windschitl	Worthan		

The nays were, 53:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Lensing	Lykam	Mascher	McCarthy
Mertz	Miller, H.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Pettengill	Quirk	Reasoner	Reichert
Schueller	Shomshor	Smith	Staed
Swaim	Taylor, D.	Taylor, T.	Thomas
Tomenga	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise
Mr. Speaker			
Murphy			

Absent or not voting, 5:

Gipp	Horbach	Raecker	Roberts
Zirkelbach			

The motion to suspend the rules lost.

Upmeyer of Hancock offered amendment H-2083 filed by her from the floor as follows:

H-2083

1 Amend Senate File 590, as passed by the Senate, as
2 follows:

3 1. Page 1, by inserting after line 8 the
4 following:

5 "Sec.____. Section 422.12C, Code 2007, is amended
6 by adding the following new subsection after
7 subsection 1:

8 **NEW SUBSECTION.** 1A. For tax years beginning on or
9 after January 1, 2007, but before January 1, 2008,
10 each net income amount specified in subsection 1 shall
11 be increased by five thousand dollars. For tax years
12 beginning on or after January 1, 2008, each net income
13 amount specified in subsection 1 shall be increased by
14 ten thousand dollars.

15 Sec.____. Section 422.12C, subsection 2,
16 unnumbered paragraph 1, Code 2007, is amended to read
17 as follows:

18 The taxes imposed under this division, less the
19 amounts of nonrefundable credits allowed under this
20 division, may be reduced by an early childhood
21 development tax credit equal to twenty-five percent of
22 the first one thousand dollars which the taxpayer has
23 paid to others for each dependent, as defined in the
24 Internal Revenue Code, ages three through five for
25 early childhood development expenses. In determining
26 the amount of early childhood development expenses for
27 the tax year beginning in the 2006 calendar year only,
28 such expenses paid during November and December of the
29 previous tax year shall be considered paid in the tax
30 year for which the tax credit is claimed. This For
31 the tax year beginning before January 1, 2007, this
32 credit is available to a taxpayer whose net income is
33 less than forty-five thousand dollars. For tax years
34 beginning on or after January 1, 2007, but before
35 January 1, 2008, this credit is available to taxpayers
36 whose net income is less than fifty thousand dollars.
37 For tax years beginning on or after January 1, 2008,
38 this credit is available to a taxpayer whose net
39 income is less than fifty-five thousand dollars. If
40 the early childhood development tax credit is claimed
41 for a tax year, the taxpayer and the taxpayer's spouse
42 shall not claim the child and dependent care credit
43 under subsection 1. As used in this subsection,
44 "early childhood development expenses" means services
45 provided to the dependent by a preschool, as defined
46 in section 237A.1, materials, and other activities as
47 follows:"

48 2. Title page, line 1, by inserting after the
49 words "relating to" the following: "the increase in
50 the child and dependent care and early childhood

Page 2

1 development tax credits and to".

T. Olson of Linn rose on a point of order that amendment H-2083 was not germane.

The Speaker ruled the point well taken and amendment H-2083 not germane.

Upmeyer of Hancock asked for unanimous consent to suspend the rules to consider amendment H-2083.

Objection was raised.

Upmeyer of Hancock moved to suspend the rules to consider amendment H-2083.

Roll call was requested by Struyk of Pottawattamie and Rants of Woodbury.

On the question "Shall the rules be suspended to consider amendment H-2083?" (S.F. 590)

The ayes were, 39:

Alons	Arnold	Baudler	Boal
Chambers	Clute	De Boef	Deyoe
Dolecheck	Forristall	Granzow	Grassley
Greiner	Hoffman	Heaton	Huseman
Jacobs	Kaufmann	Lukan	May
Miller, L.	Olson, S.	Paulsen	Rants
Rasmussen	Rayhons	Sands	Schickel
Soderberg	Struyk	Tjepkes	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wienczek	Windschitl	Worthan	

The nays were, 54:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Pettengill	Quirk	Reasoner
Reichert	Schueller	Shomshor	Smith
Staed	Swaim	Taylor, D.	Taylor, T.

Thomas	Tomenga	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Winckler
Wise	Mr. Speaker		
	Murphy		

Absent or not voting, 7:

Anderson	Drake	Gipp	Horbach
Raecker	Roberts	Zirkelbach	

The motion to suspend the rules lost.

T. Olson of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 590)

The ayes were, 94:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Hunter
Huseman	Huser	Jacobs	Jacoby
Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Oldson	Olson, D.
Olson, S.	Olson, T.	Palmer	Paulsen
Petersen	Pettengill	Quirk	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Sands	Schickel	Schueller	Shomshor
Smith	Soderberg	Staed	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Wiencek	Winckler	Windschitl	Wise
Worthan	Mr. Speaker		
	Murphy		

The nays were, 1:

Olson, R.

Absent or not voting, 5:

Gipp	Horbach	Raecker	Roberts
Zirkelbach			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **Senate File 590** be immediately messaged to the Senate.

ADOPTION OF THE REPORT OF THE
CONFERENCE COMMITTEE
(Senate File 551)

Kuhn of Floyd called up for consideration the report of the conference committee on Senate File 551 and moved the adoption of the conference committee report and the amendments contained therein as follows:

REPORT OF THE CONFERENCE COMMITTEE
ON SENATE FILE 551

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and the House of Representatives on Senate File 551, a bill for an Act relating to and making appropriations involving state government, by providing for agriculture, natural resources, and environmental protection, respectfully make the following report:

1. That the Senate recedes from its amendment, H-2040.
2. That the House amendment, S-3436, to Senate File 551, as amended, passed, and reprinted by the Senate, is amended to read as follows:

1. Page 1, by inserting before line 3, the following:
"_____ Page 3, by striking line 9, and inserting the following: "maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:"

- _____ Page 3, by inserting after line 10, the following:
"..... FTEs 1.00"

- _____ Page 11, line 26, by striking the figure "1,500,000" and inserting the following: "1,480,000".

____. Page 12, line 35, by striking the figure "600,000" and inserting the following: "580,000".

____. Page 13, line 2, by striking the figure "400,000" and inserting the following: "386,667".

____. Page 13, line 8, by striking the figure "200,000" and inserting the following: "193,333".

____. Page 13, by inserting after line 17, the following:

"____. For purposes of supporting a farm-to-school program, as provided in chapter 190A, if enacted by 2007 Iowa Acts, Senate File 601, including salaries, support, maintenance, and miscellaneous purposes:

.....\$ 80,000

____. For purposes of supporting the office of state apiarist, including the state apiarist who shall be appointed by the secretary of agriculture pursuant to section 160.1, and for carrying out the duties of the state apiarist as provided in chapter 160:

.....\$ 40,000"

____. Page 14, line 5, by striking the figure "2,490,00" and inserting the following: "2,470,000".

____. Page 14, line 19, by striking the figure "400,000" and inserting the following: "360,000".

____. Page 15, line 9, by striking the figure "500,000" and inserting the following: "480,000"."

2. Page 2, by inserting after line 16 the following:

"____. Page 20, by inserting after line 27 the following
"

"DIVISION____
CODE LANGUAGE – E-85 GASOLINE STORING AND
DISPENSING INFRASTRUCTURE

Sec.____. Section 15G.203, subsection 7, Code 2007, is amended to read as follows:

7. An award of financial incentives to a participating person shall be in the form of a grant.

In order to participate in the program an eligible person must execute a cost-share agreement with the department as approved by the infrastructure board in which the person contributes a percentage of the total costs related to improving the retail motor fuel site.

a. The Except as provided in paragraph "b", a participating person may be awarded standard financial incentives. The standard financial incentives awarded to the participating person shall not exceed fifty percent of the actual cost of less. The infrastructure board may approve multiple awards to make improvements to a retail

motor fuel site so long as the total amount of the awards does not exceed the limitations provided in this paragraph.

b. In addition to any standard financial incentives awarded to a participating person under paragraph "a", the participating person may be awarded supplemental financial incentives to upgrade or replace a dispenser which is part of gasoline storage and dispensing infrastructure used to store and dispense E-85 gasoline as provided in section 455G.31. The person is only eligible to receive the supplemental financial incentives if the person installed the dispenser not later than sixty days after the date of the publication in the Iowa administrative bulletin of the state fire marshal's order providing that a commercially available dispenser is listed as compatible for use with E-85 gasoline by an independent testing laboratory as provided in section 455G.31. The supplemental financial incentives awarded to the participating person shall not exceed seventy-five percent of the actual cost of making the improvement or thirty thousand dollars, whichever is less.

Sec.____. Section 455G.31, subsection 1, paragraph a, Code 2007, is amended to read as follows:

a. "E-85 gasoline", "ethanol blended gasoline", and "retail dealer" mean the same as defined in section 214A.1.

Sec.____. Section 455G.31, subsection 2, paragraph b, Code 2007, is amended to read as follows:

b. (1) For a dispenser, ~~the manufacturer must state all of the following shall apply:~~
(1) (a) ~~That the dispenser is, in the opinion of the manufacturer, not incompatible with E-85 gasoline. The dispenser must be listed by an independent testing laboratory as compatible with ethanol blended gasoline.~~

(2) (b) ~~The manufacturer has initiated the process of applying to an independent testing laboratory for listing of the equipment for use in dispensing E-85 gasoline. A manufacturer's statement must include a written statement, with reference to a particular type and model of equipment for use in dispensing E-85 gasoline, signed by a responsible official on behalf of the manufacturer, provided either to the retail dealer using the gasoline storage and dispensing infrastructure or to the department of natural resources or the state fire marshal. If the written statement is provided to a retail dealer, the statement shall be retained in the files on the premises of the retail dealer and shall be available to personnel of the department of natural resources or the state fire marshal upon request. The owner or operator or a person authorized by the owner or operator must visually inspect the dispenser and the dispenser sump daily for leaks and equipment failure and maintain a record of such inspection for at least one year after the inspection. The record shall be located on the premises of the retail dealer and shall be made available to the department of natural resources or the state fire marshal upon request. If a leak is detected, the department of natural resources shall be notified pursuant to section 455B.386.~~

(2) The state fire marshal shall issue an order as soon as practicable after determining that a commercially available dispenser is listed as compatible for use with E-85 gasoline by an independent testing laboratory. The state fire marshal shall publish the order in the Iowa administrative bulletin. A person shall not install a dispenser which would otherwise be permitted under subparagraph (1) after sixty days following the date that the order is published. A person who installed such dispenser

before the sixty-day period expired may use the dispenser as provided in subparagraph (1) until four years after the date that the order is published.

Sec. ____ Section 455G.31, subsection 3, Code 2007, is amended to read as follows:

3. This section is repealed July 1, 2009 four years following the date that the order issued by the state fire marshal is published in the Iowa administrative bulletin as provided in this section."

3. By renumbering, relettering, or redesignating and correcting internal references as necessary correcting internal references as necessary.

ON THE PART OF THE SENATE:

DR. JOE M. SENG, Chair
DENNIS H. BLACK
E. THURMAN GASKILL
HUBERT HOUSER
THOMAS RIELLY

ON THE PART OF THE HOUSE:

MARK KUHN, Chair
BETTY DE BOEF
DOLORES MERTZ
STEVE OLSON
MIKE REASONER

Kuhn of Floyd moved the adoption of the conference committee report.

The motion prevailed and the conference committee report was adopted.

Kuhn of Floyd moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 551)

The ayes were, 70:

Abdul-Samad	Anderson	Arnold	Bailey
Bell	Berry	Bukta	Cohoon
Dandekar	Davitt	De Boef	Deyoe
Drake	Foegel	Ford	Frevert
Gaskill	Gayman	Granzow	Greiner
Heaton	Heddens	Hoffman	Hunter
Huser	Jacoby	Jochum	Kelley
Kressig	Kuhn	Lensing	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Oldson	Olson, D.	Olson, R.
Olson, S.	Olson, T.	Palmer	Petersen

Pettengill	Quirk	Rasmussen	Rayhons
Reasoner	Reichert	Schickel	Schueller
Shomshor	Smith	Staed	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Van Engelenhoven	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Wienczek	Winckler
Wise	Mr. Speaker		
	Murphy		

The nays were, 26:

Alons	Baudler	Boal	Chambers
Clute	Dolecheck	Forrinstall	Grassley
Huseman	Jacobs	Kaufmann	Lukan
Miller, L.	Paulsen	Rants	Roberts
Sands	Soderberg	Struyk	Tomenga
Tymeson	Upmeyer	Van Fossen	Watts
Windschitl	Worthan		

Absent or not voting, 4:

Gipp	Horbach	Raecker	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **Senate File 551** be immediately messaged to the Senate.

ADOPTION OF THE REPORT OF THE CONFERENCE COMMITTEE (House File 909)

Foege of Linn called up for consideration the report of the conference committee on House File 909 and moved the adoption of the conference committee report and the amendments contained therein as follows:

REPORT OF THE CONFERENCE COMMITTEE ON HOUSE FILE 909

To the Speaker of the House of Representatives and the President of the Senate:

We, the undersigned members of the conference committee appointed to resolve the differences between the House of Representatives and the Senate on House File 909, a

bill for an Act relating to and making appropriations for health and human services and including other related provisions and appropriations, and including effective date provisions, respectfully make the following report:

1. That the Senate recedes from its amendment, H-2041.

2. That House File 909, as amended, passed, and reprinted by the House, is amended to read as follows:

1. Page 5, line 16, by striking the word "if" and inserting the following: "as".

2. Page 6, by striking lines 10 through 12 and inserting the following: "shall be used to administer or implement the information and".

3. Page 7, line 13, by striking the figure "1,690,000" and inserting the following: "2,215,000".

4. Page 7, by inserting after line 13 the following: "The amount appropriated in his subsection for addictive disorders reflects an increase of \$525,000 from the funding remaining in the gambling treatment fund from the carryforward of appropriations made for addictive disorders in previous fiscal years. Of this amount, \$50,000 shall be transferred to the department of corrections to supplement funding for the adult drug court program in the fifth judicial district, \$25,000 shall be transferred to the department of corrections to supplement funding for the adult drug court program in the second judicial district, \$150,000 shall be transferred to the department of human rights to supplement funding for the family development and self-sufficiency grant program, and \$300,000 shall be transferred to the department of human rights to be used in addition to any other funding appropriated in this Act for the energy utility assessment and resolution program established pursuant to section 216A.104, as enacted by this Act."

5. Page 8, line 21, by striking the figure "1,500,000" and inserting the following: "500,000".

6. By striking page 9, line 18, through page 10, line 17, and inserting the following:

"Sec. ____ VETERANS TRUST FUND. If the balance in the veterans trust fund for the fiscal year beginning July 1, 2007, exceeds \$5,000,000, exclusive of any amount from interest or earnings on moneys in the trust fund or otherwise received from a source other than the general fund of the state or the rebuild Iowa infrastructure fund, the amount in excess of \$5,000,000 is appropriated to the department of veterans affairs for the fiscal year beginning July 1, 2007, and ending June 30, 2008, for transfer to the Iowa finance authority to be used as funding in addition to the specific appropriations made for that fiscal year for the home ownership assistance program."

7. Page 10, line 26, by striking the word "commission" and inserting the following: "department".

8. Page 10, lines 29 and 30, by striking the words ", which shall be done by" and inserting the following: "no later than".

9. Page 11, by inserting after line 18 the following:
 "Notwithstanding section 8.33, not more than 5 percent of the moneys designated in this subsection that are allocated by the department for contracted services other than family self-sufficiency grant services allocated under this subsection, that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year. However, unless such moneys are encumbered or obligated on or before September 30, 2008, the moneys shall revert."

10. Page 14, by inserting after line 22 the following:

"0a. To be retained by the department of human services to be used for coordinating with the department of human rights to more effectively serve participants in the FIP program and other shared clients and to meet federal reporting requirements under the federal temporary assistance for needy family block grant:
 \$ 20,000"

11. Page 14, line 27, by striking the figure "5,583,042" and inserting the following: "5,563,042".

12. Page 12. Page 14, line 32, by inserting after the word "department" the following: "of human rights".

13. By striking page 14, line 35, through page 15, line 4, and inserting the following:

"(3) The department of human rights is responsible for complying with all federal temporary assistance for needy family block grant requirements with respect to the funds allocated in this lettered paragraph and for any federal penalty that may result from a failure to meet the requirements. These responsibilities include but are not limited to ensuring that all expenditures of federal block grant and state maintenance of effort funds are appropriate and allowable in accordance with federal requirements and meet federal work participation requirements with respect to the population receiving benefits or services under the family development and self-sufficiency grant program that are subject to work requirements.

(4) With the allocation of funding for the family development and self-sufficiency grant program directly to the department of human rights in lieu of allocation through the department of human services, the department of human rights shall assume all responsibility for the grant program. The responsibility includes identifying and addressing implementation of any revisions in state law or administrative rule needed to effect this change, including but not limited to identifying any amendments needed to section 217.12.

(5) The department of human rights, consistent with the Accountable Government Act in chapter 8E, shall adopt appropriate performance measures for the grant program, including but not limited to measures demonstrating how the program helps families achieve self-sufficiency. The department of human rights shall submit to the governor and general assembly on or before October 31, 2008, a report detailing these measures and the outcomes achieved for fiscal year 2007-2008.

(6) The department of human rights shall develop a memorandum of agreement with the department of human services to coordinate referrals and delivery of services to participants in the FIP program and other shared clients and shall provide the department of human services with information necessary for compliance with federal temporary assistance for needy families block grant state plan and reporting requirements, including but not limited to financial and data reports." "funding." the following: "If child support collections assigned under FIP are greater than estimated or are otherwise determined not to be required for maintenance of effort, the state share of either amount may be transferred to or retained in the child support payment account."

14. By striking page 15, line 34, through page 16, line 8.

15. Page 16, line 21, by inserting after the word "funding." The following: "If child support collections assigned under FIP are greater than estimated or are otherwise determined not to be required for maintenance of effort, the state share of either amount may be transferred to or retained in the child support payment account."

16. Page 16, line 35, by inserting after the word "designated" the following: "and for not more than the following full-time equivalent positions".

17. Page 17, by inserting after line 4 the following:

"..... FTEs 16.50"

18. Page 17, line 10, by inserting after the word "Act." the following: "The department of human rights shall ensure that the expenditures of moneys allocated from the general fund of the state pursuant to this subsection are eligible to be considered as state maintenance of effort expenditures under federal temporary assistance for needy families block grant requirements."

19. Page 20, line 10, by striking the figure "618,926,820" and inserting the following: "616,771,820".

20. Page 23, line 2, by inserting after the figure "2008." the following: "If a prescriber determines that all smoking cessation aids on the preferred drug list are not effective or medically appropriate for a patient, the prescriber may apply for an exception to policy for another product approved by the United States food and drug administration for smoking cessation pursuant to 441 IAC 1.8(1)."

21. Page 24, line 9, by inserting after the word "purposes" the following: "and for not more than the following full-time equivalent positions".

22. Page 24, by inserting after line 10 the following:

"..... FTEs 21.00"

23. Page 24, line 17, by inserting after the word "purposes" the following: "and for not more than the following full-time equivalent positions".

24. Page 24, by inserting after line 18, the following:

"..... FTEs 6.00"

25. Page 25, line 22, by inserting after the word "PROGRAM." the following:
"1."

26. Page 25, by inserting after line 33 the following:

"2. If sufficient funding is available under this Act, and if federal reauthorization of the state children's health insurance program provides sufficient federal allocations to the state and authorization to cover the following populations as an option under the state children's health insurance program, the department may expand coverage under the state children's health insurance program as follows:

a. By eliminating the categorical exclusion of state employees from receiving state children's health insurance program benefits.

b. By providing coverage for legal immigrant children and pregnant women not eligible under current federal guidelines.

c. By covering children up to age twenty-one, or up to age twenty-three if the child is attending school."

27. Page 25, by inserting after line 33 the following:

"3. If the United States congress does not authorize additional federal funds necessary to address the shortfall for the state children's health insurance program for the federal fiscal year beginning October 1, 2006, and ending September 30, 2007, the department may use 100 percent state funds from the appropriation made in this section for the period beginning July 1, 2007, and ending September 30, 2007, and may, after consultation with the governor and the general assembly, utilize funding from the appropriations made in this Act for medical assistance to maintain the state children's health insurance program. If deemed necessary, the department shall request a supplemental appropriation from the Eighty-second General Assembly, 2008 Session, to address any remaining shortfall for the fiscal year beginning July 1, 2007."

28. Page 26, line 5, by striking the figure "38,225,701" and inserting the following:
"37,875,701".

29. Page 26, line 23, by striking the figure "1,530,288" and inserting the following:
"1,180,288".

30. Page 33, line 31, by striking the words "and related".

31. Page 37, line 25, by striking the figure "5,273,361" and inserting the following:
"5,367,652".

32. Page 37, line 31, by striking the figure "6,409,501" and inserting the following:
"6,540,101".

33. Page 38, line 2, by striking the figure "9,358,177" and inserting the following: "9,606,542".

34. Page 38, line 8, by striking the figure "1,339,216" and inserting the following: "1,522,598".

35. Page 43, line 10, by striking the figure "63,768,895" and inserting the following: "63,358,895".

36. Page 43, line 29, by striking the figure "15,901,927" and inserting the following: "15,851,927".

37. Page 44, by inserting after line 3 the following:

"3. Of the funds appropriated in this section, \$100,000 is transferred to the department of human rights to be used in addition to any other funding appropriated in this Act for the energy utility assessment and resolution program established pursuant to section 216A.104, as enacted by this Act."

38. Page 47, line 3, by striking the figure "160.71: and inserting the following: "165.53".

39. Page 50, by inserting after line 19 the following:

"Sec. _____. DEPARTMENT OF CORRECTIONS. There is appropriated from the general fund of the state to the department of corrections for the fiscal year beginning July 1, 2007, and ending June 30, 2008, the following amount, or so much thereof as is necessary, for the purposes designated:

For additional funding for the drug court program in the fourth judicial district:
..... \$ 25,000"

"Sec. _____. Section 217.23, subsection 2, Code 2007, is amended to read as follows:

2. The department ~~is hereby authorized to~~ may expend moneys from the support allocation of the department as reimbursement for replacement or repair of personal items of the department's employees damaged or destroyed by clients of the department during the employee's tour of duty. However, the reimbursement shall not exceed ~~one~~ three hundred ~~fifty~~ dollars for each item. The department shall establish rules in accordance with chapter 17A to carry out the purpose of this section."

41. Page 51, by inserting after line 32 the following:

"Sec. _____. Section 231.33, Code 2007, is amended by adding the following new subsection:

NEW SUBSECTION. 21. Provide the opportunity for elders residing in the planning and service area to offer substantive suggestions regarding the employment practices of the area agency on aging."

42. Page 57, by inserting after line 31 the following:

"Sec. _____. 2006 Iowa Acts, chapter 1184, section 5, subsection 1, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Notwithstanding section 8.33, moneys appropriated in this section for department of veterans affairs administration that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available to be used for the purchase of crypts for the veterans cemetery until the close of the succeeding fiscal year."

43. Page 62, by striking lines 3 through 5 and inserting the following: "fiscal year. In addition, notwithstanding section 8.33, moneys appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year and of this amount, the initial \$250,000 shall be credited to the risk".

44. Page 63, by inserting after line 23 the following:

"Sec. _____. 2006 Iowa Acts, chapter 1184, section 5, subsection 4, as enacted by 2007 Iowa Acts, Senate File 95, section 1, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. If during the fiscal year beginning July 1, 2007, the funding available under all contingencies for the home ownership assistance program implemented pursuant to section 35A.15 for persons who are or were eligible members of the armed forces of the United States has been exhausted, and the amount available for the purposes of this subsection is projected to be sufficient to allow for transfer of funds that would otherwise be unused, not more than \$250,000 of the funds appropriated in this subsection may be transferred to the Iowa finance authority to be used for the home ownership assistance program."

45. Page 64, line 6, by striking the word "provision" inserting the following: "provisions".

46. By striking page 72, line 35, through page 73, line 8.

47. Page 74, by inserting before line 14 the following:

"Sec. _____. Section 331.439, subsection 5, Code 2007, is amended to read as follows:

5. a. A county shall implement the county's management plan in a manner so as to provide adequate funding for the entire fiscal year by budgeting for ninety-nine percent of the funding anticipated to be available for the plan. A county may expend all of the funding anticipated to be available for the plan.

b. If a county determines that the county cannot provide services in accordance with the county's management plan and remain in compliance with the budgeting

requirement of paragraph "a" for the fiscal year, the county may implement a waiting list for the services. The procedures for establishing and applying a waiting list shall be specified in the county's management plan. If a county implements a waiting list for services, the county shall notify the department of human services. The department shall maintain on the department's internet website an up-to-date listing of the counties that have implemented a waiting list and the services affected by each waiting list.

Sec.____. Section 331.440, subsection 4, as enacted by 2006 Iowa Acts, chapter 1115, section 17, is amended to read as follows:

4. a. An application for services may be made through the central point of coordination process of an adult person's county of residence. Effective July 1, 2007, if an adult person who is subject to a central point of coordination process has legal settlement in another county, the central point of coordination process functions relating to the application shall be performed by the central point of coordination process of the person's county of residence in accordance with the county of residence's management plan approved under section 331.439 and the person's county of legal settlement is responsible for the cost of the services or other support authorized at the rates reimbursed by the county of residence.

b. The county of residence shall determine whether or not the person's county of legal settlement has implemented a waiting list in accordance with section 331.439, subsection 5. If the person's county of legal settlement has implemented a waiting list, the services or other support for the person shall be authorized by the county of residence in accordance with the county of legal settlement's waiting list provisions.

c. At the time services or other support are authorized, the county of residence shall send the county of legal settlement a copy of the authorization notice."

48. Page 84, line 30, by inserting after the word "pool." the following: "The mental health, mental retardation, developmental disabilities, and brain injury commission shall adopt rules pursuant to chapter 17A providing criteria for the purposes of this lettered paragraph and as necessary to implement the other provisions of this subsection."

49. Page 85, line 19, by striking the word "A".

50. Page 85, by striking lines 20 and 21 and inserting the following: "Any unobligated".

51. Page 85, line 30, by inserting after the word "individual." the following: "A county may submit apreapproval application beginning on July 1 for the fiscal yearof submission and the risk pool board shall notify the countyof the risk pool board's decision concerning the applicationwithin forty-five days of receiving the application."

52. Page 86, line 12, by striking the word "The" and inserting the following: "The Subject to the amount available and obligated from the risk pool for a fiscal year, the".

53. Page 86, line 12, by striking the word "The" and inserting the following:

"1. If the board has made its decisions but has determined that there are otherwise qualifying requests for risk pool assistance that are beyond the amount available in the risk pool fund for a fiscal year, the board shall compile a list of such requests and the supporting information for the requests. The list and information shall be submitted to the mental health, mental retardation, developmental disabilities, and brain injury commission, the department of human services, and the general assembly."

54. Page 94, line 18, by inserting after the figure "331.424A." the following: "A county transferring moneys from other funds of the county to the county's services fund pursuant to this section or utilizing the nonreversion authority provided in the division of this Act relating to decategorization project funding, shall submit a report detailing the transfers made and fund affected and explaining how the moneys made available by the nonreversion authority were expended. The county shall submit the report along with the county expenditure and information report submitted by December 1, 2007, in accordance with section 331.439."

55. Page 94, line 31, by striking the figure "9,332,254" and inserting the following: "6,993,754".

56. Page 95, line 14, by striking the figure "8,200,254" and inserting the following: "5,861,754".

57. Page 95, line 24, by inserting after the word "promotion." the following: "Of the funds allocated in this lettered paragraph, not more than \$500,000 shall be used for cessation media promotion. Of the funds allocated in this lettered paragraph, \$255,000 may be utilized by the department for administrative purposes."

58. Page 95, by striking lines 25 and 26.

59. Page 95, line 30, by striking the figure "439,000" and inserting the following: "687,500".

60. Page 96, line 8, by striking the figure "337" and inserting the following: "910".

61. Page 96, line 12, by striking the figure "517" and inserting the following: "906".

62. Page 96, by inserting after line 12 the following:

"e. Of the funds appropriated in this subsection, \$10,000 shall be used for public health education and awareness of the children's vision initiatives, including the InfantSee program and the student vision program, administered through a statewide association of optometric professionals for infants and preschool children.

f. Of the funds appropriated in this subsection, \$238,500 shall be used to provide audiological services and hearing aids for children. The department may enter into a contract to administer this paragraph."

61. Page 96, line 14, by striking the figure "1,178,981" and inserting the following: "1,188,981".

64. Page 96, by striking lines 20 and 21 and inserting the following: "shall be used for the comprehensive cancer control program to reduce the burden of cancer in Iowa through".

65. Page 96, by inserting after line 31 the following:

"e. Of the funds appropriated in this subsection, \$10,000 shall be allocated to the university of Iowa, Carver college of medicine, department of cardiothoracic surgery, to offer extracorporeal support for donation after cardiac death."

66. Page 96, line 33, by striking the figure "3,025,000" and inserting the following: "2,790,000".

67. Page 98, by striking lines 18 through 20.

68. Page 98, by inserting after line 26 the following:

"ff. Of the funds appropriated in this subsection, \$75,000 shall be used for implementation of the recommendations of the direct care worker task force established pursuant to 2005 Iowa Acts, chapter 88, based upon the report submitted to the governor and the general assembly in December 2006.

fff. Of the funds appropriated in this subsection, \$140,000 shall be used for allocation to an independent statewide direct care worker association for education, outreach, leadership development, mentoring, and other initiatives intended to enhance the recruitment and retention of direct care workers in health and long-term care."

69. Page 99, line 8, by striking the figure "97,103,096" and inserting the following: "99,518,096".

70. Page 99, line 10, by striking the figure "78,065,357" and inserting the following: "80,480,357".

71. Page 100, by striking lines 28 through 32.

72. Page 106, by striking lines 23 through 35 and inserting the following: providers for provision to patients at the point of care, including the development of a centralized intake concept to determine the eligibility of safety net provider patients for the prescription drug donation repository program pursuant to chapter 135M and pharmaceutical manufacturer assistance programs."

73. Page 107, by striking lines 5 through 7 and inserting the following:

"3. Utilization of a fully transparent pharmacy benefits manager to work with local pharmacies to provide low cost patient access to drug therapies."

74. Page 107, by striking lines 8 through 10.

75. Page 107, line 18, by striking the word "three" and inserting the following:
"two".

76. Page 117, by striking lines 24 through 29 and inserting the following:

"Sec.____. FUNDING – CONTINGENCY.

1. The provision in this division of this Act relating to eligibility for certain persons with disabilities under the medical assistance program shall only be implemented if the department of human services determines that funding is available in appropriations made in this Act, in combination with federal allocations to the state, for the state children's health insurance program, in excess of the amount needed to cover the current and projected enrollment under the state children's health insurance program. If such a determination is made, the department of human services shall transfer funding from the appropriations made in this Act for the state children's health insurance program, not otherwise required for that program, to the appropriations made in this Act for medical assistance, as necessary, to implement such provision of this division of this Act.

2. The provision in this division of this Act relating to the development and support of a family-to-family health information center shall be implemented only if discretionary funding is received from the health resources and services administration of the United States department of health and human services for this purpose."

76. Page 124, by inserting after line 21 the following:

"DIVISION____
ENERGY UTILITY ASSESSMENT AND
RESOLUTION PROGRAM

Sec.____. NEW SECTION. 216A.104 ENERGY UTILITY ASSESSMENT AND RESOLUTION PROGRAM.

1. The general assembly finds that provision of assistance to prevent utility disconnections will also prevent the development of public health risks due to such disconnections. The division shall establish an energy utility assessment and resolution program administered by each community action agency for persons with low incomes who have or need a deferred payment agreement or are in need of an emergency fuel delivery to address home energy utility costs.

2. A person must meet all of the following requirements to be eligible for the program:

a. The person is eligible for the federal low-income home energy assistance program.

b. The person is a residential customer of an energy utility approved for the program by the division.

c. The person has or is in need of a deferred payment agreement to address the person's home energy utility costs.

d. The person is able to maintain or regain residential energy utility service in the person's own name.

e. The person provides the information necessary to determine the person's eligibility for the program.

f. The person complies with other eligibility requirements adopted in rules by the division.

3. The program components shall include but are not limited to all of the following:

a. Analysis of a program participant's current financial situation.

b. Review of a program participant's resource and money management options.

c. Skills development and assistance for a program participant in negotiating a deferred payment agreement with the participant's energy utility.

d. Development of a written household energy affordability plan.

e. Provision of energy conservation training and assistance.

f. A requirement that a program participant must make uninterrupted, regular utility payments while participating in the program.

4. The division shall implement accountability measures for the program and require regular reporting on the measures by the community action agencies.

5. The division shall implement the program statewide, subject to the funding made available for the program.

DIVISION _____
PASSPORT SANCTIONS

Sec. _____. Section 252B.5, subsection 11, paragraph a, Code 2007, is amended to read as follows:

a. Comply with federal procedures to periodically certify to the secretary of the United States department of health and human services, a list of the names of obligors determined by the unit to owe delinquent support, under a support order as defined in section 252J.1, in excess of five two thousand five hundred dollars. The certification of the delinquent amount owed may be based upon one or more support orders being enforced by the unit if the delinquent support owed exceeds five two thousand five hundred dollars. The certification shall include any amounts which are delinquent pursuant to the periodic payment plan when a modified order has been retroactively

applied. The certification shall be in a format and shall include any supporting documentation required by the secretary.

Sec. _____. Section 252B.5, subsection 11, paragraph b, subparagraph (1), subparagraph subdivision (b), Code 2007, is amended to read as follows:

(b) A statement providing information that if the delinquency is in excess of five two thousand five hundred dollars, the United States secretary of state may apply a passport sanction by revoking, restricting, limiting, or refusing to issue a passport as provided in 42 U.S.C. § 652(k).

Sec. _____. Section 252B.5, subsection 11, paragraph b, subparagraph (2), subparagraph subdivision (a), unnumbered paragraph 1, Code 2007, is amended to read as follows:

A challenge shall be based upon mistake of fact. For the purposes of this subsection, "mistake of fact" means a mistake in the identity of the obligor or a mistake in the amount of the delinquent child support owed if the amount did not exceed five two thousand five hundred dollars on the date of the unit's decision on the challenge.

Sec. _____. Section 252B.5, subsection 11, paragraph c, Code 2007, is amended to read as follows:

c. Following certification to the secretary, if the unit determines that an obligor no longer owes delinquent support in excess of five two thousand five hundred dollars, the unit shall provide information and notice as the secretary requires to withdraw the certification for passport sanction.

Sec. _____. EFFECTIVE DATE. This division of this Act takes effect October 1, 2007.

DIVISION ____
MANDATORY REVIEW AND ADJUSTMENT
OF CHILD SUPPORT ORDERS

Sec. _____. Section 252B.26, Code 2007, is amended to read as follows:

252B.26 SERVICE OF PROCESS.

Notwithstanding any provision of law to the contrary, the unit may serve a petition, notice, or rule to show cause under chapter 252A, 252C, 252F, 252H, 252K, 598, or 665 as specified in each chapter, or as follows:

1. The unit may serve a petition, notice, or rule to show cause by certified mail. Return acknowledgment is required to prove service by certified mail, rules of civil procedure 1.303(5) and 1.308(5) shall not apply, and the return acknowledgment shall be filed with the clerk of court.

2. The unit may serve a notice of intent under chapter 252H, or a notice of decision under section 252H.14A, upon any party or parent who is receiving family investment program assistance for the parent or child by sending the notice by regular mail to the

address maintained by the department. Rules of civil procedure 1.303(5) and 1.308(5) shall not apply and the unit shall file proof of service as provided in chapter 252H. If the notice is determined to be undeliverable, the unit shall serve the notice as otherwise provided in this section or by personal service.

Sec. _____. Section 252H.7, subsection 2, unnumbered paragraph 1, Code 2007, is amended to read as follows:

A parent may waive the postreview waiting period provided for in section 252H.8, subsection 1A or 6, for a court hearing or in section 252H.17 for requesting of a second review.

Sec. _____. Section 252H.8, subsection 1, Code 2007, is amended to read as follows:

1. For actions initiated under ~~subchapter II~~ section 252H.15, either parent or the unit may request a court hearing within thirty days from the date of issuance of the notice of decision under section 252H.16, or within ten days of the date of issuance of the second notice of decision under section 252H.17, whichever is later.

Sec. _____. Section 252H.8, Code 2007, is amended by adding the following new subsection:

NEW SUBSECTION. 1A. For actions initiated under section 252H.14A, either parent or the unit may request a court hearing within ten days of the issuance of the second notice of decision under section 252H.17:

Sec. _____. Section 252H.8, subsection 4, paragraph b, Code 2007, is amended to read as follows:

b. The return of service, proof of service, acceptance of service, or signed statement by the parent requesting review and adjustment or requesting modification, waiving service of the notice.

Sec. _____. Section 252H.8, subsection 6, Code 2007, is amended to read as follows:

6. For actions initiated under ~~subchapter II~~ section 252H.15, a hearing shall not be held for at least thirty-one days following the date of issuance of the notice of decision unless the parents have jointly waived, in writing, the thirty-day postreview period.

Sec. _____. Section 252H.9, subsection 1, Code 2007, is amended to read as follows:

1. If timely request for a court hearing is not made pursuant to section 252H.8, the unit shall prepare and present an administrative order for adjustment or modification, as applicable, for review and approval, ex parte, to the district court where the order to be adjusted or modified is filed. Notwithstanding any other law to the contrary, if more than one support order exists involving children with the same legally established parents, for the purposes of this subsection, the district court reviewing and approving the matter shall have jurisdiction over all other support orders entered by a court of this state and affected under this subsection.

Sec. _____. Section 252H.10, unnumbered paragraph 1, Code 2007, is amended to read as follows:

Pursuant to section 598.21C, any administrative or court order resulting from an action initiated under this chapter may be made retroactive only to from three months after the date that all parties were successfully served the notice required under section 252H.14A, 252H.15, or section 252H.19, as applicable.

Sec. ____. Section 252H.11, subsection 2, Code 2007, is amended to read as follows:

2. If the modification action filed by the parent is subsequently dismissed before being heard by the court, the unit shall continue the action previously initiated under subchapter II or III, or initiate a new action as follows:

a. If the unit previously initiated an action under subchapter II, and had not issued a notice of decision as required under section 252H.14A or 252H.16, the unit shall proceed as follows:

(1) If notice of intent to review was served ninety days or less prior to the date the modification action filed by the parent is dismissed, the unit shall complete the review and issue the notice of decision.

(2) If the modification action filed by the parent is dismissed more than ninety days after the original notice of intent to review was served, the unit shall serve or issue a new notice of intent to review and conduct the review.

(3) If the unit initiated a review under section 252H.14A, the unit may issue the notice of decision.

b. If the unit previously initiated an action under subchapter II and had issued the notice of decision as required under section 252H.14A or 252H.16, the unit shall proceed as follows:

(1) If the notice of decision was issued ninety days or less prior to the date the modification action filed by the parent is dismissed, the unit shall request, obtain, and verify any new or different information concerning the financial circumstances of the parents and issue a revised notice of decision to each parent, or if applicable, to the parent's attorney.

(2) If the modification action filed by the parent is dismissed more than ninety days after the date of issuance of the notice of decision, the unit shall serve or issue a new notice of intent to review pursuant to section 252H.15 and conduct a review pursuant to section 252H.16, or conduct a review and serve a new notice of decision under section 252H.14A.

c. If the unit previously initiated an action under subchapter III, the unit shall proceed as follows:

(1) If the modification action filed by the parent is dismissed more than ninety days after the original notice of intent to modify was served, the unit shall serve a new notice of intent to modify pursuant to section 252H.19.

(2) If the modification action filed by the parent is dismissed ninety days or less after the original notice of intent to modify was served, the unit shall complete the original modification action initiated by the unit under this subchapter.

(3) Each parent shall be allowed at least twenty days from the date the administrative modification action is reinstated to request a court hearing as provided for in section 252H.8.

Sec. . NEW SECTION. 252H.14A REVIEWS INITIATED BY THE CHILD SUPPORT RECOVERY UNIT – ABBREVIATED METHOD.

1. Notwithstanding section 252H.15, to assist the unit in meeting the requirement for reviews and adjustments under the federal Deficit Reduction Act of 2005, Pub. L. No. 109-171, the unit may use procedures under this section to review a support order if all the following apply:

a. The right to ongoing child support is assigned to the state of Iowa due to the receipt of family investment program assistance, and a review of the support order is required under section 7302 of the federal Deficit Reduction Act of 2005, Pub. L. No. 109-171.

b. The unit has access to information concerning the financial circumstances of each parent and one of the following applies:

(1) The parent is a recipient of family investment program assistance, medical assistance, or food assistance from the department.

(2) The parent's income is from supplemental security income paid pursuant to 42 U.S.C. § 1381a.

(3) The parent is a recipient of disability benefits under the Act because of the parent's disability.

(4) The parent is an inmate of an institution under the control of the department of corrections.

2. If the conditions of subsection 1 are met, the unit may conduct a review and determine whether an adjustment is appropriate using information accessible by the unit without issuing a notice under section 252H.15 or requesting additional information from the parent.

3. Upon completion of the review, the unit shall issue a notice of decision to each parent, or if applicable, to each parent's attorney. The notice shall be served in accordance with the rules of civil procedure or as provided in section 252B.26.

4. All of the following shall be included in the notice of decision:

a. The legal basis and purpose of the action, including an explanation of the procedures for determining child support, the criteria for determining the appropriateness of an adjustment, and a statement that the unit used the child support guidelines established pursuant to section 598.21B and the provisions for medical support pursuant to chapter 252E.

b. Information sufficient to identify the affected parties and the support order or orders affected.

c. An explanation of the legal rights and responsibilities of the affected parties, including time frames in which the parties must act.

d. A statement indicating whether the unit finds that an adjustment is appropriate and the basis for the determination.

e. Procedures for contesting the action, including that if a parent requests a second review both parents will be requested to submit financial or income information as necessary for application of the child support guidelines established pursuant to section 598.21B.

f. Other information as appropriate.

5. Section 252H.16, subsection 5, regarding a revised notice of decision shall apply to a notice of decision issued under this section.

6. Each parent shall have the right to challenge the notice of decision issued under this section by requesting a second review by the unit as provided in section 252H.17. If there is no new or different information to consider for the second review, the unit shall issue a second notice of decision based on prior information. Each parent shall have the right to challenge the second notice of decision by requesting a court hearing as provided in section 252H.8.

Sec. ____ Section 252H.15, subsection 1, Code 2007, is amended to read as follows:

1. ~~Prior~~ Unless an action is initiated under section 252H.14A, prior to conducting a review of a support order, the unit shall issue a notice of intent to review and adjust to each parent, or if applicable, to each parent's attorney. However, notice to a child support agency or an agency entitled to receive child or medical support payments as the result of an assignment of support rights is not required.

Sec. ____ Section 252H.16, subsection 1, Code 2007, is amended to read as follows:

1. ~~The~~ For actions initiated under section 252H.15, the unit shall conduct the review and determine whether an adjustment is appropriate. As necessary, the unit shall make a determination of the controlling order or the amount of delinquent support due based upon the receipt of social security disability payments as provided in sections 598.22 and 598.22C.

Sec. ____ Section 252H.17, subsections 1, 2, and 6, Code 2007, are amended to read as follows:

1. Each parent shall have the right to challenge the notice of decision issued under section 252H.14A or 252H.16, by requesting a second review by the unit.

2. A challenge shall be submitted, in writing, to the local child support office that issued the notice of decision, within thirty days of service of the notice of decision under section 252H.14A or within ten days of the issuance of the notice of decision under section 252H.16.

6. The unit shall conduct a second review, utilizing any new or additional information provided or available since issuance of the notice of decision under section.

252H.14A or under section 252H.16, to determine whether an adjustment is appropriate.

Sec. ____ RULES. Until the department of human services amends rules pursuant to chapter 17A necessary to conform with this Act, any existing rule relating to review and adjustment of support orders shall also apply to reviews initiated under section 252H.14A, as created in this Act, except that a provision for a time limit, notice, or other procedure which conflicts with a provision of this Act shall not apply.

Sec. ____ EFFECTIVE DATE. This division of this Act takes effect October 1, 2007.

DIVISION ____
MEDICAL SUPPORT

Sec. ____ Section 252B.5, subsection 2, Code 2007, is amended to read as follows:

2. Aid in establishing paternity and securing a court or administrative order for support pursuant to chapter 252A, 252C, 252F, or 600B, or any other chapter providing for the establishment of paternity or support. In an action to establish support, the resident parent may be a proper party defendant for purposes of determining medical support as provided in section 252E.1A. The unit's independent cause of action shall not bar a party from seeking support in a subsequent proceeding.

Sec. ____ Section 252C.1, subsection 6, Code 2007, is amended to read as follows:

6. "Medical support" means either the provision of coverage under a health benefit plan, including a group or employment-related or an individual health benefit plan, or a health benefit plan provided pursuant to chapter 514E, to meet the medical needs of a dependent and the cost of any premium required by a health benefit plan, or the payment to the obligee of a monetary amount in lieu of providing coverage under a health benefit plan, either of which is an obligation separate from any monetary amount of child support ordered to be paid. "Medical support" which consists of payment of a monetary amount in lieu of a health benefit plan is also an obligation separate from any monetary amount a parent is ordered to pay for uncovered medical expenses pursuant to the guidelines established pursuant to section 598.21B.

Sec. ____ Section 252C.3, subsection 1, unnumbered paragraph 1, Code 2007, is amended to read as follows:

The administrator may issue a notice stating the intent to secure an order for either ~~payment of~~ medical support established as defined provided in chapter 252E or payment of an accrued or accruing support debt due and owed to the department or an individual under section 252C.2, or both. The notice shall be served upon the responsible person in accordance with the rules of civil procedure. The notice shall include all of the following:

Sec. ____ Section 252C.3, subsection 1, paragraph c, subparagraph (1), Code 2007, is amended to read as follows:

(1) A statement that if the responsible person desires to discuss the amount of support that ~~the a~~ responsible person should be required to pay, the responsible person

may, within ten days after being served, contact the office of the child support recovery unit which sent the notice and request a negotiation conference.

Sec. ____ . Section 252C.12, subsection 2, Code 2007, is amended to read as follows:

2. Upon receipt of a signed statement from the each responsible person waiving the time limitations established in section 252C.3, the administrator may proceed to enter an order for support and the court may approve the order, whether or not the time limitations have expired.

Sec. ____ . Section 252D.18A, Code 2007, is amended to read as follows:

252D.18A MULTIPLE INCOME WITHHOLDING ORDERS – ORDERS FOR HEALTH BENEFIT PLANS – AMOUNTS WITHHELD BY PAYOR.

When the obligor ~~is responsible for paying~~ has more than one support obligation ~~and or~~ the payor of income has received more than one ~~income withholding~~ order or notice of an order for the obligor for income withholding or for coverage under a health benefit plan pursuant to chapter 252E, the payor shall withhold amounts in accordance with all of the following:

1. The total of all amounts withheld shall not exceed the amounts specified in 15 U.S.C. §1673(b). For orders or notices issued by the child support recovery unit, the limit for the amount to be withheld shall be specified in the order or notice.

2. As reimbursement for the payor's processing costs, the payor may deduct a fee of no more than two dollars for each payment withheld in addition to the amount withheld for support.

3. Priority shall be given to the withholding of current support ~~rather than delinquent support~~. The payor shall not allocate amounts withheld in a manner which results in the failure to withhold an amount for one or more of the current child or spousal support obligations. If the limits specified in subsection 1 prevent withholding the full amount specified in the order or notice, the payor shall withhold amounts in the following priority:

a. Withhold the amount specified for current child and spousal support. To arrive at the amount to be withheld for each obligee, the payor shall total the amounts due for current child and spousal support under the income withholding orders and the notices of orders and determine the proportionate share for each obligee. The proportionate share shall be determined by dividing the amount due for current child and spousal support for each order or notice of order by the total due for current child and spousal support for all orders and notices of orders. The results are the percentages of the obligor's net income which shall be withheld for each obligee.

b. If, after completing the calculation in paragraph "a", the withholding limit specified under subsection 1 has not been attained, the payor shall withhold the amount necessary to comply with an order or notice of order for a current premium for coverage of a child under a health benefit plan as provided in section 252D.30 or section 252E.1A, subsection 2, or for a current monetary amount for the child for medical support. If there is more than one medical support order or notice of order for

a current monetary amount for a child, the payor shall total the amounts due for current monetary amounts for all children for medical support and determine the proportionate share for each obligee. The proportionate amounts shall be established utilizing the procedures established in paragraph "a" for current child and spousal support obligations.

b. c. If, after completing the calculation calculations in paragraph paragraphs "a" and "b", the withholding limit specified under subsection 1 has not been attained, the payor shall total the amounts due for arrearages and determine the proportionate share for each obligee. The proportionate share amounts shall be established utilizing the procedures established in paragraph "a" for current child and spousal support obligations.

d. If after completing the calculations in paragraphs "a", "b", and "c", the withholding limit specified in subsection 1 has not been attained, the payor shall withhold the amount necessary for other child support obligations, unless the order or notice directs otherwise as provided by Title IV, part D, of the federal Social Security Act.

4. The payor shall identify and report payments by the obligor's name, account number, amount, and date withheld pursuant to section 252D.17. ~~Until October 1, 1999, if payments for multiple obligees are combined, the portion of the payment attributable to each obligee shall be specifically identified. Beginning October 1, 1999, if~~ If payments for multiple obligees are combined, the portion of the payment attributable to each obligee shall be specifically identified only if the payor is directed to do so by the child support recovery unit.

Sec. _____. Section 252E.1, subsection 9, Code 2007, is amended to read as follows:

9. "Medical support" means either the provision of a health benefit plan, including a group or employment-related or an individual health benefit plan, or a health benefit plan provided pursuant to chapter 514E, to meet the medical needs of a dependent and the cost of any premium required by a health benefit plan, or the payment to the obligee of a monetary amount in lieu of a health benefit plan, either of which is an obligation separate from any monetary amount of child support ordered to be paid. Medical support is not alimony. "Medical support" which consists of payment of a monetary amount in lieu of a health benefit plan is also an obligation separate from any monetary amount a parent is ordered to pay for uncovered medical expenses pursuant to the guidelines established pursuant to section 598.21B.

Sec. _____. NEW SECTION. 252E.1A ESTABLISHING AND MODIFYING ORDERS FOR MEDICAL SUPPORT.

This section shall apply to all initial or modified orders for support entered under chapter 234, 252A, 252C, 252F, 252H, 598, 600B, or any other applicable chapter.

1. An order or judgment that provides for temporary or permanent support for a child shall include a provision for medical support for the child as provided in this section.

2. The court shall order as medical support for the child a health benefit plan if available to either parent at the time the order is entered or modified. A plan is available if the plan is accessible and the cost of the plan is reasonable.

a. The cost of a health benefit plan is considered reasonable, and such amount shall be stated in the order, if one of the following applies:

(1) The premium cost for a child to the parent ordered to provide the plan does not exceed five percent of that parent's gross income.

(2) The premium cost for a child exceeds five percent of the gross income of the parent ordered to provide the plan and that parent consents or does not object to entry of that order.

b. For purposes of this section, "gross income" has the same meaning as gross income for calculation of support under the guidelines established under section 598.21B.

c. For purposes of this section, the premium cost for a child to the parent ordered to provide the plan means the amount of the premium cost for family coverage to the parent which is in excess of the premium cost for single coverage, regardless of the number of individuals covered under the plan. However, this paragraph shall not be interpreted to reduce the amount of the health insurance premium deduction a parent may be entitled to when calculating the amount of a child support obligation under Iowa court rule 9.5 of the child support guidelines.

3. If a health benefit plan is not available at the time of the entry of the order, the court shall order a reasonable monetary amount in lieu of a health benefit plan, which amount shall be stated in the order. For purposes of this subsection, a reasonable amount means five percent of the gross income of the parent ordered to provide the monetary amount for medical support. This subsection shall not apply in any of the following circumstances:

a. If the parent's monthly support obligation established pursuant to the child support guidelines prescribed by the supreme court pursuant to section 598.21B is the minimum obligation amount.

b. If subsection 7, paragraph "e" applies.

4. If the court orders the custodial parent to provide a health benefit plan under subsection 2, the court may also order the noncustodial parent to provide a reasonable monetary amount in lieu of a health benefit plan. For purposes of this subsection, a reasonable monetary amount means an amount not to exceed the lesser of a reasonable amount as described in subsection 3, or the premium cost of coverage for the child to the custodial parent as described in subsection 2, paragraph "c".

5. Notwithstanding the requirements of this section, the court may order provisions in the alternative to those provided in this section to address the health care needs of the child if the court determines that extreme circumstances so require and documents the court's written findings in the order.

6. An order, decree, or judgment entered before March 1, 2008, that provides for the support of a child may be modified in accordance with this section.

7. If the child support recovery unit is providing services under chapter 252B and initiating an action to establish or modify support, all the following shall also apply:

a. If a health benefit plan is available as described in subsection 2 to the noncustodial parent, the unit shall seek an order for the noncustodial parent to provide the plan.

b. If a health benefit plan is available as described in subsection 2 to the custodial parent and not to the noncustodial parent, the unit shall seek an order for the custodial parent to provide the plan.

c. If a health benefit plan is available as described in subsection 2 to each parent, and if there is an order for joint physical care, the unit shall seek an order for the parent currently ordered to provide a health benefit plan to provide the plan. If there is no current order for a health benefit plan for the child, the unit shall seek an order for the parent who is currently providing a health benefit plan to provide the plan.

d. If a health benefit plan is not available, and the noncustodial parent does not have income which may be subject to income withholding for collection of a reasonable monetary amount in lieu of a health benefit plan at the time of the entry of the order, the unit shall seek an order that the noncustodial parent provide a health benefit plan when a plan becomes available at reasonable cost, and the order shall specify the amount of reasonable cost as defined in subsection 2.

e. This section shall not apply to chapter 252H, subchapter IV.

Sec. ____ NEW SECTION. 252E.2A SATISFACTION OF MEDICAL SUPPORT ORDER.

This section shall apply if the child support recovery unit is providing services under chapter 252B.

1. Notwithstanding any law to the contrary and without a court order, a medical support order for a child shall be deemed satisfied with regard to the department, the child, the obligor, and the obligee for the period during which all the following conditions are met:

a. The order is issued under any applicable chapter of the Code.

b. The unit is notified that the conditions of paragraph "c" are met and there is a pending action to establish or modify support initiated by the unit, or the parent ordered to provide medical support submits a written statement to the unit that the requirements of paragraph "c" are met.

c. The parent ordered to provide medical support or the parent from whom the unit is seeking to establish or modify medical support meets at least one of the following conditions:

(1) The parent is an inmate of an institution under the control of the department of corrections or a comparable institution in another state.

(2) The parent's monthly child support obligation under the guidelines established pursuant to section 598.21B is the minimum obligation amount.

(3) The parent is a recipient of assistance under chapter 239B or 249A, or under comparable laws of another state.

(4) The parent is residing with any child for whom the parent is legally responsible and that child is a recipient of assistance under chapter 239B, 249A, or 514I, or under comparable laws of another state. For purposes of this subparagraph, "legally responsible" means the parent has a legal obligation to the child as specified in Iowa court rule 9.7 of the child support guidelines.

d. The unit files a notice of satisfaction with the clerk of the district court. The effective date of the satisfaction shall be stated in the notice and the effective date shall be no later than forty-five days after the unit issues the notice of satisfaction.

2. If a medical support order is satisfied under subsection 1, the satisfaction shall continue until all of the following apply:

a. The unit is notified that none of the conditions specified in subsection 1, paragraph "c", still applies.

b. The unit files a satisfaction termination notice that the requirements for a satisfaction under this section no longer apply. The effective date shall be stated in the satisfaction termination notice and the effective date shall be no later than forty-five days after the unit issues the satisfaction termination notice.

3. The unit shall mail a copy of the notice of satisfaction and the satisfaction termination notice to the last known address of the obligor and obligee.

4. The department of human services may match data for enrollees of the hawk-i program created pursuant to chapter 514I with data of the unit to assist the unit in implementing this section.

5. An order, decree, or judgment entered or pending on or before March 1, 2008, that provides for the support of a child may be satisfied as provided in this section.

Sec. _____. Section 252E.4, subsection 1, Code 2007, is amended to read as follows:

1. When a support order requires an obligor to provide coverage under a health benefit plan, the district court or the department may enter an ex parte order directing an employer to take all actions necessary to enroll an obligor's dependent for coverage under a health benefit plan or may include the provisions in an ex parte income withholding order or notice of income withholding pursuant to chapter 252D. The child support recovery unit, where appropriate, shall issue a national medical support notice to an employer within two business days after the date information regarding a newly hired employee is entered into the centralized employee registry and matched with a noncustodial parent in the case being enforced by the unit, or upon receipt of other employment information for such parent. The department may amend the information in the ex parte order or may amend or terminate the national medical support notice

regarding health insurance provisions if necessary to comply with health insurance requirements including but not limited to the provisions of section 252E.2, subsection 2, or to correct a mistake of fact.

Sec. _____. Section 252E.5, subsection 3, Code 2007, is amended to read as follows:

3. The employer shall withhold from the employee's compensation, the employee's share, if any, of premiums for the health benefit plan in an amount that does not exceed the amount specified in the national medical support notice or order or the amount specified in 15 U.S.C. § 1673(b) and which is consistent with federal law. The employer shall forward the amount withheld to the insurer. If the employee has more than one obligation and if there is insufficient compensation available to meet the employee's share necessary for coverage of the child under a health benefit plan as required under this section or section 252D.30, and to comply with an order to withhold or notice under section 252D.17, the employer shall allocate the funds available in accordance with section 252D.18A.

Sec. _____. Section 252F.1, Code 2007, is amended by adding the following new subsection:

NEW SUBSECTION. 3A. "Party" means a putative father or a mother.

Sec. _____. Section 252F.3, subsection 1, unnumbered paragraph 1, Code 2007, is amended to read as follows: The unit may prepare a notice of alleged paternity and support debt to be served on ~~the putative father~~ a party if the mother of the child provides a written statement to the unit certifying in accordance with section 622.1 that the putative father is or may be the biological father of the child or children involved. The notice shall be accompanied by a copy of the statement and served on the putative father in accordance with rule of civil procedure 1.305. Service upon the mother shall not constitute valid service upon the putative father. The notice shall include or be accompanied by all of the following:

Sec. _____. Section 252F.3, subsection 1, paragraphs d, f, g, h, j, k, and m, Code 2007, are amended to read as follows:

d. A statement that if paternity is established, ~~the putative father~~ a party has a duty to provide accrued and accruing medical support to the child or children in accordance with chapter 252E.

f. (1) The right of ~~the putative father~~ a party to request a conference with the unit to discuss paternity establishment and the amount of support that ~~the putative father~~ a party may be required to ~~pay~~ provide, within ten days of the date of service of the original notice or, if paternity is contested and paternity testing is conducted, within ten days of the date the paternity test results are issued or mailed to ~~the putative father~~ a party by the unit.

(2) A statement that if a conference is requested, ~~the putative father~~ a party shall have one of the following time frames, whichever is the latest, to send a written request for a court hearing on the issue of support to the unit:

(a) Ten days from the date set for the conference.

(b) Twenty days from the date of service of the original notice.

(c) If paternity was contested and paternity testing was conducted, and the ~~putative father~~ a party does not deny paternity after the testing or challenge the paternity test results, twenty days from the date paternity test results are issued or mailed by the unit to the ~~putative father~~ party.

(3) A statement that after the holding of the conference, the unit shall issue a new notice of alleged paternity and finding of financial responsibility for child support or medical support, or both, to be provided in person to the ~~putative father~~ each party or sent to the ~~putative father~~ each party by regular mail addressed to the ~~putative father's party's~~ last known address or, if applicable, to the last known address of the ~~putative father's party's~~ attorney.

(4) A statement that if the unit issues a new notice of alleged paternity and finding of financial responsibility for child support or medical support, or both, the ~~putative father~~ a party shall have one of the following time frames, whichever is the latest, to send a written request for a court hearing on the issue of support to the unit:

(a) Ten days from the date of issuance of the new notice.

(b) Twenty days from the date of service of the original notice.

(c) If paternity was contested and paternity testing conducted, and the ~~putative father~~ a party does not deny paternity after the testing or challenge the paternity test results, twenty days from the date the paternity test results are issued or mailed to the ~~putative father~~ party by the unit.

g. A statement that if a conference is not requested, and the ~~putative father~~ a party does not deny paternity or challenge the results of any paternity testing conducted but objects to the finding of financial responsibility or the amount of child support or medical support, or both, the ~~putative father~~ party shall send a written request for a court hearing on the issue of support to the unit within twenty days of the date of service of the original notice, or, if paternity was contested and paternity testing conducted, and the ~~putative father~~ a party does not deny paternity after the testing or challenge the paternity test results, within twenty days from the date the paternity test results are issued or mailed to the ~~putative father~~ party by the unit, whichever is later.

h. A statement that if a timely written request for a hearing on the issue of support is received by the unit, the ~~putative father~~ party shall have the right to a hearing to be held in district court and that if no timely written request is received and paternity is not contested, the administrator shall enter an order establishing the putative father as the father of the child or children and establishing child support or medical support, or both, in accordance with the notice of alleged paternity and support debt.

j. A written explanation of the ~~putative father's~~ a party's right to deny paternity, the procedures for denying paternity, and the consequences of the denial.

k. A statement that if the ~~putative father~~ a party contests paternity, the ~~putative father~~ party shall have twenty days from the date of service of the original notice to submit a written denial of paternity to the unit.

m. A statement that if paternity tests are conducted, the unit shall provide a copy of the test results to ~~the putative father~~ each party in person or send a copy to the ~~putative father~~ each party by regular mail, addressed to the ~~putative father's~~ party's last known address, or, if applicable, to the last known address of the ~~putative father's~~ party's attorney.

Sec. _____. Section 252F.3, subsection 3, unnumbered paragraph 1, Code 2007, is amended to read as follows:

If notice is served on ~~the putative father~~ a party, the unit shall file a true copy of the notice and the original return of service with the appropriate clerk of the district court as follows:

Sec. _____. Section 252F.3, subsection 4, unnumbered paragraph 1, Code 2007, is amended to read as follows:

A ~~putative father~~ party or the child support recovery unit may request a court hearing regarding establishment of paternity or a determination of support, or both.

Sec. _____. Section 252F.3, subsection 4, paragraph c, Code 2007, is amended to read as follows:

c. Any objection to the results of paternity tests shall be filed no later than twenty days after the date paternity test results are issued or mailed to ~~the putative father~~ each party by the unit. Any objection to paternity test results filed by a party more than twenty days after the date paternity tests are issued or mailed to the ~~putative father~~ party by the unit shall not be accepted or considered by the court.

Sec. _____. Section 252F.3, subsection 5, Code 2007, is amended to read as follows:

5. If a timely written response and request for a court hearing is not received by the unit and ~~the putative father~~ a party does not deny paternity, the administrator shall enter an order in accordance with section 252F.4.

Sec. _____. Section 252F.3, subsection 6, paragraphs a, f, and m, Code 2007, are amended to read as follows:

a. If a party contests the establishment of paternity, the party shall submit, within twenty days of service of the notice on the ~~putative father~~ party under subsection 1, a written statement contesting paternity establishment to the unit. Upon receipt of a written challenge of paternity establishment, or upon initiation by the unit, the administrator shall enter ex parte administrative orders requiring the mother, child or children involved, and the putative father to submit to paternity testing. Either the mother or putative father may contest paternity under this chapter.

f. An original copy of the test results shall be filed with the clerk of the district court in the county where the notice was filed. The child support recovery unit shall issue a copy of the filed test results to ~~the putative father and mother of the child or children~~ each party in person, or by regular mail to the last known address of each, or if applicable, to the last known address of the attorney for each. However, if the action is the result of a request from a foreign jurisdiction, the unit shall issue a copy of the results to the initiating agency in that foreign jurisdiction.

m. If the paternity test results exclude the putative father as a potential biological father of the child or children, and additional tests are not requested by either party or conducted on the unit's initiative, or if additional tests exclude the putative father as a potential biological father, the unit shall withdraw its action against the putative father and shall file a notice of the withdrawal with the clerk of the district court, and shall provide a copy of the notice to the ~~putative father~~ each party in person, or by regular mail sent to the ~~putative father's~~ each party's last known address, or if applicable, the last known address of the ~~putative father's~~ party's attorney.

Sec. ____ Section 252F.4, Code 2007, is amended to read as follows:
252F.4 ENTRY OF ORDER.

1. If ~~the putative father fails~~ both parties fail to respond to the initial notice within twenty days after the date of service of the notice or ~~fails fail~~ to appear at a conference pursuant to section 252F.3 on the scheduled date of the conference, and paternity has not been contested and ~~the putative father fails~~ both parties fail to timely request a court hearing on the issue of support, the administrator shall enter an order against the ~~putative father~~ parties, declaring the putative father to be the legal father of the child or children involved and assessing any accrued and accruing child support obligation pursuant to the guidelines established under section 598.21B, and medical support pursuant to chapter 252E, ~~against the father.~~

2. If paternity is contested pursuant to section 252F.3, subsection 6, and the party contesting paternity fails to appear for a paternity test and fails to request a rescheduled paternity test pursuant to section 252F.3, or fails to appear for both the initial and the rescheduled paternity tests and ~~the putative father fails~~ both parties fail to timely request a court hearing on the issue of support, the administrator shall enter an order against the ~~putative father~~ parties declaring the putative father to be the legal father of the child or children involved and assessing any accrued and accruing child support obligation pursuant to the guidelines established under section 598.21B, and medical support pursuant to chapter 252E, ~~against the father.~~

3. If ~~the putative father appears at a conference~~ pursuant to section 252F.3 is held, and paternity is not contested, and ~~the putative father fails~~ both parties fail to timely request a court hearing on the issue of support, the administrator shall enter an order against the ~~putative father~~ parties after the second notice has been sent declaring the putative father to be the legal father of the child or children involved and assessing any accrued and accruing child support obligation pursuant to the guidelines established under section 598.21B, and medical support pursuant to chapter 252E, ~~against the father.~~

4. If paternity was contested and paternity testing was performed and the putative father was not excluded, if the test results indicate that the probability of the putative father's paternity is ninety-five percent or greater, if the test results are not timely challenged, and if ~~the putative father fails~~ both parties fail to timely request a court hearing on the issue of support, the administrator shall enter an order against the ~~putative father~~ parties declaring the putative father to be the legal father of the child or children involved and assessing any accrued and accruing child support obligation pursuant to the guidelines established under section 598.21B, and medical support pursuant to chapter 252E, ~~against the father.~~

5. The administrator shall establish a support obligation under this section based upon the best information available to the unit and pursuant to section 252B.7A.

6. The order shall contain all of the following:

a. A declaration of paternity.

b. The amount of monthly support to be paid, with direction as to the manner of payment.

c. The amount of accrued support.

d. The name of the custodial parent or caretaker.

e. The name and birth date of the child or children to whom the order applies.

f. A statement that property of ~~the father~~ a party ordered to provide support is subject to income withholding, liens, garnishment, tax offset, and other collection actions.

g. The medical support required pursuant to chapter 598 and chapter 252E.

h. A statement that ~~the father~~ a party who is ordered to provide support is required to inform the child support recovery unit, on a continuing basis, of the name and address of the ~~father's party's~~ party's current employer, whether the ~~father-party~~ party has access to health insurance coverage ~~through employment or at reasonable cost through other sources~~ as required in the order, and if so, the health insurance policy information.

i. If paternity was contested by the putative father, the amount of any judgment assessed to the father for costs of paternity tests conducted pursuant to this chapter.

j. Statements as required pursuant to section 598.22B.

7. If paternity is not contested but ~~the putative father~~ a party does wish to challenge the issues of child or medical support, the administrator shall enter an order establishing paternity and reserving the issues of child or medical support for determination by the district court.

Sec. _____. Section 252F.5, subsection 2, Code 2007, is amended to read as follows:

2. An action under this chapter may be certified to the district court if a party timely contests paternity establishment or paternity test results, or if ~~the putative father~~ a party requests a court hearing on the issues of child or medical support, or both, or upon the initiation of the unit as provided in this chapter. Review by the district court shall be an original hearing before the court.

Sec. _____. Section 252F.5, subsection 3, paragraph c, Code 2007, is amended to read as follows:

c. A timely written objection to paternity establishment or paternity test results has been received from a party, or a timely written request for a court hearing on the

issue of support has been received from ~~the putative father~~ a party by the unit, or the unit has requested a court hearing on the unit's own initiative.

Sec. _____. Section 252H.2, subsection 2, paragraph b, Code 2007, is amended to read as follows:

b. An addition of or change to provisions for medical support as defined provided in section 252E.1 chapter 252E.

Sec. _____. Section 252H.2, subsection 13, Code 2007, is amended to read as follows:

13. "Support order" means a ~~"court order" as defined in section 252C.1 or an order establishing support entered pursuant to an administrative or quasi-judicial process if authorized by law~~ an order for support issued pursuant to chapter 232, 234, 252A, 252C, 252E, 252F, 252H, 598, 600B, or any other applicable chapter, or under a comparable statute of a foreign jurisdiction as registered with the clerk of court or certified to the child support recovery unit.

Sec. _____. NEW SECTION. 252H.3A ADDING A PARTY.

A mother or father may be added as a proper party defendant to a support order upon service of a notice as provided in this chapter and without a court order as provided in the rules of civil procedure.

Sec. _____. Section 252H.14, subsection 1, paragraph b, Code 2007, is amended to read as follows:

~~b. The right to any ongoing medical support obligation is currently assigned to the state due to the receipt of public assistance unless:~~

~~(1) b. The support order does not already includes include provisions requiring the parent ordered to pay child support to also provide for medical support.~~

~~(2) The parent entitled to receive support has satisfactory health insurance coverage for the children, excluding coverage resulting from the receipt of public assistance benefits.~~

Sec. _____. Section 252H.14, subsection 2, Code 2007, is amended to read as follows:

2. The unit may periodically initiate a request to a child support agency of another state to conduct a review of a support order entered in that state when the right to any ongoing child or medical support obligation due under the order is currently assigned to the state of Iowa or if the order does not include provisions for medical support.

Sec. _____. Section 598.21B, subsection 3, Code 2007, is amended to read as follows:

3. MEDICAL SUPPORT. The court shall order as child medical support ~~a health benefit plan as defined in chapter 252E if available to either parent at a reasonable cost. A health benefit plan is considered reasonable in cost if it is employment related or other group health insurance, regardless of the service delivery mechanism as provided in section 252E.1A.~~ The premium cost of the a health benefit plan may be considered by the court as a reason for varying from the child support guidelines. If a

~~health benefit plan is not available at a reasonable cost, the court may order any other provisions for medical support as defined in chapter 252E.~~

Sec. _____. Section 598.21C, subsection 2, paragraph a, Code 2007, is amended to read as follows:

a. Subject to 28 U.S.C. § 1738B, but notwithstanding subsection 1, a substantial change of circumstances exists when the court order for child support varies by ten percent or more from the amount which would be due pursuant to the most current child support guidelines established pursuant to section 598.21B or ~~the obligor a parent has access to a health benefit plan, available as provided in section 252E.1A and the current order for support does not contain provisions for medical support, and the dependents are not covered by a health benefit plan provided by the obligee, excluding coverage pursuant to chapter 249A or a comparable statute of a foreign jurisdiction.~~

Sec. _____. AMENDING AND NULLIFICATION OF ADMINISTRATIVE RULES.

1. Until the department of human services amends rules pursuant to chapter 17A necessary to conform with this Act, all of the following shall apply:

a. The child support recovery unit may initiate proceedings to establish or modify orders for medical support for a child in accordance with section 252E.1A as created in this Act, regardless of whether support is assigned to the state.

b. The term "child support account" in existing rules shall also mean a specified monetary amount for medical support, unless the context otherwise requires.

c. A reference to a health benefit plan at reasonable cost shall mean reasonable cost as defined in section 252E.1A, as enacted in this Act.

d. A requirement for including a provision for an employment-related or other group health benefit plan, or for determining medical support, shall be limited and applied in accordance with section 252E.1A, as created in this Act.

2. 441 Iowa administrative Code, rule 98.3, relating to the establishment of medical support is nullified.

Sec. _____. EFFECTIVE DATE. This division of this Act takes effect March 1, 2008.

DIVISION ____
PHYSICIAN ASSISTANTS

Sec. _____. Section 147.14, subsection 12, Code 2007, is amended to read as follows:

12. For the board of physician assistant examiners, ~~three~~ five members licensed to practice as physician assistants, at least two of whom practice in counties with a population of less than fifty thousand, one member licensed to practice medicine and surgery who supervises a physician assistant, one member licensed to practice osteopathic medicine and surgery who supervises a physician assistant, and two members who are not licensed to practice either medicine and surgery or osteopathic medicine and surgery or licensed as a physician assistant and who shall represent the

general public. At least one of the physician members shall be in practice in a county with a population of less than fifty thousand. A majority of members of the board constitutes a quorum.

Sec. ____ . NEW SECTION. 148C.12 ANNUAL REPORT.

By January 31 of each year the board and the board of medical examiners shall provide to the general assembly and the governor a joint report detailing the boards' collaborative efforts and team building practices.

DIVISION ____
TELECOMMUTING

Sec. ____ . STATE EMPLOYEE TELECOMMUTING – POLICY DEVELOPMENT
– IMPLEMENTATION.

1. The director of a department or state agency to which appropriations are made pursuant to the provisions of this Act shall assess the extent to which job classifications or individual employment positions with the department or agency might be effectively performed from an employee's residence or other remote location through telecommuting, thereby increasing office space within the department or agency and reducing administrative costs. The assessment shall include an estimate of the number of department or agency employees whose job responsibilities could be effectively performed on a telecommuting basis, projected costs of establishing and maintaining work stations at an employee's residence or other remote location and providing telecommuter support, anticipated savings to the department or agency through a reduction in the office-based workforce, and anticipated time and cost savings to telecommuting employees. A report summarizing the assessment shall be submitted to the director of the department of administrative services, and the members of the general assembly, by November 1, 2007.

2. Based on the assessment conducted pursuant to subsection 1, the director shall develop a telecommuter employment policy for the department or agency and a timeline for initial policy implementation and plans for expanding the number of telecommuting employees. Specific office-based workforce reduction percentages shall be left to the discretion of the director, but the director shall implement a policy transferring some number of office-based employees to telecommuter status by January 1, 2008. The director shall report to the director of the department of administrative services and the members of the general assembly on an annual basis beginning January 1, 2009, the number of telecommuting employees, cost savings achieved by the department or agency, and plans for continued transfer of office-based employees to telecommuter status.

DIVISION ____
DENTAL BOARD

Sec. ____ . Section 10A.402, subsection 1, Code 2007, as amended by 2007 Iowa Acts, Senate File 74, section 6, is amended to read as follows:

1. Investigations relative to the practice of regulated professions and occupations, except those within the jurisdiction of the board of medicine, the board of pharmacy, the dental board of ~~dentistry~~, and the board of nursing.

Sec. _____. Section 135.11A, unnumbered paragraph 1, Code 2007, as amended by 2007 Iowa Acts, Senate File 74, section 19, is amended to read as follows:

There shall be a professional licensure division within the department of public health. Each board under chapter 147 or under the administrative authority of the department, except the board of nursing, board of medicine, dental board of ~~dentistry~~, and board of pharmacy, shall receive administrative and clerical support from the division and may not employ its own support staff for administrative and clerical duties.

Sec. _____. Section 135.24, subsection 2, paragraph a, Code 2007, as amended by 2007 Iowa Acts, Senate File 74, section 20, is amended to read as follows:

a. Procedures for registration of health care providers deemed qualified by the board of medicine, the board of physician assistants, the dental board of ~~dentistry~~, the board of nursing, the board of chiropractic, the board of psychology, the board of social work, the board of behavioral science, the board of pharmacy, the board of optometry, the board of podiatry, the board of physical and occupational therapy, the board for respiratory care, and the Iowa department of public health, as applicable.

Sec. _____. Section 135.31, Code 2007, as amended by 2007 Iowa Acts, Senate File 74, section 21, is amended to read as follows:

135.31 LOCATION OF BOARDS – RULEMAKING.

The offices for the board of medicine, the board of pharmacy, the board of nursing, and the dental board of ~~dentistry~~ shall be located within the department of public health. The individual boards shall have policymaking and rulemaking authority.

Sec. _____. Section 136C.3, subsection 2, unnumbered Paragraph 1, Code 2007, as amended by 2007 Iowa Acts, Senate File 74, section 23, is amended to read as follows:

Establish minimum training standards including continuing education requirements, and administer examinations and disciplinary procedures for operators of radiation machines and users of radioactive materials. A state of Iowa license to practice medicine, osteopathy, chiropractic, podiatry, dentistry, dental hygiene, or veterinary medicine, or licensure as a physician assistant pursuant to chapter 148C, or certification by the dental board of ~~dentistry~~ in dental radiography, or by the board of podiatry in podiatric radiography, or enrollment in a program or course of study approved by the Iowa department of public health which includes the application of radiation to humans satisfies the minimum training standards for operation of radiation machines only.

Sec. _____. Section 139A.22, subsection 6, Code 2007, as amended by 2007 Iowa Acts, Senate File 74, section 25, is amended to read as follows:

6. The board of medicine, the board of physician assistants, the board of podiatry, the board of nursing, the dental board of ~~dentistry~~, and the board of optometry shall require that licensees comply with the recommendations issued by the centers for disease control and prevention of the United States department of health and human services for preventing transmission of human immunodeficiency virus and hepatitis B virus to patients during exposure-prone invasive procedures, with the recommendations of the expert review panel established pursuant to subsection 3, with hospital protocols established pursuant to subsection 1, and with health care facility procedures established pursuant to subsection 2, as applicable.

Sec. _____. Section 147.13, subsection 8, Code 2007, as amended by 2007 Iowa Acts, Senate File 74, section 32, is amended to read as follows:

8. For dentistry, dental hygiene, and dental assisting, the dental board of ~~dentistry~~.

Sec. _____. Section 147.40, Code 2007, as amended by 2007 Iowa Acts, Senate File 74, section 50, is amended to read as follows:

147.40 CERTIFICATION OF APPLICANTS.

Every examination shall be passed upon in accordance with the established rules of the board and shall be satisfactory to at least a majority of the professional members of the board. In the case of the dental board of ~~dentistry~~, only licensed dentist members of the board shall determine whether an applicant has passed the examination to practice as a licensed dentist. After each examination, the board shall certify the names of the successful applicants to the department in the manner prescribed by it. The department shall then issue the proper license.

Sec. _____. Section 147.80, subsections 1 and 11, Code 2007, as amended by 2007 Iowa Acts, Senate File 74, section 63, are amended to read as follows:

1. License to practice dentistry issued upon the basis of an examination given by the dental board of ~~dentistry~~, license to practice dentistry issued under a reciprocal agreement, resident dentist's license, renewal of a license to practice dentistry.

11. License to practice dental hygiene issued upon the basis of an examination given by the dental board of ~~dentistry~~, license to practice dental hygiene issued under a reciprocal agreement, renewal of a license to practice dental hygiene.

Sec. _____. Section 147.80, unnumbered paragraph 3, Code 2007, as amended by 2007 Iowa Acts, Senate File 74, section 63, is amended to read as follows:

The board of medicine, the board of pharmacy, the dental board of ~~dentistry~~, and the board of nursing shall retain individual executive officers, but shall make every effort to share administrative, clerical, and investigative staffs to the greatest extent possible. The department shall annually submit a status report to the general assembly in December regarding the sharing of staff during the previous fiscal year.

Sec. _____. Section 147.88, Code 2007, as amended by 2007 Iowa Acts, Senate File 74, section 65, is amended to read as follows:

147.88 INSPECTIONS.

The department of inspections and appeals may perform inspections as required by this subtitle, except for the board of medicine, board of pharmacy, board of nursing, and the dental board of ~~dentistry~~. The department of inspections and appeals shall employ personnel related to the inspection functions.

Sec. _____. Section 147.107, subsection 2, unnumbered paragraph 1, Code 2007, as amended by 2007 Iowa Acts, Senate File 74, section 78, is amended to read as follows:

A pharmacist, physician, dentist, or podiatric physician who dispenses prescription drugs, including but not limited to controlled substances, for human use, may delegate nonjudgmental dispensing functions to staff assistants only when verification of the accuracy and completeness of the prescription is determined by the pharmacist or practitioner in the pharmacist's or practitioner's physical presence. However, the physical presence requirement does not apply when a pharmacist or practitioner is utilizing an automated dispensing system. When using an automated dispensing system the pharmacist or practitioner shall utilize an internal quality control assurance plan that ensures accuracy for dispensing. Verification of automated dispensing accuracy and completeness remains the responsibility of the pharmacist or practitioner and shall be determined in accordance with rules adopted by the board of pharmacy, the board of medicine, the dental board of ~~dentistry~~, and the board of podiatry for their respective licensees.

Sec. _____. Section 147.114, Code 2007, as amended by 2007 Iowa Acts, Senate File 74, section 81, is amended to read as follows:

147.114 INSPECTOR.

An inspector may be appointed by the dental board of ~~dentistry~~ pursuant to the provisions of chapter 8A, subchapter IV.

Sec. _____. Section 153.12, as enacted by 2007 Iowa Acts, Senate File 74, section 132, is amended to read as follows:

153.12 BOARD DEFINED.

As used in this chapter, "board" means the dental board of ~~dentistry~~, created under chapter 147.

Sec. _____. Section 272C.1, subsection 6, paragraph j, Code 2007, as amended by 2007 Iowa Acts, Senate File 74, section 171, is amended to read as follows:

j. The dental board of ~~dentistry~~, created pursuant to chapter 147.

DIVISION ____
GRANDPARENT AND GREAT-GRANDPARENT VISITATION

Sec. _____. NEW SECTION. 600C.1 GRANDPARENT AND GREAT-GRANDPARENT VISITATION.

1. The grandparent or great-grandparent of a minor child may petition the court for grandchild or great-grandchild visitation.

2. The court shall consider a fit parent's objections to granting visitation under this section. A rebuttable presumption arises that a fit parent's decision to deny visitation to a grandparent or great-grandparent is in the best interest of a minor child.

3. The court may grant visitation to the grandparent or great-grandparent if the court finds all of the following by clear and convincing evidence:

a. The grandparent or great-grandparent has established a substantial relationship with the child prior to the filing of the petition.

b. The parent who is being asked to temporarily relinquish care, custody, and control of the child to provide visitation is unfit to make the decision regarding visitation.

c. It is in the best interest of the child to grant such visitation.

4. For the purposes of this section, "court" means the district court or the juvenile court if that court currently has jurisdiction over the child in a pending action. If an action is not pending, the district court has jurisdiction.

5. Notwithstanding any provision of this chapter to the contrary, venue for any action to establish, enforce, or modify visitation under this section shall be in the county where either parent resides if no final custody order determination relating to the grandchild or great-grandchild has been entered by any other court. If a final custody order has been entered by any other court, venue shall be located exclusively in the county where the most recent final custody order was entered. If any other custodial proceeding is pending when an action to establish, enforce, or modify visitation under this section is filed, venue shall be located exclusively in the county where the pending custodial proceeding was filed.

6. Notice of any proceeding to establish, enforce, or modify visitation under this section shall be personally served upon all parents of a child whose interests are affected by a proceeding brought pursuant to this section and all grandparents or great-grandparents who have previously obtained a final order or commenced a proceeding under this section.

7. The court shall not enter any temporary order to establish, enforce, or modify visitation under this section.

8. An action brought under this section is subject to chapter 598B, and in an action brought to establish, enforce, or modify visitation under this section, each party shall submit in its first pleading or in an attached affidavit all information required by section 598B.209.

9. In any action brought to establish, enforce, or modify visitation under this section, the court may award attorney fees to the prevailing party in an amount deemed reasonable by the court.

10. If a proceeding to establish or enforce visitation under this section is commenced when a dissolution of marriage proceeding is pending concerning the parents of the affected minor child, the record and evidence of the dissolution action shall remain impounded pursuant to section 598.26. The impounded information shall not be released or otherwise made available to any person who is not the petitioner or respondent or an attorney of record in the dissolution of marriage proceeding. Access to the impounded information by the attorney of record for the grandparent or great-grandparent shall be limited to only that information relevant to the grandparent's or great-grandparent's request for visitation.

Sec. _____. Section 600.11, subsection 2, paragraph e, Code 2007, is amended to read as follows:

e. A person who has been granted visitation rights with the child to be adopted pursuant to section ~~598.35~~ 600C.1.

Sec. _____. Section 598.35, Code 2007, is repealed. "

78. By renumbering, relettering, or redesignating and correcting internal references as necessary.

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE

RO FOEGE, Chair
JO OLDSON
PHIL WISE

JACK HATCH, Chair
JOE BOLKCOM
ROBERT E. DVORSKY

Foegen of Linn moved the adoption of the conference committee report.

The motion prevailed and the conference committee report was adopted.

Foegen of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 909)

The ayes were, 54:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foegen	Ford	Frevort	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Pettengill	Quirk	Reasoner

Reichert	Schueller	Shomshor	Smith
Staed	Swaim	Taylor, D.	Taylor, T.
Thomas	Tomonga	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Winckler
Wise	Mr. Speaker		
	Murphy		

The nays were, 41:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Drake	Forristall	Granzow
Grassley	Greiner	Heaton	Hoffman
Huseman	Jacobs	Kaufmann	Lukan
May	Miller, L.	Olson, S.	Paulsen
Rants	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wiencsek	Windschitl
Worthan			

Absent or not voting, 5:

Dolecheck	Gipp	Horbach	Raecker
Zirkelbach			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **House File 909** be immediately messaged to the Senate.

REPORT OF THE CHIEF CLERK OF THE HOUSE

MR SPEAKER: Pursuant to House Rule 42, I report that in enrolling the bills the following correction was made:

House Amendment to Senate File 588

1. Page 2, Line 38 – Change chapter to section.

MARK W. BRANDSGARD
Chief Clerk of the House

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bill has been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 26th day of April, 2007: House File 829.

MARK W. BRANDSGARD
Chief Clerk of the House

Report adopted.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 26, 2007, he approved and transmitted to the Secretary of State the following bills:

House File 309, an Act requiring development of a uniform cost report for certain services reimbursed through the department of human services and counties.

House File 744, an Act relating to a debtor's exempt personal injury payments in state court debt collection and federal bankruptcy actions.

House File 849, an Act concerning the department of administrative services and including an effective date provision.

House File 851, an Act relating to expenditure approval requirements applicable to the purchase of telecommunications equipment or services by the Iowa communications network.

Senate File 175, an Act relating to the disposition of seized property in a criminal proceeding.

Senate File 339, an Act relating to county general obligation bonds by modifying the definition of essential county purpose and by changing the requirements under which a county may issue general county purpose bonds without an election.

Senate File 384, an Act relating to statute of limitations provisions relating to minors and persons with mental illness and tort claims against a municipality and providing an applicability date.

Senate File 406, an Act relating to dogs, including the right to kill a tagged dog.

Senate File 416, an Act relating to city elections by providing procedures for filling a city council vacancy by special election and by providing satellite absentee voting at certain city elections.

Also: the Governor announced that on April 27, 2007 he approved and transmitted to the Secretary of State the following bills:

House File 829, an Act relating to the development and commercialization of businesses in the targeted industry areas of advanced manufacturing, bioscience, and information technology and including appropriations and an effective date provision.

Senate File 155, an Act relating to local governments by creating a local government innovation commission and fund, creating a center for governing excellence, and including an effective date.

Senate File 347, an Act relating to the authority of creditors and credit unions in consumer credit or credit union transactions.

Senate File 414, an Act concerning the licensure, operation, and taxation of card game tournaments by organizations representing veterans and allowable prizes at annual game nights by certain qualified organizations and making penalties applicable.

Senate File 485, an Act relating to greenhouse gas emissions.

Senate File 489, an Act creating an Alzheimer's disease task force.

GOVERNOR'S ITEM VETO MESSAGE

A copy of the following communication was received and placed on file:

April 26, 2007

The Honorable John P. Kibbie
President of the Senate
State Capitol
L O C A L

Dear President Kibbie:

I hereby transmit Senate File 277, an Act relating to the state's educational standards regarding teacher librarians and qualified guidance counselors, and to teacher and administrator quality, including the student achievement and teacher quality program and an administrator quality program, making appropriations, and providing an effective date.

I am unable to approve the designated portion of Section 49, paragraph 3. The designated portion of this paragraph requires that the state board of education shall adopt rules requiring implementation of the successful components of the pilots by

school districts statewide upon completion of the career ladder planning and implementation pilots, subject to the sufficiency of funds. I am unable to approve this designated portion because I do not believe these pilot projects should automatically be mandated statewide.

The bill calls for 10 pilot projects, which I support. Eight of these projects are centered on implementing the last two parts of the career ladder system. We have already put the first two parts of this ladder into place and need to take a close look at whether implementing the rest of this system will result in improved student achievement and will help to recruit and retain the best and brightest teachers. The other two projects are to test pay-for-performance compensation methods. While I generally do not agree that pay-for-performance is the right method to improve our education system, I think it is important to test this out at the local level before we make a final decision.

While I support these pilot projects, I do not support that they be mandated statewide at the end of them. The goal of the projects is to allow us to better assess whether these methods are the right ones for this state to improve education for our students. Another goal of the projects is to allow us to assess whether these methods will attract more people to the teaching profession and make sure they want to work in Iowa. We cannot make that determination now, prior to beginning the projects, and it would be irresponsible to mandate that as a part of this bill. I look forward to working with the Legislature and other education partners throughout the state to take a close look at the models developed in these projects and make a determination about statewide implementation upon their completion.

For the above reasons, I respectfully disapprove these items in accordance with Article III, Section 16 of the Constitution of the State of Iowa. All other items in Senate File 277 are hereby approved as of this date.

Sincerely,
Chester J. Culver
Governor

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Fourth grade students from Meeker Elementary, Ames, Iowa. By Wessel-Kroeschell of Story.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- 2007\3088 Ron and Bev Schuknecht, Greene – For celebrating their 50th wedding anniversary.
- 2007\3089 Gerald Krull, Clarksville – For celebrating his 80th birthday.
- 2007\3090 Catherine Teeple, Greene – For celebrating her 90th birthday.
- 2007\3091 Thane Somers, Iowa City – For receiving first place nationally on the Junior Engineering Technical Society's Test of Engineering Aptitude in Math and Science.
- 2007\3092 Margaret and Larry Kautman, Hedrick – For celebrating their 50th wedding anniversary.
- 2007\3093 Francis "Jake" and Myrna Jacoby, Waterloo – For celebrating their 50th wedding anniversary.
- 2007\3094 Gust and Vivian Johnson, Waterloo – For celebrating their 50th wedding anniversary.
- 2007\3095 Mike and Mary Jane Staebell, Waterloo – For celebrating their 60th wedding anniversary.
- 2007\3096 Eugene "Dinty" Moore, Waterloo – For celebrating his 80th birthday.
- 2007\3097 Norbert and Marcie Trainor, Waterloo – For celebrating their 50th wedding anniversary.
- 2007\3098 Lorraine Bral, Denison – For celebrating her 80th birthday.
- 2007\3099 Arlo and Marlys Riessen, Denison – For celebrating their 50th wedding anniversary.
- 2007\3100 Merlyn and Dorothy Spilger, Atalissa – For celebrating their 65th wedding anniversary.
- 2007\3101 Herold and Gertrude Hoffmeier, Lowden – For celebrating their 65th wedding anniversary.
- 2007\3102 Spencer Verlo, West Branch – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\3103 David Hoffman, West Branch – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\3104 Tyler Laughlin, West Branch – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\3105 Tyler O'Neil, West Branch – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 322 Government Oversight

Relating to student loans, including the protection of students and parents from certain lenders and institutions of higher education with conflicts of interest, and establishing penalties and a student lending education fund.

H.S.B. 323 Government Oversight

Authorizing leases and agreements relating to the Iowa communications network under specified circumstances.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON ADMINISTRATION AND RULES

House Joint Resolution 10, a joint resolution authorizing the temporary use and consumption of alcoholic beverages on the state capitol complex grounds in conjunction with the Hy-Vee BG World Cup Triathlon, and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** April 27, 2007.

House Joint Resolution 11, a joint resolution approving the permanent acknowledgement of elementary and secondary schools and individual citizens of this state for their contributions of foliage and items to be permanently located on the west capitol terrace and other capitol grounds and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** April 27, 2007.

RESOLUTIONS FILED

HR 53, by committee on administration and rules, a resolution relating to an annual budget for the daily operations of the House of Representatives.

Placed on the calendar.

SCR 7, by Kreiman, a concurrent resolution relating to the establishment of a criminal code revisions legislative study committee.

Referred to **administration and rules.**

AMENDMENTS FILED

H—2067	S.F.	601	Staed of Linn May of Dickinson
H—2068	S.F.	601	Rants of Woodbury Raecker of Polk
H—2069	S.F.	601	Heddens of Story Ford of Polk Mascher of Johnson
H—2071	S.F.	601	Ford of Polk
H—2072	S.F.	601	Thomas of Clayton Hunter of Polk
H—2073	S.F.	601	Watts of Dallas Boal of Polk Raecker of Polk Jacobs of Polk Tomenga of Polk
H—2074	S.F.	601	Gaskill of Wapello
H—2082	S.F.	348	Quirk of Chickasaw De Boef of Keokuk D. Olson of Boone
			Mertz of Kossuth Sands of Louisa Greiner of Washington
H—2084	S.F.	601	Tymeson of Madison
H—2085	S.F.	601	T. Olson of Linn
H—2086	H.F.	844	Jacobs of Polk
H—2087	H.F.	844	Jacobs of Polk
H—2089	H.F.	844	Jacobs of Polk

H—2090	H.F.	844	Jacobs of Polk
H—2091	H.F.	844	Jacobs of Polk
H—2092	H.F.	844	Jacobs of Polk
H—2093	H.F.	844	Jacobs of Polk
H—2094	H.F.	844	Jacobs of Polk
H—2095	H.F.	844	Jacobs of Polk
H—2096	H.F.	844	Jacobs of Polk
H—2097	H.F.	844	Jacobs of Polk
H—2098	H.F.	844	Jacobs of Polk
H—2099	H.F.	844	Jacobs of Polk
H—2101	H.F.	844	Jacobs of Polk
H—2102	H.F.	844	Jacobs of Polk
H—2103	H.F.	844	Jacobs of Polk
H—2104	H.F.	844	Jacobs of Polk
H—2105	S.F.	601	Wessel-Kroeschell of Story
H—2106	S.F.	601	Ford of Polk
H—2107	H.F.	922	Mascher of Johnson
H—2108	S.F.	601	Kaufmann of Cedar Anderson of Page
H—2109	S.F.	601	Swaim of Davis
H—2112	S.F.	588	Senate Amendment
H—2113	H.F.	844	Jacobs of Polk
H—2114	H.F.	911	Senate Amendment
H—2116	S.F.	601	Whitaker of Van Buren
H—2117	S.F.	601	Kaufmann of Cedar
H—2118	S.F.	601	Whitaker of Van Buren
H—2121	S.F.	601	Bailey of Hamilton D. Olson of Boone Huser of Polk
Quirk of Chickasaw Schueller of Jackson Pettengill of Benton			
H—2122	S.F.	601	Bailey of Hamilton Granzow of Hardin
H—2123	H.F.	911	Hoffman of Crawford
H—2124	H.F.	911	Jacobs of Polk

On motion by McCarthy of Polk the House adjourned at 12:07 a.m., until 9:00 a.m., Saturday, April 28, 2007.

JOURNAL OF THE HOUSE

One Hundred Eleventh Calendar Day - Seventy-sixth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Saturday, April 28, 2007

The House met pursuant to adjournment at 9:09 a.m., Speaker Murphy in the chair.

Prayer was sung by Anthony Menendez, clerk of Representative Abdul-Samad of Polk County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Andrew Pilquist, he is the nephew of Bethany Hemple, the clerk of Representative Dolores Mertz of Kossuth County.

The Journal of Friday, April 27, 2007 was approved.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 27, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 932, a bill for an act relating to revenue for the construction and maintenance of roads.

MICHAEL E. MARSHALL, Secretary

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed ninety-three members present, seven absent.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Dolecheck of Ringgold on request of Rants of Woodbury; Gipp of Winneshiek on request of Rants of Woodbury; Horbach of Tama on request of Rants of Woodbury; Raecker of Polk on request of Rants of Woodbury.

ADOPTION OF HOUSE RESOLUTION 53

Reasoner of Union called up for consideration **House Resolution 53** as follows and moved its adoption:

1 House Resolution 53

2 By Committee On Administration And Rules

3 (Successor To HSB 232)

4 A resolution relating to an annual budget for the

5 daily operations of the House of Representatives.

6 *Whereas*, the legislative authority of this state is

7 vested in the General Assembly consisting of the House

8 of Representatives and the Senate; and

9 *Whereas*, the House of Representatives necessarily

10 incurs substantial expenses for its daily operations;

11 and

12 *Whereas*, the House of Representatives is authorized

13 to expend funds from the state treasury necessary to

14 pay for its expenses and for expenses incurred jointly

15 by the House of Representatives and the Senate; and

16 *Whereas*, it is deemed advisable and proper for the

17 House of Representatives to make expenditures in

18 accordance with a budgetary plan; *Now Therefore*,

19 *Be It Resolved By The House Of Representatives*:

20 Section 1. Expenditures of the House of

21 Representatives payable pursuant to Iowa Code sections

22 2.10 through 2.14 for the regular legislative session

23 and the interim period during the fiscal year

24 beginning July 1, 2007, and ending June 30, 2008, are

25 budgeted to be as follows:

26 1. Members' salary, per diem, and expenses,

27 \$5,901,500.

28 2. Staff compensation, \$5,488,000.

29 3. Operations expenses, \$540,500.

30 Sec. 2. The Chief Clerk of the House of

Page 2

1 Representatives shall immediately provide written

2 notice to the Speaker and Minority Leader of the House

3 of Representatives and to the Chair and Ranking Member

4 of the House Committee on Appropriations if actual

5 expenditures payable pursuant to Iowa Code sections

6 2.10 through 2.14 exceed the maximum amount allocated

7 for any category of the budget provided by section 1

8 of this Resolution. The written notice shall specify

9 the amount of and reasons for any excess expenditure.
 10 Sec. 3. Joint expenditures by the House of
 11 Representatives and the Senate or by the Legislative
 12 Council, special expenditures approved by the
 13 Committee on Administration and Rules, and special
 14 session expenses are not included in the budget set
 15 forth in this Resolution.

The motion prevailed and the resolution was adopted..

Regular Calendar

Senate Joint Resolution 4, a joint resolution authorizing the temporary use and consumption of wine in the State Capitol, and the temporary display of ceremonial banners, in conjunction with the awards ceremony of the World Food Prize Foundation, and moved its adoption.

Reasoner of Union moved that the joint resolution be read a last time now and placed upon its adoption and the joint resolution was read a last time.

On the question "Shall the joint resolution be adopted and agreed to?" (S.J.R. 4)

The ayes were, 77:

Anderson	Bailey	Baudler	Bell
Berry	Bukta	Clute	Cohoon
Dandekar	Davitt	Deyoe	Drake
Foege	Forristall	Frevert	Gaskill
Gayman	Granzow	Greiner	Heaton
Hoffman	Hunter	Huseman	Huser
Jacobs	Jacoby	Jochum	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	McCarthy	Mertz
Miller, H.	Miller, L.	Oldson	Olson, D.
Olson, R.	Olson, S.	Olson, T.	Palmer
Paulsen	Petersen	Pettengill	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Sands	Schickel	Schueller	Smith
Staed	Struyk	Swaim	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Fossen	Watts	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Wiencsek	Winckler	Windschitl	Wise
Mr. Speaker			
Murphy			

The nays were, 17:

Abdul-Samad	Alons	Arnold	Boal
Chambers	De Boef	Ford	Grassley
Heddens	Kaufmann	May	Roberts
Shomshor	Soderberg	Taylor, D.	Van Engelenhoven
Worthan			

Absent or not voting, 6:

Dolecheck	Gipp	Horbach	Quirk
Raecker	Zirkelbach		

The joint resolution having received a constitutional majority was declared to have been adopted and agreed to by the House.

House Joint Resolution 10, a joint resolution authorizing the temporary use and consumption of alcoholic beverages on the state capitol complex grounds in conjunction with the Hy-Vee BG World Cup Triathlon, and providing an effective date, was taken up for consideration.

SENATE JOINT RESOLUTION 5 SUBSTITUTED FOR HOUSE JOINT RESOLUTION 10

Reasoner of Union asked and received unanimous consent to substitute Senate Joint Resolution 5 for House Joint Resolution 10.

Senate Joint Resolution 5, a joint resolution authorizing the temporary use and consumption of alcoholic beverages on the state capitol complex grounds in conjunction with the Hy-Vee BG World Cup Triathlon, and providing an effective date, was taken up for consideration.

Reasoner of Union moved that the joint resolution be read a last time now and placed upon its adoption and the joint resolution was read a last time.

On the question "Shall the joint resolution be adopted and agreed to?" (S.J.R. 5)

The ayes were, 74:

Anderson	Bailey	Baudler	Bell
Berry	Bukta	Clute	Cohon

Dandekar	Davitt	Deyoe	Foegen
Forristall	Frevert	Gaskill	Gayman
Granzow	Greiner	Heaton	Hoffman
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	McCarthy	Mertz	Miller, H.
Miller, L.	Oldson	Olson, D.	Olson, R.
Olson, S.	Olson, T.	Palmer	Paulsen
Petersen	Pettengill	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Schickel
Schueller	Smith	Staed	Struyk
Swaim	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wienczek	Winckler	Windschitl
Wise	Mr. Speaker		
	Murphy		

The nays were, 20:

Abdul-Samad	Alons	Arnold	Boal
Chambers	De Boef	Drake	Ford
Grassley	Heddens	Kaufmann	May
Roberts	Sands	Shomshor	Soderberg
Taylor, D.	Van Engelenhoven	Van Fossen	Worthan

Absent or not voting, 6:

Dolecheck	Gipp	Horbach	Quirk
Raecker	Zirkelbach		

The joint resolution having received a constitutional majority was declared to have been adopted and agreed to by the House.

House Joint Resolution 11, a joint resolution approving the permanent acknowledgement of elementary and secondary schools and individual citizens of this state for their contributions of foliage and items to be permanently located on the west capitol terrace and other capitol grounds and providing an effective date, was taken up for consideration.

Reasoner of Union asked and received unanimous consent to substitute Senate Joint Resolution 6 for House Joint Resolution 11.

SENATE JOINT RESOLUTION 6 SUBSTITUTED FOR HOUSE JOINT RESOLUTION 11

Senate Joint Resolution 6, a joint resolution approving the permanent acknowledgement of elementary and secondary schools

and individual citizens of this state for their contributions of foliage and items to be permanently located on the west capitol terrace and other capitol grounds and providing an effective date, was taken up for consideration.

On the question "Shall the joint resolution be adopted and agreed to?" (S.J.R. 6)

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Granzow	Grassley	Greiner	Heaton
Heddens	Hoffman	Hunter	Huseman
Huser	Jacobs	Jacoby	Jochum
Kaufmann	Kelley	Kressig	Kuhn
Lensing	Lukan	Lykam	Mascher
May	McCarthy	Mertz	Miller, H.
Miller, L.	Oldson	Olson, D.	Olson, R.
Olson, S.	Olson, T.	Palmer	Paulsen
Petersen	Pettengill	Quirk	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Smith	Soderberg	Staed
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wiencek	Winckler	Windschitl
Wise	Worthan	Mr. Speaker	
		Murphy	

The nays were, none.

Absent or not voting, 5:

Dolecheck	Gipp	Horbach	Raecker
Zirkelbach			

The joint resolution having received a constitutional majority was declared to have been adopted and agreed to by the House.

Appropriations Calendar

Senate File 579, a bill for an act relating to a pharmaceutical collection and disposal pilot project, with report of committee

recommending amendment and passage, was taken up for consideration.

L. Miller of Scott offered the following amendment H-1826 filed by the committee on appropriations and moved its adoption:

H-1826

- 1 Amend Senate File 579, as passed by the Senate, as
- 2 follows:
- 3 1. Title page, line 2, by inserting after the
- 4 word "project" the following: "and including an
- 5 effective date provision".

The committee amendment H-1826 was adopted.

Kuhn of Floyd moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 579)

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Granzow	Grassley	Greiner	Heaton
Heddens	Hoffman	Hunter	Huseman
Huser	Jacobs	Jacoby	Jochum
Kaufmann	Kelley	Kressig	Kuhn
Lensing	Lukan	Lykam	Mascher
May	McCarthy	Mertz	Miller, H.
Miller, L.	Oldson	Olson, D.	Olson, R.
Olson, S.	Olson, T.	Palmer	Paulsen
Petersen	Pettengill	Quirk	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Smith	Soderberg	Staed
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomonga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wienczek	Winckler	Windschitl
Wise	Worthan	Mr. Speaker	
		Murphy	

The nays were, none.

Absent or not voting, 5:

Dolecheck
Zirkelbach

Gipp

Horbach

Raecker

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Joint Resolutions 4, 5, 6** and **Senate File 579**.

On motion by McCarthy of Polk, the House was recessed at 10:13 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened at 2:02 p.m., Speaker Murphy in the chair.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed eighty-nine members present, eleven absent.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 28, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 896, a bill for an act creating a disaster aid individual assistance grant fund.

Also: That the Senate has on April 28, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 897, a bill for an act establishing statewide licensure and certification of electricians and installers, providing for inspections, establishing fees, and providing penalties.

Also: That the Senate has on April 28, 2007, adopted the conference committee report and passed House File 909, a bill for an act relating to and making appropriations for health and human services and including other related provisions and appropriations, and including effective date provisions.

Also: That the Senate has on April 28, 2007, concurred in the House amendment to the Senate amendment, and passed the following bill in which the concurrence of the Senate was asked:

House File 923, a bill for an act relating to the policy and technical administration of the tax and related laws by the department of revenue, including administration of income, sales, use, cigarette, and tobacco taxes providing an effective date, and providing retroactive applicability provisions.

Also: That the Senate has on April 28, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 924, a bill for an act relating to qualifications for licensure as a real estate broker or salesperson upon conviction of specified offenses.

Also: That the Senate has on April 28, 2007, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 579, a bill for an act relating to a pharmaceutical collection and disposal pilot project.

MICHAEL E. MARSHALL, Secretary

CONSIDERATION OF BILLS - Appropriations Calendar

House File 926, a bill for an act relating to voting machines and optical scan voting systems, was taken up for consideration.

SENATE FILE 369 SUBSTITUTED FOR HOUSE FILE 926

Gaskill of Wapello asked and received unanimous consent to substitute Senate File 369 for House File 926.

Senate File 369, a bill for an act relating to voting machines and optical scan voting systems, was taken up for consideration.

Jacobs of Polk offered the following amendment H-1511 filed by her and moved its adoption:

H-1511

1 Amend Senate File 369, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 3, by striking lines 20 through 27 and
4 inserting the following: "known to be flawed. If a
5 voting machine was used, the printed ballot images
6 produced from the internal audit log shall be the
7 official record used in the recount."

A non-record roll call was requested.

The ayes were 41, nays 50.

Amendment H-1511 lost.

Jacobs of Polk offered amendment H-1510 filed by her as follows:

H-1510

1 Amend Senate File 369, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 10, by inserting before line 23 the
4 following:

5 "Sec. ____ WAIVER ALLOWED – APPLICATION. A
6 county that has placed an order on or before July 15,
7 2008, for a voting machine that is capable of
8 providing a paper record for review by the voter as
9 required under section 52.7, subsection 1, paragraph
10 "l", as enacted by this Act, and that does not have in
11 its physical custody the total number of machines
12 ordered no later than fourteen days before the date of
13 the 2008 general election, may apply to the office of
14 secretary of state for a waiver of the requirement of
15 section 52.7, subsection 1, paragraph "l". The waiver
16 application shall be accompanied by a copy of the
17 order placed for the voting machines. The secretary
18 of state shall grant a waiver under this section to
19 any county that applies and provides the proper
20 documentation. The waiver period shall run through
21 June 30, 2009."

22 2. By renumbering as necessary.

Jacobs of Polk offered the following amendment H-1550, to
amendment H-1510, filed by her and moved its adoption:

H-1550

1 Amend the amendment, H-1510, to Senate File 369, as
2 amended, passed, and reprinted by the Senate, as

3 follows:

- 4 1. Page 1, line 3, by striking the figure "23"
5 and inserting the following: "22".

Amendment H-1550 was adopted.

Jacobs of Polk moved the adoption of amendment H-1510.

A non-record roll call was requested.

The ayes were 42, nays 50.

Amendment H-1510, as amended, lost.

Jacobs of Polk asked and received unanimous consent to withdraw amendment H-1514 filed by her on March 27, 2007, placing out of order amendment H-1551 filed by Jacobs of Polk on April 2, 2007.

Huser of Polk offered the following amendment H-1908 filed by her and moved its adoption:

H-1908

1 Amend Senate File 369, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 23, by inserting after line 21 the
4 following:

5 "Sec.____. CONTINGENT EFFECTIVE DATE. The
6 sections of this Act amending Code sections 50.48 and
7 52.7 shall not take effect unless legislation is
8 enacted during the 2007 regular session appropriating
9 moneys to provide full or partial funding for counties
10 to comply with those sections. The office of
11 secretary of state shall notify the Code editor when
12 such an appropriation is enacted."

13 2. Title page, line 2, by inserting after the
14 word "systems" the following: "and providing a
15 contingent effective date".

16 3. By renumbering as necessary.

Amendment H-1908 lost.

Gaskill of Wapello moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 369)

The ayes were, 53:

Abdul-Samad	Anderson	Bailey	Bell
Berry	Bukta	Cohoon	Dandekar
Davitt	Foege	Ford	Frevert
Gaskill	Gayman	Heddens	Hunter
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Pettengill	Quirk	Reasoner
Reichert	Schueller	Shomshor	Smith
Staed	Swaim	Taylor, D.	Taylor, T.
Thomas	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise
Mr. Speaker			
Murphy			

The nays were, 42:

Alons	Arnold	Baudler	Boal
Chambers	Clute	De Boef	Deyoe
Drake	Forristall	Granzow	Grassley
Greiner	Heaton	Hoffman	Horbach
Huseman	Huser	Jacobs	Kaufmann
Lukan	May	Miller, L.	Olson, S.
Paulsen	Rants	Rasmussen	Rayhons
Roberts	Sands	Schickel	Soderberg
Struyk	Tjepkes	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wienczek
Windschitl	Worthan		

Absent or not voting, 5:

Dolecheck	Gipp	Raecker	Tomenga
Zirkelbach			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **Senate File 369** be immediately messaged to the Senate.

SENATE AMENDMENT CONSIDERED

Winckler of Scott called up for consideration **Senate File 588**, a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, and providing effective dates, amended by the House, further amended by the Senate and moved that the House concur in the following Senate amendment H-2112 to the House amendment:

H-2112

- 1 Amend the House amendment, S-3506, to Senate File
- 2 588, as amended, passed, and reprinted by the Senate,
- 3 as follows:
- 4 1. Page 1, by inserting after line 2 the
- 5 following:
- 6 " ____ Page 2, by striking line 21 and inserting
- 7 the following:
- 8 "..... \$ 485,400"
- 9 ____ Page 3, line 20, by striking the figure
- 10 "395,600" and inserting the following: "295,600".
- 11 ____ Page 3, line 21, by striking the figure
- 12 "215,600" and inserting the following: "162,508".
- 13 ____ Page 7, by striking line 29 and inserting
- 14 the following:
- 15 "..... \$ 1,801,761"
- 16 ____ Page 7, by striking line 32 and inserting
- 17 the following:
- 18 "..... \$ 1,823,432"
- 19 ____ Page 8, by striking line 5 and inserting the
- 20 following:
- 21 "..... \$ 8,448,649"
- 22 ____ Page 11, by striking lines 26 through 30.
- 23 ____ Page 13, by striking line 16 and inserting
- 24 the following:
- 25 "..... \$ 400,000"
- 26 ____ Page 13, by striking line 26 and inserting
- 27 the following:
- 28 "..... \$ 2,500,000"
- 29 2. By renumbering as necessary.

The House stood at ease at 3:02 p.m., until the fall of the gavel.

The House resumed session at 3:24 p.m., Speaker Murphy in the chair.

Winckler of Scott moved that the House concur in the Senate amendment H-2112, to the House amendment.

Roll call was requested by Paulsen of Linn and Abdul-Samad of Polk.

On the question "Shall the Senate amendment H-2112 be adopted?" (S.F. 588)

The ayes were, 54:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foegen	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Pettengill	Quirk	Reasoner
Reichert	Schueller	Shomshor	Smith
Staed	Swaim	Taylor, D.	Taylor, T.
Thomas	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Wiencek	Winckler
Wise	Mr. Speaker		
	Murphy		

The nays were, 40:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Drake	Granzow	Grassley
Greiner	Heaton	Hoffman	Horbach
Huseman	Jacobs	Kaufmann	Lukan
May	Miller, L.	Olson, S.	Paulsen
Rants	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Windschitl	Worthan

Absent or not voting, 6:

Dolecheck	Forristall	Gipp	Raecker
Tomenga	Zirkelbach		

Amendment H-2112 was adopted.

Winckler of Scott moved that the bill, as amended by the House, further amended by the Senate and concurred in by the House, be

read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 588)

The ayes were, 53:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Mertz	Miller, H.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Pettengill	Quirk	Reasoner	Reichert
Schueller	Shomshor	Smith	Staed
Swaim	Taylor, D.	Taylor, T.	Thomas
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wienczek	Winckler	Wise
Mr. Speaker			
Murphy			

The nays were, 42:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Drake	Forristall	Granzow
Grassley	Greiner	Heaton	Hoffman
Horbach	Huseman	Huser	Jacobs
Kaufmann	Lukan	May	Miller, L.
Olson, S.	Paulsen	Rants	Rasmussen
Rayhons	Roberts	Sands	Schickel
Soderberg	Struyk	Tjepkes	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Windschitl	Worthan		

Absent or not voting, 5:

Dolecheck	Gipp	Raecker	Tomenga
Zirkelbach			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **Senate File 588** be immediately messaged to the Senate.

Unfinished Business Calendar

Senate File 510, a bill for an act concerning electrical and mechanical amusement devices and providing penalties, with report of committee recommending amendment and passage, was taken up for consideration.

Quirk of Chickasaw offered the following amendment H-1623 filed by the committee on state government and moved its adoption:

H-1623

- 1 Amend Senate File 510, as passed by the Senate, as
- 2 follows:
- 3 1. Page 6, by striking lines 30 through 34 and
- 4 inserting the following: "by rule. The department
- 5 shall adopt rules".

The committee amendment H-1623 was adopted.

Quirk of Chickasaw offered the following amendment H-1979 filed by him and moved its adoption:

H-1979

- 1 Amend Senate File 510, as passed by the Senate, as
- 2 follows:
- 3 1. Page 7, line 16, by striking the words "a.
- 4 The" and inserting the following: "The".
- 5 2. By striking page 7, line 32, through page 8,
- 6 line 6.
- 7 3. By renumbering as necessary.

Amendment H-1979 was adopted.

Quirk of Chickasaw moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 510)

The ayes were, 92:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute

Cohoon	Dandekar	Davitt	De Boef
Deyoe	Drake	Foege	Ford
Frevert	Gaskill	Gayman	Granzow
Grassley	Heaton	Heddens	Hoffman
Horbach	Hunter	Huseman	Huser
Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	Mascher	May
McCarthy	Mertz	Miller, H.	Miller, L.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Palmer	Paulsen	Petersen
Pettengill	Quirk	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor
Smith	Soderberg	Staed	Struyk
Swaim	Taylor, T.	Thomas	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Wiencek	Winckler
Windschitl	Wise	Worthan	Mr. Speaker Murphy

The nays were, none.

Absent or not voting, 8:

Dolecheck	Forrinstall	Gipp	Greiner
Raecker	Taylor, D.	Tomenga	Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 842 WITHDRAWN

Huser of Polk asked and received unanimous consent to withdraw House File 842 from further consideration by the House.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **Senate File 510** be immediately messaged to the Senate.

SENATE AMENDMENT CONSIDERED

Cohoon of Des Moines called up for consideration **House File 911**, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund,

vertical infrastructure fund, the endowment for Iowa's health restricted capitals fund, and the technology reinvestment fund, and related matters, and providing an effective date, amended by the Senate amendment H-2114:

H-2114

1 Amend House File 911, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 2, by striking lines 26 through 28 and
4 inserting the following:
5 "o. For deposit into the Iowa workforce foundation
6 for the worker's monument committee for the purpose of
7 constructing a worker's monument to be located on the
8 capitol complex:"

9 2. Page 3, by inserting after line 3, the
10 following:

11 " _____. For distribution to other governmental
12 entities:
13 \$ 2,000,000

14 Moneys appropriated in this lettered paragraph
15 shall be separately accounted for in a distribution
16 account and shall be distributed to other governmental
17 entities based upon a formula established by the
18 department to pay for services provided during the
19 fiscal year to such other governmental entities by the
20 department associated with the integrated information
21 for Iowa system, notwithstanding section 8.57,
22 subsection 6, paragraph "c":

23 3. Page 4, by inserting after line 15 the
24 following:
25 " _____. For repairs to the historic Kimball organ
26 located in Claremont, Iowa, notwithstanding section
27 8.57, subsection 6, paragraph "c":
28 \$ 80,000"

29 4. Page 4, line 22, by striking the figure
30 "1,750,000" and inserting the following: "900,000".

31 5. Page 4, by inserting after line 33 the
32 following:
33 " _____. For equal distribution to regional sports
34 authority districts certified by the department
35 pursuant to section 15E.321, as enacted in this Act:
36 \$ 500,000

37 _____. For deposit into the workforce training and
38 economic development funds created for each community
39 college in section 260C.18A, notwithstanding section
40 8.57, subsection 6, paragraph "c":
41 \$ 2,000,000"

42 6. Page 5, by inserting after line 10 the
43 following:

44 " _____. For allocation to the northeast Iowa

45 community college for merged area I for the national
 46 education center for agricultural safety training for
 47 equipment purchase, notwithstanding section 8.57,
 48 subsection 6, paragraph "c":
 49 \$ 35,000"
 50 7. Page 6, by inserting after line 3 the

Page 2

1 following:
 2 "(1) It is the intent of the general assembly that
 3 the department of natural resources shall implement
 4 the lake restoration annual report and plan submitted
 5 to the joint appropriations subcommittee on
 6 transportation, infrastructure, and capitals and the
 7 legislative services agency on December 26, 2006,
 8 pursuant to section 456A.33B. The lake restoration
 9 projects that are recommended by the department to
 10 receive funding for fiscal year 2007-2008 and that
 11 satisfy the criteria in section 456A.33B, including
 12 local commitment of funding for the projects, shall be
 13 funded in the amounts provided in the report.
 14 Of the amounts appropriated in this lettered
 15 paragraph, at least the following amounts shall be
 16 allocated as follows:
 17 (a) For clear lake in Cerro Gordo county:
 18 \$ 2,500,000
 19 (b) For storm lake in Buena Vista county:
 20 \$ 1,000,000
 21 (c) For crystal lake in Hancock county:
 22 \$ 250,000"
 23 8. Page 6, line 4, by inserting before the word
 24 "Of" the following: "(2)".
 25 9. Page 6, line 9, by striking the figure "(1)"
 26 and inserting the following: "(a)".
 27 10. Page 6, line 14, by striking the figure "(2)"
 28 and inserting the following: "(b)".
 29 11. Page 7, by inserting after line 2 the
 30 following:
 31 "____. For the EB Lyons nature and interpretive
 32 center at the mines of Spain state recreation area:
 33 \$ 100,000"
 34 12. Page 8, line 9, by striking the figure
 35 "1,900,000" and inserting the following: "1,400,000".
 36 13. Page 8, by inserting after line 14 the
 37 following:
 38 "Of the amount appropriated in this lettered
 39 paragraph, \$200,000 shall be allocated to eastern Iowa
 40 community college district for the water rescue
 41 training center."
 42 14. Page 8, by inserting after line 18 the
 43 following:

44 "Priority for funding shall be given to those
45 regional emergency response training centers whose
46 first project bid was let before May 1, 2007. Grants
47 awarded pursuant to this lettered paragraph shall not
48 exceed \$300,000 each."

49 15. Page 8, line 22, by inserting after the word
50 "subsection" the following: ", notwithstanding

Page 3

1 section 8.57, subsection 6, paragraph "c":

2 16. Page 8, line 23, by striking the figure
3 "4,500,000" and inserting the following: "2,000,000".

4 17. Page 10, by inserting after line 10 the
5 following:

6 "Moneys appropriated in this lettered paragraph are
7 contingent upon the board of regents or Iowa state
8 university of science and technology actively pursuing
9 the hiring of new research teams to provide world
10 class expertise in the area of biorenewable fuels
11 research."

12 18. Page 10, by inserting after line 14 the
13 following:

14 "Of the amount appropriated in this lettered
15 paragraph, \$215,000 shall be allocated to the Hamilton
16 county conservation board for the Jewell-Ellsworth
17 trail for the development of an abandoned railroad
18 right-of-way and \$200,000 shall be allocated to the
19 city of Fairfield for the development of the Fairfield
20 loop trail.

21 Moneys appropriated in this lettered paragraph may
22 be used for purposes of building equestrian or
23 snowmobile trails that run parallel to a recreational
24 trail. It is the intent of the general assembly to
25 promote multiple uses for trails funded in this
26 lettered paragraph and to maximize the number of trail
27 users."

28 19. Page 11, by inserting after line 8 the
29 following:

30 "Of the moneys deposited into the railroad
31 revolving loan and grant fund pursuant to this
32 lettered paragraph, up to \$100,000 may be used for the
33 acquisition and installation of close-clearance
34 warning devices along railroad tracks, consistent with
35 the provisions of 2007 Iowa Acts, Senate File 472, if
36 enacted."

37 20. Page 11, line 22, by striking the figure
38 "2,500,000" and inserting the following: "532,000".

39 21. Page 12, by inserting after line 9 the
40 following:

41 "Sec. ____ DEPARTMENT OF ECONOMIC DEVELOPMENT.

42 There is appropriated from the rebuild Iowa

43 infrastructure fund for the fiscal year beginning July
 44 1, 2008, and ending June 30, 2009, the following
 45 amount, or so much thereof as is necessary, to be used
 46 for the purpose designated:
 47 For equal distribution to regional sports authority
 48 districts certified by the department pursuant to
 49 section 15E.321, as enacted in this Act:
 50 \$ 500,000"

Page 4

1 22. Page 13, by inserting after line 26 the
 2 following:
 3 "Moneys appropriated in this lettered paragraph are
 4 contingent upon the board of regents or Iowa state
 5 university of science and technology actively pursuing
 6 the hiring of new research teams to provide world
 7 class expertise in the area of biorenewable fuels
 8 research."

9 23. Page 14, by inserting after line 15 the
 10 following:
 11 "Sec. ____ 2007 Iowa Acts, House File 874, section
 12 1, subsection 1, paragraph "c", if enacted, is amended
 13 by striking the paragraph."

14 24. Page 15, line 1, by striking the figure
 15 "1,000,000" and inserting the following: "600,000".

16 25. Page 16, line 13, by striking the figure
 17 "4,010,375" and inserting the following: "3,810,375".

18 26. Page 16, by inserting after line 22 the
 19 following:
 20 "Of the amount appropriated in this lettered
 21 paragraph, \$5,000 shall be allocated to the tri-state
 22 graduate center for the purchase of technology-related
 23 equipment and software."

24 27. Page 17, line 17, by striking the figure
 25 "380,000" and inserting the following: "580,000".

26 28. Page 21, line 9, by striking the figure
 27 "4,100,000" and inserting the following: "3,600,000".

28 29. Page 21, line 11, by striking the figure
 29 "22,800,000" and inserting the following:
 30 "23,300,000".

31 30. Page 27, by inserting after line 16 the
 32 following:
 33 "Sec. ____ NEW SECTION. 15E.321 REGIONAL SPORTS
 34 AUTHORITY DISTRICTS.

- 35 1. As used in this section, "district" means a
 36 regional sports authority district certified under
 37 this section.
 38 2. A convention and visitors bureau may apply to
 39 the department for certification of a regional sports
 40 authority district which may include more than one
 41 city and more than one convention and visitors bureau

42 within the district. The department shall not certify
43 more than ten such districts.

44 3. Each district shall actively promote youth
45 sports, high school athletic activities, the special
46 olympics, and other nonprofessional sporting events in
47 the local area.

48 4. Each district shall be governed by a
49 seven-member board consisting of seven members
50 appointed by the convention and visitors bureau filing

Page 5

1 the application pursuant to subsection 2. At least
2 three members of the board shall consist of city
3 council members of any cities located in the district.
4 Each board shall be responsible for administering
5 programs designed to promote the activities enumerated
6 in subsection 3."

7 31. Page 34, by inserting after line 12 the
8 following:

9 "Sec.____. Section 321.191, Code 2007, is amended
10 by adding the following new subsection:

11 NEW SUBSECTION. 11. RENEWAL NOTICE BY MAIL. The
12 state department of transportation may assess a fee of
13 up to one dollar for notification by first-class mail
14 in advance of the period for renewal of a driver's
15 license, pursuant to section 321.196, subsection 1,
16 paragraph "b". Moneys collected from the fee assessed
17 under this subsection are appropriated to the state
18 department of transportation for the costs associated
19 with the first-class mailings.

20 Sec.____. Section 321.196, subsection 1, Code
21 2007, is amended to read as follows:

22 1. a. Except as otherwise provided, a driver's
23 license, other than an instruction permit, chauffeur's
24 instruction permit, or commercial driver's instruction
25 permit issued under section 321.180, expires five
26 years from the licensee's birthday anniversary
27 occurring in the year of issuance if the licensee is
28 between the ages of seventeen years eleven months and
29 seventy years on the date of issuance of the license.
30 If the licensee is under the age of seventeen years
31 eleven months or age seventy or over, the license is
32 effective for a period of two years from the
33 licensee's birthday anniversary occurring in the year
34 of issuance. A licensee whose license is restricted
35 due to vision or other physical deficiencies may be
36 required to renew the license every two years. If a
37 licensee is a foreign national who is temporarily
38 present in this state, the license shall be issued
39 only for the length of time the foreign national is
40 authorized to be present as determined by the

41 department, not to exceed two years.
42 b. On or about the first day of each month, the
43 department shall notify each licensee whose driver's
44 license is due to expire in the following month of the
45 need to renew the license and the period for renewal.
46 Upon implementation of the requirements of the federal
47 real ID Act of 2005, Pub. L. No. 109-13, Division B,
48 by the department, the notice shall also include
49 information regarding documentation requirements for
50 renewal, consistent with the provisions of the federal

Page 6

1 real ID Act of 2005, Pub L. No. 109-13, Division B, if
2 applicable. The notice shall be mailed to the most
3 recent address of record provided by the licensee
4 pursuant to section 321.182, or the notice may be sent
5 electronically by prior arrangement with the licensee.
6 Failure to receive a renewal notice shall not affect
7 the expiration of a license or the requirements for
8 renewal of an expired license."
9 32. By renumbering, relettering, or redesignating
10 and correcting internal references as necessary.

Paulsen of Linn asked and received unanimous consent that amendment H-2138, to Senate amendment H-2114, be deferred.

Huser of Polk offered amendment H-2133, to the Senate amendment H-2114, filed by Huser, Smith of Marshall, Chambers of O'Brien, Granzow of Hardin and Wise of Lee from the floor and requested division as follows:

H-2133

1 Amend the Senate amendment, H-2114, to House File
2 911, as amended, passed, and reprinted by the House,
3 as follows:

H-2133A

4 1. Page 2, by inserting after line 35 the
5 following:
6 " _____. Page 8, line 11, by striking the figure
7 "50,000" and inserting the following: "100,000".
8 _____. Page 8, line 14, by striking the figure
9 "50,000" and inserting the following: "100,000".
10 2. Page 2, line 39, by striking the figure
11 "200,000" and inserting the following: "100,000".

H-2133B

12 3. Page 2, by striking lines 44 through 46 and
13 inserting the following:
14 "Grants".

H-2133

15 4. By renumbering as necessary.

Huser of Polk asked and received unanimous consent to withdraw amendment H-2133B to the Senate amendment H-2114.

Huser of Polk moved the adoption of amendment H-2133A to the Senate amendment H-2114.

Amendment H-2133A was adopted.

Huser of Polk offered the following amendment H-2135, to the Senate amendment H-2114, filed by her from the floor and moved its adoption:

H-2135

1 Amend the Senate amendment, H-2114, to House File
2 911, as amended, passed, and reprinted by the House,
3 as follows:
4 1. Page 2, by striking lines 44 through 48 and
5 inserting the following:
6 "Priority for funding shall be given to those
7 regional emergency response training centers whose
8 initial plans were submitted and approved by the fire
9 service training bureau and who have demonstrated
10 progress in implementing their plans including but not
11 limited to bid letting, conducting training, and
12 obligating a portion of their first year's allocation.
13 Grants awarded pursuant to this lettered paragraph
14 shall not exceed \$300,000 each."
15 2. By renumbering as necessary.

Amendment H-2135 was adopted.

Jacobs of Polk offered the following amendment H-2124, to the Senate amendment H-2114, filed by her and moved its adoption:

H-2124

- 1 Amend the Senate amendment, H-2114, to House File
- 2 911, as amended, passed, and reprinted by the House,
- 3 as follows:
- 4 1. Page 3, by striking lines 2 and 3.

A non-record roll call was requested.

The ayes were 42, nays 47.

Amendment H-2124 lost.

Hoffman of Crawford asked and received unanimous consent to withdraw amendment H-2123, to the Senate amendment H-2114, filed by him on April 27, 2007.

Cohon of Des Moines offered the following amendment H-2134, to the Senate amendment H-2114, filed by him and Hoffman of Crawford from the floor and moved its adoption:

H-2134

- 1 Amend the Senate amendment, H-2114, to House File
- 2 911, as amended, passed, and reprinted by the House,
- 3 as follows:
- 4 1. Page 3, line 15, by striking the figure
- 5 "215,000" and inserting the following: "185,000".
- 6 2. Page 3, by striking line 18 and inserting the
- 7 following: "right-of-way, \$200,000 shall be allocated
- 8 to the".
- 9 3. Page 3, by striking line 20 and inserting the
- 10 following: "loop trail, and \$30,000 shall be
- 11 allocated for general infrastructure improvements for
- 12 the Crawford county trail."
- 13 4. By renumbering as necessary.

Amendment H-2134 was adopted.

Alons of Sioux offered the following amendment H-2126, to the Senate amendment H-2114, filed by him from the floor and moved its adoption:

H-2126

- 1 Amend the Senate amendment, H-2114, to House File
- 2 911, as amended, passed, and reprinted by the House,

- 3 as follows:
 4 1. Page 4, by striking lines 14 and 15.
 5 2. By renumbering as necessary.

Amendment H-2126 lost.

Huser of Polk offered the following amendment H-2132, to the Senate amendment H-2114, filed by her from the floor and moved its adoption:

H-2132

- 1 Amend the Senate amendment, H-2114, to House File
 2 911, as amended, passed, and reprinted by the House,
 3 as follows:
 4 1. By striking page 5, line 7, through page 6,
 5 line 8.

Amendment H-2132 was adopted.

Paulsen of Linn offered amendment H-2138, previously deferred, to the Senate amendment H-2114, filed by him from the floor and requested division as follows:

H-2138

- 1 Amend the Senate amendment, H-2114, to House File
 2 911, as amended, passed, and reprinted by the House,
 3 as follows:

H-2138A

- 4 1. Page 1, by striking lines 9 through 28.
 5 2. Page 1, by striking lines 33 through 36.
 6 3. Page 1, by inserting after line 49 the
 7 following:
 8 "____. Page 5, by inserting after line 29 the
 9 following:
 10 ____ DEPARTMENT OF MANAGEMENT
 11 For funding an additional allocation for the
 12 maximum adjusted additional property tax levy rate
 13 calculation for providing adjusted additional property
 14 tax levy aid in the same manner as provided in section
 15 257.4, subsection 1, paragraph "b":
 16 \$ 3,080,000"
 17 4. Page 2, by striking lines 29 through 33.

H-2138B

- 18 5. Page 2, line 35, by striking the figure
19 "1,400,000" and inserting the following: "1,200,000".

H-2138

- 20 6. Page 4, by striking lines 24 and 25.
21 7. By renumbering as necessary.

Paulsen of Linn asked and received unanimous consent to withdraw amendment H-2138B.

Paulsen of Linn moved the adoption of amendment H-2138A to the Senate amendment H-2114.

Roll call was requested by Paulsen of Linn and Van Fossen of Scott.

On the question "Shall amendment H-2138A be adopted?" (H.F. 911)

The ayes were, 39:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Drake	Forristall	Granzow
Grassley	Heaton	Huseman	Jacobs
Kaufmann	Lukan	May	Miller, L.
Olson, S.	Paulsen	Rants	Rasmussen
Rayhons	Roberts	Sands	Schickel
Soderberg	Struyk	Tjepkes	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wiencek	Windschitl	Worthan	

The nays were, 51:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
Mertz	Miller, H.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Pettengill	Quirk	Reasoner	Reichert
Schueller	Shomshor	Smith	Staed
Swaim	Taylor, D.	Taylor, T.	Thomas

Wendt Winckler	Wenthe Wise	Wessel-Kroeschell Mr. Speaker Murphy	Whitead
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Absent or not voting, 10:

Dolecheck Horbach Whitaker	Gipp McCarthy Zirkelbach	Greiner Raecker	Hoffman Tomenga
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Amendment H-2138A lost.

Cohoon of Des Moines moved that the House concur in the Senate amendment H-2114, as amended.

A non-record roll call was requested.

The ayes were 48, nays 40.

The Senate amendment H-2114, as amended, was adopted.

Cohoon of Des Moines moved that the bill, as amended by the Senate, further amended and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 911)

The ayes were, 55:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevrt	Gaskill
Gayman	Heddens	Hoffman	Hunter
Huser	Jacoby	Jochum	Kelley
Kressig	Kuhn	Lensing	Lykam
Mascher	McCarthy	Mertz	Miller, H.
Oldson	Olson, D.	Olson, R.	Olson, T.
Palmer	Petersen	Pettengill	Quirk
Rayhons	Reasoner	Reichert	Schueller
Shomshor	Smith	Staed	Swaim
Taylor, D.	Taylor, T.	Thomas	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Winckler	Wise	Mr. Speaker Murphy	

The nays were, 40:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Drake	Forristall	Granzow
Grassley	Greiner	Heaton	Horbach
Huseman	Jacobs	Kaufmann	Lukan
May	Miller, L.	Olson, S.	Paulsen
Rants	Rasmussen	Roberts	Sands
Schickel	Soderberg	Struyk	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wiencek	Windschitl	Worthan

Absent or not voting, 5:

Dolecheck	Gipp	Raecker	Tomenga
Zirkelbach			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **House File 911** be immediately messaged to the Senate.

The House stood at ease at 5:04 p.m., until the fall of the gavel.

The House resumed session at 5:11 p.m., Speaker Murphy in the chair.

Appropriations Calendar

Senate File 601, a bill for an act relating to state and local finances by providing for funding of property tax credits and reimbursements, by making, increasing and reducing appropriations, providing for salaries and compensation of state employees, providing for tax credits, providing for fees and penalties, and providing for properly related matters, and including effective date provisions, with report of committee recommending amendment and passage, was taken up for consideration.

Oldson of Polk offered the following amendment H-2004 filed by the committee on appropriations and moved its adoption:

H-2004

1 Amend Senate File 601, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 27, by inserting after line 31 the
4 following:

5 "Sec. ____ . STATE BOARD OF REGENTS – ARTICULATION
6 WEBSITE. The general assembly finds that as college
7 costs increase, Iowa's community college students need
8 access to resources that allow the students to make
9 informed, cost-effective decisions regarding their
10 postsecondary education plans. It is the intent of
11 the general assembly to provide for a seamless
12 transition for students transferring from Iowa's
13 community colleges to Iowa's state universities.
14 Therefore, the state board of regents shall, in
15 cooperation with the department of education and the
16 community colleges, develop, maintain, and promote a
17 user-friendly credit transfer and articulation
18 internet website that allows Iowans to know at the
19 time of enrollment in a community college course
20 whether the credit will be accepted by the state
21 university of the student's choice, the category in
22 which the university will apply the credit, and to
23 which degree program or programs the university will
24 apply the credit. The board and the community
25 colleges shall continuously strive to improve upon the
26 coordinating efforts between the state universities
27 and the community colleges to map and articulate
28 community college courses for college credit with the
29 degree programs offered at the state universities.
30 The website shall be operational not later than July
31 1, 2008."

32 2. Page 44, by striking lines 25 and 26.

33 3. Page 57, by striking lines 7 and 8.

34 4. Page 59, by striking lines 9 and 10 and
35 inserting the following:

36 "Sec. ____ . Section 811.2A, Code 2007, is
37 repealed."

The committee amendment H-2004 was adopted.

Bailey of Hamilton asked and received unanimous consent to withdraw amendment H-2121 filed by Bailey of Hamilton, et al., on April 27, 2007.

Oldson of Polk asked and received unanimous consent that amendment H-2139 be deferred.

Gaskill of Wapello asked and received unanimous consent to withdraw amendment H-2074 filed by her on April 27, 2007.

Paulsen of Linn asked and received unanimous consent that amendment H-2068 be deferred.

Quirk of Chickasaw asked and received unanimous consent to withdraw amendment H-2129 filed by him from the floor.

Alons of Sioux asked and received unanimous consent that amendment H-2057 be deferred.

Jochum of Dubuque asked and received unanimous consent to withdraw amendment H-2032 filed by her on April 25, 2007.

Kaufmann of Cedar asked and received unanimous consent that amendment H-2108 be deferred.

Granzow of Hardin asked and received unanimous consent that amendment H-2031 be deferred.

Worthan of Buena Vista asked and received unanimous consent that amendment H-2049 be deferred.

The following amendments were deferred by unanimous consent.

Amendments H-2062, H-2131, H-2130, H-2035, H-2012, H-2084, H-2013, H-2058, H-2064, H-2009, H-2116, H-2048 and H-2137.

The following amendments were withdrawn by unanimous consent.

Amendment H-2015 filed by Sands of Louisa on April 25, 2007.

Amendment H-2036 filed by Kressig of Black Hawk on April 25, 2007.

Amendment H-2109 filed by Swaim of Davis on April 27, 2007.

Amendment H-2033 filed by Winckler of Scott on April 25, 2007.

Amendment H-2053 filed by Winckler of Scott on April 26, 2007.

Amendment H-2055 filed by Heddens of Story and Frevert of Palo Alto on April 26, 2007.

Amendment H-2063 filed by Frevert of Palo Alto on April 26, 2007.

Amendment H-2105 filed by Wessel-Kroeschell of Story on April 27, 2007.

Amendment H-2122 filed by Bailey of Hamilton and Granzow of Hardin on April 27, 2007.

Amendment H-2050 filed by Wessel-Kroeschell of Story on April 26, 2007, placing out of order amendments H-2060 filed by Thomas of Clayton on April 26, 2007 and H-2085 filed by T. Olson of Linn on April 27, 2007.

Amendment H-2073 filed by Watts of Dallas on April 27, 2007.

Amendment H-2008 filed by Alons of Sioux and Lukan of Dubuque on April 25, 2007.

Amendment H-2047 filed by Whitaker of Van Buren on April 26, 2007.

Amendment H-2127 filed by Reichert of Muscatine from the floor.

Amendment H-2067 filed by Staed of Linn on April 26, 2007.

Amendment H-2025 filed by Jochum of Dubuque and Raecker of Polk on April 25, 2007, placing out of order amendment H-2071 filed by Ford of Polk on April 27, 2007 and amendment H-2059 filed by Ford of Polk on April 26, 2007.

Amendment H-2106 filed by Ford of Polk on April 27, 2007.

Amendment H-2128 filed by Reichert of Muscatine, May of Dickinson, D. Olson of Boone and Dayitt of Warren from the floor.

Van Fossen of Scott offered the following amendment H-2039 filed by him and moved its adoption:

H-2039

1 Amend Senate File 601, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 37, by inserting after line 19 the
4 following:
5 "Sec. ____ Section 15F.303, subsection 3,
6 paragraph b, Code 2007, is amended to read as follows:
7 b. The project supports or is strategically
8 aligned with other existing regional or statewide
9 cultural, recreational, entertainment, or educational
10 activities or with communities adjacent to cultural
11 and entertainment districts whose existing or planned
12 amenity base will augment or complement the cultural
13 and entertainment venues of such districts."

Amendment H-2039 was adopted.

The following amendments were withdrawn by unanimous consent:

Amendment H-2072 filed by Thomas of Clayton and Hunter of Polk on April 27, 2007.

Amendment H-2054 filed by Rants of Woodbury on April 26, 2007.

Amendment H-2125 filed by Hunter of Polk and Abdul-Samad of Polk from the floor.

Amendment H-2035 filed by Huser of Polk from the floor

Amendment H-2069 filed by Heddens of Story, et al., on April 27, 2007.

Dandekar of Linn offered the following amendment H-2005 filed by Dandekar, et al., and moved its adoption:

H-2005

- 1 Amend Senate File 601, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 40, by striking lines 4 through 16.

Amendment H-2005 was adopted.

Oldson of Polk asked and received unanimous consent that amendment H-2139, previously deferred, be deferred.

Rants of Woodbury offered the following amendment H-2068 filed by him and Raecker of Polk and moved its adoption:

H-2068

- 1 Amend Senate File 601, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 5, by striking lines 6 through 9.

Roll call was requested by Rants of Woodbury and Paulsen of Linn.

On the question "Shall amendment H-2068 be adopted?" (S.F. 601)

The ayes were, 42:

Alons	Anderson	Baudler	Boal
Chambers	Clute	De Boef	Deyoe
Drake	Forristall	Granzow	Grassley

Greiner	Heaton	Hoffman	Horbach
Huseman	Jacobs	Kaufmann	Lukan
May	Miller, L.	Olson, S.	Paulsen
Rants	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wienczek
Windschitl	Worthan		

The nays were, 53:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Pettengill	Quirk	Reasoner
Reichert	Schueller	Shomshor	Smith
Staed	Swaim	Taylor, D.	Taylor, T.
Thomas	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise
Mr. Speaker			
Murphy			

Absent or not voting, 5:

Arnold	Dolecheck	Gipp	Raecker
Zirkelbach			

Amendment H-2068 lost.

Alons of Sioux offered the following amendment H-2057 filed by him and moved its adoption:

H-2057

1 Amend Senate File 601, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. By striking page 18, line 22, through page 19,
 4 line 3, and inserting the following:
 5 "Sec. ____ ESL CLASSES. There is appropriated
 6 from the general fund of the state to the department
 7 of education for the fiscal year beginning July 1,
 8 2007, and ending June 30, 2008, the following amount,
 9 or so much thereof as is necessary, to be used for the
 10 purpose designated:
 11 For providing grants to faith-based organizations
 12 to assist the organization in offering and teaching

- 13 English as a second language classes to non-English
 14 speaking persons:
 15 \$ 120,000
 16 The grants pursuant to this section may be awarded
 17 to organizations already offering and teaching such
 18 classes and to organizations that would like to offer
 19 these classes."

Roll call was requested by Alons of Sioux and Paulsen of Linn.

On the question "Shall amendment H-2057 be adopted?" (S.F. 601)

The ayes were, 38:

Alons	Baudler	Boal	Chambers
Clute	De Boef	Deyoe	Drake
Forristall	Granzow	Grassley	Greiner
Heaton	Horbach	Huseman	Jacobs
Kaufmann	Lukan	May	Miller, L.
Olson, S.	Paulsen	Rants	Rasmussen
Rayhons	Roberts	Sands	Schickel
Soderberg	Staed	Struyk	Tjepkes
Tymeson	Umpmeyer	Watts	Wienczek
Windschitl	Worthan		

The nays were, 52:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevért	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Quirk	Reasoner	Reichert
Schueller	Shomshor	Smith	Swaim
Taylor, D.	Taylor, T.	Thomas	Tomenga
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	Mr. Speaker
			Murphy

Absent or not voting, 10:

Anderson	Arnold	Dolecheck	Gipp
Hoffman	Pettengill	Raecker	Van Engelenhoven
Van Fossen	Zirkebach		

Amendment H-2057 lost.

The following previously deferred amendments were withdrawn by unanimous consent.

Amendment H-2108 filed by Kaufmann of Cedar on April 27, 2007, placing out of order amendment H-2117 filed by Kaufmann of Cedar on April 27, 2007.

Amendment H-2031 filed by Granzow of Hardin, et al., on April 25, 2007.

Amendment H-2049 filed by Worthan of Buena Vista on April 26, 2007.

Grassley of Butler offered the following amendment H-2062, previously deferred, filed by him and moved its adoption:

H-2062

1 Amend Senate File 601, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 26, by inserting after line 2 the
4 following:

5 "Sec. ____ DEPARTMENT OF PUBLIC SAFETY - ILLEGAL
6 IMMIGRATION TASK FORCE. There is appropriated from
7 the general fund of the state to the department of
8 public safety for the fiscal year beginning July 1, -
9 2007, and ending June 30, 2008, the following amount,
10 or so much thereof as is necessary, to be used for the
11 purposes designated:

12 For establishing an illegal immigration task force,
13 including salaries, support, maintenance,
14 miscellaneous purposes, and for not more than the
15 following full-time equivalent positions:

16 \$ 565,000
17 FTEs 12.00

18 Of the moneys appropriated in this section, the
19 department shall hire twelve state troopers for
20 purposes of the task force."

21 2. Page 27, by inserting after line 25 the
22 following:

23 "Sec. ____ 2007 Iowa Acts, House File 874, section
24 9, subsection 2, if enacted, is amended to read as
25 follows:

26 2. TERRACE HILL QUARTERS

27 For salaries, support, maintenance, and
28 miscellaneous purposes for the governor's quarters at
29 Terrace Hill, and for not more than the following
30 full-time equivalent positions:

31 \$ 466,310
32 401,310
33 FTEs 10.00
34 8.00

35 Sec. ____ 2007 Iowa Acts, House File 874, section
 36 17, unnumbered paragraph 2, if enacted, is amended to
 37 read as follows:

38 For salaries, support, maintenance, and
 39 miscellaneous purposes, and for not more than the
 40 following full-time equivalent positions:

41	\$ 25,301,646
42	<u>24,801,646</u>
43	FTEs <u>385.03</u>
44	<u>375.03"</u>

45 3. By renumbering as necessary.

Roll call was requested by Grassley of Butler and Granzow of Hardin.

On the question "Shall amendment H-2062 be adopted?" (S.F. 601)

The ayes were, 39:

Alons	Anderson	Baudler	Boal
Chambers	Clute	De Boef	Deyoe
Drake	Granzow	Grassley	Greiner
Heaton	Horbach	Huseman	Jacobs
Kaufmann	Lukan	May	Miller, L.
Olson, S.	Paulsen	Rants	Rasmussen
Rayhons	Roberts	Sands	Schickel
Soderberg	Struyk	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Fossen	Watts
Wiencek	Windschitl	Worthan	

The nays were, 50:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Quirk	Reasoner	Reichert
Schueller	Shomshor	Staed	Swaim
Taylor, D.	Taylor, T.	Thomas	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Winckler
Wise	Mr. Speaker		
	Murphy		

Absent or not voting, 11:

Arnold	Dolecheck	Forristall	Gipp
Hoffman	Pettengill	Raecker	Smith
Van Engelenhoven	Wenthe	Zirkelbach	

Amendment H-2062 lost.

The following previously deferred amendments were withdrawn by unanimous consent:

Amendment H-2131 filed by Watts of Dallas from the floor.

Amendment H-2130 filed by Watts of Dallas from the floor.

Amendment H-2035 filed by Rants of Woodbury on April 25, 2007.

Amendment H-2012 filed by May of Dickinson on April 25, 2007.

Amendment H-2084 filed by Tymeson of Madison on April 27, 2007.

Amendment H-2013 filed by Alons of Sioux on April 25, 2007.

Amendment H-2058 filed by Lukan of Dubuque on April 26, 2007.

Amendment H-2064 filed by Alons of Sioux, et al., on April 26, 2007.

Alons of Sioux offered the following amendment H-2009, previously deferred, filed by him and moved its adoption:

H-2009

1 Amend Senate File 601, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 54, by inserting after line 13 the
4 following:

5 "Sec. ____ Section 423.6, subsection 10,
6 unnumbered paragraph 3, Code 2007, is amended to read
7 as follows:

8 ~~This exemption applies to corporations that have~~
9 ~~been in existence for not longer than twenty four~~
10 ~~months also applies where the vehicle subject to~~
11 registration is transferred from an S corporation to
12 another S corporation that continues the business of
13 the transferring S corporation when all of the
14 incidents of the ownership are owned by the same
15 person who is the sole stockholder of the S
16 corporation."

17 2. Page 57, by inserting after line 29 the
18 following:

19 "Sec. ____ REFUNDS. Refunds of taxes, interest,
20 or penalties which arise from claims resulting from

21 the amendment of section 423.6, subsection 10, in this
 22 division of this Act, for the exemption of transfer of
 23 vehicles subject to registration between corporations
 24 occurring between May 1, 2001, and the effective date
 25 of this section of this division of this Act, shall be
 26 limited to twenty-five thousand dollars in the
 27 aggregate and shall not be allowed unless refund
 28 claims are filed prior to October 1, 2007,
 29 notwithstanding any other provision of law. If the
 30 amount of claims totals more than twenty-five thousand
 31 dollars in the aggregate, the department of revenue
 32 shall prorate the twenty-five thousand dollars among
 33 all claimants in relation to the amounts of the
 34 claimants' valid claims. Claimants shall not be
 35 entitled to interest on any refunds."

36 3. Page 59, by inserting after line 4 the
 37 following:

38 "Sec.____. EFFECTIVE AND RETROACTIVE APPLICABILITY
 39 DATE. The section of this division of this Act
 40 amending section 423.6, subsection 10, being deemed of
 41 immediate importance, takes effects upon enactment and
 42 applies retroactively to May 1, 2001."

Amendment H-2009 lost.

Whitaker of Van Buren asked and received unanimous consent to
 withdraw amendment H-2116 filed by him on April 27, 2007.

Whitaker of Van Buren asked and received unanimous consent to
 withdraw amendment H-2048, previously deferred, filed by him on
 April 26, 2007, placing out of order amendment H-2118 filed by
 Whitaker of Van Buren on April 27, 2007.

Struyk of Pottawattamie offered amendment H-2137, previously
 deferred, filed by him from the floor as follows:

H-2137

1 Amend Senate File 601, as amended, passed, and
 2 reprinted by the Senate, as follows:

3 1. Page 96, by inserting after line 31 the
 4 following:

5 "DIVISION____
 6 PROPERTY TAX RELIEF

7 Sec.____. Section 257.15, subsection 4, Code 2007,
 8 is amended by adding the following new paragraph:

9 NEW PARAGRAPH. e. In addition to the amounts
 10 appropriated in paragraphs "b" through "d", there is

11 appropriated from the general fund of the state for
 12 the fiscal year beginning July 1, 2007, and subsequent
 13 fiscal years, the sum of ten million dollars to be
 14 allocated for the purpose of calculating the statewide
 15 maximum adjusted additional property tax levy rate and
 16 providing adjusted additional property tax levy aid as
 17 provided in section 257.4, subsection 1, paragraph
 18 "b".

19 Sec. ____ Section 411.20, Code 2007, is amended to
 20 read as follows:

21 411.20 STATE APPROPRIATION.

22 1. There is appropriated from the general fund of
 23 the state for each fiscal year an amount necessary to
 24 be distributed to the statewide fire and police
 25 retirement system, or to the cities participating in
 26 the system, to finance the cost of benefits provided
 27 in this chapter by amendments of the Acts of the
 28 Sixty-sixth General Assembly, chapter 1089. The
 29 method of distribution shall be determined by the
 30 board of trustees based on information provided by the
 31 actuary of the statewide retirement system.

32 2. In addition to the amount appropriated in
 33 subsection 1, there is appropriated annually from the
 34 general fund of the state for the fiscal year
 35 beginning July 1, 2007, and subsequent fiscal years,
 36 the sum of three million dollars to be distributed to
 37 the statewide fire and police retirement system, or to
 38 the cities participating in the system, to finance the
 39 cost of benefits provided in this chapter.

40 3. Moneys appropriated by the state shall not be
 41 used to reduce the normal rate of contribution of any
 42 city below seventeen percent.

43 Sec. ____ Section 426B.1, Code 2007, is amended by
 44 adding the following new subsection:

45 NEW SUBSECTION. 4. There is appropriated annually
 46 from the general fund of the state for the fiscal year
 47 beginning July 1, 2007, and subsequent fiscal years,
 48 the sum of seven million dollars to provide additional
 49 property tax relief and to pay increased mental
 50 health, mental retardation, and developmental

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1 disabilities services costs.

2 Sec. ____ NEW SECTION. 426C.1 COMMERCIAL
 3 RESIDENTIAL PROPERTY TAX CREDIT - FUND -
 4 APPORTIONMENT - PAYMENT - APPROPRIATION.

5 1. A commercial residential property tax credit
 6 fund is created. There is appropriated from the
 7 general fund of the state to the department of revenue
 8 to be credited to the commercial residential property
 9 tax credit fund for the fiscal year beginning July 1,

10 2007, and for each subsequent fiscal year, the sum of
11 five million dollars to pay the warrants required
12 under this chapter.

13 The director of the department of administrative
14 services shall issue warrants on the commercial
15 residential property tax credit fund payable to the
16 county treasurers of the several counties of the state
17 under this chapter.

18 2. The commercial residential property tax credit
19 fund shall be apportioned each year so as to give a
20 credit against the tax on eligible commercial
21 residential property in the state in an amount equal
22 to ten percent of the actual levy on the actual value
23 of such property.

24 3. The amount due each county shall be paid in two
25 payments on November 15 and March 15 of each fiscal
26 year, drawn upon warrants payable to the respective
27 county treasurers. The two payments shall be as
28 nearly equal as possible.

29 4. The amount of credits shall be apportioned by
30 each county treasurer to the several taxing districts
31 as provided by law, in the same manner as though the
32 amount of the credit had been paid by the owners.
33 However, the several taxing districts shall not draw
34 the funds so credited until after the semiannual
35 allocations have been received by the county
36 treasurer, as provided in this chapter.

37 5. a. For purposes of this chapter, "commercial
38 residential property" means commercial property that
39 is an apartment building, a mobile home park, a
40 manufactured home community, or a land-leased
41 community.

42 b. As used in paragraph "a":

43 (1) "Apartment building" means the land and
44 building used primarily for human habitation and
45 containing three or more separate living quarters, as
46 well as structures and improvements used primarily as
47 a part of or in conjunction with such land and
48 building. "Apartment building" does not include a
49 hotel, motel, inn, or other building where rooms are
50 usually rented for less than one month, a nursing

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1 home, or a rest home.

2 (2) "Land-leased community" means the same as
3 defined in sections 335.30A and 414.28A.

4 (3) "Manufactured home community" means the same
5 as a land-leased community.

6 (4) "Mobile home park" means the same as defined
7 in section 435.1.

8 Sec. ____ NEW SECTION. 426C.2 COMPUTATION BY

9 AUDITOR.

10 On or before June 1, the county auditor shall
 11 compute the amount of property taxes to be levied on
 12 or estimated to be levied on all property eligible for
 13 the commercial residential property tax credit which
 14 are due and payable in the ensuing fiscal year and on
 15 or before June 1 shall certify the total amount to the
 16 department of revenue.

17 Sec. ____ NEW SECTION. 426C.3 WARRANTS
 18 AUTHORIZED BY DIRECTOR.

19 After receiving from the county auditors the
 20 certifications provided for in section 426C.2, and
 21 during the following fiscal year, the director of
 22 revenue shall authorize the department of
 23 administrative services to draw warrants on the
 24 commercial residential property tax credit fund
 25 payable to the county treasurers as provided in
 26 section 426C.1. If the commercial residential
 27 property tax credit fund is insufficient to pay in
 28 full the total of the amount certified to the director
 29 of revenue, the director shall prorate the fund to the
 30 county treasurers and notify the county auditors of
 31 the pro rata percentage on or before June 15.

32 Sec. ____ NEW SECTION. 426C.4 APPORTIONMENT BY
 33 AUDITOR.

34 The county auditor shall determine the amount to be
 35 credited to each parcel of commercial residential
 36 property, and shall enter upon tax lists as a credit
 37 against the tax levied on each parcel of commercial
 38 residential property on which there has been made an
 39 allowance of credit before delivering said tax lists
 40 to the county treasurer. Upon receipt of the warrant
 41 by the county auditor, the auditor shall deliver the
 42 warrant to the county treasurer for apportionment.
 43 The county treasurer shall show on each tax receipt
 44 the amount of tax credit for each parcel of business
 45 property. In case of change of ownership the credit
 46 shall follow the title.

47 Sec. ____ NEW SECTION. 426C.5 RULES.

48 The director of revenue shall prescribe forms and
 49 rules, not inconsistent with this chapter, necessary
 50 to carry out its purposes.

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1 Sec. ____ NEW SECTION. 444.25 PROPERTY TAX
 2 LIMITATION FOR COUNTIES AND CITIES.

3 1. COUNTY LIMITATION. For fiscal years beginning
 4 on or after July 1, 2008, the maximum amount of
 5 property tax dollars that may be certified by a county
 6 for a fiscal year shall not exceed the amount of
 7 property tax dollars certified by the county for taxes

- 8 payable in the previous fiscal year times the
9 inflation factor, for each of the levies for the
10 following:
- 11 a. General county services under section 331.422,
12 subsection 1.
 - 13 b. Rural county services under section 331.422,
14 subsection 2.
 - 15 c. Other taxes under section 331.422, subsection
16 4.

17 The limitation provided in this subsection does not
18 apply to the levies on the increase in taxable
19 valuation due to new construction, additions or
20 improvements to existing structures, remodeling of
21 existing structures for which a building permit is
22 required, annexation, and phasing out of tax
23 exemptions, and on the increase in valuation of
24 taxable property as a result of a comprehensive
25 revaluation by a private appraiser under a contract
26 entered into prior to January 1, 2007, or as a result
27 of a comprehensive revaluation directed or authorized
28 by the conference board prior to January 1, 2007, with
29 documentation of the contract, authorization, or
30 directive on the revaluation provided to the director
31 of revenue, if the levies are equal to or less than
32 the levies for the previous year; levies on that
33 portion of the taxable property located in an urban
34 renewal project the tax revenues from which are no
35 longer divided as provided in section 403.19,
36 subsection 2; or as otherwise provided in this
37 section.

38 2. CITY LIMITATION. For fiscal years beginning on
39 or after July 1, 2008, the maximum amount of property
40 tax dollars that may be certified by a city for a
41 fiscal year shall not exceed the amount in property
42 tax dollars certified by the city for taxes payable in
43 the previous fiscal year times the inflation factor,
44 for each of the levies for the following:

- 45 a. City government purposes under section 384.1.
- 46 b. Capital improvements reserve fund under section
47 384.7.
- 48 c. Emergency fund purposes under section 384.8.
- 49 d. Other city government purposes under section
50 384.12.

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1 The limitation provided in this subsection does not
2 apply to the levies on the increase in taxable
3 valuation due to new construction, additions or
4 improvements to existing structures, remodeling of
5 existing structures for which a building permit is
6 required, annexation, and phasing out of tax

7 exemptions, and on the increase in valuation of
8 taxable property as a result of a comprehensive
9 revaluation by a private appraiser under a contract
10 entered into prior to January 1, 2007, or as a result
11 of a comprehensive revaluation directed or authorized
12 by the conference board prior to January 1, 2007, with
13 documentation of the contract, authorization, or
14 directive on the revaluation provided to the director
15 of revenue, if the levies are equal to or less than
16 the levies for the previous year; levies on that
17 portion of the taxable property located in an urban
18 renewal project the tax revenues from which are no
19 longer divided as provided in section 403.19,
20 subsection 2; or as otherwise provided in this
21 section.

22 3. EXCEPTIONS. The limitations provided in
23 subsections 1 and 2 do not apply to the levies made
24 for the following:

25 a. Debt service to be deposited into the debt
26 service fund pursuant to section 331.430 or 384.4.

27 b. Taxes approved by a vote of the people which
28 are payable during fiscal years beginning on or after
29 July 1, 2008.

30 c. Hospitals pursuant to chapters 37, 347, and
31 347A.

32 4. INFLATION FACTOR. For purposes of subsection
33 1, the "inflation factor" is one plus the percent
34 change in the price index for government purchases by
35 type for state and local governments computed for the
36 calendar year ending immediately prior to July 1 of
37 the fiscal year. The price index used shall be the
38 state and local government chain-type price index used
39 in the quantity and price indexes for gross domestic
40 product as published by the United States department
41 of commerce.

42 5. COUNTY AUDITOR ADJUSTMENT. In addition to the
43 requirement of the county auditor in section 444.3 to
44 establish a rate of tax which does not exceed the rate
45 authorized by law, the county auditor shall also
46 adjust the rate if the amount of property tax dollars
47 to be raised is in excess of the amount specified in
48 subsection 1 or 2, as adjusted pursuant to subsection
49 4.

50 Sec. ____ NEW SECTION. 444.25A PROPERTY TAX LEVY

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1 LIMITATIONS NOT AFFECTED.

2 Section 444.25 shall not be construed as removing
3 or otherwise affecting the property tax limitations
4 otherwise provided by law for any tax levy of the
5 political subdivision, except that, upon an appeal

6 from the political subdivision, the state appeal board
7 may approve a tax levy consistent with the provisions
8 of section 24.48 or 331.426.
9 Sec.____. NEW SECTION. 444.25B SECTIONS VOID.
10 Sections 24.48 and 331.426 are void for fiscal
11 years beginning on or after July 1, 2008.
12 Sec.____. EFFECTIVE AND APPLICABILITY DATES. The
13 sections of this division of this Act enacting chapter
14 426C, being deemed of immediate importance, take
15 effect upon enactment and apply to property taxes due
16 and payable in fiscal years beginning on or after July
17 1, 2007."
18 2. By renumbering, redesignating, and correcting
19 internal references as necessary.

Struyk of Pottawattamie offered the following amendment H-2142, to amendment H-2137, filed by him from the floor and moved its adoption:

H-2142

1 Amend the amendment, H-2137, to Senate File 601, as
2 amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 2, line 40, by striking the word "or".
5 2. Page 2, line 41, by inserting after the word
6 "community" the following: ", or assisted living
7 property".
8 3. Page 3, by inserting after line 1 the
9 following:
10 "() "Assisted living property" means land and
11 buildings of an assisted living program, as assisted
12 living is defined in section 231C.2, that are subject
13 to property taxation."
14 4. By renumbering, redesignating, and correcting
15 internal references as necessary.

Amendment H-2142 was adopted.

Struyk of Pottawattamie moved the adoption of amendment H-2137, as amended.

Reasoner of Union rose on a point of order that amendment H-2137, as amended, was not germane.

The Speaker ruled the point well taken and amendment H-2137, as amended, not germane.

Struyk of Pottawattamie asked for unanimous consent to suspend the rules to consider amendment H-2137, as amended.

Objection was raised.

Struyk of Pottawattamie moved to suspend the rules to consider amendment H-2137, as amended.

Roll call was requested by Struyk of Pottawattamie and Rants of Woodbury.

On the question "Shall the rules be suspended to consider amendment H-2137, as amended?" (S.F. 601)

The ayes were, 40:

Alons	Anderson	Baudler	Boal
Chambers	Clute	De Boef	Deyoe
Drake	Forristall	Granzow	Grassley
Greiner	Heaton	Hoffman	Horbach
Huseman	Jacobs	Kaufmann	Lukan
May	Miller, L.	Olson, S.	Paulsen
Rants	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tymeson	Upmeyer	Van Fossen
Watts	Wiencek	Windschitl	Worthan

The nays were, 52:

Bailey	Bell	Berry	Bukta
Cohoon	Dandekar	Davitt	Foege
Frevert	Gaskill	Gayman	Heddens
Hunter	Huser	Jacoby	Jochum
Kelley	Kressig	Kuhn	Lensing
Lykam	Mascher	McCarthy	Mertz
Miller, H.	Oldson	Olson, D.	Olson, R.
Olson, T.	Palmer	Petersen	Pettengill
Quirk	Reasoner	Reichert	Schueller
Shomshor	Smith	Staed	Swaim
Taylor, D.	Taylor, T.	Thomas	Tomenga
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	Mr. Speaker
			Murphy

Absent or not voting, 8:

Abdul-Samad.	Arnold	Dolecheck	Ford
Gipp	Raecker	Van Engelenhoven	Zirkelbach

The motion to suspend the rules lost.

Oldson of Polk offered amendment H-2139, previously deferred, filed by her from the floor as follows:

H-2139

1 Amend Senate File 601, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 3, line 11, by striking the figure
4 "157,868,964" and inserting the following:
5 "131,868,964".

6 2. Page 3, line 24, by striking the figure
7 "2,000,000" and inserting the following:
8 "28,000,000".

9 3. Page 4, by striking line 1 the inserting the
10 following:

11 "..... \$ 99,254,781"

12 4. Page 4, by striking line 10 and inserting the
13 following:

14 "..... \$ 23,204,000"

15 5. Page 5, by inserting after line 5 the
16 following:

17 "Sec.____. UNDERGROUND STORAGE TANK FUND.

18 Notwithstanding section 455G.3, subsection 1, there is
19 transferred from the Iowa comprehensive petroleum
20 underground storage tank fund created in section
21 455G.3, subsection 1, to the general fund of the state
22 during the fiscal year beginning July 1, 2007, and
23 ending June 30, 2008, the following amount:

24 \$ 3,000,000"

25 6. By striking page 6, line 23, through page 7,
26 line 10, and inserting the following:

27 "a. Chief justice of the supreme court:

28 \$ 153,109

29 b. Each justice of the supreme court:

30 \$ 146,890

31 c. Chief judge of the court of appeals:

32 \$ 141,731

33 d. Each associate judge of the court of appeals:

34 \$ 136,739

35 e. Each chief judge of a judicial district:

36 \$ 133,619

37 f. Each district judge except the chief judge of a
38 judicial district:

39 \$ 128,544

40 g. Each district associate judge:

41 \$ 113,214

42 h. Each associate juvenile judge:

43 \$ 113,214

44 i. Each associate probate judge:

45	.....	\$	113,214
46	j. Each judicial magistrate:		
47	\$	34,882
48	k. Each senior judge:		
49	\$	7,238"
50	7. Page 10, line 31, by striking the figure		

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1	"108,598,094" and inserting the following:		
2	"106,848,094".		
3	8. Page 12, line 10, by striking the figure		
4	"8,171,248" and inserting the following: "6,771,248".		
5	9. Page 15, line 27, by striking the figure		
6	"750,000" and inserting the following: "400,000".		
7	10. Page 16, by striking lines 15 through 23.		
8	11. Page 19, by striking lines 4 through 12.		
9	12. Page 21, line 1, by striking the figure		
10	"75,000" and inserting the following: "50,000".		
11	13. Page 21, by striking lines 21 through 31.		
12	14. Page 22, line 10, by striking the figure		
13	"2,000,000" and inserting the following: "500,000".		
14	15. Page 23, line 9, by striking the figure		
15	"500,000" and inserting the following: "200,000".		
16	16. By striking page 25, line 29, through page		
17	26, line 2.		
18	17. By striking page 26, line 35, through page		
19	27, line 13.		
20	18. Page 27, by inserting after line 25 the		
21	following:		
22	"Sec.____. 2007 Iowa Acts, House File 874, section		
23	7, subsection 4, paragraph a, if enacted, is amended		
24	to read as follows:		
25	a. For salaries, support, maintenance, and		
26	miscellaneous purposes, and for not more than the		
27	following full-time equivalent positions:		
28	.....	\$	4,655,809
29	.....	FTEs	100.50
30	.....		<u>101.00</u>
31	Sec.____. OFFICE OF ENERGY INDEPENDENCE. If 2007		
32	Iowa Acts, House File 927, is enacted and provides for		
33	an appropriation from the general fund of the state to		
34	the office of energy independence for the fiscal year		
35	beginning July 1, 2006, and ending June 30, 2007,		
36	allocations from that appropriation for administrative		
37	costs shall be for not more than the following		
38	full-time equivalent positions:		
39	.....	FTEs	4.00"
40	19. By striking page 30, line 21, through page		
41	31, line 17.		
42	20. Page 33, by inserting after line 6 the		
43	following:		

44 "Sec.____. Section 469.10, subsection 2, if
45 enacted by 2007 Iowa Acts, House File 927, is amended
46 to read as follows:

47 2. Of the moneys appropriated to the office and
48 deposited in the fund, the office shall utilize up to
49 one and five-tenths percent of the amount appropriated
50 from the fund for a fiscal year for administrative

Page 3

1 costs. From the funds available for administrative
2 costs, the office shall not employ more than four
3 full-time equivalent positions."

4 21. Page 35, by inserting after line 11 the
5 following:

6 "DIVISION____
7 APPROPRIATION ADJUSTMENTS
8 Sec.____. VETERANS HOME OWNERSHIP ASSISTANCE
9 PROGRAM.

10 1. There is appropriated from the rebuild Iowa
11 infrastructure fund to the department of veterans
12 affairs for the fiscal year beginning July 1, 2007,
13 and ending June 30, 2008, the following amount, or so
14 much thereof as is necessary, to be used for the
15 purpose designated:

16 For transfer to the Iowa finance authority to be
17 used for continuation of the home ownership assistance
18 program for persons who are or were eligible members
19 of the armed forces of the United States, in
20 accordance with section 35A.15, as enacted by 2007
21 Iowa Acts, Senate File 407, notwithstanding section
22 8.57, subsection 6, paragraph "c":

23 \$ 1,000,000

24 2. Of the funds transferred pursuant to this
25 section, the Iowa finance authority may retain not
26 more than \$20,000 for administrative purposes.

27 3. Of the amount transferred to the Iowa finance
28 authority pursuant to this section, not more than
29 \$50,000 shall be transferred to the department of
30 public defense to be used for the enduring families
31 program.

32 4. Notwithstanding section 8.33, moneys
33 appropriated or transferred in this section that
34 remain unencumbered or unobligated at the close of the
35 fiscal year shall not revert but shall remain
36 available for expenditure for the purposes designated
37 until the close of the succeeding fiscal year.

38 Sec.____. 2007 Iowa Acts, Senate File 562, section
39 3, subsection 3, paragraphs a and d, if enacted, are
40 amended to read as follows:

41 a. Community development programs

42 For salaries, support, maintenance, miscellaneous

43 purposes, community economic development programs,
 44 tourism operations, community assistance, the
 45 mainstreet and rural mainstreet programs, the
 46 school-to-career program, the community development
 47 block grant, and housing and shelter-related programs
 48 and for not more than the following full-time
 49 equivalent positions:
 50 \$ 6,422,654

Page 4

1 6,322,654
 2 FTEs 58.26

3 d. From the moneys appropriated in this
 4 subsection, the department shall use at least
 5 ~~\$1,046,000~~ \$946,000 for purposes of the mainstreet an
 6 rural mainstreet programs.

7 Sec. _____. 2007 Iowa Acts, Senate File 562, section
 8 3, subsection 4, unnumbered paragraph 1, if enacted,
 9 is amended to read as follows:

10 For allocating moneys for the world food prize:
 11 \$ 650,000
 12 450,000

13 Sec. _____. 2007 Iowa Acts, Senate File 562, section
 14 14, subsections 1 and 3, if enacted, are amended to
 15 read as follows:

16 1. There is appropriated from the general fund of
 17 the state to the university of northern Iowa for the
 18 fiscal year beginning July 1, 2007, and ending June
 19 30, 2008, the following amount, or so much thereof as
 20 is necessary, to be used for the metal casting
 21 institute, for the myentrenet internet application,
 22 and for the institute of decision making, including
 23 salaries, support, maintenance, miscellaneous
 24 purposes, and for not more than the following
 25 full-time equivalent positions:

26 \$ 661,291
 27 561,291
 28 FTE 6.75

29 3. From the moneys appropriated in this section,
 30 the university of northern Iowa shall use at least
 31 ~~\$300,000~~ \$200,000 for purposes of expanding the
 32 service area of the myentrenet internet application.

33 Sec. _____. 2007 Iowa Acts, Senate File 575, section
 34 4, subsection 1, paragraph b, unnumbered paragraph 1,
 35 if enacted, is amended to read as follows:

36 For educational programs for inmates at state penal
 37 institutions:

38 \$ 2,070,358
 39 1,570,350

40 Sec. _____. 2007 Iowa Acts, Senate File 575, section
 41 5, subsection 1, paragraph f, unnumbered paragraph 1,

42 if enacted, is amended to read as follows:
 43 For the sixth judicial district department of
 44 correctional services:

45 \$ ~~12,203,009~~
 46 2,003,009

47 Sec. __. 2007 Iowa Acts, House File 874, section
 48 19, subsection 1, if enacted, is amended to read as
 49 follows:

50 1. ADMINISTRATION AND ELECTIONS

Page 5

1 For salaries, support, maintenance, and
 2 miscellaneous purposes, and for not more than the
 3 following full-time equivalent positions:

4 \$ 1,431,015
 5 1,331,015
 6 FTEs 17.0

7 The state department or state agency which provides
 8 data processing services to support voter registration
 9 file maintenance and storage shall provide those
 10 services without charge."

11 22. By striking page 35, line 26, through page
 12 36, line 20, and inserting the following:

13 "NEW SUBSECTION. 21. a. The director may
 14 authorize the procurement of goods and services in
 15 which a contractual limitation of vendor liability is
 16 provided for and set forth in the documents initiating
 17 the procurement. The director, in consultation with
 18 the department of management, shall adopt rules
 19 setting forth the circumstances in which such
 20 procurement will be permitted and what types of
 21 contractual limitations of liability are permitted.
 22 Rules adopted by the director shall establish criteria
 23 to be considered in making a determination of whether
 24 to permit a contractual limitation of vendor liability
 25 with regard to any procurement of goods and services.
 26 The criteria, at a minimum, shall include all of the
 27 following:

28 (1) Whether authorizing a contractual limitation
 29 of vendor liability is necessary to prevent harm to
 30 the state from a failure to obtain the goods or
 31 services sought, or from obtaining the goods or
 32 services at a higher price if the state refuses to
 33 allow a contractual limitation of vendor liability.

34 (2) Whether the contractual limitation of vendor
 35 liability is commercially reasonable when taking into
 36 account any risk to the state created by the goods or
 37 services to be procured and the purpose for which they
 38 will be used.

39 b. Notwithstanding paragraph "a", a contractual
 40 limitation of vendor liability shall not include any

41 limitation on the liability of any vendor for
42 intentional torts, criminal acts, or fraudulent
43 conduct.
44 c. The rules shall provide for the negotiation of
45 a contractual limitation of vendor liability
46 consistent with the requirements of this section and
47 any other requirements of the department as provided
48 in any related documents associated with a procurement
49 of goods and services."
50 23. Page 39, by striking lines 18 through 23.

Page 6

1 24. Page 40, by inserting after line 3 the
2 following:
3 "Sec. _____. Section 135.105D, subsection 1A, as
4 enacted by 2007 Iowa Acts, House File 158, section 2,
5 is amended by adding the following new paragraph:
6 NEW PARAGRAPH. d. Notwithstanding any other
7 provision to the contrary, nothing in this section
8 shall subject a parent, guardian, or legal custodian
9 of a child of compulsory attendance age to any
10 penalties under chapter 299."
11 25. By striking page 47, line 19, through page
12 48, line 2.
13 26. Page 48, by striking lines 3 through 12.
14 27. Page 52, by striking lines 5 through 12.
15 28. Page 55, by inserting after line 22 the
16 following:
17 "Sec. _____. Section 505.8, Code 2007, is amended by
18 adding the following new subsection:
19 NEW SUBSECTION. 8. The commissioner may, after a
20 hearing conducted pursuant to chapter 17A, assess
21 fines or penalties, order restitution, or take other
22 corrective action as the commissioner deems necessary
23 and appropriate to accomplish compliance with the laws
24 of the state relating to all insurance business
25 transacted in the state."
26 29. Page 55, by striking lines 23 through 30.
27 30. By striking page 56, line 13, through page
28 57, line 6.
29 31. Page 57, by inserting after line 35 the
30 following:
31 "Sec. _____. **LEGISLATIVE PROPERTY TAX STUDY**
32 **COMMITTEE.**
33 1. A legislative property tax study committee is
34 established. The study committee shall conduct a
35 comprehensive review of property taxation in Iowa
36 including but not limited to the continued use of
37 property taxes as a major funding source for local
38 governments and for local school districts in Iowa,
39 the classification and assessment of property for

40 property tax purposes and the impact of the tie
41 between residential and agricultural property
42 assessments, the level of consistency employed in
43 classifying and assessing property for property tax
44 purposes, the various exemptions and credits currently
45 available to property taxpayers and the impact on
46 local government and state budgets and on other
47 taxpayers of providing those credits and exemptions,
48 and the use of property taxes as an economic
49 development tool and the impact on local and state
50 government budgets and on other taxpayers of such use.

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1 In its study, the committee shall address the goals of
2 property tax simplification and equity.

3 2. a. The committee shall be comprised of the
4 following voting members:

5 (1) Five members who are members of the senate,
6 three of whom shall be appointed by the majority
7 leader of the senate and two of whom shall be
8 appointed by the minority leader of the senate.

9 (2) Five members who are members of the house of
10 representatives, three of whom shall be appointed by
11 the speaker of the house of representatives and two of
12 whom shall be appointed by the minority leader of the
13 house of representatives.

14 b. The committee shall be comprised of the
15 following nonvoting members who shall be appointed by
16 the majority leader of the senate and the speaker of
17 the house of representatives in consultation with the
18 minority leaders of the senate and the house of
19 representatives:

20 (1) One member from an association representing
21 Iowa counties.

22 (2) One member from an association representing
23 Iowa cities.

24 (3) One member from an association representing
25 Iowa school boards.

26 (4) One member from an association representing
27 agricultural property taxpayers.

28 (5) One member from an association representing
29 Iowa commercial property taxpayers.

30 (6) One member from an association representing
31 Iowa industrial taxpayers.

32 (7) One member representing residential taxpayers.

33 (8) One member from an association representing
34 Iowa telecommunications property taxpayers.

35 (9) Representatives of other interests as
36 designated by the legislative council.

37 c. The committee shall be comprised of the
38 following nonvoting members who shall be appointed by

39 the governor:

40 (1) A representative employed by the department of
41 management.

42 (2) A representative employed by the department of
43 revenue.

44 (3) A representative employed by the department of
45 economic development.

46 3. The property tax study committee shall meet
47 during the 2007 and 2008 legislative interims at the
48 call of the chairperson. The committee is authorized
49 to hold as many meetings as the committee deems
50 necessary.

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1 4. The property tax study committee may contract
2 with one or more tax consultants or experts familiar
3 with the Iowa property tax system. The legislative
4 council, pursuant to its authority in section 2.42,
5 may allocate to the study committee funding from
6 moneys available to it in section 2.12 for the purpose
7 of contracting with the consultant or expert.

8 5. The property tax study committee shall submit a
9 final report to the general assembly on or before
10 January 5, 2009. The final report shall include but
11 not be limited to findings, analyses, and
12 recommendations by the committee."

13 32. By renumbering, relettering, or redesignating
14 and correcting internal references as necessary.

Hunter of Polk asked and received unanimous consent to withdraw amendment H-2141, to amendment H-2139, filed by him from the floor.

The House stood at ease at 6:28 p.m., until the fall of the gavel.

The House resumed session at 6:31 p.m., Speaker Murphy in the chair.

Greiner of Washington offered the following amendment H-2143, to amendment H-2139, filed by Greiner and T. Taylor of Linn from the floor and moved its adoption:

H-2143

1 Amend the amendment, H-2139, to Senate File 601, as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 6, by striking lines 26 through 28.

A non-record roll call was requested.

The ayes were 50, nays 42.

Amendment H-2143 was adopted.

Oldson of Polk moved the adoption of amendment H-2139, as amended.

Amendment H-2139, as amended was adopted.

Oldson of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 601)

The ayes were, 52:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Pettengill	Quirk	Reasoner
Reichert	Schueller	Shomshor	Smith
Staed	Swaim	Taylor, T.	Thomas
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	Mr. Speaker Murphy

The nays were, 43:

Alons	Anderson	Baudler	Boal
Chambers	Clute	De Boef	Deyoe
Drake	Forristall	Granzow	Grassley
Greiner	Heaton	Hoffman	Horbach
Huseman	Jacobs	Kaufmann	Lukan
May	Miller, L.	Olson, S.	Paulsen
Rants	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Taylor, D.	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wiencek	Windschitl	Worthan	

Absent or not voting, 5:

Arnold
Zirkelbach

Dolecheck

Gipp

Raecker

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **Senate File 601** be immediately messaged to the Senate.

On motion by McCarthy of Polk, the House was recessed at 7:50 p.m., until 9:00 p.m.

The House resumed session at 11:21 p.m., Speaker Murphy in the chair.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed ninety-one members present, nine absent.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Van Engelenhoven of Marion on request of Rants of Woodbury.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 28, 2007, concurred in the House amendment to the Senate amendment, and passed the following bill in which the concurrence of the Senate was asked:

House File 641, a bill for an act relating to judicial branch practices and procedures, including distribution of court revenue to cities and counties, and the state, and including applicability provisions.

Also: That the Senate has on April 28, 2007, passed the following bill in which the concurrence of the Senate was asked:

House File 908, a bill for an act relating to the licensing and regulation of plumbers and mechanical professionals, and providing an appropriation and penalties and providing an effective date..

Also: That the Senate has on April 28, 2007, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

House File 911, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, vertical infrastructure fund, the endowment for Iowa's health restricted capitals fund, and the technology reinvestment fund, and related matters, and providing an effective date.

Also: That the Senate has on April 28, 2007, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 510, a bill for an act concerning electrical and mechanical amusement devices and providing penalties.

Also: That the Senate has on April 28, 2007, amended the House amendment, concurred in the House amendment as amended and passed the following bill in which the concurrence of the House is asked:

Senate File 601, a bill for an act relating to state and local finances by providing for funding of property tax credits and reimbursements, by making, increasing and reducing appropriations, providing for salaries and compensation of state employees, providing for tax credits, providing for fees and penalties, and providing for properly related matters, and including effective dates.

Also: That the Senate has on April 28, 2007, passed the following bill in which the concurrence of the House is asked:

Senate File 607, a bill for an act relating to increases in the reimbursement rates or amounts for certain providers under the purview of the department of human services or the department of public health, and providing appropriations.

MICHAEL E. MARSHALL, Secretary

REMARKS BY MINORITY LEADER RANTS

Minority Leader Rants offered the following remarks:

Thank you Mr. Speaker: Good evening Ladies and Gentlemen of the House.

This session has been a learning experience for me. Each day has taught me something new. Some lessons were more pleasant than others.

For instance, I learned who my real friends are – and I was neither disappointed nor surprised.

I learned that when in doubt, file an amendment – you can always withdraw later.

I learned that there are two sets of rules and you better know which ones you are using – Representative Paulsen says you can play Spades and bid zero – Representative Struyk says you have to take a minimum bid of three. No matter which set of rules is used, I might take a trick or two, but I never win the game. And that's ok. Doesn't matter if I go set or double set, I'm going to keep bidding and looking for a way drop a trump card.

I learned, that the House Republican caucus staff continues to exceed my expectations. You really have. Jeff, Bruce, Mary, Kelly, Lon, Brad, Ann, Kristin and Lew – you manage to stay half a step ahead of me, and make my job, and those of our caucus so much easier.

I learned that some of the most un-assuming people have more resolve and courage than I ever would have imagined.

I've learned to lean on a whole new set of friends; and want to thank Kraig, Doug, Linda, Rod and Jeff for your excellent work in guiding our caucus this year. I'm so proud of the way House Republicans conducted themselves this year. Many people thought after last falls elections that Republicans would just go away. Not true. We took principled positions – to do the things necessary to grow our economy, improve the quality of our schools, and protect Iowa's taxpayers – and we fought tirelessly for those things we believe in.

I've learned to lower my expectations. Mr. Speaker, one hundred and eleven days ago you said quote "we must find a way to reduce property taxes on Iowa businesses without shifting the burden onto homeowners and farmers." I fully expected that something would be accomplished this year – even if it was just the first step on a long road. Instead, nothing was even attempted, let alone accomplished. Taxpayers will not be satisfied. Republicans have offered suggestions and proposals all session long. We will continue to work over the interim with anyone who is serious about reducing Iowa's property tax burden.

I've learned that I am the most fortunate leader in the General Assembly – I am surrounded with great people. Liz – my page who has already left for her senior prom; Josie, the newest member of my team, and of course Allison, who has been sticking with me and keeping me straight for years now. I can't tell you how thankful I am for your help and service.

I've learned that my job is to ensure there is sunshine on the legislative process, to make sure the public knows what we are doing. I know that at times the majority party has not enjoyed my method of ensuring that sunshine, or providing that information to the body. But whether it be your party or my party – none of us should be afraid of letting the public know what we is going on because what we do can have a profound impact on the people of this state.

Thomas Jefferson described democracy as nothing more than mob rule, where fifty one percent of the people may take away the rights of the other forty-nine. That is an awesome power – and the forty nine percent – or in this case the forty-six – deserve to know what is being done to them and the majority should know precisely what they are doing.

Lastly, I've learned that not only should you file the amendment, but you should never withdraw it.

Ladies and gentlemen, enjoy your interim. We will have plenty of work to do next year.

REMARKS BY MAJORITY LEADER MCCARTHY

Majority Leader McCarthy offered the following remarks:

Mr. Speaker, ladies and gentlemen of the house, good morning as we pass midnight. I'll be very brief, because I know everyone is tired and it's been a long year and we want to get home. Let me first thank our democratic caucus staff for the fantastic work that they do. So often it seems we end up relying on the other party's caucus staff memos and sharing those as we work in the committee process. The two together help the policy product that we are able to do. We both have excellent caucus staffs and I want to thank ours from the bottom of my heart. The chief clerk and his staff have been fantastic, as we've learned that new role and my staff and the speaker's staff for all of the long nights.

The purpose of my speech is to judge the success of the legislative session from the majority party's perspective. I think there have been some successes and I think there have been some failures, to be frank with you. I guess, to be reasonable, to judge a session effectively from my perspective, you have to judge it based upon what you campaigned on and what you said you were going to do. The Democrats had a plan, some people liked it, some people didn't. We said we would increase the minimum wage. We said we would allow small businesses to share their work force, pooling, to help lower the future health care costs that they would be effected by. We said we would expand voluntary access to early childhood education. We said we would try to limit what has been a trend in the explosion of tuition in our universities and colleges. We said we would try to work on, as we make the transition from what has been largely an agricultural economy to a renewable economy, that we would try to focus on how to make Iowa the energy capital of the world, creating high quality jobs and a cleaner environment. We have done that by creating the power fund. We have done that and much more. All in all, we put out 16 points that we wanted to accomplish. We accomplished 15 of them. That's not too bad.

Commercial property taxes remains, as it has been the last several years, a vexing problem made more complicated by late in the session disagreements, but we are passing a study. Let us hope that, as has occurred in the past years, this study does not lead to more studies. We have to roll up our sleeves and try to get something done. We are going to have to deal with the larger issue of the formula.

Let me talk briefly about the tone. This I believe would be one of the failures of this session. We've had successes. I think both the majority and minority parties have to look inward to increase the tone, the civility, and how we treat each other. I've been fortunate, I think, this year to develop a good relationship with a number of folk on the other side of the aisle that I didn't know very well before.

I think we always have to take a step back. We're not as important as the rhetoric we spew out. An example of the good, bi-partisan work that I think we can be proud of is the Iowa Power Fund. Ten years or twenty years from now, some of the major pieces of legislation that folks are going to look back on are the Iowa Values Fund and the

Iowa Power Fund. Representative Hoffman is a member of the minority party. Rep. Hoffman's name will be used as it relates to the values fund and the power fund. Someone will say he was a member of the majority party with one and the minority party on the other, but they won't know the difference because of bi-partisanship.

So with that, it's getting late. I think we've had a good session. We've got a lot of work to do next year, and have a great interim. Thank you.

REMARKS BY SPEAKER MURPHY

Speaker Murphy offered the following remarks:

Ladies and gentlemen of the House, the first thing I'd like to do is thank my wife. Without her, and my kids, the opportunity to do this, and the green light to do it 18 years ago, wouldn't have occurred. So I want to thank them first for what they've done for me.

The second part I would like to do is thank every member of this body. You've made me the Speaker of the House. It's been an honor and privilege to do this for the last four months.

I want to thank my caucus for electing me as a leader. I questioned your judgment at times because of that, but I do appreciate that you've given me that opportunity.

I also want to thank the staff in the back – Carolyn, Dean, Ed – for the job they've done for me. They made sure that bills got to the right committees, that I got to the right places at the right time, and handled my schedule. The job is more than I expected when I took it in January, even though I thought I knew what I was getting into. Without the three of them, I wouldn't have had the success I have this year.

I also want to thank Abby – Abby Finkenauer, my page. She was in our Dubuque paper dubbed the "most powerful teenager in Iowa." And she'll continue to have that power for about another 24 hours.

I also want to thank the caucus staff, who's done a very good job over the years for me and for the caucus. It doesn't matter if it's Democrat or Republican caucus staff, the bottom line is they make us look successful, make us look intelligent, and do a good job of handling the details for all of us.

I also want to thank the people in the row in front of me – the Chief Clerk's office and their staff. Mark, you've been great to me over the years and you've done a great job this year. I really want to thank you for the work you've done here in the row in front of us.

The other group that sometimes gets overlooked is the LSA staff. They do a great job of making sure bills get drafted. They make sure the fiscal notes get done. And I think sometimes people don't understand the pressures that get put on them. Sometimes you have Democrats that think the fiscal note is too high, and you have Republicans on that same fiscal note that think the fiscal note is too low. They do a very good job of doing it in a non-partisan way. I think they do an excellent job, and we owe them a great amount of gratitude.

The last group I'd like to thank is the assistant leaders: Mike, Polly, John, Helen, and Lisa as well as Majority Leader McCarthy. I appreciate the work that you've done behind the scenes this year to make things successful. Quite frankly, when you hear the names Murphy and McCarthy and if you heard they're running something, you'd think they run a successful pub or tap and not the Iowa House. I appreciate the work and the help you've given me this year as well.

Now, when I sat here on Jan. 8, Democrats talked about our Plan for Prosperity. We talked about putting a re-focus on education, and I think we've accomplished that this year. Rep. Mary Mascher ran a bill that will be looked at years from now where this state became the first state to make early childhood education accessible for every four-year-old. That's very important because it goes to show that we are focusing on children and we are focusing on families.

I think another piece that's very important is our educators. We wanted to put a value on them. Our kids perform great in the state and we've made sure that teachers are rewarded for their hard work. We also focused on higher education as well, trying to make sure the rising cost of tuition at a Regents University wasn't rising at an astronomical rate that would deny the opportunity for higher education for people that may not be able to afford it. So I feel pretty good about what we've done in the area of education. We met every piece of the Plan for Prosperity in the state.

Turning to "Iowa: The Green State," we worked to make Iowa a world leader in renewable fuels. The Power Fund that we passed -- I'm afraid to mention all the names for the power fund because we had probably eight or 10 people in our caucus that worked very hard on that all through the session -- was a very bipartisan effort with some legislators from the other side of the aisle working very hard with our people to get something that everybody could embrace for the future.

When you think for a moment that we have an empty desk sitting next to McKinley Bailey for Ray Zirkelbach, who is currently serving in Iraq, and of our dependency on foreign oil -- this state needs to lead the country in renewable fuels. This state has the answers for what we're going to do in the

future. And now we have every other state copying what Iowa does because they realize the best way to make this country strong is by using our natural resources to make us less dependent on foreign oil. Hopefully, next year, Rep. Zirkelbach will be sitting here with us and we will be able to depend more on our corn crops than on fossil fuels from abroad.

The last piece that we talked about is rewarding hard work. We raised the minimum wage and focused on businesses in regard to health insurance, allowing the group pooling. But I think the other part we need to focus on is property taxes. We're going to look at that through an interim committee so that we can complete that 16th point on our plan.

I would also like to talk briefly tonight about some of the other things we did that are not part of the Plan for Prosperity, but that makes us a better Iowa. We focused on safe schools so every child has a safe learning environment and teachers have the tools they need to enforce discipline in the classroom. We also ended up at \$15.5 million for REAP, getting closer to its full level of \$20 million, to improve our environment.

I know that we had a very long and hard debate on stem cell research. But I really do believe that this state could be the leader some day in finding cures for cancer, diabetes, and other illnesses. I was proud of the respectful, good debate that night. Some day when we all get old or sick or ill, I'm optimistic the new innovations at the University of Iowa will give us new hope.

We also did some expansions in healthcare, and continued to do what we could to make Iowa a better state by passing the civil rights law.

We didn't accomplish everything this year, but I think we made a lot of great steps and a lot of great strides in different areas.

But our time is done, and it's time for us to spend time back in our districts, spend time with our families. Again, I thank you for the opportunity to have served you as Speaker. I look forward to seeing you all here in the future, and wish you the best during the summer and the fall.

Thank you.

SENATE AMENDMENT CONSIDERED

Oldson of Polk called up for consideration **Senate File 601**, a bill for an act relating to state and local finances by providing for funding of property tax credits and reimbursements, by making, increasing and reducing appropriations, providing for salaries and compensation

of state employees, providing for tax credits, providing for fees and penalties, and providing for properly related matters, and including effective date provisions, amended by the House, further amended by the Senate and moved that the House concur in the following Senate amendment H-2144 to the House amendment:

H-2144

1 Amend the House amendment, S-3532, to Senate File
2 601, as amended, passed, and reprinted by the Senate,
3 as follows:

4 1. Page 2, by inserting after line 15 the
5 following:

6 "____. Page 23, by striking line 35 and inserting
7 the following:

8 "..... \$ 14,200,00""

9 2. Page 2, by inserting after line 17 the
10 following:

11 "____. Page 26, by inserting after line 34 the
12 following:

13 "Sec.____. The section of 2007 Iowa Acts, House
14 File 641, which is titled "processing of installment
15 agreements", and which refers to section 602.8107,
16 subsection 4, and allocates moneys to the judicial
17 branch, if enacted, is repealed.""

18 3. Page 2, by striking lines 18 and 19.

19 4. Page 7, by inserting after line 2 the
20 following:

21 "____. By striking page 45, line 24, through page
22 46, line 7, and inserting the following:

23 "272.27 STUDENT TEACHING AND OTHER EDUCATIONAL
24 EXPERIENCES.

25 If the rules adopted by the board of educational
26 examiners for issuance of any type or class of license
27 require an applicant to complete work in student
28 teaching, ~~an accredited college or university located~~
29 ~~within the state of Iowa and states conterminous with~~
30 ~~Iowa may offer a program or programs of teacher~~
31 ~~education approved by the director of the department~~
32 ~~of education or the appropriate authority in states~~
33 ~~conterminous with Iowa by entering prestudent teaching~~
34 ~~experiences, field experiences, practicums, clinicals,~~
35 ~~or internships, an institution with a practitioner~~
36 ~~preparation program approved by the state board of~~
37 ~~education under section 256.7, subsection 3, shall~~
38 ~~enter into a written contract with any accredited~~
39 ~~school district or private, accredited nonpublic~~
40 ~~school, preschool registered or licensed by the~~
41 ~~department of human services, or area education agency~~
42 ~~in Iowa~~ under terms and conditions as agreed upon by

43 the contracting parties. The terms and conditions of
44 a written contract entered into with a preschool
45 pursuant to this section shall provide that a student
46 teacher be under the direct supervision of an
47 appropriately licensed cooperating teacher who is
48 employed to teach at the preschool. Students actually
49 teaching or engaged in preservice licensure activities
50 in a school district under the terms of such a

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1 contract are entitled to the same protection, under
2 section 670.8, as is afforded by that section to
3 officers and employees of the school district, during
4 the time they are so assigned.

5 Sec. _____. Section 279.13, subsection 1, paragraph
6 b, if enacted by 2007 Iowa Acts, Senate File 277,
7 section 11, is amended to read as follows:

8 b. (1) Prior to entering into an initial contract
9 with a teacher who holds a license other than an
10 initial license issued by the board of educational
11 examiners under chapter 272, the school district shall
12 either request the division of criminal investigation
13 of the department of public safety to conduct a
14 background investigation of the applicant or request a
15 qualified background screening company accredited by
16 the national association of professional background
17 check screeners to conduct a background check on the
18 applicant. The

19 (2) If the school district submits a request to
20 the division of criminal investigation pursuant to
21 subparagraph (1), the school district shall require
22 the teacher to submit a completed fingerprint packet,
23 which shall be used to facilitate a national criminal
24 history check. The school district shall submit the
25 packet to the division of criminal investigation of
26 the department of public safety which shall conduct a
27 thorough background investigation of the teacher. The
28 superintendent of a school district or the
29 superintendent's designee shall have access to and
30 shall review the sex offender registry information
31 under section 692A.13, the central registry for child
32 abuse information established under section 235A.14,
33 and the central registry for dependent adult abuse
34 information established under section 235B.5 for
35 information regarding applicants for employment as a
36 teacher.

37 (3) If the school district submits a request to a
38 qualified background screening company pursuant to
39 subparagraph (1), the background check shall include a
40 national criminal history check, a review of the sex
41 offender registry information under section 692A.13,

42 the central registry for child abuse information
 43 established under section 235A.14 as the
 44 superintendent's designee under section 235A.15, and
 45 the central registry for dependent adult abuse
 46 information established under section 235B.5 as the
 47 superintendent's designee under section 235B.6 for
 48 information regarding applicants for employment as a
 49 teacher.
 50 (4) The school district may charge the teacher a

Page 3

1 fee for the background investigation, which shall not
 2 exceed the fee charged by the division of criminal
 3 investigation for conducting the background
 4 investigation.""

5 5. Page 9, by inserting after line 6 the
 6 following:

7 "_. Page 96, by inserting after line 31 the
 8 following:

9 "DIVISION____
 10 ABSENTEE BALLOT AFFIDAVITS

11 Sec.____. Section 39A.4, subsection 1, paragraph
 12 c, subparagraphs (11) and (12), Code 2007, as amended
 13 by 2007 Iowa Acts, House File 848, section 20, are
 14 amended to read as follows:

15 (11) Returning a voted absentee ballot, by mail or
 16 in person, to the commissioner's office and the person
 17 returning the ballot is not the voter, ~~an immediate~~
 18 ~~family member authorized by the voter to return the~~
 19 ~~ballot, an absentee ballot courier~~ the voter's
 20 designee, or a special precinct election official
 21 designated pursuant to section 53.22, subsection 1, ~~or~~
 22 ~~the designee of a voter described in section 53.22,~~
 23 ~~subsection 5.~~

24 (12) Making a false or untrue statement reporting
 25 that a voted absentee ballot was returned to the
 26 commissioner's office, by mail or in person, by a
 27 person other than the voter, ~~an immediate family~~
 28 ~~member authorized by the voter to return the ballot,~~
 29 ~~an absentee ballot courier~~ the voter's designee, or a
 30 special precinct election official designated pursuant
 31 to section 53.22, subsection 1, ~~or the designee of a~~
 32 ~~voter described in section 53.22, subsection 5.~~

33 Sec.____. Section 53.8, subsection 2, Code 2007,
 34 as amended by 2007 Iowa Acts, House File 848, section
 35 25, is amended to read as follows:

36 2. a. The commissioner shall enclose with the
 37 absentee ballot a statement informing the applicant
 38 that the sealed carrier envelope may be mailed to the
 39 commissioner by the registered voter or the voter's
 40 designee or may be personally delivered to the

41 commissioner's office by the registered voter or the
42 voter's designee. The statement shall also inform the
43 voter that the voter may request that the voter's
44 designee complete a receipt when retrieving the ballot
45 from the voter. A blank receipt shall be enclosed
46 with the absentee ballot.

47 b. If an application is received so late that it
48 is unlikely that the absentee ballot can be returned
49 in time to be counted on election day, the
50 commissioner shall enclose with the absentee ballot a

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1 statement to that effect. ~~The statement shall also~~
2 ~~point out that it is possible for the applicant, an~~
3 ~~immediate family member of the applicant, or the~~
4 ~~applicant's designee if the absentee ballot is voted~~
5 ~~by a voter described in section 53.22, subsection 5,~~
6 ~~to personally deliver the completed absentee ballot to~~
7 ~~the office of the commissioner at any time before the~~
8 ~~closing of the polls on election day. The statement~~
9 ~~shall also point out that it is possible for an~~
10 ~~absentee ballot courier to personally deliver the~~
11 ~~completed absentee ballot to the office of the~~
12 ~~commissioner within seventy-two hours of retrieving~~
13 ~~the completed ballot or before the closing of the~~
14 ~~polls on election day, whichever is earlier.~~

15 Sec. ____ Section 53.10, unnumbered paragraph 2,
16 Code 2007, is amended to read as follows:

17 Each person who wishes to vote by absentee ballot
18 at the commissioner's office shall first sign an
19 application for a ballot including the following
20 information: name, current address, and the election
21 for which the ballot is requested. The person may
22 report a change of address or other information on the
23 person's voter registration record at that time. The
24 registered voter shall immediately mark the ballot;
25 enclose the ballot in a secrecy envelope, if
26 necessary, and seal it in a ballot an affidavit
27 envelope; subscribe to the affidavit on the reverse
28 side of the envelope; and return the absentee ballot
29 to the commissioner. The commissioner shall record
30 the numbers appearing on the application and ballot
31 affidavit envelope along with the name of the
32 registered voter.

33 Sec. ____ Section 53.17, subsection 1, paragraph
34 a, Code 2007, as amended by 2007 Iowa Acts, House File
35 848, section 27, is amended by striking the paragraph
36 and inserting in lieu thereof the following:

37 a. The sealed carrier envelope may be delivered by
38 the registered voter, by the voter's designee, or by
39 the special precinct election officials designated

40 pursuant to section 53.22, subsection 1, to the
41 commissioner's office no later than the time the polls
42 are closed on election day. However, if delivered by
43 the voter's designee, the envelope shall be delivered
44 within seventy-two hours of retrieving it from the
45 voter or before the closing of the polls on election
46 day, whichever is earlier.
47 Sec. _____. Section 53.17, subsection 1, paragraphs
48 b and c, Code 2007, are amended to read as follows:
49 b. The sealed carrier envelope may be mailed to
50 the commissioner by the registered voter, ~~by an~~

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1 ~~immediate family member of the voter, or by the~~
2 ~~voter's designee if the ballot is voted by a voter~~
3 ~~described in section 53.22, subsection 5. If mailed~~
4 by the voter's designee, the envelope must be mailed
5 within seventy-two hours of retrieving it from the
6 voter or within time to be postmarked not later than
7 the day before the election, whichever is earlier.
8 ~~e. The sealed carrier envelope may be delivered to~~
9 ~~the commissioner by an absentee ballot courier, but~~
10 ~~only as provided in subsection 4.~~
11 Sec. _____. Section 53.17, subsection 4, Code 2007,
12 is amended by striking the subsection and inserting in
13 lieu thereof the following:
14 4. When a person designated by the voter retrieves
15 a completed absentee ballot from the voter, the
16 designee shall, upon request of the voter, fill out a
17 receipt to be retained by the voter. The state
18 commissioner shall prescribe a form for receipts
19 required by this subsection. The receipt shall
20 include all of the following:
21 a. The name of the voter's designee.
22 b. The date and time the completed absentee ballot
23 was received from the voter.
24 c. The name and date of the election for which the
25 absentee ballot is being voted.
26 d. The name of the political party, candidate, or
27 committee for which the designee is acting as an
28 actual or implied agent, if applicable.
29 e. A telephone number at which the voter's
30 designee may be contacted.
31 f. A statement that the completed absentee ballot
32 will be delivered to the commissioner's office within
33 seventy-two hours of retrieving it from the voter or
34 before the closing of the polls on election day,
35 whichever is earlier, or that the completed absentee
36 ballot will be mailed to the commissioner within
37 seventy-two hours of retrieving it from the voter or
38 within time to be postmarked not later than the day

39 before the election, whichever is earlier.

40 Sec. ____ Section 53.17, subsection 5, Code 2007,
41 is amended by striking the subsection.

42 Sec. ____ Section 53.18, Code 2007, is amended to
43 read as follows:

44 53.18 MANNER OF PRESERVING BALLOT AND APPLICATION

45 ~~-- REVIEW OF AFFIDAVIT -- REPLACEMENT BALLOTS.~~

46 1. Upon receipt of When the return carrier
47 envelope containing the completed absentee ballot is
48 received by the commissioner, the commissioner shall
49 at once record the number appearing on the application
50 and return carrier envelope and time of receipt of

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1 such ballot and attach the elector's application to
2 the unopened envelope. Absentee ballots shall be
3 stored in a secure place until they are delivered to
4 the absentee and special voters precinct board.

5 2. If the commissioner receives the return carrier
6 envelope containing the completed absentee ballot by
7 five p.m. on the Saturday before the election for
8 general and primary elections and by five p.m. on the
9 Friday before the election for all other elections,
10 the commissioner shall open the envelope to review the
11 affidavit for any deficiencies. If the affidavit
12 contains a deficiency that would cause the ballot to
13 be rejected, the commissioner shall, within
14 twenty-four hours of the time the envelope was
15 received, notify the voter of that fact and that the
16 voter may correct the deficiency by five p.m. on the
17 day before the election.

18 3. If the affidavit envelope is open when received
19 by the commissioner, or has been opened and resealed,
20 or if the ballot is not enclosed in the affidavit
21 envelope, the commissioner shall immediately notify
22 the voter of that fact and that the voter's absentee
23 ballot shall not be counted unless the voter applies
24 for a replacement ballot and returns the replacement
25 ballot in the time permitted under section 53.17,
26 subsection 2. The replacement ballot application
27 shall be the same as is required for an application
28 under section 53.2. If the information on the
29 replacement ballot application matches the information
30 on the original application, the voter shall be
31 allowed to complete a replacement absentee ballot. The
32 same serial number that was assigned to the records of
33 the original absentee ballot application shall be used
34 on the envelope and records of the replacement ballot.
35 The affidavit envelope containing the completed
36 replacement ballot shall be marked "Replacement
37 ballot". The affidavit envelope containing the

38 original ballot shall be marked "Defective ballot" and
39 the replacement ballot and replacement ballot
40 application shall be attached to the original
41 application and affidavit envelope containing the
42 original ballot and shall be stored in a secure place
43 until they are delivered to the absentee and special
44 voters precinct board, notwithstanding sections 53.26
45 and 53.27.
46 4. The state commissioner of elections shall adopt
47 rules for implementation of this section.
48 Sec.____. Section 53.19, unnumbered paragraph 3,
49 Code 2007, is amended to read as follows:
50 However, any registered voter who has received an

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1 absentee ballot and not returned it may surrender the
2 absentee ballot to the precinct officials and vote in
3 person at the polls. The precinct officials shall
4 mark the uncast absentee ballot "void" and return it
5 to the commissioner. Any registered voter who has
6 been sent an absentee ballot by mail but for any
7 reason has not received it or who has not brought the
8 ballot to the polls may appear at the voter's precinct
9 polling place on election day and shall cast a ballot
10 in accordance with section 49.81. Any registered
11 voter who has been notified by the commissioner
12 pursuant to section 53.18 of the need to correct a
13 deficiency on the affidavit or to apply for and vote a
14 replacement absentee ballot and who has not corrected
15 the deficiency or voted a replacement absentee ballot
16 may appear at the voter's precinct polling place on
17 election day and shall cast a ballot in accordance
18 with section 49.81.
19 Sec.____. Section 53.21, unnumbered paragraph 4,
20 Code 2007, is amended to read as follows:
21 The voter shall enclose one copy of the above
22 statement in the return carrier envelope with the
23 ~~ballot affidavit~~ envelope and retain a copy for the
24 voter's records.
25 Sec.____. Section 53.23, subsection 3, Code 2007,
26 is amended to read as follows:
27 3. a. The commissioner shall set the convening
28 time for the board, allowing a reasonable amount of
29 time to complete counting all absentee ballots by ten
30 p.m. on election day. The commissioner may direct the
31 board to meet on the day before the election solely
32 for the purpose of reviewing the absentee voters'
33 affidavits appearing on the sealed ~~ballot affidavit~~
34 envelopes. If in the commissioner's judgment this
35 procedure is necessary due to the number of absentee
36 ballots received, the members of the board may open

37 the sealed ~~ballot affidavit~~ envelopes and remove the
 38 secrecy envelope containing the ballot, but under no
 39 circumstances shall a secrecy envelope be opened
 40 before the board convenes on election day. If the
 41 ~~ballot affidavit~~ envelopes are opened before election
 42 day, two observers, one appointed by each of the two
 43 political parties referred to in section 49.13,
 44 subsection 2, shall witness the proceedings.
 45 b. If the board finds any ballot not enclosed in a
 46 secrecy envelope and the ballot is folded in such a
 47 way that any of the votes cast on the ballot are
 48 visible, the two special precinct election officials,
 49 one from each of the two political parties referred to
 50 in section 49.13, subsection 2, shall place the ballot

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1 in a secrecy envelope. No one shall examine the
 2 ballot. Each of the special precinct election
 3 officials shall sign the secrecy envelope.
 4 Sec____. Section 53.24, Code 2007, is amended to
 5 read as follows:
 6 53.24 COUNTIES USING VOTING MACHINES.
 7 In counties which provide the special precinct
 8 election board with voting machines, the absentee
 9 ~~ballot affidavit~~ envelopes shall be opened by the
 10 board and the ballots shall, without being unfolded,
 11 be thoroughly intermingled, after which they shall be
 12 unfolded and, under the personal supervision of
 13 precinct election officials of each of the political
 14 parties, be registered on voting machines the same as
 15 if the absent voter had been present and voted in
 16 person, except that a tally of the write-in votes may
 17 be kept in the tally list rather than on the machine.
 18 When two or more political subdivisions in the county
 19 are holding separate elections simultaneously, the
 20 commissioner may arrange the machine so that the
 21 absentee and provisional ballots for more than one
 22 election may be recorded on the same machine.
 23 Sec____. Section 53.25, Code 2007, is amended to
 24 read as follows:
 25 53.25 REJECTING BALLOT.
 26 ~~In case If~~ the absentee voter's affidavit is found
 27 to be insufficient, ~~or that if~~ the applicant is not a
 28 duly registered voter in such precinct, ~~or that the~~
 29 ~~ballot envelope is open, or has been opened and~~
 30 ~~resealed, or that if~~ the ballot affidavit envelope
 31 contains more than one ballot of any one kind, or ~~that~~
 32 ~~said if~~ the voter has voted in person, such vote shall
 33 not be accepted or counted. If the affidavit envelope
 34 is open, or has been opened and resealed, or if the
 35 ballot is not enclosed in the affidavit envelope, and

36 an affidavit envelope with the same serial number and
37 marked "Replacement ballot" is not attached as
38 provided in section 53.18, the vote shall not be
39 accepted or counted.

40 If the absentee ballot is rejected prior to the
41 opening of the ~~ballot~~ affidavit envelope, the voter
42 casting the ballot shall be notified by a precinct
43 election official by the time the canvass is completed
44 of the reason for the rejection on a form prescribed
45 by the state commissioner of elections.

46 Sec.____. Section 53.27, Code 2007, is amended to
47 read as follows:

48 53.27 REJECTION OF BALLOT – RETURN OF ENVELOPE.

49 If the ballot is rejected, ~~said ballot~~ the
50 affidavit envelope, with the affidavit of the voter

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1 endorsed thereon, shall be returned with ~~said the~~
2 rejected ballot in the envelope endorsed "Defective
3 ballots".

4 Sec.____. Section 53.32, Code 2007, is amended to
5 read as follows:

6 53.32 BALLOT OF DECEASED VOTER.

7 When it shall be made to appear by due proof to the
8 precinct election officials that any elector, who has
9 so marked and forwarded a ballot, has died before the
10 ~~ballot~~ affidavit envelope is opened, then the ballot
11 of such deceased voter shall be endorsed, "Rejected
12 because voter is dead", and be returned to the
13 commissioner; but the casting of the ballot of a
14 deceased voter shall not invalidate the election.

15 Sec.____. Section 53.38, Code 2007, is amended to
16 read as follows:

17 53.38 WHAT CONSTITUTES REGISTRATION.

18 Whenever a ballot is requested pursuant to section
19 53.39 or 53.45 on behalf of a voter in the armed
20 forces of the United States, the affidavit upon the
21 ~~ballot~~ affidavit envelope of such voter, if the voter
22 is found to be an eligible elector of the county to
23 which the ballot is submitted, shall constitute a
24 sufficient registration under chapter 48A. A
25 completed federal postcard registration and federal
26 absentee ballot request form submitted by such
27 eligible elector shall also constitute a sufficient
28 registration under chapter 48A. The commissioner
29 shall place the voter's name on the registration
30 record as a registered voter if it does not already
31 appear there.

32 Sec.____. Section 53.40, unnumbered paragraph 5,
33 Code 2007, is amended to read as follows:

34 If the affidavit on the ~~ballot~~ affidavit envelope

35 shows that the affiant is not a qualified voter on the
 36 day of the election at which the ballot is offered for
 37 voting, the envelope shall not be opened, but the
 38 envelope and ballot contained in the envelope shall be
 39 preserved and returned by the precinct election
 40 officials to the commissioner, who shall preserve them
 41 for the period of time and under the conditions
 42 provided for in sections 50.12 through 50.15 and
 43 section 50.19.

44 Sec. ____ Section 53.44, unnumbered paragraph 1,
 45 Code 2007, is amended to read as follows:

46 The affidavit on the affidavit envelope used in
 47 connection with voting by absentee ballot under this
 48 division by members of the armed forces of the United
 49 States need not be notarized or witnessed, but the
 50 affidavit on ~~the ballot~~ such envelope shall be

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- 1 completed and signed by the voter."
- 2 6. By renumbering as necessary.

The motion prevailed and the House concurred in the Senate amendment H-2144, to the House amendment.

Oldson of Polk moved that the bill, as amended by the House, further amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 601)

The ayes were, 52:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Mertz	Miller, H.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Pettengill	Quirk	Reasoner	Reichert
Schueller	Shomshor	Smith	Staed
Swaim	Taylor, D.	Taylor, T.	Thomas
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	Mr. Speaker
			Murphy

The nays were, 40:

Alons	Baudler	Boal	Chambers
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Clute	De Boef	Deyoe	Drake
Forristall	Granzow	Grassley	Greiner
Heaton	Hoffman	Horbach	Huseman
Huser	Jacobs	Kaufmann	Lukan
May	Miller, L.	Olson, S.	Paulsen
Rants	Rasmussen	Roberts	Sands
Schickel	Soderberg	Struyk	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Fossen
Watts	Wienczek	Windschitl	Worthan

Absent or not voting, 8:

Anderson	Arnold	Dolecheck	Gipp
Raecker	Rayhons	Van Engelenhoven	Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that **Senate File 601** be immediately messaged to the Senate.

CONSIDERATION OF HOUSE CONCURRENT RESOLUTION 11

McCarthy of Polk asked and received unanimous consent for the immediate consideration of **House Concurrent Resolution 11**.

1 HOUSE CONCURRENT RESOLUTION 11
 2 By McCarthy and Rants
 3 A House Concurrent Resolution to provide for
 4 adjournment sine die.
 5 *Be It Resolved By The House Of Representatives, The Senate*
 6 *Concurring*, That when adjournment is had on Saturday, April
 7 28, 2007, it shall be the final adjournment of the 2007
 8 Regular Session of the Eighty-second General Assembly.

SENATE CONCURRENT RESOLUTION 8 SUBSTITUTED FOR HOUSE CONCURRENT RESOLUTION 11

1 SENATE CONCURRENT RESOLUTION
 2 By: Committee on Rules and Administration
 3 A Senate Concurrent Resolution to provide for
 4 adjournment sine die.
 5 *Be It Resolved By The Senate, The House Concurring*,
 6 That when adjournment is had on Sunday, April 29,
 7 2007, it be the final adjournment of the 2007 Regular
 8 Session of the Eighty-second General Assembly.

The motion prevailed and the resolution was adopted.

HOUSE AND SENATE FILES REREFERRED TO COMMITTEES

Under the provision of House Rule 45, the following House Files and Senate Files were rereferred to the committees listed:

House File 81	Transportation
House File 247	Local Government
House File 256	State Government
House File 283	Judiciary
House File 320	Transportation
House File 393	Commerce
House File 459	Education
House File 469	Education
House File 474	Public Safety
House File 503	Human Resources
House File 562	Natural Resources
House File 582	Transportation
House File 609	Environmental Protection
House File 646	Transportation
House File 652	State Government
House File 675	Labor
House File 676	Labor
House File 677	Labor
House File 743	Labor
House File 754	Education
House File 756	Public Safety
House File 757	State Government
House File 760	Public Safety
House File 761	Public Safety
House File 762	Public Safety
House File 763	Economic Growth
House File 769	Human Resources
House File 778	Local Government
House File 779	Education
House File 789	Commerce
House File 791	Commerce
House File 796	Public Safety
House File 797	Labor
House File 799	Economic Growth

House File 804	Education
House File 806	State Government
House File 818	Judiciary
House File 843	Environmental Protection
House File 847	Transportation
House File 852	Public Safety
House File 861	Labor
House File 863	State Government
House File 866	Environmental Protection
House File 876	Appropriations
House File 881	Ways and Means
House File 882	Ways and Means
House File 885	Agriculture
House File 886	Labor
House File 887	Labor
House File 891	Appropriations
House File 895	Ways and Means
House File 898	Ways and Means
House File 900	Appropriations
House File 902	Ways and Means
House File 903	Ways and Means
House File 917	Government Oversight
House File 919	Ways and Means
House File 921	Ways and Means
House File 922	Appropriations
House File 929	Ways and Means
House File 931	Ways and Means
House File 933	Government Oversight
Senate Joint Resolution 2	Natural Resources
Senate File 48	Natural Resources
Senate File 62	Education
Senate File 199	Judiciary
Senate File 203	Natural Resources
Senate File 208	Local Government
Senate File 248	Human Resources
Senate File 249	Human Resources
Senate File 260	Human Resources
Senate File 264	Judiciary
Senate File 308	Natural Resources
Senate File 341	Labor
Senate File 348	State Government

Senate File 373	Judiciary
Senate File 413	Labor
Senate File 429	Judiciary
Senate File 445	Judiciary
Senate File 446	State Government
Senate File 465	State Government
Senate File 466	Commerce
Senate File 482	State Government
Senate File 487	State Government
Senate File 488	Labor
Senate File 493	Environmental Protection
Senate File 505	Judiciary
Senate File 514	Commerce
Senate File 517	Commerce
Senate File 527	Commerce
Senate File 534	Judiciary
Senate File 544	Commerce

The following Senate Files that were previously passed on file were referred to the following committees:

Senate File 25	Judiciary
Senate File 138	Judiciary
Senate File 236	Local Government
Senate File 261	Environmental Protection
Senate File 310	Natural Resources
Senate File 508	Commerce
Senate File 572	Ways and Means
Senate File 587	Ways and Means
Senate File 599	Appropriations

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on April 27 and 28, 2007. Had I been present, I would have voted "aye" on House Files 641, 897, 908, 923, 932; House Resolution 53; Senate Joint Resolutions 4, 5, 6; Senate Files 499, 510, 512, 578, 579, 590, 593; amendments H-2124, H-2138 to amendment H-2114 to House File 911; amendments H-1510, H-1511 to Senate File 369; amendments H-2057, H-2062, H-2068 to Senate File 601 and H-2143 to amendment H-2139 to Senate File 601. Also: on the motion to suspend the rules to consider amendments H-2075, H-2077, H-2078, H-2080, H-2081, H-2083 to Senate File 590 and H-2137 to Senate File 601. I would have voted "nay" on House Files 556,

909, 911, 920; Senate Files 369, 551, 588, 601; amendment H-2114 to House File 911 and amendment H-2112 to Senate File 588.

RAECKER of Polk

I was necessarily absent from the House chamber on Friday, April 27, 2007. Had I been present, I would have voted "aye" on House Files 641, 897, 908, 923, 924 and Senate Files 499, 512, 578, 590, 593; amendments H-1971 and H-2088 to House File 641; amendment H-1978 to House File 897; amendments H-1791, H-1937, H-1977 and H-2119 to House File 908; amendment H-2111 to House File 924; amendments H-2075, H-2076, H-2077, H-2078, H-2080, H-2081 and H-2083 to Senate File 590 and amendment H-1924 to Senate File 593. I would have voted "nay" on House Files 556, 920 and amendment H-1980 to House File 920

ROBERTS of Carroll

I was necessarily absent from the House chamber on March 27 and April 9, 10, 11 and 12, 2007. Had I been present, I would have voted "aye" on House Files 451, 559, 566, 744, 759, 793, 830, 892 and Senate Files 41, 42, 137, 140, 155, 161, 175, 200, 205, 265, 270, 311, 333, 337, 351, 354, 360, 381, 406, 407, 444, 448, 463, 477, 479, 489, 502, 528 and 529. I would have voted "nay" on Senate File 563.

SCHICKEL of Cero Gordo

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 28th day of April, 2007: House Files 368, 396, 397, 499, 546, 556, 608, 641, 648, 651, 671, 718, 742, 749, 752, 767, 773, 783, 793, 808, 817, 830, 864, 874, 877, 890, 892, 896, 897, 904, 906, 907, 908, 909, 910, 911, 912, 918, 920, 923, 924, 925, 927 and 932.

MARK W. BRANDSGARD
Chief Clerk of the House

Report adopted.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- 2007\3106 Dorothy Anderson, Marshalltown - For celebrating her 79th birthday.
- 2007\3107 Mary Jane Ecklor, Marshalltown - For celebrating her 76th birthday.
- 2007\3108 Charles Ethington, Marshalltown - For celebrating his 76th birthday.
- 2007\3109 Arvella Goodman, Marshalltown - For celebrating her 92nd birthday.
- 2007\3110 Herbert Langland, Marshalltown - For celebrating his 86th birthday.
- 2007\3111 Darwin Lynch, Marshalltown - For celebrating his 80th birthday.
- 2007\3112 Harold Wilkening, Marshalltown - For celebrating his 91st birthday.
- 2007\3113 Betty Worsfold, Marshalltown - For celebrating her 76th birthday.
- 2007\3114 Harold Aringdale, Marshalltown - For celebrating his 77th birthday.
- 2007\3115 Betty Arterburn, Marshalltown - For celebrating her 80th birthday.
- 2007\3116 George Hinshaw, Marshalltown - For celebrating his 80th birthday.
- 2007\3117 Donald Hunst, Marshalltown - For celebrating his 80th birthday.
- 2007\3118 Betty Lewis, Marshalltown - For celebrating her 78th birthday.
- 2007\ 3119 Florence McCown, Marshalltown - For celebrating her 99th birthday.
- 2007\3120 Donald Viers, Sr, Marshalltown - For celebrating his 82nd birthday.
- 2007\3121 Ruth Walkup, Marshalltown - For celebrating her 84th birthday.
- 2007\3122 Ralph and Agnes Ward, Marshalltown - For celebrating their 50th wedding anniversary.
- 2007\3123 Ronald Wilkening, Marshalltown - For celebrating his 81st birthday.

- 2007\3124 Edwin Wignall, Marshalltown – For celebrating his 76th birthday.
- 2007\3125 Dorothy Olsen, Marshalltown – For celebrating her 85th birthday.
- 2007\3126 Lowell Keeler, Marshalltown – For celebrating his 83rd birthday.
- 2007\3127 Ralph Hill, Albion – For celebrating his 77th birthday.
- 2007\3128 Kathleen Garland, Marshalltown – For celebrating her 84th birthday.
- 2007\3129 Gene Beilke, Marshalltown – For celebrating his 84th birthday.
- 2007\3130 Kathy Andersen, Davenport – For receiving the Iowa School Nurse of the Year Award.
- 2007\3131 Harry Hunter, Milton – For 60 years of continuous membership in the American Legion.
- 2007\3132 Melvin Keller, Cantril – For 50 years of continuous membership in the American Legion.
- 2007\3133 Laurie Johnson, Fairfield – For being named a United States National Leadership and Service Award winner by the United States Achievement Academy.
- 2007\3134 Glenn McDole, Ankeny – For receiving the Iowa Daughters of the American Revolution Medal of Honor.
- 2007\3135 Jeffrey Chenhall, Iowa City – For receiving first place nationally on the Junior Engineering Technical Society's Test of Engineering Aptitude in Math and Science.
- 2007\3136 Darren Look, Iowa City – For receiving first place nationally on the Junior Engineering Technical Society's Test of Engineering Aptitude in Math and Science.
- 2007\3137 Kyle Shatzer, Iowa City – For receiving first place nationally on the Junior Engineering Technical Society's Test of Engineering Aptitude in Math and Science.
- 2007\3138 Gray Thomas, Iowa City – For receiving first place nationally on the Junior Engineering Technical Society's Test of Engineering Aptitude in Math and Science.
- 2007\3139 Luzia Zhang, Iowa City – For receiving first place nationally on the Junior Engineering Technical Society's Test of Engineering Aptitude in Math and Science.
- 2007\3140 Roy Zhang, Iowa City – For receiving first place nationally on the Junior Engineering Technical Society's Test of Engineering Aptitude in Math and Science.

- 2007\3141 Shuo Zhang, Iowa City – For receiving first place nationally on the Junior Engineering Technical Society's Test of Engineering Aptitude in Math and Science.
- 2007\3142 Clarence Balcom, Jr., Marshalltown – For celebrating his 78th birthday.
- 2007\3143 Helen Berg, Marshalltown – For celebrating her 84th birthday.
- 2007\3144 Vera Cutler, Marshalltown – For celebrating her 91st birthday.
- 2007\3145 Richard Drew, Marshalltown – For celebrating his 79th birthday.
- 2007\3146 Opal Funke, Marshalltown – For celebrating her 83rd birthday.
- 2007\3147 Doris Jay, Albion – For celebrating her 77th birthday.
- 2007\3148 Evan Jones, Marshalltown – For celebrating his 87th birthday.
- 2007\3149 Mary Naughton, Marshalltown – For celebrating her 89th birthday.

AMENDMENTS FILED

H—2136	HCR	10	Kuhn of Floyd
H—2140	S.F.	488	T. Taylor of Linn

RESOLUTION FILED

HR 54, by Heaton, Foege, Palmer, Whitaker, Bukta, Lykam, D. Taylor, Whitead, Gaskill, Stead, Bell, Swaim, Gayman, Abdul-Samad, Berry, Frevort, Heddens, Mertz, T. Taylor, Jochum, Mascher, Bailey, Wessel-Kroeschell, Ford, Lensing, Hunter, Kuhn, H. Miller, Shomshor, Davitt, D. Olson, Smith, Reichert, Wise, Petersen, Kressig, Wenthe, Wendt, Jacoby, Schueller, Quirk, Dandekar, T. Olson, Upmeyer, Wienczek, Soderberg, Grassley, Alons, Worthan, Boal, Clute, Baudler, Rayhons, Raecker, Horbach, Kaufmann, Arnold, Windschitl, Tomenga, May, Chambers, Tymeson, Watts, Rasmussen, L. Miller, De Boef, Granzow, Greiner, Forristall, Jacobs, Tjepkes, Deyoe, S. Olson, Dolecheck, Roberts, Hoffman, Struyk, Sands, S. Olson, Dolecheck, Roberts, Hoffman, Struyk, Sands, Rants and Paulsen, a resolution encouraging the Iowa congressional delegation to support legislation to improve Medicare payments to Iowa physicians under Medicare Part B program.

Laid over under rule 25.

FINAL ADJOURNMENT

By virtue of Senate Concurrent Resolution 8, duly adopted, the day of April 28, 2007 having arrived, the Speaker of the House of Representative declared the 2007 Regular Session of the Eighty-second General Assembly adjourned sine die at 12:39 a.m.

SUPPLEMENTAL TO HOUSE JOURNAL**BILLS APPROVED, VETOED, OR ITEM VETOED
SUBSEQUENT TO ADJOURNMENT**

The following is a record of the action of the Governor on bills passed by the 2007 Regular Session of the Eighty-second General Assembly and which action was had subsequent to the date of final adjournment.

- H.F. 368— Relating to the boiler and pressure vessel safety program enforced by the division of labor services of the department of workforce development. Approved 5-09-07.
- H.F. 396— Expanding the scope of services under an existing appropriation for the community empowerment initiative involving preschool services and providing effective date and applicability provisions. Approved 5-24-07.
- H.F. 397— Relating to the expenditures allowable from medical assistance income trusts. Approved 5-9-07.
- H.F. 499— Relating to various matters under the purview of the insurance division of the department of commerce including workers' compensation self-insurance, premium taxes, the uniform securities Act, powers and duties of the insurance division, regulation of insurance sales to military personnel, domestic insurance companies, life insurance companies, nonprofit health service corporations, external review of health care coverage decisions, investment limitations on insurers other than life insurers, property and casualty insurers' reserves, motor vehicle service contracts, county and state mutual associations, reciprocal or interinsurance contracts, protected cell companies, licensing of insurance producers and public adjusters, and life and fire insurance company boards of directors, and providing penalties. Approved 5-9-07.
- H.F. 546— Relating to membership on election boards. Approved 5-9-07.
- H.F. 556— Establishing the Iowa propane education and research council, providing for the development of programs and projects related to propane, providing for an assessment on the sale of odorized propane, providing criminal penalties, and providing for a future repeal and for effective dates. Approved 5-24-07.
- H.F. 608— Relating to notice of meetings of the board of township trustees. Approved 5-9-07.

- H.F. 641— Relating to judicial branch practices and procedures, including distribution of court revenue to cities and counties, and the state, and including applicability provisions. Approved 5-25-07.
- H.F. 648— Relating to distress criteria for enterprise zones. Approved 5-24-07.
- H.F. 651— Relating to business corporations, by providing for information required to be filed with the secretary of state and providing for shares and instruments associated with such corporations. Approved 5-9-07.
- H.F. 671— Prohibiting remote control or internet hunting of wild animals, or game birds or ungulates or preserve whitetail kept on hunting preserves, and providing penalties. Approved 5-11-07.
- H.F. 718— Relating to cigarette fire safety standards, and providing penalties. Approved 5-21-07.
- H.F. 742— Relating to the regulation of snowmobiles and all-terrain vehicles, and providing fees and penalties. Approved 5-9-07.
- H.F. 749— Concerning existing and new special motor vehicle registration plates associated with military service, crediting fees from the sale of certain special motor vehicle registration plates to the emergency medical services fund and the veterans license fee fund, and providing effective dates. Approved 5-24-07.
- H.F. 767— Relating to eligible veterans for purposes of the injured veterans grant program. Approved 5-9-07.
- H.F. 773— Establishing an energy city designation program. Approved 5-11-07.
- H.F. 793— Relating to administration of regional transportation by regional transit districts and of highways and regulation of motor vehicles by the state department of transportation, including provisions relating to the placement of advertising devices along primary highways, qualifications of property appraisers, state standards for land surveying, destruction of suspended or revoked driver's licenses, requirements for a temporary restricted driver's license, registration and titling of vehicles, legion of merit special registration plates, antique motor vehicle registration plates and fees, licensing of motor vehicle dealers, motor carrier registration and fuel tax liability, the maximum length limitation for single trucks, requirements for operation of certain self-propelled implements of husbandry on secondary roads, and disposition of regional transit district tax revenues collected by a county treasurer, and providing effective dates. Approved 5-9-07.
- H.F. 808— Concerning accountability requirements for entities and boards created for joint exercise of governmental powers and providing an effective date. Approved 5-11-07.

- H.F. 817- Concerning the flag and veterans by providing for a study of regional veterans affairs offices, providing for the duties of the department of veterans affairs and the commission on veterans affairs, prohibiting certain acts involving the flag, establishing a counseling program for veterans, and providing a penalty. Approved 5-29-07.
- H.F. 830- Relating to the construction bidding procedures Act by modifying procedures and requirements for letting public improvement contracts, and making corrections. Approved 5-9-07.
- H.F. 864- Providing for candidate physical ability tests for fire fighter applicants under the statewide fire and police retirement system and providing an effective date. Approved 5-21-07.
- H.F. 877- Creating a statewide voluntary preschool program for four-year-old children and making appropriations. Approved 5-10-07.
- H.F. 890- Relating to assistance for small businesses, making appropriations, and providing an effective date provision. Approved 5-22-07.
- H.F. 892- Creating a film, television, and video project promotion program, providing tax credits and income exclusions, and including effective and retroactive applicability dates. Approved 5-17-07.
- H.F. 896- Creating a disaster aid individual assistance grant fund. Approved 5-9-07.
- H.F. 897- Establishing statewide licensure and certification of electricians and installers, providing for inspections, establishing fees, and providing penalties. Approved 5-25-07.
- H.F. 904- Relating to withholding tax and the repeal of the loan agencies tax. Approved 5-24-07.
- H.F. 906- Requiring children enrolling in elementary or high school to have a dental screening and providing an effective date. Approved 5-9-07.
- H.F. 908- Relating to the licensing and regulation of plumbers and mechanical professionals, and providing an appropriation and penalties and providing an effective date. Approved 5-25-07.
- H.F. 910- Relating to the creation of a task force on postnatal tissue and fluid banking, related postnatal procedures, and providing an effective date. Approved 5-9-07.
- H.F. 912- Relating to providing sales, use, and property tax exemptions and refunds for certain computer-related service businesses. Approved 5-25-07.

- H.F. 918— Establishing the office of energy independence and the Iowa power fund and related provisions, and providing an effective date. Approved 5-23-07.
- H.F. 920— Authorizing the state board of regents to borrow moneys and issue revenue bonds to finance the costs of certain building and facility improvement programs. Approved 5-11-07.
- H.F. 923— Relating to the policy and technical administration of the tax and related laws by the department of revenue, including administration of income, sales, use, cigarette, and tobacco taxes, providing an effective date, and providing retroactive applicability date provisions. Approved 5-24-07.
- H.F. 924— Relating to qualifications for licensure as a real estate broker or salesperson upon conviction of specified offenses. Approved 5-24-07.
- H.F. 925— Relating to health-related activities and regulation, including the practices of optometry and mortuary science, establishment of a state public health dental director and an oral health bureau, dependent adult abuse, membership on the child death review team, and immunity for emergency response, and providing for the revision of fees. Approved 5-11-07.
- H.F. 927— Making appropriations for specified energy-related purposes and providing an effective date. Approved 5-23-07.
- H.F. 932— Relating to revenue for the construction and maintenance of roads. Approved 5-25-07.
- S.J.R. 4— Authorizing the temporary use and consumption of wine in the State Capitol, and the temporary display of ceremonial banners, in conjunction with the awards ceremony of the World Food Prize Foundation. Approved 5-24-07.
- S.J.R. 5— Authorizing the temporary use and consumption of alcoholic beverages on the state capitol complex grounds in conjunction with the Hy-Vee BG World Cup Triathlon, and providing an effective date. Approved 5-24-07.
- S.J.R. 6— Approving the permanent acknowledgement of elementary and secondary schools and individual citizens of this state for their contributions of foliage and items to be permanently located on the west capitol terrace and other capitol grounds and providing an effective date. Approved 5-24-07.
- S.F. 90— Concerning local emergency management commission communications. Approved 5-11-07.
- S.F. 212— Relating to county offices, by protecting certain identity information contained in documents recorded with the county recorder and by

increasing salary limits for certain deputy officers and providing an applicability date. Approved 5-9-07.

- S.F. 254- Revising family investment program requirements. Approved 5-9-07.
- S.F. 263- Concerning gambling games on gambling structures. Approved 5-25-07.
- S.F. 265- Relating to asbestos removal and encapsulation regulations as enforced by the labor commissioner. Approved 5-9-07.
- S.F. 278- Relating to changes in the utility replacement tax law by redefining a new electric power generating plant, extending the life of the utility replacement tax task force, and requiring notification by the taxpayer to the department of revenue and local taxing district upon transfer of utility property. Approved 5-11-07.
- S.F. 304- Relating to the exercise of regulatory authority by the department of natural resources and the natural resource commission within the boundaries of the Sac and Fox tribe settlement in Tama county, and providing for applicability and effective dates. Approved 5-25-07.
- S.F. 333- Relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and including effective and retroactive applicability date provisions. Approved 5-9-07.
- S.F. 336- Allowing certain cities to appoint additional civil service commissioners. Approved 5-9-07.
- S.F. 340- Relating to the consideration of inherited or gifted property in dissolution-of-marriage property division proceedings and including an effective date and an applicability provision. Approved 5-21-07.
- S.F. 344- Relating to enforcement of certain solid waste disposal requirements and providing civil penalties. Approved 5-11-07.
- S.F. 346- Providing for the development of a uniform health insurance application form for use by small employers. Approved 5-24-07.
- S.F. 360- Relating to the regulatory duties of the division of banking of the department of commerce regarding banking, debt management, mortgage banking, industrial loan companies, and professional licensing. Approved 5-24-07.
- S.F. 369- Relating to voting machines and optical scan voting systems. Approved 5-25-07.

- S.F. 421— Relating to workers' compensation laws by regulating insurance policy exclusions and debt collection practices. Approved 5-9-07.
- S.F. 427— Relating to the Iowa civil rights Act and discrimination based upon a person's sexual orientation or gender identity. Approved 5-25-07.
- S.F. 430— Relating to a civil judgment, decree, or order of a court of a federally recognized Indian tribe and including an applicability provision. Approved 5-25-07.
- S.F. 435— Relating to youth deer hunting licenses. Approved 5-9-07.
- S.F. 447— Relating to incentives for school district reorganizations and shared operational functions, and making an appropriation. Approved 5-9-07.
- S.F. 457— Relating to the rights of peace officers and public safety and emergency personnel. Approved 5-15-07.
- S.F. 469— Concerning financial and regulatory matters, including by providing for the sale of motor homes by a manufacturer at a camping rally sponsored and conducted by the manufacturer and providing for applicability to a pilot project, and providing an effective date. Approved 5-9-07.
- S.F. 472— Requiring the posting of close-clearance warning devices along railroad tracks and providing a penalty. Approved 5-21-07.
- S.F. 499— Relating to regulation of underground storage tanks by the department of natural resources, making appropriations, and providing contingent effective date provisions. Approved 5-24-07.
- S.F. 503— Relating to regulation of children's services by the department of human services by increasing the age for certain children receiving child care regulated by the department and revising child welfare and juvenile justice service provisions. Approved 5-24-07.
- S.F. 510— Concerning electrical and mechanical amusement devices and providing penalties. Approved 5-24-07.
- S.F. 512— Relating to the regulation of pharmacy benefits managers and making penalties applicable, and providing an effective date. Approved 5-25-07.
- S.F. 518— Reorganizing Code chapter provisions relating to the authority to engage in the business of insurance other than life insurance by transferring provisions, eliminating outdated provisions, and amending corresponding provisions, as necessary. Approved 5-11-07.
- S.F. 530— Relating to prohibited business practices by a real estate broker or salesperson. Approved 5-11-07.

- S.F. 538— Relating to a parent's cause of action for the recovery of expenses and actual loss of services, companionship, and society resulting from the injury to or death of a child and including an applicability date provision. Approved 5-9-07.
- S.F. 539— Establishing uniform finance procedures for obligations issued by the state. Approved 5-9-07.
- S.F. 540— Relating to trusts and estates including fiduciaries and beneficiaries and including applicability provisions. Approved 5-9-07.
- S.F. 546— Relating to a hospital lien. Approved 5-11-07.
- S.F. 554— Relating to franchises for the provision of cable service or video service including providing for fees and providing an effective date. Approved 5-29-07.
- S.F. 557— Relating to the regulation of credit unions by revising and reorganizing the Iowa credit union Act, making conforming changes, and providing for taxes, fees, and penalties. Approved 5-24-07.
- S.F. 558— Providing for an increase in the wildlife habitat fee, making an appropriation, and creating a game bird habitat development program. Approved 5-25-07.
- S.F. 559— Relating to cemetery and funeral merchandise, funeral services, and cemeteries and providing fees and penalties. Approved 5-24-07.
- S.F. 563— Relating to and making appropriations to the judicial branch. Approved 5-24-07.
- S.F. 564— Regulating dangerous wild animals, including their ownership and possession, requiring registration, providing for fees and appropriations, and providing penalties. Approved 5-25-07.
- S.F. 566— Relating to historic preservation and cultural and entertainment district tax credits, and providing applicability date provisions. Approved 5-21-07.
- S.F. 578— Creating a Vietnam Conflict veterans bonus for a certain period of active duty military service, making an appropriation, providing a tax exemption and a penalty, and including a retroactive applicability provision. Approved 5-24-07.
- S.F. 579— Relating to a pharmaceutical collection and disposal pilot project and including an effective date provision. Approved 5-11-07.
- S.F. 580— Relating to a tax amnesty program, making appropriations, and including an effective date provision. Approved 5-24-07.

- S.F. 586- Creating a special gold star motor vehicle registration plate and providing fees and an effective date. Approved 5-24-07.
- S.F. 590- Relating to the state earned income tax credit by increasing the amount of the tax credit and making the tax credit refundable and including effective and retroactive applicability date provisions. Approved 5-15-07.
- S.F. 592- Relating to the streamlined sales and use tax agreement and administration of the tax and related laws by the department of revenue, including administration of sales and use taxes, and providing an effective date. Approved 5-24-07.
- S.F. 593- Relating to court procedures including conciliation proceedings and civil and criminal fees, penalties, and protective orders. Approved 5-24-07.

GOVERNOR'S VETO MESSAGE

A copy of the following communication was received and placed on file:

May 29, 2007

The Honorable Michael Mauro
Secretary of State
State Capitol Building
L O C A L

Dear Mr. Secretary:

House File 783 is a bill written to make a number of changes to Iowa Code section 384.84 that this Administration fully supports. For example, if enacted into law, the bill would clarify the status of potential liens on real property arising from unpaid bills and charges assessed for providing non-electric city services for residential properties.

However, the bill creates a new subsection 384.84(2)(e), which, if enacted, would allow the governing body of a city utility, combined utility system, city enterprise, or combined city enterprise to impose a new deposit fee upon residential rental tenants up to the usual cost of ninety days of sanitary sewer, storm water drainage, sewage treatment, solid waste collection and / or solid waste services. The bill makes no instruction as to what party—the service provider who has received the deposit, or the residential rental tenant who has paid the deposit—is entitled to keep the interest accruing on the deposited amount.

The Culver-Judge Administration is committed to what we have called “One Iowa.” By that, we mean that our laws and policies shall be inclusive and shall not bar any citizens who are willing to work hard and play by the rules from our most basic services or opportunities. A special concern of ours is that government not act to impose or to increase economic burdens upon, or barriers before, our lower income citizens, a disproportionate share of whom comprise the residential rental community.

Persons seeking to rent apartments in Iowa already face a number of potential economic challenges unique to rental property. Rental real estate is subject to nearly twice the burden of real estate taxes than are owner-occupied residential properties. The Iowa Uniform Residential Landlord and Tenant Law, Iowa Code section 562A.12, allows a landlord to demand as a security deposit an amount or value of up to two months' rent. Already, under Iowa Code section 384.84(3)(d), a city utility or enterprise may require a deposit not exceeding the usual cost of ninety days of water service to be paid to the utility or enterprise. This bill, if enacted into law, would increase that potential burden upon at least some citizens seeking the shelter of a rented residential housing. A citizen unable to come up with a ninety-day deposit can be denied completely access to these essential services.

The concern felt by this Administration as to the potential adverse and regressive effects that this well-intended legislation could have on an undeniably vulnerable segment of our citizens outweighs the significant merits that this bill would otherwise clearly offer. Insofar as this is not an appropriation bill, Iowa law does not permit the

Governor to item veto only those provisions with which the Administration takes exception.

Therefore, because I am convinced that House File 783, an Act relating to certain city utilities or city enterprises by making changes to procedures for notice and collection of delinquent charges and by making changes to billing notifications for water service and other services provided to certain residential rental property, could potentially burden citizens and / or deprive them of access to essential municipal services, I hereby disapprove and transmit to you that bill, without my signature, in accordance with Article III, Section 16, of the Constitution of the State of Iowa.

Sincerely,
Chester J. Culver
Governor

GOVERNOR'S ITEM VETO MESSAGE

A copy of the following communications were received and placed on file:

May 21, 2007

The Honorable Michael Mauro
Secretary of State
State Capitol Building
LOCAL

Dear Mr. Secretary:

I hereby transmit Senate File 403, an Act addressing financial and regulatory matters by making and revising appropriations, providing for properly related matters, and providing effective dates.

Senate File 403 is approved on this date, with the exceptions noted below, which I hereby disapprove.

I am unable to approve the item designated as Section 26 in its entirety, which provides a standing limited General Fund appropriation of \$160,000 to fund the operational expenses of the Real Estate Education Program at the University of Northern Iowa. Funding the day-to-day expenses of this program with a standing appropriation effectively removes this function from annual oversight by the Governor, the Board of Regents and the Legislature. I recommend that the Board of Regents or the presidents of the Iowa community colleges provide funding for this program from the General Fund appropriations for their operating budgets if the Real Estate Education Fund is insufficient to cover the expansion of this program contained in other sections of Division VII of Senate File 403 and if the program fits within the mission of the respective institution.

Finally, I am unable to approve the item designated as Division VIII in its entirety, including Sections 30, 31, 32, 33, 34, 35, 36, 37 and 38. This division deals with the Executive Branch's authority to dispose of real property with a fair market value of at least \$5,000,000 and imposes an additional requirement that such transactions must be approved by not only the Governor but also by a majority of each House of the General Assembly. It imposes an unnecessary legislative requirement on the Executive Branch's authority to manage state property in the best interests of the State and could, for instance, adversely affect the timing of certain transactions for the Department of Transportation and the Department of Natural Resources. For this reason, these sections of this division are unacceptable.

For the above reasons, I respectfully disapprove of the designated items in accordance with Article III, Section 16 of the Constitution of the State of Iowa. All other items in Senate File 403 are hereby approved this date.

Sincerely,
Chester J. Culver
Governor

May 23, 2007

The Honorable Michael Mauro
Secretary of State
State Capitol Building
L O C A L

Dear Mr. Secretary:

I hereby transmit House File 907, an Act relating to and making appropriations from the Healthy Iowans Tobacco Trust and the Tobacco Settlement Trust Fund and providing an effective date. House File 907 is approved on this date, with the exceptions noted below, which I hereby disapprove.

I am unable to approve item designated as Section 1, Subsection 2a (4) in its entirety. This designated language continues general language on substance abuse treatment expenditures. These directives are already in place and, therefore, this language is not needed.

Finally, I am unable to approve item designated as Section 1, Subsection 2b, paragraphs (1) through (6) in their entirety. This designated language continues general language on substance abuse treatment expenditures. These directives are in place and, therefore, this annual report language is not needed.

For the above reasons, I respectfully disapprove of the designated items in accordance with Article III, Section 16 of the Constitution of the State of Iowa. All other items in House File 907 are hereby approved this date.

Sincerely,
Chester J. Culver
Governor

May 29, 2007

The Honorable Michael Mauro
Secretary of State
State Capitol Building
L O C A L

Dear Mr. Secretary:

I hereby transmit House File 752, an Act making transportation and other infrastructure-related appropriations to the Department of Transportation. House File 752 is approved on this date, with the exception noted below, which I hereby disapprove.

I am unable to approve the item designated as Section 3 in its entirety. This provision requires the director of a department or state agency included in House File 752 to examine employee telecommuting options, develop a telecommuter employment policy, and implement a plan designed to increase the number of telecommuting employees. Many departments currently maintain employee telecommuting policies. These policies and procedures have been in place for several years and are well

established. The designated language in Section 3 directing a department or state agency to conduct an assessment of its telecommuting policy is duplicative and unnecessary and introduces a legislatively mandated management process into what is appropriately an executive branch decision. I will direct the Department of Administrative Services and the Department of Management to review the current state government telecommuting policy and make recommendations for any improvements as part of our overall executive branch strategic planning process.

For the reasons above, I respectfully disapprove of the designated item in accordance with Article III, Section 16 of the Constitution of the State of Iowa. All other items in House File 752 are hereby approved this date.

Sincerely,
Chester J. Culver
Governor

May 29, 2007

The Honorable Michael Mauro
Secretary of State
State Capitol Building
LOCAL

Dear Mr. Secretary:

I hereby transmit House File 874, an Act relating to and making appropriations to certain state departments, agencies, funds, and certain other entities and providing an effective date. House File 874 is approved on this date, with the exceptions noted below, which I hereby disapprove.

I am unable to approve the designated portion of Section 19, unnumbered paragraph 2. This paragraph exempts the Office of the Secretary of State from paying State departments and State agencies for data processing services. There have been occasions in the past where the State has assisted with the development of electronic voter registration file maintenance projects. These projects have been completed and, therefore, this language is no longer needed. If a State agency or department performs service for the Secretary of State, they should be adequately compensated.

I am unable to approve the item designated as Section 25 in its entirety. This provision requires all the director of a department or state agency in House File 874 to examine employee telecommuting options, develop a telecommuter employment policy and implement a plan designed to increase the number of telecommuting employees. Many departments maintain employee telecommuting policies currently. These policies and procedures have been in place for several years and are well established. The designated language in Section 25 directing a department or agency to conduct an assessment of its telecommuting policy is duplicative and unnecessary and introduces a legislatively mandated management process into what is appropriately an executive branch decision. I will direct the Department of Administrative Services and the Department of Management to review the current state government telecommuting policy and make recommendations for any improvements as part of our overall executive branch strategic planning process.

For the above reasons, I respectfully disapprove of the designated items in accordance with Article III, Section 16 of the Constitution of the State of Iowa. All other items in House File 874 are hereby approved this date.

Sincerely,
Chester J. Culver
Governor

May 29, 2007

The Honorable Michael Mauro
Secretary of State
State Capitol Building
LOCAL

Dear Mr. Secretary:

I hereby transmit House File 909, an Act relating to and making appropriations for health and human services and including other related provisions and appropriations, and including effective date provisions. House File 909 is approved on this date, with the exceptions noted below, which I hereby disapprove.

I am unable to approve the designated portion of Section 3, subsection 1, unnumbered paragraph 2. This paragraph transfers funds from the Gambler's Assistance Fund for other purposes, such as adult drug courts, the family development and sufficiency grant program, and the energy utility assessment and resolution program. This designated paragraph would divert revenues from the purposes for which the Gambler's Assistance Fund was established to accomplish. Furthermore, this designated language would use these one-time carry-over funds for on-going programs; thereby creating future expectations of additional funding. While adult drug courts, the family development and sufficiency grant program, and the utility assessment and resolution program are worthwhile, diverting these funds would be inconsistent with the statutorily mandated purposes of the Gambler's Assistance Fund.

I am unable to approve the designated portion of Section 4, subsection 3, unnumbered paragraph 2. This paragraph transfers \$150,000 to the Department of Cultural Affairs from the Veterans Trust Fund to staff and support the conservation lab facility. I am unable to support this subsection because it creates expectations for new or ongoing funding that is not sustainable. These funds are more appropriately used in the Veterans Trust Fund. Diverting these funds would be inconsistent with the statutorily mandated purposes of the Veterans Trust Fund, even though these other designated programs are worthwhile.

I am unable to approve the designated portion of Section 97, subsection 3, paragraph e. This paragraph allocates \$10,000 to the Department of Public Health to provide extracorporeal support for donation after cardiac death. I am unable to support this subsection because it creates expectations for new or ongoing funding that is not sustainable. Within the Fiscal year 2008 appropriations for the Board of Regents-University of Iowa Hospitals and Clinics, I believe there are sufficient funds available to cover this important program.

I am unable to approve the item designated as Section 100 in its entirety. This designated section requires the Department of Public Health to expedite volunteer health care provider program registration. I am unable to approve this language because no funds were provided to implement this provision and it places an unreasonable requirement on the Department of Public Health. I will direct the Director of the Department of Public Health to develop a more streamlined registration process.

I am unable to approve the item designated as Division XX, Section 190 in its entirety. This provision requires a director of a department or agency included in House File 909 to examine employee telecommuting options, develop a telecommuter employment policy, and implement a plan designed to increase the number of telecommuting employees. Many departments maintain employee telecommuting policies currently. These policies and procedures have been in place for several years and are well established. The designated language in Section 190 directing a department or agency to conduct an assessment of its telecommuting policy is duplicative and unnecessary and introduces a legislatively mandated management process into what is appropriately an executive branch decision. I will direct the Department of Administrative Services and the Department of Management to review the current state government telecommuting policy and make recommendations for any improvements as part of our overall executive branch strategic planning process.

For the above reasons, I respectfully disapprove of the designated items in accordance with Article III, Section 16 of the Constitution of the State of Iowa. All other items in House File 909 are hereby approved this date.

Sincerely,
Chester J. Culver
Governor

May 29, 2007

The Honorable Michael Mauro
Secretary of State
State Capitol Building
L O C A L

Dear Mr. Secretary:

I hereby transmit House File 911, an Act relating to and making appropriations to state departments and agencies from the Rebuild Iowa Infrastructure Fund, Vertical Infrastructure Fund, the Endowment for Iowa's Health Restricted Capitals Fund, and the Technology Reinvestment Fund. House File 911 is approved on this date, with the exceptions noted below, which I hereby disapprove.

I am unable to approve the designated portion of Section 1, subsection 1, paragraph g. This designated paragraph appropriates \$120,000 for the purchase and installation of decorative planters on the west side of the West Capitol Terrace Project. Since Fiscal Year 2006, the West Capitol Terrace Project has received nearly \$2.8 million in state funding, and I am approving an additional \$1.6 million for this project again in Fiscal Year 2008. I also believe that the local community interests should be able to contribute to the cost of these planters.

I am unable to approve the designated portion of Section 1, subsection 4, paragraph c. This designated item appropriates \$80,000 for repair of the Kimball organ located in Clermont, Iowa. The Department of Cultural Affairs has submitted an application to the Save America's Treasures organization to obtain the necessary funding to restore this important piece of Iowa history. With approval of this application pending, it is premature to approve limited state funding at this time.

I am unable to approve the item designated as Section 4 in its entirety. This designated section appropriates \$500,000 in Fiscal Year 2009 for equal distribution to regional sports authority districts. I am unable to approve this item because it provides second-year funding in advance for this project. I will re-evaluate the feasibility of a Fiscal Year 2009 appropriation for this project after the first year of funding appropriated in HF 911.

Finally, I am unable to approve the item designated as Section 5 in its entirety. This designated provision provides for Fiscal Year 2009 appropriations of \$750,000 for the continuation of the Volga River State Recreation Area project and \$500,000 for the Levi Carter Lake project. I am unable to approve this designated item because it provides second-year funding in advance for these two projects. I will re-evaluate the feasibility of a Fiscal Year 2009 appropriation for these projects after the first year of funding appropriated in House file 911.

For the above reasons, I respectfully disapprove of the designated items in accordance with Article III, Section 16 of the Constitution of the State of Iowa. All other items in House File 911 are hereby approved this date.

Sincerely,
Chester J. Culver
Governor

May 29, 2007

The Honorable Michael Mauro
Secretary of State
State Capitol Building
L O C A L

Dear Mr. Secretary:

I hereby disapprove and transmit to you Senate File 543, without my signature, in accordance with Article III, section 16 of the Constitution of the State of Iowa. Senate File 543, an Act relating to the state Interagency Missouri River Authority (Authority), amends provisions of Iowa Code section 28L.1, so as to alter the means by which the authority would be governed.

There is no question that our state needs an effective Authority if we are to coordinate the important work that must be done to assure that the economic and environmental potentials of the Missouri River basin are viably and legally managed. I appreciate the efforts of the General Assembly to achieve that end. However, I believe the changes to the Authority's governance structure, as set forth in Senate File 543, would reduce our government's effectiveness in managing this vital natural resource.

As presently constituted, the governor or the governor's designee serves as the Authority's chairperson. The director of the Department of Natural Resources is responsible for coordinating the Authority's activities and serves as chairperson in the absence of the governor. Other members of the Authority—including our Secretary of Agriculture, the chairperson of the Iowa Utilities Board, and the directors of the Department of Economic Development and the Department of Transportation—add their valuable expertise to allow the Authority to arrive at policy decisions that serve the long-term best interests of our State.

Under Senate File 543, if enacted into law, this structure and process of governance would be fundamentally and, in my view, adversely affected. The bill provides for the appointment of a vice chairperson, a position that would rotate on a yearly basis, thereby depriving the Authority of a stability and efficiency of administration that have served it well over a period of years.

Further, Senate File 543 imposes an express unanimity requirement upon the Authority, thereby allowing potential political deadlock and thereby impeding the State of Iowa's ability to participate meaningfully in interstate organizations that have been created to assure better management of the Missouri River's economic and environmental potentials.

For example, former Governor Thomas J. Vilsack, in June 2006, directed the Authority's members to join the newly-created Missouri River Association of States and Tribes (MoRAST), an organization established to assist states and tribes that border the Missouri River to address commonly-shared ecosystem concerns. Under that arrangement, the State of Iowa appoints two department representatives from the Authority to MoRAST's Board of Directors.

Senate File 543 proscribes a "split" vote by Iowa's representatives on such bodies. It is anticipated that, in most instances, Iowa's departmental representatives will agree on matters of policy and practice. However, it is also true that we are governed most effectively when our distinguished departmental directors are allowed to present their view openly and to cast their votes, in good faith, with the best interests of our state as their only polestars, and not with statutory provisions that would threaten policy gridlock.

Members of the Iowa General Assembly can be assured that the Culver-Judge Administration is committed to developing and implementing a balanced approach to the Missouri River, taking into account all interests, including environmental, recreational, agricultural and economic. To that end, I have directed Lt. Governor Judge to convene a summit of interested stakeholders and state government agencies to consider future policies and practices with respect to how the vast resources of the Missouri River basin can be most effectively utilized in the interest of all Iowans.

Further, it should be noted that if our Administration concludes that Iowa's best interests are not being represented by actions taken by MoRAST, or any other interstate agency focused on Missouri River issues, we will reserve the right to withdraw from such organizations.

Achieving our goals with respect to the Missouri River does not require—in fact, may be impeded by—the amendments to Iowa Code chapter 28L.1 that are set forth in Senate File 543. Accordingly, I hereby forward that bill to you, without my signature.

Sincerely,
Chester J. Culver
Governor

May 29, 2007

The Honorable Michael Mauro
Secretary of State
State Capitol Building
L O C A L

Dear Mr. Secretary:

I hereby transmit Senate File 551, an Act relating to and making appropriations involving state government, by providing for agriculture, natural resources, and environmental protection. Senate File 551 is approved on this date, with the exception noted below, which I hereby disapprove.

I am unable to approve the item designated as Division XII, Section 50 in its entirety. This provision requires the director of a department or state agency included in Senate File 551 to examine employee telecommuting options, develop a telecommuter employment policy, and implement a plan designed to increase the number of telecommuting employees. Many departments maintain employee telecommuting policies currently. These policies and procedures have been in place for several years and are well established. The designated language in Section 50 directing a department or state agency to conduct an assessment of its telecommuting policy is duplicative and unnecessary and introduces a legislatively mandated management process into what is appropriately an executive branch decision. I will direct the Department of Administrative Services and the Department of Management to review the current state government telecommuting policy and make recommendations for any improvements as part of our overall executive branch strategic planning process.

For the above reasons, I respectfully disapprove of the designated item in accordance with Article III, Section 16 of the Constitution of the State of Iowa. All other items in Senate File 551 are hereby approved this date.

Sincerely,
Chester J. Culver
Governor

May 29, 2007

The Honorable Michael Mauro
Secretary of State
State Capitol Building
L O C A L

Dear Mr. Secretary:

I hereby transmit Senate File 562, an Act relating to and making appropriations to the Department of Cultural Affairs, the Department Of Economic Development, certain Board of Regents Institutions, the Department of Workforce Development, the Iowa Finance Authority, and the Public Employment Relations Board and related matters. Senate File 562 is approved on this date, with the exception noted below, which I hereby disapprove.

I am unable to approve the item designated as Section 26 in its entirety. This provision requires the directors of a department or state agency included in Senate File 562 to examine employee telecommuting options, develop telecommuter employment policies, and implement plans designed to increase the number of telecommuting employees. Many departments maintain employee telecommuting policies currently. These policies and procedures have been in place for several years and are well established. The designated language in Section 26 directing a department or state agency to conduct an assessment of its telecommuting policy is duplicative and unnecessary and introduces a legislatively mandated management process into what is appropriately an executive branch decision. I will direct the Department of Administrative Services and the Department of Management to review the current state government telecommuting policy and make recommendations for any improvements as part of our overall executive branch strategic planning process.

For the above reasons, I respectfully disapprove the designated item in accordance with Article III, Section 16 of the Constitution of the State of Iowa. All other items in Senate File 562 are hereby approved this date.

Sincerely,
Chester J. Culver
Governor

May 29, 2007

The Honorable Michael Mauro
Secretary of State
State Capitol Building
L O C A L

Dear Mr. Secretary:

I hereby transmit Senate File 575, an Act relating to and making appropriations to the justice system. Senate File 575 is approved on this date, with the exception noted below, which I hereby disapprove.

I am unable to approve the item designated as Section 20 in its entirety. This provision requires the director of a department or a state agency included in Senate File 575 to examine employee telecommuting options, develop a telecommuter employment policy, and implement a plan designed to increase the number of telecommuting employees. Many departments maintain employee telecommuting policies currently. These policies and procedures have been in place for several years and are well established. The designated language in Section 20 directing a department or state agency to conduct an assessment of its telecommuting policy is duplicative and unnecessary and introduces a legislatively mandated management process into what is appropriately an executive branch decision. I will direct the Department of Administrative Services and the Department of Management to review the current state government telecommuting policy and make recommendations for any improvements as part of our overall executive branch strategic planning process.

For the above reasons, I respectfully disapprove of the designated item in accordance with Article III, Section 16 of the Constitution of the State of Iowa. All other items in Senate File 575 are hereby approved this date.

Sincerely,
Chester J. Culver
Governor

May 29, 2007

The Honorable Michael Mauro
Secretary of State
State Capitol Building
LOCAL

Dear Mr. Secretary:

I hereby transmit Senate File 588, an Act relating to and making appropriations to certain state departments, agencies, funds, and certain other entities and providing an effective date. Senate File 588 is approved on this date, with the exceptions noted below, which I hereby disapprove.

I am unable to approve the item designated as Section 5 in its entirety. Iowa Code 261.20 states that the moneys in the Scholarship and Grant Reserve Fund shall only be used to alleviate a current fiscal year shortfall in appropriations for scholarship or tuition grant programs that have the same nature as the programs for which the moneys were originally appropriated. There is not a state student-aid program that serves barber schools and schools of cosmetology arts. Therefore, an allocation from the reserve fund for this purpose does not meet the requirements as defined in Iowa Code 261.20.

I am unable to approve the item designated as Section 15 in its entirety. This provision requires the director of a department or state agency included in Senate File 588 to examine employee telecommuting options, develop telecommuter employment policies, and implement plans designed to increase the number of telecommuting employees. Many departments and agencies maintain employee telecommuting policies currently. These policies and procedures have been in place for several years and are well established. The designated language in Section 15 directing a

department or state agency to conduct assessments of its telecommuting policy is duplicative and unnecessary and introduces a legislatively mandated management process into what is appropriately an executive branch decision. I will direct the Department of Administrative Services and the Department of Management to review the current state government telecommuting policy and make recommendations for any improvements as part of our overall executive branch strategic planning process.

For the above reasons, I respectfully disapprove of the designated items in accordance with Article III, Section 16 of the Constitution of the State of Iowa. All other items in Senate File 588 are hereby approved this date.

Sincerely,
Chester J. Culver
Governor

May 29, 2007

The Honorable Michael Mauro
Secretary of State
State Capitol Building
L O C A L

Dear Mr. Secretary:

I hereby transmit Senate File 601, an Act relating to state and local finances by providing for funding of property tax credits and reimbursements, by making, increasing and reducing appropriations, providing for salaries and compensation of state employees, providing for tax credits, providing for fees and penalties, and providing for properly related matters, and including effective date provisions. Senate File 601 is approved this date, with the exceptions noted below, which I hereby disapprove.

I am unable to approve the item designated as Section 28 in its entirety. I am unable to approve this item because it requires the Supreme Court to submit a detailed listing of requested increases in salaries of all judges and magistrates annually before December 1. This designated language runs counter to budget guidelines which ask that departments or agencies not include salary increases in their budget requests. Furthermore, this provision could impact the collective-bargaining process by requiring the Supreme Court to submit salary changes prior to the completion of collective bargaining.

I am unable to approve the item designated as Section 42 in its entirety. This provision appropriates \$150,000 from the General Fund for a Fiscal Year 2007 supplemental appropriation to the Department of Natural Resources for a feasibility study on the use of plasma arc technology for the disposal of solid waste. I recommend that an application for funds for such a study be made through the Iowa Power Fund because it is important to determine the feasibility of plasma arc technology. The Iowa Power Fund Board needs to provide the proper due diligence to review this and other technologies to fulfill its mission to expand sources of alternative energy.

I am unable to approve the item designated as Section 43 in its entirety. This provision requires the director of a department or state agency who is subject to a

requirement to develop a telecommuter employment policy to also develop such a policy and plans in conjunction with representatives of the collective bargaining units of the affected employees. Departmental telecommuting policies and procedures have been in place for several years and are well established. I will direct the Department of Administrative Services and the Department of Management to review the current state government telecommuting policy and make recommendations for any improvements as part of our overall executive branch strategic planning process.

I am unable to approve the item designated as Section 48 in its entirety. This provision increases the Department of Transportations' operations budget by \$16,800. This additional funding is no longer needed by the Department of Transportation.

I am unable to approve the item designated as Section 49 in its entirety. This provision increases the appropriation for the Department of Transportations' operations budget by \$103,200. This additional funding is no longer needed by the Department of Transportation.

I am unable to approve the item designated as Section 56 in its entirety. This provision creates a standing appropriation for the World Food Prize of \$1,000,000 annually. While I strongly support the World Food Prize, I do not believe this appropriation should be a standing appropriation not subject to annual review. This appropriation should be reviewed annually during the budgetary process. Further, I would encourage greater private sector contributions for this program.

I am unable to approve the item designated as Section 57 in its entirety. This provision statutorily creates the World Food Prize Youth Institute. While I strongly support this program, it is already in existence and does not need to receive statutory commitment.

I am unable to approve the item designated as Section 59 in its entirety. This designated provision expands the Community Attraction and Tourism Program from Fiscal Year 2011 through Fiscal Year 2013 and raises the maximum multi-year commitment to an applicant from \$4 million to \$6 million. Despite this designated language, the Community Attraction and Tourism Program is still authorized for another three years with a total remaining appropriation of \$36 million. I strongly support attracting tourism to our state and want to work with community and business leaders and the Legislature to develop improvements to this program or create a new program before the current program expires in Fiscal Year 2010. I am unable to support a new commitment for additional out-year spending until I have been able to evaluate this program more fully. Furthermore, I do not believe the maximum multi-year commitment to an applicant should be increased because it would reduce the number of projects and communities that can participate in this program.

I am unable to approve the item designated as Section 80 in its entirety. This provision specifies that the reimbursement rate for use of personal vehicles while on state business must fall within a range of not less than 90.0% or more than 110.0% of the maximum allowable under the federal Internal Revenue Service rules. I believe the authority to determine this rate should remain with the Director of the Department of Administrative Services, and this language would establish a large unfunded mandate on state agencies. I also do not want to set the precedent of making

a statutory tie to federal rates and remove this matter from the discretion of the Department of Administrative Services. I recognize the impact that rising fuel costs have on state government employees, and I will direct the Director of the Department of Administrative Services to develop more effective policies to encourage state government employees to use fuel-efficient state vehicles more frequently.

For the above reasons, I respectfully disapprove of the designated items in accordance with Article III, Section 16 of the Constitution of the State of Iowa. All other items in Senate File 601 are hereby approved this date.

Sincerely,
Chester J. Culver
Governor

AMENDMENTS FILED

Amendments filed during the Eighty-second General Assembly,
2007 Session, not otherwise printed in the House Journal:

H-1005

- 1 Amend House File 149 as follows:
- 2 1. Page 1, line 3, by striking the words
- 3 "Harassment or bullying" and inserting the following:
- 4 "Bullying".
- 5 2. Page 1, line 5, by striking the words
- 6 "HARASSMENT AND".
- 7 3. Page 1, line 13, by striking the words
- 8 "Harassing and bullying" and inserting the following:
- 9 "Bullying".
- 10 4. Page 1, line 18, by striking the words
- 11 "harassing or".
- 12 5. Page 1, by striking lines 21 and 22 and
- 13 inserting the following:
- 14 "a. "Bullying" means any conduct toward a student
- 15 which is based".
- 16 6. Page 2, line 12, by striking the words
- 17 "harassment and".
- 18 7. Page 2, line 19, by striking the words
- 19 "harassment and".
- 20 8. Page 2, line 24, by striking the words
- 21 "harassment and".
- 22 9. Page 2, line 29, by striking the words
- 23 "harassing and".
- 24 10. Page 2, line 34, by striking the words
- 25 "harassment or".
- 26 11. Page 2, line 35, by striking the words
- 27 "harassment and".
- 28 12. Page 3, line 5, by striking the words
- 29 "harassment or".
- 30 13. Page 3, line 7, by striking the words
- 31 "antiharassment and".
- 32 14. Page 3, line 9, by striking the words
- 33 "harassment or".
- 34 15. Page 3, line 13, by striking the words
- 35 "harassment or".
- 36 16. Page 3, line 20, by striking the words
- 37 "harassment or".
- 38 17. Page 3, line 26, by striking the words
- 39 "harassment and".
- 40 18. Page 3, line 30, by striking the words
- 41 "antiharassment and".
- 42 19. Page 3, line 35, by striking the words
- 43 "harassment and".
- 44 20. Page 4, line 3, by striking the words

- 45 "harassment or".
- 46 21. Page 4, line 14, by striking the words
- 47 "harassment and".
- 48 22. Page 4, lines 17 and 18 by striking the words
- 49 "antiharassment and".
- 50 23. Title page, line 2, by striking the words

Page 2

- 1 "antiharassment and".
- 2 24. By renumbering as necessary.

TYMESON of Madison

H-1006

- 1 Amend House File 149 as follows:
- 2 1. Page 1, by inserting before line 1 the
- 3 following:
- 4 "DIVISION IV
- 5 Sec. . NEW SECTION. 68B.40 ANTIHARASSMENT AND
- 6 ANTIBULLYING RULES – IMMUNITY.
- 7 1. DEFINITIONS. For purposes of this section,
- 8 unless the context otherwise requires:
- 9 a. "Harassment" and "bullying" shall be construed
- 10 to mean the same and mean any conduct toward a public
- 11 official or candidate for public office which is based
- 12 on any actual or perceived trait or characteristic of
- 13 the public official or candidate for public office and
- 14 which creates an objectively hostile environment that
- 15 meets one or more of the following conditions:
- 16 (1) Places the public official or candidate for
- 17 public office in reasonable fear of harm to the
- 18 official's or candidate's person or property.
- 19 (2) Has a substantially detrimental effect on the
- 20 official's or candidate's physical or mental health.
- 21 (3) Has the effect of substantially interfering
- 22 with an official's or candidate's public service or
- 23 campaign performance.
- 24 (4) Has the effect of substantially interfering
- 25 with the official's or candidate's ability to
- 26 participate in or benefit from the services,
- 27 activities, or privileges provided by the local
- 28 community or state.
- 29 b. "Trait or characteristic of the public official
- 30 or candidate for public office" includes but is not
- 31 limited to age, color, creed, national origin, race,
- 32 religion, marital status, sex, sexual orientation,
- 33 gender identity, physical attributes, physical or
- 34 mental ability or disability, ancestry, political
- 35 party preference, socioeconomic status, or familial
- 36 status.

37 2. RULES. On or before September 1, 2007, the
38 Iowa ethics and campaign disclosure board shall adopt
39 rules declaring harassment and bullying in the public
40 arena, regardless of its location, in a manner
41 consistent with this section, as against state policy
42 pursuant to this section and against the board's
43 administrative rules. The board shall make a copy of
44 the rules available to all public officials,
45 candidates for public office, campaign committees,
46 political committees, and volunteers, and shall take
47 all appropriate steps to bring the state policy
48 against harassment and bullying and the
49 responsibilities set forth in the rules to the
50 attention of all Iowans. The rules shall, at a

Page 2

1 minimum, include all of the following components:

2 a. A statement declaring harassment and bullying
3 to be against state policy and the board's
4 administrative rules. The rules shall include but not
5 be limited to the following components:

6 (1) Public officials, candidates for public
7 office, campaign committees, political committees, and
8 volunteers shall not engage in harassing and bullying
9 behavior.

10 (2) Public officials, candidates for public
11 office, campaign committees, political committees, and
12 volunteers shall not engage in reprisal, retaliation,
13 or false accusation against a victim, witness, or an
14 individual who has reliable information about such an
15 act of harassment or bullying.

16 b. A definition of harassment and bullying that is
17 no less inclusive than the definition set forth in
18 this section.

19 c. A description of the type of behavior expected
20 from public officials, candidates for public office,
21 campaign committees, political committees, and
22 volunteers relative to prevention measures, reporting,
23 and investigation of harassment or bullying.

24 d. The consequences and appropriate remedial
25 action for a person who violates the antiharassment
26 and antibullying administrative rules:

27 e. A procedure for reporting an act of harassment
28 or bullying, including the identification by job title
29 of the state official responsible for ensuring that
30 the rules are implemented, and the identification of
31 the person or persons responsible for receiving
32 reports of harassment or bullying.

33 f. A procedure for the prompt investigation of
34 complaints, identifying the ethics and campaign
35 disclosure board as the state agency responsible for

36 conducting the investigation, including a statement
37 that investigators will consider the totality of
38 circumstances presented in determining whether conduct
39 objectively constitutes harassment or bullying under
40 this section.

41 g. A statement of the manner in which the rules
42 will be publicized.

43 3. PROGRAMS ENCOURAGED. Public officials,
44 candidates for public office, campaign committees, and
45 political committees are encouraged to establish
46 programs designed to eliminate harassment and bullying
47 in the public arena. To the extent that funds are
48 available for these purposes, statewide political
49 committees shall do the following:

50 a. Provide training on harassment and bullying

Page 3

1 policies to public officials, candidates for public
2 office, campaign committees, political committees, and
3 volunteers who have significant contact with Iowa
4 residents.

5 b. Develop a process to provide public officials,
6 candidates for public office, campaign committees,
7 political committees, and volunteers with the skills
8 and knowledge to help reduce incidents of harassment
9 and bullying.

10 4. IMMUNITY. An Iowa resident who promptly,
11 reasonably, and in good faith reports an incident of
12 harassment or bullying, in compliance with the
13 procedures in the rules adopted pursuant to this
14 section, to the ethics and campaign disclosure board,
15 shall be immune from civil or criminal liability
16 relating to such report and to participation in any
17 administrative or judicial proceeding resulting from
18 or relating to such report.

19 5. COLLECTION REQUIREMENT. The ethics and
20 campaign disclosure board shall develop and maintain a
21 system to collect harassment and bullying incidence
22 data.

23 6. INTEGRATION OF POLICY AND REPORTING. The
24 ethics and campaign disclosure board and the office of
25 secretary of state shall integrate the antiharassment
26 and antibullying rules adopted by the board into the
27 official registration documents for public officials,
28 candidates for public office, campaign committees, and
29 political committees and shall report data collected
30 under subsection 5, as specified by the board, to the
31 general public.

32 7. EXISTING REMEDIES NOT AFFECTED. This section
33 shall not be construed to preclude a victim from
34 seeking administrative or legal remedies under any

35 applicable provision of law.
 36 8. PENALTY. The board shall issue an order
 37 requiring a person who violates the provisions of this
 38 section to pay a civil penalty of not more than two
 39 thousand dollars for each violation of this section.
 40 9. FUND. An antiharassment and antibullying fund
 41 is created within the office of the treasurer of state
 42 to be administered by the board. Moneys collected by
 43 the board pursuant to this section shall be deposited
 44 in the fund and shall be used by the board to
 45 implement a proactive and pervasive process of
 46 character development and to state political
 47 committees to provide professional development for
 48 public officials, candidates for public office,
 49 campaign committees, political committees, and
 50 volunteers."

Page 4

1 2. Page 1, line 18, by inserting after the word
 2 "behavior." the following: "The general assembly also
 3 finds that in order to create a safe and civil
 4 environment for Iowa youth, it is the responsibility
 5 of public officeholders, candidates for public office,
 6 political committees, and volunteers in Iowa to model
 7 the dignity and respect that is legally required of
 8 Iowa school age youth. Therefore, it is also the
 9 policy of this state that public officeholders,
 10 candidates for public office, political committees,
 11 and volunteers shall not engage in harassing or
 12 bullying behavior in accordance with section 68B.40."
 13 3. Title page, line 2, by inserting after the
 14 word "policies" the following: "and rules".

RAECKER of Polk

H-1007

1 Amend House File 149 as follows:
 2 1. Page 1, by striking lines 22 through 24 and
 3 inserting the following: "the same and mean any
 4 conduct toward any student which creates an
 5 objectively hostile school".
 6 2. Page 2, by striking lines 1 through 6.
 7 3. By relettering as necessary.

TYMESON of Madison

H-1008

1 Amend House File 149 as follows:
 2 1. Page 3, line 6, by striking the word

3 "remedial" and inserting the following:
 4 "disciplinary".

TYMESON of Madison

H-1009

1 Amend House File 149 as follows:
 2 1. Page 3, line 5, by inserting after the word
 3 "bullying." the following: "The statement shall also
 4 describe a policy for involving parents and guardians
 5 that provides for the following:
 6 (1) Ensures that communication between home and
 7 school is regular, two-way, and meaningful.
 8 (2) Promotes and supports parenting skills.
 9 (3) Recognizes and supports the integral role
 10 parents and guardians play in assisting student
 11 learning.
 12 (4) Welcomes parents and guardians into the school
 13 and seeks their support and assistance.
 14 (5) Makes parents and guardians full partners in
 15 the decisions that affect children and families.
 16 (6) Utilizes community collaborations productively
 17 and community resources prolifically to strengthen
 18 schools, families, and student learning."
 19 2. By renumbering as necessary.

TYMESON of Madison

H-1010

1 Amend House File 149 as follows:
 2 1. By striking everything after the enacting
 3 clause and inserting the following:
 4 "Section 1. NEW SECTION. 279.65 BULLYING
 5 PROHIBITION POLICY.
 6 The board of directors of a school district shall
 7 adopt a policy prohibiting bullying of any student at
 8 any time under any circumstances in schools, on school
 9 property, and at any school function or
 10 school-sponsored activity regardless of its location.
 11 The policy shall include disciplinary actions that may
 12 be taken against any student engaged in bullying and
 13 any school employee who knows of, observes, and fails
 14 to stop or report a bullying incident. The policy
 15 shall be published in the student handbook and all
 16 students, parents and guardians, and school employees
 17 shall be provided with a copy of the policy at the
 18 start of each school year."
 19 2. Title page, by striking lines 1 through 4 and
 20 inserting the following: "An Act requiring the board

21 of directors of a school district to adopt a policy
22 prohibiting bullying."

TYMESON of Madison

H-1011

1 Amend House File 149 as follows:
2 1. Page 3, line 6, by inserting after the word
3 "appropriate" the following: "disciplinary and
4 nonjudicial".

TYMESON of Madison

H-1012

1 Amend House File 149 as follows:
2 1. Page 3, by striking lines 23 through 29 and
3 inserting the following:
4 "4. PROGRAMS. The authorities in charge of each
5 accredited nonpublic school are encouraged to
6 establish programs designed to eliminate harassment
7 and bullying in schools. The board of directors of
8 each school district shall establish a program
9 designed to eliminate harassment and bullying, using
10 moneys appropriated to the department of education and
11 allocated to school districts for purposes of
12 professional development, to fund professional
13 development for Iowa practitioners relating to a
14 proactive and pervasive process of character
15 development. School districts shall, and accredited
16 nonpublic schools are encouraged to, do the
17 following:"
18 2. Page 4, by inserting after line 24 the
19 following:
20 "Sec. ___. STATE MANDATE FUNDING SPECIFIED. In
21 accordance with section 25B.2, subsection 3, the state
22 cost of requiring compliance with any state mandate
23 included in this Act shall be paid by a school
24 district from state school foundation aid received by
25 the school district under section 257.16. This
26 specification of the payment of the state cost shall
27 be deemed to meet all the state funding-related
28 requirements of section 25B.2, subsection 3, and no
29 additional state funding shall be necessary for the
30 full implementation of this Act by and enforcement of
31 this Act against all affected school districts."
32 3. By renumbering as necessary.

RAECKER of Polk

H-1013

1 Amend House File 149 as follows:

2 1. Page 2, line 9, by striking the words and
3 figures "On or before September 1, 2007, the" and
4 inserting the following: "The".

5 2. Page 2, line 15, by inserting after the word
6 "policy." the following: "However, the board of
7 directors of a school district and the authorities in
8 charge of each accredited nonpublic school shall not
9 be required to adopt the policy until ninety days
10 after enactment by the general assembly of a statute
11 applying the same standards set forth in this section
12 for school employees, volunteers, and students, to
13 public officials and candidates for public office
14 subject to the provisions of chapter 68B."

RAECKER of Polk

H-1014

1 Amend House File 149 as follows:

2 1. Page 3, line 12, by striking the word "and".

3 2. Page 3, line 13, by inserting after the word
4 "bullying" the following: ", and the identification
5 of the person responsible for notifying the
6 appropriate law enforcement agency if a criminal act
7 is alleged or suspected".

TYMESON of Madison

H-1015

1 Amend House File 149 as follows:

2 1. Page 3, line 8, by inserting after the word
3 "policy." the following: "Consequences for a school
4 employee who holds a license, certificate, or
5 authorization issued by the board of educational
6 examiners under chapter 272, and observes and fails to
7 report an act of harassment or bullying may include
8 but are not limited to submission of a report by the
9 superintendent to the board of educational examiners."

TYMESON of Madison

H-1016

1 Amend House File 149 as follows:

2 1. Page 1, by inserting before line 1 the
3 following:

4 "DIVISION IV

5 Sec. ____ NEW SECTION. 68B.40 ANTIHARASSMENT AND
6 ANTIBULLYING RULES – IMMUNITY.

7 1. DEFINITIONS. For purposes of this section,
8 unless the context otherwise requires:

9 a. "Harassment" and "bullying" shall be construed
10 to mean the same and mean any conduct toward a member
11 of the general assembly or the governor or candidate
12 for the general assembly or the office of governor
13 which is based on any actual or perceived trait or
14 characteristic of the member of the general assembly
15 or the governor or candidate for the general assembly
16 or the office of governor and which creates an
17 objectively hostile environment that meets one or more
18 of the following conditions:

19 (1) Places the member, governor, or candidate in
20 reasonable fear of harm to the member's, governor's,
21 or candidate's person or property.

22 (2) Has a substantially detrimental effect on the
23 member's, governor's, or candidate's physical or
24 mental health.

25 (3) Has the effect of substantially interfering
26 with a member's, governor's, or candidate's public
27 service or campaign performance.

28 (4) Has the effect of substantially interfering
29 with the member's, governor's, or candidate's ability
30 to participate in or benefit from the services,
31 activities, or privileges provided by the local
32 community or state.

33 b. "Trait or characteristic of the member,
34 governor, or candidate" includes but is not limited to
35 age, color, creed, national origin, race, religion,
36 marital status, sex, sexual orientation, gender
37 identity, physical attributes, physical or mental
38 ability or disability, ancestry, political party
39 preference, socioeconomic status, or familial status.

40 2. RULES. On or before September 1, 2007, the
41 Iowa ethics and campaign disclosure board shall adopt
42 rules declaring harassment and bullying in the public
43 arena, regardless of its location, in a manner
44 consistent with this section, as against state policy
45 pursuant to this section and against the board's
46 administrative rules. The board shall make a copy of
47 the rules available to all general assembly members,
48 the governor, and candidates for the general assembly
49 or the office of governor, campaign committees,
50 political committees, and volunteers, and shall take

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1 all appropriate steps to bring the state policy
2 against harassment and bullying and the
3 responsibilities set forth in the rules to the

4 attention of all Iowans. The rules shall, at a
5 minimum, include all of the following components:
6 a. A statement declaring harassment and bullying
7 to be against state policy and the board's
8 administrative rules. The rules shall include but not
9 be limited to the following components:
10 (1) Members of the general assembly, the governor,
11 and candidates for the general assembly and the office
12 of governor shall not engage in harassing and bullying
13 behavior.
14 (2) Members of the general assembly, the governor,
15 and candidates for the general assembly and the office
16 of governor shall not engage in reprisal, retaliation,
17 or false accusation against a victim, witness, or an
18 individual who has reliable information about such an
19 act of harassment or bullying.
20 b. A definition of harassment and bullying that is
21 no less inclusive than the definition set forth in
22 this section.
23 c. A description of the type of behavior expected
24 from members of the general assembly, the governor,
25 and candidates for the general assembly and the office
26 of governor relative to prevention measures,
27 reporting, and investigation of harassment or
28 bullying.
29 d. The consequences and appropriate remedial
30 action for a person who violates the antiharassment
31 and antibullying administrative rules.
32 e. A procedure for reporting an act of harassment
33 or bullying, including the identification by job title
34 of the state official responsible for ensuring that
35 the rules are implemented, and the identification of
36 the person or persons responsible for receiving
37 reports of harassment or bullying.
38 f. A procedure for the prompt investigation of
39 complaints, identifying the ethics and campaign
40 disclosure board as the state agency responsible for
41 conducting the investigation, including a statement
42 that investigators will consider the totality of
43 circumstances presented in determining whether conduct
44 objectively constitutes harassment or bullying under
45 this section.
46 g. A statement of the manner in which the rules
47 will be publicized.
48 3. PROGRAMS ENCOURAGED. Members of the general
49 assembly, the governor, and candidates for the general
50 assembly and the office of the governor are encouraged

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1 to establish programs designed to eliminate harassment
2 and bullying in the public arena. To the extent that

3 funds are available for these purposes, statewide
4 political committees shall do the following:

5 a. Provide training on harassment and bullying
6 policies to members of the general assembly, the
7 governor, and candidates for the general assembly and
8 the office of governor.

9 b. Develop a process to provide members of the
10 general assembly, the governor, and candidates for the
11 general assembly and the office of governor with the
12 skills and knowledge to help reduce incidents of
13 harassment and bullying.

14 4. IMMUNITY. An Iowa resident who promptly,
15 reasonably, and in good faith reports an incident of
16 harassment or bullying, in compliance with the
17 procedures in the rules adopted pursuant to this
18 section, to the ethics and campaign disclosure board,
19 shall be immune from civil or criminal liability
20 relating to such report and to participation in any
21 administrative or judicial proceeding resulting from
22 or relating to such report.

23 5. COLLECTION REQUIREMENT. The ethics and
24 campaign disclosure board shall develop and maintain a
25 system to collect harassment and bullying incidence
26 data.

27 6. INTEGRATION OF POLICY AND REPORTING. The
28 ethics and campaign disclosure board and the office of
29 secretary of state shall integrate the antiharassment
30 and antibullying rules adopted by the board into the
31 official registration documents for members of the
32 general assembly, the governor, and candidates for the
33 general assembly and the office of governor and shall
34 report data collected under subsection 5, as specified
35 by the board, to the general public.

36 7. EXISTING REMEDIES NOT AFFECTED. This section
37 shall not be construed to preclude a victim from
38 seeking administrative or legal remedies under any
39 applicable provision of law.

40 8. PENALTY. The board shall issue an order
41 requiring a person who violates the provisions of this
42 section to pay a civil penalty of not more than two
43 thousand dollars for each violation of this section.

44 9. FUND. An antiharassment and antibullying fund
45 is created within the office of the treasurer of state
46 to be administered by the board. Moneys collected by
47 the board pursuant to this section shall be deposited
48 in the fund and shall be distributed by the board to
49 the general assembly and to the office of governor to
50 fund the implementation of a proactive and pervasive

2 political committees to provide professional
 3 development for members of the general assembly, the
 4 governor, and candidates for the general assembly and
 5 the office of governor."

6 2. Page 1, line 18, by inserting after the word
 7 "behavior." the following: "The general assembly also
 8 finds that in order to create a safe and civil
 9 environment for Iowa youth, it is the responsibility
 10 of members of the general assembly, the governor, and
 11 candidates for the general assembly and the office of
 12 governor in Iowa to model the dignity and respect that
 13 is legally required of Iowa school age youth.
 14 Therefore, it is also the policy of this state that
 15 members of the general assembly, the governor, and
 16 candidates for the general assembly and the office of
 17 governor shall not engage in harassing or bullying
 18 behavior in accordance with section 68B.40."

19 3. Title page, line 2, by inserting after the
 20 word "policies" the following: "and rules".

RAECKER of Polk

H-1018

1 Amend House File 149 as follows:

2 1. Page 2, by striking lines 10 and 11 and
 3 inserting the following: "directors of a school
 4 district shall adopt a policy".

5 2. Page 2, line 16, by striking the words "and
 6 the authorities".

7 3. Page 3, by inserting after line 22 the
 8 following:

9 "____. The authorities in charge of each accredited
 10 nonpublic school shall adopt a policy declaring
 11 harassment and bullying in schools, on school
 12 property, and at any school function, or
 13 school-sponsored activity regardless of its location,
 14 as against school policy."

15 4. Page 3, by striking lines 24 and 25 and
 16 inserting the following: "school district is
 17 encouraged to establish".

18 5. Page 3, line 28, by striking the words "and
 19 accredited nonpublic schools".

20 6. Page 4, lines 6 and 7, by striking the words
 21 "or accredited nonpublic school".

22 7. Page 4, lines 12 and 13, by striking the words
 23 "and the authorities in charge of each nonpublic
 24 school".

25 8. Page 4, lines 16 and 17, by striking the words
 26 "and the authorities in charge of each nonpublic
 27 school".

TYMESON of Madison

H-1019

1 Amend Senate File 61, as passed by the Senate, as
2 follows:

3 1. Page 2, line 9, by striking the words and
4 figures "On or before September 1, 2007, the" and
5 inserting the following: "The".

6 2. Page 2, line 15, by inserting after the word
7 "policy." the following: "However, the board of
8 directors of a school district and the authorities in
9 charge of each accredited nonpublic school shall not
10 be required to adopt the policy until ninety days
11 after enactment by the general assembly of a statute
12 applying the same standards set forth in this section
13 for school employees, volunteers, and students, to
14 members of the general assembly, the governor, and
15 candidates for the general assembly or the office of
16 governor subject to the provisions of chapter 68B."

RAECKER of Polk

H-1029

1 Amend Senate File 61, as passed by the Senate, as
2 follows:

3 1. Page 4, by inserting after line 24 the
4 following:

5 "Sec.____. DEPARTMENT OF EDUCATION. There is
6 appropriated from the general fund of the state to the
7 department of education for the fiscal year beginning
8 July 1, 2007, and ending June 30, 2008, the following
9 amount, or so much thereof as is necessary, to be used
10 for the purposes designated:

11 For purposes of implementing the antiharassment and
12 antibullying policy including the equivalent of one
13 contract day of professional development and training:
14\$ 10,000,000".

15 2. By renumbering as necessary.

TYMESON of Madison

H-1039

1 Amend House File 5 as follows:

2 1. By striking everything after the enacting
3 clause and inserting the following:

4 "Section 1. NEW SECTION. 536B.1 PURPOSE.

5 It is the policy of this state and the purpose of
6 this chapter to provide consumer protection against
7 abusive lending practices by motor vehicle equity line

8 of credit lenders and to provide for a sound system of
9 the business of providing motor vehicle equity lines
10 of credit under open-ended credit by providing for the
11 licensing of motor vehicle equity line of credit
12 lenders by the superintendent.

13 Sec. 2. NEW SECTION. 536B.2 DEFINITIONS.

14 As used in this chapter, unless the context
15 otherwise requires:

16 1. "Borrower" means the person obligated to repay
17 the loan obligation under a motor vehicle equity line
18 of credit agreement.

19 2. "Control" means possession, direct or indirect,
20 of the power to direct or cause the direction of
21 management and policies of an entity whether through
22 the ownership of voting securities by contract or
23 otherwise; provided, that a person shall not be deemed
24 to control an entity solely on account of being a
25 director, officer, or employee of such entity.

26 For purposes of this subsection, a person who,
27 directly or indirectly, owns, controls, holds the
28 power to vote, or holds proxies representing twenty-
29 five percent or more of the then outstanding voting
30 securities issued by an entity is presumed to control
31 such entity.

32 For purposes of this subsection, the superintendent
33 may determine whether a person, in fact, controls an
34 entity.

35 3. "Controlling person" means any person in
36 control of a motor vehicle equity line of credit
37 lender.

38 4. "Lender" means a motor vehicle equity line of
39 credit lender.

40 5. "Motor vehicle" means any automobile,
41 motorcycle, mobile home, truck, van, or other vehicle
42 operated on public highways and streets.

43 6. "Motor vehicle equity line of credit agreement"
44 means an agreement under which a lender does all of
45 the following:

46 a. Extends an open-end credit plan or loan to a
47 consumer that is secured by an interest in a motor
48 vehicle.

49 b. Imposes interest on the outstanding balance of
50 the credit plan or loan.

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1 c. Reasonably contemplates repeated transactions.

2 d. Provides an amount of credit that may be
3 extended up to any limit set by the lender that is
4 generally available to the borrower to the extent that
5 any outstanding balance is repaid.

6 7. "Motor vehicle equity line of credit lender"

7 means a person engaged in the business of making motor
8 vehicle equity line of credit agreements with
9 borrowers.

10 8. "Motor vehicle equity line of credit office"
11 means the location at which a motor vehicle equity
12 line of credit lender regularly conducts business.

13 9. "Superintendent" means the superintendent of
14 banking.

15 Sec. 3. NEW SECTION. 536B.3 LICENSE REQUIRED.

16 1. A person shall not engage in the business of
17 motor vehicle equity line of credit lending without
18 having first obtained a license from the
19 superintendent under this chapter. A separate license
20 shall be required for each motor vehicle equity line
21 of credit office from which such business is
22 conducted.

23 2. Any motor vehicle equity line of credit
24 agreement made without first having obtained a license
25 is void and the person making the agreement forfeits
26 the right to collect any moneys, including principal,
27 interest, and any other fee paid by the borrower in
28 connection with the agreement. The person making the
29 agreement shall return to the borrower the titled
30 motor vehicle, or the fair market value of such motor
31 vehicle, and all principal, interest, and any other
32 fees paid by the borrower.

33 Sec. 4. NEW SECTION. 536B.4 AUTHORITY OF
34 LICENSED MOTOR VEHICLE EQUITY LINE OF CREDIT LENDERS.

35 1. A motor vehicle equity line of credit lender
36 licensed pursuant to this chapter has the power to
37 make motor vehicle equity line of credit agreements in
38 accordance with the provisions of this chapter.

39 2. A motor vehicle equity line of credit lender
40 licensed pursuant to this chapter shall not have the
41 powers enumerated in this chapter unless the motor
42 vehicle equity line of credit agreement complies with
43 section 536B.9. A motor vehicle equity line of credit
44 lender exercising any of the powers in compliance with
45 this chapter shall not be deemed in violation of any
46 usury law.

47 Sec. 5. NEW SECTION. 536B.5 ELIGIBILITY
48 REQUIREMENTS FOR LICENSE - APPLICATIONS - ISSUANCE
49 OF LICENSE.

50 1. To qualify for a license under this chapter, an

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1 applicant shall satisfy all of the following
2 requirements:
3 a. The applicant has a tangible net worth of not
4 less than seventy-five thousand dollars for each motor
5 vehicle equity line of credit office.

6 b. The financial responsibility, financial
7 condition, business experience, character, and general
8 fitness of the applicant shall reasonably warrant the
9 belief that the applicant's business will be conducted
10 lawfully. In determining whether the requirements of
11 this paragraph have been met, and for the purpose of
12 investigating compliance with this chapter, the
13 superintendent may review and approve all of the
14 following:

15 (1) The relevant business records and the capital
16 adequacy of the applicant.

17 (2) The financial responsibility, financial
18 condition, business experience, character, and general
19 fitness of any person who is a director, officer, or
20 five percent or more shareholder of the applicant, or
21 owns or controls the applicant.

22 (3) Any adjudication against the applicant or any
23 person referred to in subparagraph (2) of any criminal
24 activity, any fraud or other act of personal
25 dishonesty, or any act, omission, or practice which
26 constitutes a breach of a fiduciary duty.

27 2. The requirements set forth in subsection 1 are
28 continuing in nature.

29 3. Each application for a license shall be in
30 writing and under oath to the superintendent, in a
31 form prescribed by the superintendent, and shall
32 include all of the following information:

33 a. The legal name, residence and business address
34 of the applicant and, if the applicant is an entity,
35 of every member, partner, officer, managing employee,
36 director, trustee, and person who controls the entity.

37 b. The address where the registered agent of the
38 applicant shall be located, if any.

39 c. Other data and information the superintendent
40 may reasonably require with respect to the applicant,
41 its directors, trustees, officers, members, partners,
42 managing employees, or controlling persons.

43 d. A copy of each document or form to be used in
44 providing a motor vehicle equity line of credit
45 agreement.

46 4. Each application for a license shall be
47 accompanied by all of the following:

48 a. A filing fee, in an amount prescribed by the
49 superintendent by rule but not to exceed one thousand
50 dollars, which shall not be subject to refund but

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1 which, if the license is granted, shall constitute the
2 license fee for the first license year or part
3 thereof.

4 b. An accounting balance sheet for the immediately

5 preceding fiscal year prepared in accordance with
6 generally accepted accounting principles.
7 c. A surety bond in the principal sum of twenty-
8 five thousand dollars per motor vehicle equity line of
9 credit office. The bond shall be in a form
10 satisfactory to the superintendent and shall be issued
11 by a bonding company or insurance company authorized
12 to do business in this state. The bond shall cover
13 the performance of the obligations of the applicant
14 and the applicant's agents in connection with loan
15 activities under this chapter. An applicant or
16 licensee may, in lieu of filing a bond, provide the
17 superintendent with an irrevocable letter of credit in
18 the amount of twenty-five thousand dollars per motor
19 vehicle equity line of credit office, issued by any
20 bank, trust company, savings and loan association, or
21 credit union operating in this state in a form
22 acceptable to the superintendent.

23 5. Upon the filing of an application in a form
24 prescribed by the superintendent, accompanied by the
25 fee and documents required in this section, the
26 superintendent shall investigate to ascertain whether
27 the qualifications prescribed by this section have
28 been satisfied. If the superintendent finds that the
29 qualifications have been satisfied, the superintendent
30 shall issue to the applicant a license to engage in
31 the motor vehicle equity line of credit lending
32 business in this state.

33 6. If the superintendent determines that an
34 applicant is not qualified to receive a license, the
35 superintendent shall notify the applicant in writing
36 that the application has been denied, stating the
37 basis for denial. If the superintendent denies an
38 application, or if the superintendent fails to act on
39 an application within ninety days after the filing of
40 a properly completed application, the applicant may
41 make written demand to the superintendent for a
42 hearing before the superintendent on the question of
43 whether the license should be granted. Any hearing
44 shall be conducted pursuant to the provisions of
45 chapter 17A. A decision of the superintendent
46 following any hearing on the denial of license is
47 subject to review under chapter 17A.

48 7. A license shall be required for each motor
49 vehicle equity line of credit office in this state.
50 The license shall be conspicuously posted at each

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1 motor vehicle equity line of credit office of the
2 licensee.

3 8. A license is not transferable or assignable

4 except as allowed by rule of the superintendent.

5 9. A license issued pursuant to this section shall
6 expire each year on May 31, unless the licensee
7 submits a timely renewal application, or unless
8 earlier surrendered, suspended, or revoked pursuant to
9 this chapter. Each license may be renewed upon
10 application by the license holder, submitted at least
11 thirty days prior to the renewal date, showing
12 continued compliance with the requirements of this
13 section and the payment to the superintendent of the
14 annual license fee in an amount prescribed by the
15 superintendent by rule but not to exceed one thousand
16 dollars for each licensed motor vehicle equity line of
17 credit office in this state.

18 10. The superintendent may establish a biennial
19 licensing arrangement for the filing of the
20 application for license renewal but the license fee
21 shall not be payable for more than one year at a time.

22 Sec. 6. **NEW SECTION. 536B.6 NOTICE OF CHANGE IN**
23 **CONTROL AND PRINCIPAL PLACE OF BUSINESS.**

24 1. Except when a change of control is beyond the
25 control of the motor vehicle equity line of credit
26 lender, or in the case of an emergency as determined
27 by the superintendent, a change in control of a motor
28 vehicle equity line of credit lender shall require
29 fifteen days prior written notice to the
30 superintendent. In the case of a publicly traded
31 corporation, such notification shall be made in
32 writing within thirty days of the change or
33 acquisition of control of the motor vehicle equity
34 line of credit lender.

35 2. Upon notification of a change in control, the
36 superintendent may require such information as deemed
37 necessary to determine whether to approve a new
38 controlling person. The superintendent may disapprove
39 the new person for any reason the superintendent could
40 deny a license. If the superintendent disapproves any
41 person, the superintendent shall allow a reasonable
42 time for the licensee to remove such person as
43 controlling person.

44 3. Costs incurred by the superintendent in
45 investigating a change of control notification shall
46 be paid by the person requesting such approval.

47 4. Whenever control of a motor vehicle equity line
48 of credit lender is acquired or exercised in violation
49 of this chapter, the licensee of the motor vehicle
50 equity line of credit lender may be subject to

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1 penalties under section 536B.16.

2 5. Each motor vehicle equity line of credit lender

3 shall notify the superintendent fifteen days prior to
4 any change in the principal place of business of a
5 motor vehicle equity line of credit lender, except in
6 a case of an emergency as defined by the
7 superintendent.

8 Sec. 7. NEW SECTION. 536B.7 REPORTING
9 REQUIREMENTS.

10 1. Within fifteen days of the occurrence of any of
11 the events listed below, a motor vehicle equity line
12 of credit lender shall file a written report with the
13 superintendent describing such event and the expected
14 impact on the activities of the motor vehicle equity
15 line of credit lender in this state:

16 a. The filing for bankruptcy or reorganization by
17 the motor vehicle equity line of credit lender.

18 b. Any felony indictment or conviction of the
19 motor vehicle equity line of credit lender or any of
20 its officers, directors, or controlling persons.

21 2. Each motor vehicle equity line of credit lender
22 shall file a report with the superintendent by May 1
23 after being licensed pursuant to this chapter and
24 every odd numbered year thereafter, containing the
25 following information:

26 a. The names and addresses of all controlling
27 persons of the motor vehicle equity line of credit
28 lender.

29 b. Accounting balance sheets as required by the
30 superintendent.

31 c. If the motor vehicle equity line of credit
32 lender is a corporation, the names and addresses of
33 its officers and directors; if the motor vehicle
34 equity line of credit lender is a partnership, the
35 names and addresses of the partners; and if the motor
36 vehicle equity line of credit lender is a limited
37 liability company, the names and addresses of the
38 members of the limited liability company; or if the
39 motor vehicle equity line of credit lender is any
40 other form of entity, the names and addresses of all
41 persons who generally manage or control the business.

42 d. If the motor vehicle equity line of credit
43 lender holds two or more licenses or is affiliated
44 with other motor vehicle equity line of credit
45 lenders, a composite report may be filed.

46 3. All reports required under this section shall
47 be filed in such form as may reasonably be required by
48 the superintendent and shall be sworn to by a
49 responsible officer of the motor vehicle equity line
50 of credit lender.

2 equity line of credit lenders pursuant to this section
3 shall be confidential and shall not be considered
4 public records under chapter 22. However, the
5 superintendent is authorized to disclose information
6 obtained pursuant to the authority granted under this
7 chapter to any local, state, or federal agency as the
8 superintendent deems necessary.

9 Sec. 8. NEW SECTION. 536B.8 RECORDS OF
10 AGREEMENTS – RELEASE OF LIENS.

11 1. Every motor vehicle equity line of credit
12 lender shall keep a numbered record of each and every
13 motor vehicle equity line of credit agreement executed
14 by the motor vehicle equity line of credit lender and
15 a borrower. Such record, as well as the motor vehicle
16 equity line of credit agreement, shall include the
17 following information:

18 a. The make, model, and year of the motor vehicle
19 provided as security under the agreement.
20 b. The vehicle identification number, or other
21 comparable identification number, along with the motor
22 vehicle registration plate number, if applicable, of
23 the motor vehicle.

24 c. The name, residential address, date of birth,

25 and physical description of the borrower.

26 d. The date the motor vehicle equity line of

27 credit agreement is executed by the motor vehicle

28 equity line of credit lender and the borrower.

29 2. The motor vehicle equity line of credit lender
30 shall release any lien obtained pursuant to a motor
31 vehicle equity line of credit agreement immediately
32 upon full cash payment of the amount due under the
33 agreement by the borrower and shall release any lien
34 upon the clearance of any other form of payment from
35 the financial institution issuing the payment in any
36 form other than cash.

37 Sec. 9. NEW SECTION. 536B.9 AGREEMENT
38 REQUIREMENTS.

39 1. All of the following information shall be
40 printed on a motor vehicle equity line of credit
41 agreement:

42 a. The name and physical address of the motor
43 vehicle equity line of credit lender and office.

44 b. In not less than fourteen point bold type, the
45 name and address of the superintendent as well as a
46 toll-free telephone number of the motor vehicle equity
47 line of credit lender to which consumers may address
48 complaints.

49 c. The following statement in not less than
50 fourteen point bold type:

1 "THIS LOAN IS NOT INTENDED TO MEET LONG-TERM
2 FINANCIAL NEEDS. YOU SHOULD USE THIS LOAN ONLY TO
3 MEET SHORT-TERM CASH NEEDS. INTEREST WILL CONTINUE TO
4 ACCRUE AS LONG AS THERE IS A BALANCE OUTSTANDING.
5 THIS LOAN IS A HIGHER-INTEREST RATE LOAN. YOU ARE
6 PLACING AT RISK YOUR CONTINUED OWNERSHIP OF THE MOTOR
7 VEHICLE YOU ARE PROVIDING AS SECURITY FOR THIS LOAN.
8 IF YOU FAIL TO REPAY THE LOAN IN ACCORDANCE WITH THE
9 TERMS OF THE AGREEMENT, THE LENDER MAY TAKE POSSESSION
10 OF THE MOTOR VEHICLE AND SELL IT IN THE MANNER
11 PROVIDED BY LAW. YOU HAVE A LEGAL RIGHT OF RESCISSION.
12 THIS MEANS YOU MAY CANCEL YOUR AGREEMENT AT NO COST TO
13 YOU BY RETURNING THE ORIGINAL CHECK OR CASH YOU
14 BORROWED BY THE NEXT BUSINESS DAY AFTER THE DATE OF
15 YOUR LOAN."

16 d. The following statement:

17 "The borrower represents and warrants, to the best
18 of the borrower's knowledge, that the motor vehicle is
19 not stolen and has no liens or encumbrances against
20 it, the borrower has the right to enter into this
21 transaction, and the borrower will not apply for a
22 duplicate certificate of title while the motor vehicle
23 equity line of credit agreement is in effect."

24 e. In not less than fourteen point type, or in
25 accordance with federal truth-in-lending requirements,
26 the annual percentage rate, method of computing the
27 balance and calculating finance charges, and any other
28 information required by federal truth-in-lending laws.

29 f. An explanation of how interest is calculated,
30 when the payments are due, how payments are to be
31 applied, and what forms of payment are acceptable.

32 g. A disclosure of all fees charged by the lender
33 that are associated with opening the account.

34 2. The motor vehicle equity line of credit lender
35 shall provide in writing, as an additional disclosure
36 on a separate form, for each advance, the annual
37 percentage rate, the amount of interest charged on a
38 daily basis and the amount of interest charged in a
39 thirty-day period, and shall have the borrower sign
40 the form and initial acceptance of the interest rates.

41 3. The borrower shall sign the motor vehicle
42 equity line of credit agreement, shall sign or initial
43 all other loan documents, shall be provided with a
44 copy of such agreement and all other loan documents,
45 and shall acknowledge in writing receipt of copies of
46 the documents. The motor vehicle equity line of
47 credit agreement shall also be signed by the motor
48 vehicle equity line of credit lender's employee or
49 agent. Each signature shall be accompanied by the
50 date and time of signing.

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1 4. A borrower may cancel a motor vehicle equity
2 line of credit agreement without cost by returning the
3 full principal amount borrowed to the motor vehicle
4 equity line of credit lender within twenty-four hours
5 after signing an agreement pursuant to subsection 2.
6 Sec. 10. NEW SECTION. 536B.10 FEES AND CHARGES
7 – DISCLOSURE FORM.

8 1. The motor vehicle equity line of credit lender
9 may contract for and receive interest at the rate the
10 parties agree to in writing.

11 2. A motor vehicle equity line of credit lender
12 may assess and collect from a borrower amounts paid to
13 a governmental agency to record the lender's lien on
14 the certificate of title to the motor vehicle provided
15 as security under a motor vehicle equity line of
16 credit agreement, and amounts paid to independent
17 third parties to repossess and sell the motor vehicle.

18 3. In accordance with chapter 17A, the
19 superintendent shall adopt rules requiring each motor
20 vehicle equity line of credit lender to issue a
21 standardized consumer notification and disclosure form
22 in compliance with federal truth-in-lending laws prior
23 to entering into any motor vehicle equity line of
24 credit agreement. The required style, content, and
25 method of executing the form shall be prescribed by
26 rule and shall be designed to ensure that the
27 borrower, prior to entering into such agreement,
28 receives and acknowledges an accurate and complete
29 notification and disclosure of the itemized and total
30 amounts of all interest, fees, charges, and other
31 costs that will or potentially could be imposed as a
32 result of such agreement.

33 4. The motor vehicle equity line of credit lender
34 shall post in a conspicuous manner the disclosure
35 required in section 536B.9, subsection 1, paragraph
36 "c". The posting shall be on a sign that is at least
37 three feet wide by three feet high. The motor vehicle
38 equity line of credit lender shall also post in a
39 conspicuous manner the toll-free telephone number
40 required by section 536B.9, subsection 1, paragraph
41 "b".

42 Sec. 11. NEW SECTION. 536B.11 RIGHT TO REDEEM.

43 Except as otherwise provided in this chapter, a
44 borrower, upon presentation of suitable
45 identification, shall be entitled to redeem the motor
46 vehicle provided as security under the motor vehicle
47 equity line of credit agreement or certificate of
48 title described therein upon satisfaction of all
49 outstanding obligations pursuant to the motor vehicle

50 equity line of credit agreement.

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1 Sec. 12. NEW SECTION. 536B.12 MANDATORY
2 PRINCIPAL REDUCTION PAYMENT.

3 1. For each payment period under a motor vehicle
4 equity line of credit agreement, the borrower shall be
5 required to make a principal reduction payment in an
6 amount equal to at least ten percent of the principal
7 outstanding on the motor vehicle equity line of credit
8 agreement as of the last payment date in addition to
9 the lien fee and fees associated with repossession and
10 sale.

11 2. Interest authorized by this chapter at each
12 successive billing cycle shall be calculated on the
13 outstanding principal balance.

14 3. Payments in excess of a principal reduction
15 payment shall be credited to the outstanding principal
16 on the day received. If on a payment date, the
17 borrower has not made previous principal reduction
18 payments adequate to satisfy the current required
19 principal reduction payment, and the borrower cannot
20 repay at least ten percent of the principal balance
21 outstanding as of the billing date and any outstanding
22 interest and fees authorized by this chapter, the
23 motor vehicle equity line of credit lender may, but
24 shall not be obligated to, defer any required
25 principal payment, but shall not charge additional
26 interest or fees on the principal amount deferred.

27 4. The motor vehicle equity line of credit lender
28 shall send a monthly billing statement to the borrower
29 until the total amount owed by the borrower is paid in
30 full or the lender closes the borrower's account.

31 Sec. 13. NEW SECTION. 536B.13 DEFAULT –
32 REPOSSESSION AND SALE – RIGHT TO REDEEM.

33 1. The motor vehicle equity line of credit lender
34 may declare a default pursuant to the requirements of
35 section 537.5109.

36 2. Prior to serving a notice to cure default, the
37 motor vehicle equity line of credit lender shall
38 attempt to contact the borrower by telephone or
39 certified mail to warn the borrower of the default by
40 the borrower, and shall keep a record of all written
41 correspondence.

42 3. Prior to taking possession of the motor
43 vehicle, the motor vehicle equity line of credit
44 lender shall mail a notice to cure default to the
45 borrower pursuant to the requirements of sections
46 537.5110 and 537.5111. If the motor vehicle used to
47 secure the line of credit is the only motor vehicle in
48 the borrower's household, the motor vehicle equity
49 line of credit lender shall allow the borrower at

50 least thirty days to cure the default.

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1 4. If the borrower does not cure the default
2 within the time provided in the notice to cure, the
3 motor vehicle equity line of credit lender may
4 repossess the motor vehicle pursuant to the motor
5 vehicle equity line of credit agreement and in
6 compliance with chapter 554, article 9, part 6.
7 However, prior to repossessing the motor vehicle, the
8 lender shall afford the borrower an opportunity to
9 make the motor vehicle available to the lender at a
10 place, date, and time reasonably convenient to the
11 lender and the borrower. In taking possession, the
12 motor vehicle equity line of credit lender, or the
13 lender's agent or independent contractor, may proceed
14 without judicial process if repossession can be
15 accomplished without breach of the peace, or the
16 lender may proceed by action to obtain judicial
17 process. After the lender, agent, or independent
18 contractor takes possession of the motor vehicle, the
19 lender shall without charge require that any personal
20 belongings left within the motor vehicle are removed,
21 inventoried, and made available to the borrower for at
22 least fifteen days after the written notice of right
23 to redemption is sent to the borrower.

24 5. There shall be no further interest charged to
25 the borrower after repossession of the motor vehicle.

26 6. After repossession, the motor vehicle equity
27 line of credit lender shall mail a notice of right to
28 redeem to the borrower, notifying the borrower that
29 the borrower must redeem the certificate of title to
30 the motor vehicle within ten days by paying all
31 outstanding principal, interest, and fees authorized
32 by this chapter owed by the borrower to the motor
33 vehicle equity line of credit lender, plus all
34 repossession charges and informing the borrower where
35 and how to recover personal belongings left in the
36 vehicle. If the borrower exercises the right of
37 redemption, the borrower shall be given possession of
38 the motor vehicle and the certificate of title without
39 further charge. If the borrower fails to redeem the
40 motor vehicle, the motor vehicle equity line of credit
41 lender shall proceed to sell the motor vehicle.

42 7. The motor vehicle equity line of credit lender
43 shall sell the motor vehicle in a commercially
44 reasonable manner and in compliance with chapter 554,
45 article 9, part 6. The proceeds of the sale shall be
46 applied to the principal, interest, and all fees
47 authorized by this chapter owed by the borrower to the
48 motor vehicle equity line of credit lender, including
49 the actual repossession costs and cost of the sale.

50 Any surplus from the sale of the motor vehicle shall
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1 be remitted to the borrower after such sale and shall
2 not be retained by the motor vehicle equity line of
3 credit lender.

4 8. Upon voluntary surrender of the motor vehicle,
5 the motor vehicle equity line of credit lender shall
6 send a notice to cure default or notice of right to
7 redeem to the borrower.

8 Sec. 14. NEW SECTION. 536B.14 PROHIBITED
9 ACTIONS.

10 A motor vehicle equity line of credit lender shall
11 not do any of the following:

12 1. Enter into a motor vehicle equity line of
13 credit agreement with a person less than eighteen
14 years of age or a person who appears to be intoxicated
15 or under the influence of a controlled substance.

16 2. Enter into a motor vehicle equity line of
17 credit agreement without first considering the
18 applicant's household income and ability to repay the
19 loan, obtaining a statement of indebtedness from the
20 applicant, and requiring the applicant to disclose
21 whether the motor vehicle being used to secure the
22 line of credit is the only motor vehicle in the
23 applicant's household.

24 3. Charge any hidden fees.

25 4. Make any agreement giving the motor vehicle
26 equity line of credit lender any recourse against the
27 borrower other than the motor vehicle equity line of
28 credit lender's right to take possession of the motor
29 vehicle and certificate of title upon the borrower's
30 default or failure to redeem, and to sell or otherwise
31 dispose of the motor vehicle in accordance with the
32 provisions of this chapter, except where the borrower
33 prevented repossession of the vehicle, damaged the
34 vehicle, or committed fraud.

35 5. Enter into a motor vehicle equity line of
36 credit agreement in which the amount of money loaned,
37 when combined with the outstanding balance of other
38 outstanding motor vehicle equity line of credit
39 agreements the borrower has with the same lender
40 secured by any single certificate of title; exceeds
41 seven thousand five hundred dollars.

42 6. Accept any waiver, in writing or otherwise, of
43 any right or protection accorded a borrower under this
44 chapter.

45 7. Fail to exercise reasonable care to protect
46 from loss or damage the certificate of title in the
47 physical possession of the motor vehicle equity line
48 of credit lender.

49 8. Purchase a motor vehicle that was repossessed

50 in the operation of the lender's business.

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- 1 9. Maintain more than one motor vehicle equity
2 line of credit office for each motor vehicle equity
3 line of credit lender under each license, provided,
4 however, any such motor vehicle equity line of credit
5 lender may move a motor vehicle equity line of credit
6 office as provided in this chapter.
- 7 10. Enter into a motor vehicle equity line of
8 credit agreement unless the borrower presents a clear
9 title to the motor vehicle at the time that the loan
10 is made, and such title is retained in the physical
11 possession of the motor vehicle equity line of credit
12 lender. If the motor vehicle equity line of credit
13 lender files a lien against such motor vehicle without
14 possession of a clear title to the motor vehicle, the
15 resulting lien shall be void.
- 16 11. Capitalize or add any accrued interest to the
17 principal not otherwise allowed under this chapter,
18 charge interest on interest, or charge interest in
19 excess of the number of days the loan is outstanding.
- 20 12. Sell or otherwise charge for any type of
21 insurance, membership, or other product in connection
22 with a motor vehicle equity line of credit agreement.
- 23 13. Charge a prepayment penalty or late fee.
- 24 14. Require a borrower to provide any additional
25 guaranty as a condition to entering into a motor
26 vehicle equity line of credit agreement.
- 27 15. Refuse to provide a receipt when payment is
28 made.
- 29 16. Charge interest for more than one year on any
30 advance on the line of credit.
- 31 17. Make multiple loans or engage in loan layering
32 on the same motor vehicle, provided that this
33 subsection shall not prohibit a motor vehicle equity
34 line of credit lender from making a subsequent advance
35 on an existing line of credit, or from increasing a
36 borrower's credit limit.
- 37 18. Hire an employee involved in the loan process
38 without requiring the employee to submit to a criminal
39 background check, drug screening, and credit check.
- 40 19. Fail to provide training to an employee
41 involved in the process of making motor vehicle equity
42 line of credit agreements.
- 43 20. Pursue a deficiency judgment against a
44 borrower, except where the borrower prevented
45 repossession of the vehicle, damaged the vehicle, or
46 committed fraud.
- 47 21. Enter into a sale lease-back type of
48 arrangement.
- 49 22. Refuse a voluntary vehicle surrender which

50 shall not waive the borrower's notice of right to

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1 redeem.

2 23. Violate any state law regulating advertising.

3 24. Use any collection tactics in violation of the
4 federal Fair Debt Collection Practices Act, 15 U.S.C.
5 § 1692, et seq., or any other applicable law.

6 25. Use any device or agreement, including an
7 agreement with an affiliated motor vehicle equity line
8 of credit lender, with the intent to obtain greater
9 charges than otherwise would be authorized by this
10 chapter.

11 26. Intentionally violate the provisions of this
12 chapter or any rule adopted by the superintendent.

13 27. Violate any applicable provision of chapter
14 537 or chapter 554, article 9, part 6.

15 Sec. 15. NEW SECTION. 536B.15 CRIMINAL PENALTY.

16 A person who intentionally violates any provision
17 of this chapter is guilty of a serious misdemeanor.

18 Sec. 16. NEW SECTION. 536B.16 VIOLATIONS –
19 LICENSE SANCTIONS – CIVIL PENALTY.

20 1. The superintendent may, after notice and
21 opportunity for a hearing, suspend or revoke any
22 license issued pursuant to this chapter if the
23 superintendent finds that the motor vehicle equity
24 line of credit lender has knowingly, or through lack
25 of due care, done any of the following:

26 a. Engaged in conduct of a manner which would
27 warrant the denial of an application for a license.

28 b. Refused to permit the superintendent to make
29 any examination authorized by this chapter.

30 c. Failed to pay the annual license fee imposed by
31 this chapter, or an examination fee imposed by the
32 superintendent under the authority of this chapter.

33 d. Committed any fraudulent act.

34 e. Made a false statement in an application for a
35 license under this chapter or failed to give a true
36 reply to a question in the application.

37 f. Demonstrated incompetence or untrustworthiness
38 to act as a motor vehicle equity line of credit lender
39 in the reasonable opinion of the superintendent.

40 g. Violated any provision of this chapter or any
41 rule adopted hereunder or violated any other law in
42 the course of such motor vehicle equity line of credit
43 lender's dealings as a motor vehicle equity line of
44 credit lender.

45 2. If, after notice and opportunity for a hearing,
46 the superintendent finds that a person has violated
47 any provision of this chapter or any rule adopted
48 hereunder, the superintendent may take any or all of

49 the following actions:

50 a. Order the person to cease and desist violating

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1 the provision of this chapter or rule.

2 b. Require the refund of any fees collected by
3 such person in violation of this chapter.

4 c. Order the person to pay the superintendent a
5 civil penalty of not more than one thousand dollars
6 for each transaction in violation of this chapter.

7 3. A motor vehicle equity line of credit lender
8 shall have ten business days to request a hearing upon
9 receiving a notice of intent to suspend or revoke a
10 license or issue a civil penalty from the
11 superintendent. If requested, a hearing shall be held
12 on written notice given at least twenty days prior to
13 the date of the hearing and shall be conducted in
14 accordance with chapter 17A.

15 4. The superintendent may enter into consent
16 orders at any time with any person to resolve any
17 matter arising under this chapter. A consent order
18 shall be signed by all parties to the consent order,
19 or a duly authorized representative, and shall
20 indicate agreement to the terms contained therein. A
21 consent order need not constitute an admission by any
22 person that any provision of this chapter, or any rule
23 or order adopted or issued hereunder, has been
24 violated, nor need it constitute a finding by the
25 superintendent that such person has violated any
26 provision of this chapter or any rule or order adopted
27 or issued under this chapter.

28 5. In cases involving extraordinary circumstances
29 requiring immediate action, the superintendent may
30 take any enforcement action authorized by this chapter
31 without providing the opportunity for a prior hearing,
32 but shall promptly afford a subsequent hearing upon an
33 application to rescind the action taken which is filed
34 with the superintendent within twenty days after
35 receipt of the notice of the superintendent's
36 emergency action.

37 6. Any person aggrieved by the conduct of a motor
38 vehicle equity line of credit lender under this
39 chapter in connection with the motor vehicle equity
40 line of credit lender's regulated activities may file
41 a written complaint with the superintendent, who may
42 investigate the complaint, and may pursue any other
43 remedy available to the person allowed by law.

44 7. In the course of the investigation of a
45 complaint, the superintendent may do any of the
46 following:

47 a. Subpoena witnesses.

- 48 b. Administer oaths.
- 49 c. Examine any individual under oath.
- 50 d. Subpoena the production of records, books,

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1 papers, contracts, or other documents relevant to such
2 investigation.

3 8. If any person fails to comply with a subpoena
4 of the superintendent issued pursuant to subsection 7
5 or to testify concerning any matter about which the
6 person may be questioned under this chapter, the
7 superintendent may petition any court of competent
8 jurisdiction for enforcement.

9 9. The license of any motor vehicle equity line of
10 credit lender under this chapter who fails to comply
11 with a subpoena of the superintendent may be suspended
12 pending compliance with the subpoena.

13 10. The superintendent may investigate and enforce
14 any and all complaints filed by any person which are
15 not criminal in nature, which complaint relates to the
16 business of motor vehicle equity line of credit
17 lending.

18 11. The superintendent, after notice and
19 opportunity for hearing, may censure, suspend for a
20 period not to exceed twelve months, or bar a person
21 from any position of employment, management, or
22 control of any motor vehicle equity line of credit
23 lender, if the superintendent finds any of the
24 following:

25 a. That censure, suspension, or bar is in the
26 public interest and that the person has intentionally
27 committed or caused a violation of this chapter or any
28 rule or order of the superintendent.

29 b. Any of the following has occurred:

30 (1) The person has been convicted of, pled guilty
31 to, pled nolo contendere to, or received a deferred
32 judgment for any crime in this or any other state if
33 the crime involved any offense reasonably related to
34 the qualifications, functions, or duties of a person
35 engaged in the business in accordance with this
36 chapter.

37 (2) The person has been held liable in any civil
38 action by final judgment, or any order by any public
39 agency, if the judgment or order involved any offense
40 reasonably related to the qualifications, functions,
41 or duties of a person engaged in the business in
42 accordance with the provisions of this chapter.

43 12. Persons suspended or barred under subsection
44 11 are prohibited from participating in any business
45 activity of a motor vehicle equity line of credit
46 lender and from engaging in any business activity on

47 the premises where a motor vehicle equity line of
48 credit lender is conducting its business in this
49 state. This subsection shall not be construed to
50 prohibit a suspended or barred person from having

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1 personal transactions processed by a motor vehicle
2 equity line of credit lender.
3 Sec. 17. NEW SECTION. 536B.17 RULEMAKING –
4 INSPECTION OF BOOKS AND RECORDS.
5 1. The superintendent may adopt reasonable rules
6 in accordance with chapter 17A for the administration
7 and enforcement of this chapter. A copy of any rule
8 adopted by the superintendent shall be mailed to each
9 licensee under this chapter at least thirty days prior
10 to the effective date of the rule.
11 2. To assure compliance with the provisions of
12 this chapter, the superintendent may examine the
13 relevant business books and records of any motor
14 vehicle equity line of credit lender. The
15 superintendent may charge and collect reasonable and
16 actual expenses for any compliance examination
17 conducted under this chapter.
18 3. The superintendent is authorized to examine
19 persons licensed under this chapter and persons
20 reasonably suspected by the superintendent of
21 conducting business which requires a license under
22 this chapter, including all relevant books, records,
23 and papers employed by such persons in the transaction
24 of the person's business, and to summon and examine
25 witnesses under oath concerning matters relating to
26 the business of such persons, or such other matters as
27 may be relevant to the discovery of violations of this
28 chapter, including the conduct of a business without a
29 license as required under this chapter.
30 4. All books and records required to be preserved
31 by this chapter or any rules of the superintendent or
32 required by any federal statute, regulation, or
33 regulatory guideline, as applicable to each motor
34 vehicle equity line of credit lender, shall be
35 preserved and made available to the superintendent as
36 provided in this chapter, for a period of twenty-four
37 months from the date the motor vehicle equity line of
38 credit agreement was executed or the date the last
39 payment was received, whichever is later. The motor
40 vehicle equity line of credit lender may cause any or
41 all records at any time in its custody to be
42 reproduced and or preserved by the lender or by any
43 other person who agrees in writing to submit its
44 operations to the examination of the superintendent to
45 the extent that such operations directly affect such

46 recordkeeping. Any reproduced or preserved record
47 kept by microphotographic process, or electronic or
48 mechanical data storage technique, shall have the same
49 force and effect as the original record and be
50 admitted into evidence equally with the original. All

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1 records of a motor vehicle equity line of credit
2 lending business shall be maintained separately by the
3 motor vehicle equity line of credit lender from any
4 other business in which the motor vehicle equity line
5 of credit lender may engage.

6 Sec. 18. NEW SECTION. 536B.18 PREEMPTION OVER
7 LOCAL ENACTMENTS – CONFLICTING PROVISIONS.

8 1. An incorporated municipality, city, or county
9 in this state shall not enact an ordinance or
10 resolution or adopt any rules relating to this
11 chapter. The provisions of any ordinance, resolution,
12 or rules of any municipality, city, or county relative
13 to motor vehicle equity line of credit lending are
14 superseded by the provisions of this chapter.

15 2. Notwithstanding any other provision of the Code
16 to the contrary, this chapter shall apply to all motor
17 vehicle equity line of credit agreements made in this
18 state and shall govern in the event of any conflict
19 with any other provision of law.

20 Sec. 19. NEW SECTION. 536B.19 APPLICABILITY.

21 The following entities, if incorporated under the
22 laws of this or any other state or federal law, may
23 engage in the business of motor vehicle equity line of
24 credit lending and shall not be required to be
25 licensed or regulated under this chapter:

- 26 1. A bank.
- 27 2. A savings and loan association.
- 28 3. A credit union.
- 29 4. An affiliate of a bank, savings and loan
30 association, or credit union.

31 Sec. 20. NEW SECTION. 536B.20 BORROWER
32 INFORMATION.

33 A motor vehicle equity line of credit lender shall,
34 in addition to obtaining a statement of indebtedness
35 to determine a borrower's ability to repay a loan, and
36 all fees and expenses incident to the loan, obtain
37 certification from the borrower that the borrower
38 either does not have access to any form of
39 conventional financing such as through a bank, credit
40 union, or other source of funding, or in the event the
41 borrower has access to such forms or sources the
42 borrower elects not to utilize them and certifies the
43 ability to pay the indebtedness incurred. A motor
44 vehicle equity line of credit loan shall not be issued

45 by a lender unless the statement of indebtedness and
 46 certification have been received by the lender. In
 47 addition to the civil and criminal penalty provisions
 48 of sections 536B.15 and 536B.16, a motor vehicle
 49 equity line of credit lender who violates this section
 50 shall be subject to the civil and criminal violation

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1 of disclosure provisions of sections 537.5203 and
 2 537.5302."
 3 2. Title page, by striking lines 1 through 3 and
 4 inserting the following: "An Act providing for
 5 licensing and regulation of motor vehicle equity line
 6 of credit lenders, providing for fees, and providing
 7 for specified consumer financial certification."

TOMENGA of Polk
 D.TAYLOR of Linn
 PALMER of Mahaska
 HUSER of Polk
 TJEPKES of Webster
 MAY of Dickinson
 GRANZOW of Hardin

R. OLSON of Polk
 ANDERSON of Page
 WISE of Lee
 HUNTER of Polk
 STRUYK of Pottawattamie
 CLUTE of Polk

H-1041

1 Amend Senate File 61, as passed by the Senate, as
 2 follows:
 3 1. Page 1, line 22, by inserting after the word
 4 "student" the following: ", teacher, or other school
 5 employee".
 6 2. Page 1, line 24, by inserting after the word
 7 "student" the following: ", teacher, or other school
 8 employee".
 9 3. Page 1, line 27, by inserting after the word
 10 "student" the following: ", teacher, or other school
 11 employee".
 12 4. Page 1, line 28, by inserting after the word
 13 "student's" the following: ", teacher's, or other
 14 school employee's".
 15 5. Page 1, line 30, by inserting after the word
 16 "student's" the following: ", teacher's, or other
 17 school employee's".
 18 6. Page 1, line 32, by inserting after the word
 19 "performance" the following: "or a teacher's or other
 20 school employee's ability to perform the person's
 21 job".
 22 7. Page 2, line 1, by striking the words "of the
 23 student".
 24 8. Page 2, line 8, by inserting after the word
 25 "students" the following: ", teachers, or other

26 school employees".

27 9. Page 3, line 32, by inserting after the word

28 "students" the following: ", teachers, or other

29 school employees".

30 10. By renumbering as necessary.

HORBACH of Tama

H-1042

1 Amend House File 245 as follows:

2 1. Page 1, line 6, by inserting after the word

3 "center." the following: "The departments of

4 education and human services shall submit a joint

5 report each December to the governor and general

6 assembly concerning implementation of the requirement

7 in this paragraph concerning invasive pneumococcal

8 disease by schools and child care centers. The report

9 shall include information concerning the numbers of

10 the children who were not in compliance with the

11 requirement until there was intervention with the

12 children's parent, guardian, or custodian and the

13 numbers who were in compliance without intervention."

L. MILLER of Scott

H-1045

1 Amend Senate File 61, as passed by the Senate, as

2 follows:

3 1. Page 1, line 22, by striking the words "the

4 same and mean".

MASCHER of Johnson

H-1049

1 Amend Senate File 109, as passed by the Senate, as

2 follows:

3 1. Page 1, line 7, by striking the word "four" and

4 inserting the following: "six".

GIPP of Winneshiek

H-1050

1 Amend House File 286 as follows:

2 1. Page 1, line 7, by striking the word "four"

3 and inserting the following: "six".

GIPP of Winneshiek

H-1051

- 1 Amend House File 286 as follows:
 2 1. Page 1, line 7, by striking the words "four
 3 percent" and inserting the following: "six percent
 4 with any property tax increase caused as a result of
 5 this state percent of growth paid for by the state".

GIPP of Winneshiek

H-1052

- 1 Amend House File 286 as follows:
 2 1. Page 1, line 7, by inserting after the word
 3 "percent" the following: "with any property tax
 4 increase caused as a result of this state percent of
 5 growth paid for by the state".

PAULSEN of Linn

H-1055

- 1 Amend House File 317 as follows:
 2 1. Page 1, line 10, by inserting after the word
 3 "years" the following: ", or has an unreserved,
 4 undesignated, unspent balance totaling thirty percent
 5 of the school district's expenditures for two or more
 6 consecutive years".

TYMESON of Madison

H-1056

- 1 Amend Senate File 62, as passed by the Senate, as
 2 follows:
 3 1. Page 2, by striking lines 26 through 31.
 4 2. Page 9, line 5, by striking the words
 5 "~~treasurer auditor~~" and inserting the following:
 6 "treasurer".
 7 3. Page 9, line 7, by striking the words
 8 "~~treasurer auditor~~" and inserting the following:
 9 "treasurer".
 10 4. Page 9, line 10, by striking the words
 11 "~~treasurer auditor~~" and inserting the following:
 12 "treasurer".
 13 5. By renumbering as necessary.

Committee on Education

H-1057

- 1 Amend Senate File 39, as passed by the Senate, as
 2 follows:

3 1. Page 4, line 19, by inserting after the word
4 "statements" the following: ", correspondence.".

JACOBS of Polk

H-1058

1 Amend House File 365 as follows:

2 1. Page 2, by striking lines 14 through 31 and
3 inserting the following:

4 "3. A Any person appointed to serve as a reserve
5 peace officer, ~~who has received basic training as a~~
6 ~~peace officer and has been certified by the Iowa law~~
7 ~~enforcement academy pursuant to chapter 80B and rules~~
8 ~~adopted pursuant to chapter 80B, may in this state or~~
9 ~~by the proper authority of another state as of July 1,~~
10 2007, shall be exempted from completing the minimum
11 training course at the discretion of the appointing
12 authority if the officer meets one of the following
13 qualifications:

14 a. ~~The appointee is serving as a regular peace~~
15 ~~officer with a bona fide law enforcement agency when~~
16 ~~the application for a reserve peace officer~~
17 ~~appointment is made.~~

18 b. ~~The appointee has served as a regular peace~~
19 ~~officer with a bona fide law enforcement agency within~~
20 ~~three years of the date of application for appointment~~
21 ~~as a reserve peace officer."~~

22 2. Page 4, by inserting after line 8 the
23 following:

24 "Sec. . Section 80D.5, Code 2007, is amended to
25 read as follows:

26 80D.5 NO EXEMPTIONS.

27 There shall be no exemptions from the personal and
28 training standards provided for in this chapter except
29 as provided in sections 80D.4, 80D.7, and 80D.15."

30 3. By renumbering as necessary.

DOLECHECK of Ringgold

H-1061

1 Amend the amendment, H-1057, to Senate File 39, as
2 passed by the Senate, as follows:

3 1. Page 1, by inserting after line 2 the
4 following:

5 " . Page 4, line 14, by inserting after the
6 word "statements" the following: ", correspondence
7 with a committee relating to statements or reports
8 filed by that committee except for communications made
9 as part of a board investigation"."

10 2. Page 1, line 3, by striking the numeral "1"

- 11 and inserting the following: "2".
 12 3. Page 1, line 4, by inserting after the word
 13 "correspondence" the following: "with a committee
 14 relating to statements or reports filed by that
 15 committee except for communications made as part of a
 16 board investigation".
 17 4. By renumbering as necessary.

JACOBS of Polk

H-1062

- 1 Amend House File 370 as follows:
 2 1. Page 1, by inserting after line 4 the
 3 following:
 4 "Sec. ____ Section 422.7, Code 2007, is amended by
 5 adding the following new subsection:
 6 NEW SUBSECTION. 50. Subtract, to the extent
 7 included, the amount of victim compensation awards
 8 paid under the victim compensation program, victim
 9 restitution payments received pursuant to chapter 910
 10 or 915, and any damages awarded by a court, and
 11 received by the taxpayer, in a civil action filed by
 12 the victim against the offender, during the tax year."
 13 2. Page 5, by inserting after line 6 the
 14 following:
 15 "Sec. ____ RETROACTIVE APPLICABILITY DATE. The
 16 section of this Act amending section 422.7 applies
 17 retroactively to January 1, 2007, for tax years
 18 beginning on or after that date."
 19 3. Title page, line 1, by inserting after the
 20 word "compensation" the following: "and providing a
 21 retroactive applicability date".
 22 4. By renumbering as necessary.

LUKAN of Dubuque

H-1063

- 1 Amend House File 368 as follows:
 2 1. Page 1, by inserting before line 1, the
 3 following:
 4 "Section 1. Section 89.2, subsection 7, paragraphs
 5 a and b, Code 2007, are amended to read as follows:
 6 a. A building or structure primarily used as a
 7 theater, motion picture theater, museum, arena,
 8 exhibition hall, school, college, dormitory, bowling
 9 alley, physical fitness center, family entertainment
 10 center, lodge hall, union hall, pool hall, casino,
 11 place of worship, funeral home, institution of health
 12 and custodial care, hospital, or child care or adult
 13 day services facility. For the purposes of this

- 14 paragraph. "family entertainment center" does not
 15 include a building containing fewer than five
 16 amusement devices as defined in section 88A.1.
 17 b. A building or structure, a portion of which is
 18 primarily used for amusement, entertainment, or
 19 instruction. For the purposes of this paragraph, a
 20 portion of a building or structure used primarily for
 21 amusement or entertainment does not include a space
 22 that contains fewer than five amusement devices as
 23 defined in section 88A.1."
 24 2. Title page, line 1, by striking the words
 25 "safety program" and inserting the following:
 26 "inspection procedures".
 27 3. By renumbering as necessary.

UPMEYER of Hancock

H-1064

- 1 Amend Senate File 62 as follows:
 2 1. Page 2, by inserting after line 5 the
 3 following:
 4 "Sec.____. Section 256.7, subsection 19, Code
 5 2007, is amended by adding the following new
 6 unnumbered paragraph:
 7 NEW UNNUMBERED PARAGRAPH. However, if a school or
 8 school district uses any time from the school day,
 9 which has been established by the school or school
 10 district, for professional development for
 11 instructional staff, for weather-related purposes, or
 12 for athletic events, the school or school district
 13 shall extend the school calendar so that the time used
 14 is made up later in the school year."
 15 2. By renumbering as necessary.

TYMESON of Madison

H-1067

- 1 Amend House File 287 as follows:
 2 1. Page 2, by inserting after line 2 the
 3 following:
 4 "d. Create a cloned human embryo."
 5 2. Page 2, line 5, by inserting after the letter
 6 ""c"" the following: "or "d"".

ROBERTS of Carroll

H-1068

- 1 Amend House File 287 as follows:
 2 1. Page 1, by striking line 3 and inserting the

3 following: "Human Cloning Repeal and Embryonic Stem
4 Cell Research Authorization Act".

5 2. Page 1, by striking lines 5 through 9 and
6 inserting the following:

7 "It is the purpose of this chapter to repeal the
8 prohibition on human cloning and to authorize
9 embryonic stem cell research in this state."

10 3. Title page, line 1, by striking the words
11 "creating the Iowa stem cell research and cures
12 initiative" and inserting the following: "repealing
13 the prohibition on human cloning and authorizing
14 embryonic stem cell research".

UPMEYER of Hancock
TYMESON of Madison

H-1069

1 Amend House File 287 as follows:

2 1. Page 2, by inserting after line 18 the
3 following:

4 "Sec. . NEW SECTION. 707C.5 DONATION OF
5 OOCYTES – CONSIDERATION PROHIBITED.

6 1. All of the following provisions shall apply to
7 donation of an oocyte in this state for the purpose of
8 conducting research:

9 a. The person who receives a donated oocyte in
10 this state shall report the donor of the oocyte to the
11 department of public health utilizing a confidential
12 identification process.

13 b. The department of public health shall maintain
14 a record of the reports made pursuant to paragraph "a"
15 and shall submit a summary of the reports to the
16 general assembly, annually, by December 31, regarding
17 the number of donors and donations made.

18 c. An individual who chooses to donate an oocyte
19 shall not undergo more than one invasive procedure in
20 a two-year period and no more than two invasive
21 procedures in a lifetime for the purpose of extracting
22 oocytes.

23 d. A person donating an oocyte in this state shall
24 not receive any type of consideration in exchange for
25 the oocyte.

26 2. The department of public health shall establish
27 a confidential identification reporting process and
28 shall adopt rules to administer this section."

29 2. By renumbering as necessary.

ANDERSON of Page

H-1070

1 Amend House File 287, as passed by the Senate, as
2 follows:

- 3 1. Page 2, by inserting after line 18 the
 4 following:
 5 "Sec. ____ NEW SECTION. 707C.5 DONATION OF
 6 EMBRYOS AND INFORMED CONSENT FOR EMBRYONIC STEM CELL
 7 RESEARCH.
 8 Human embryos created only for the purpose of in
 9 vitro fertilization, in excess of the clinical need,
 10 may be donated for the purpose of embryonic stem cell
 11 research and treatment and those human embryos donated
 12 may be used for research and treatment, only if the
 13 donation meets all of the following requirements:
 14 1. The donation is voluntary.
 15 2. No inducement, monetary or of any other nature,
 16 is offered in exchange for the donation.
 17 3. Informed consent for the donation is obtained
 18 from the individuals participating in the in vitro
 19 fertilization treatments.
 20 4. The individuals participating in the in vitro
 21 fertilization treatments are informed that the human
 22 embryos may be placed for adoption."
 23 2. By renumbering as necessary.

UPMEYER of Hancock
 ALONS of Sioux
 HUSEMAN of Cherokee
 DE BOEF of Keokuk
 HEATON of Henry
 WINDSCHITL of Harrison
 KAUFMANN of Cedar
 FORRISTALL of Pottawattamie
 JACOBS of Polk
 VAN FOSSEN of Scott
 PAULSEN of Linn
 ARNOLD of Lucas
 DRAKE of Pottawattamie
 GRANZOW of Hardin
 HOFFMAN of Crawford
 S. OLSON of Clinton
 ROBERTS of Carroll
 CLUTE of Polk
 L. MILLER of Scott
 RAYHONS of Hancock
 TYMESON of Madison
 WORTHAN of Buena Vista

DOLECHECK of Ringgold
 CHAMBERS of O'Brien
 RAECKER of Polk
 LUKAN of Dubuque
 GRASSLEY of Butler
 DEYOE of Story
 SANDS of Louisa
 WINECEK of Black Hawk
 SODERBERG of Plymouth
 STRUYK of Pottawattamie
 ANDERSON of Page
 BAUDLER of Adair
 GIPP of Winneshiek
 GREINER of Washington
 MAY of Dickinson
 RASSUSSEN of Buchanan
 WATTS of Dallas
 HORBACH of Tama
 RANTS of Woodbury
 TJEPKES of Webster
 VAN ENGELENHOVEN of Marion

H-1071

- 1 Amend House File 287 as follows:
 2 1. Page 2, by inserting after line 2 the
 3 following:
 4 "d. Preserve a cloned human embryo for more than
 5 fourteen days."
 6 2. Page 2, line 5, by inserting after the letter

7 ""c"" the following: "or "d"".

8 3. Page 2, by inserting after line 18 the
9 following:

10 "____. A person in this state who uses cloned human
11 embryos for research purposes shall report the status
12 and disposition of the cloned human embryos and stem
13 cells derived from each human embryo to the department
14 of public health. The department of public health
15 shall maintain a record of these reports and shall
16 submit a summary of the number of cloned human embryos
17 and stem cells, disposition of the cloned human
18 embryos and stem cells, and the method of disposition
19 to the general assembly, annually, by December 31."

20 4. By renumbering as necessary.

ANDERSON of Page

H-1072

1 Amend House File 287 as follows:

2 1. By striking everything after the enacting
3 clause and inserting the following:

4 "Section 1. POSTNATAL TISSUE AND FLUID BANKING
5 TASK FORCE.

6 1. The department of public health shall convene a
7 task force on postnatal tissue and fluid banking and
8 related postnatal procedures. The task force shall
9 consist of the following members, selected by the
10 institution or association specified or, if not
11 specified, selected by the director of public health:
12 a. The director of public health, or the
13 director's designee.

14 b. A representative of each of the public and
15 private colleges or universities in the state that
16 have interest in postnatal tissue and fluid for the
17 purposes of research or medical treatment.

18 c. A representative of the Iowa hospital
19 association.

20 d. A representative of the Iowa medical society.

21 e. A physician representing a birthing hospital.

22 f. A prenatal healthcare provider.

23 g. A representative of the Iowa midwives
24 association.

25 h. A representative of the postnatal tissue and
26 fluid research community.

27 i. A representative of recipients of postnatal
28 tissue and fluid transplants.

29 j. A representative of a postnatal tissue and
30 fluid transplant center.

31 k. A representative of a postnatal tissue and
32 fluid bank.

33 l. An attorney with expertise in public health or

34 biotechnology law, selected by the Iowa state bar
35 association.

36 2. Members of the task force shall receive actual
37 expenses incurred while serving in their official
38 capacity and may also be eligible to receive
39 compensation as provided in section 7E.6.

40 3. The director of public health, or the
41 director's designee, shall act as chairperson of the
42 task force. A majority of the members of the task
43 force shall constitute a quorum.

44 4. The task force shall investigate the optimum
45 method by which to establish a network of postnatal
46 tissue and fluid banks in partnership with public and
47 private colleges or universities, public and private
48 hospitals, or nonprofit organizations and private
49 organizations in the state to collect and store
50 postnatal tissue and fluid for the purposes of

Page 2

1 scientific research and medical treatment. The
2 investigation shall address and make recommendations
3 regarding all of the following:

4 a. Regulatory requirements for public and private
5 postnatal tissue and fluid banks in the state,
6 including regulations or protocols to govern donations
7 to the bank and the release and use of banked
8 postnatal tissue or fluid.

9 b. The development of a statewide network of
10 postnatal tissue and fluid banks and birthing hospital
11 collection sites in a manner that provides for
12 geographic distribution throughout the state.

13 c. The development of a statewide postnatal tissue
14 and fluid registry to identify, acquire, and
15 distribute donated postnatal tissue and fluid to
16 suitably matched candidates including documentation of
17 the collection, storage, distribution, and
18 transplantation of the postnatal tissue and fluid and
19 the clinical outcomes of all transplantations related
20 to the network.

21 d. Any incentives for donation to public postnatal
22 tissue and fluid banks.

23 e. Public awareness and encouragement of donation
24 or private storage of postnatal tissue and fluid by
25 providing information including but not limited to all
26 of the following:

27 (1) The current and potential future medical uses
28 of postnatal tissue and fluid.

29 (2) The benefits and risks associated with
30 postnatal tissue and fluid banking.

31 (3) Medical or family history criteria that may
32 impact a family's consideration of postnatal tissue

33 and fluid banking.

34 (4) An explanation of the differences between
35 private and public banking.

36 (5) Medically accepted uses and benefits of
37 postnatal tissue and fluid collection and
38 transplantation.

39 (6) The costs associated with donation and
40 storage, and an explanation of the storage,
41 maintenance, and viability for transplantation of
42 postnatal tissue and fluid.

43 f. Participation in the public cord blood bank
44 network established pursuant to the federal Stem Cell
45 Therapeutic and Research Act of 2005, Pub. L. No.
46 109-129, or other national or international networks.

47 g. Any changes in law or rules necessary to
48 implement a postnatal tissue and fluid banking network
49 in the state to provide for scientific research and
50 medical treatment.

Page 3

1 h. Consent and privacy protections related to
2 donation or private banking of postnatal tissue and
3 fluid.

4 i. Any fee structure to be associated with
5 participation in the postnatal tissue and fluid bank
6 network.

7 j. The costs associated with the operation and
8 maintenance of a public postnatal tissue and fluid
9 bank network, including the need for public funding.

10 5. In addition to postnatal tissue and fluid
11 banking the task force shall review the issue of the
12 retention, use, and disposition of neonatal metabolic
13 screening specimens, including but not limited to the
14 length of time the specimens are retained and specimen
15 research use.

16 6. The task force shall report its findings and
17 recommendations, along with any proposed legislation,
18 to the general assembly by November 1, 2007.

19 7. For the purposes of this section, "postnatal
20 tissue and fluid" means the placenta, umbilical cord,
21 umbilical cord blood, and amniotic fluid expelled or
22 extracted in connection with the birth of a child.

23 Sec. 2. APPROPRIATION. There is appropriated from
24 the general fund of the state to the department of
25 public health for the period beginning on the
26 effective date of this Act, and ending January 1,
27 2008, the following amount, or so much thereof as is
28 necessary, to be used for the purpose designated:

29 For the task force on postnatal tissue and fluid
30 banking:

31 \$ 20,000

32 Sec. 3. EFFECTIVE DATE. The sections of this Act
 33 relating to the postnatal tissue and fluid banking
 34 task force and the appropriation for the task force,
 35 being deemed of immediate importance, take effect upon
 36 enactment."
 37 2. Title page, by striking lines 1 and 2 and
 38 inserting the following: "An Act relating to the
 39 creation of a task force on postnatal tissue and fluid
 40 banking and other postnatal procedures, providing an
 41 appropriation, and providing an effective date."

ROBERTS of Carroll
 ALONS of Sioux
 HUSEMAN of Cherokee
 DE BOEF of Keokuk
 HEATON of Henry
 WINDSCHITL of Harrison
 KAUFMANN of Cedar
 FORRISTALL of Pottawattamie
 JACOBS of Polk
 VAN FOSSEN of Scott
 PAULSEN of Linn
 ANDERSON of Page
 DRAKE of Pottawattamie
 GRANZOW of Hardin
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 S. OLSON of Clinton
 WATTS of Dallas
 L. MILLER of Scott
 TJEPKES of Webster
 VAN ENGELENHOVEN of Marion

DOLECHECK of Ringgold
 CHAMBERS of O'Brien
 RAECKER of Polk
 LUKAN of Dubuque
 GRASSLEY of Butler
 DEYOE of Story
 SANDS of Louisa
 WIENCEK of Black Hawk
 SODERBERG of Plymouth
 STRUYK of Pottawattamie
 BOAL of Polk
 BAUDLER of Adair
 GIPP of Winnebago
 GREINER of Washington
 MAY of Dickinson
 UPMEYER of Hancock
 CLUTE of Polk
 RANTS of Winnebago
 TYMESON of Madison
 WORTHAN of Buena Vista

H-1076

1 Amend Senate File 110, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 2, by striking lines 14 through 31 and
 4 inserting the following:
 5 "3. A Any person appointed to serve as a reserve
 6 peace officer, who has received basic training as a
 7 peace officer and has been certified by the Iowa law
 8 enforcement academy pursuant to chapter 80B and rules
 9 adopted pursuant to chapter 80B, may in this state or
 10 by the proper authority of another state as of July 1,
 11 2007, shall be exempted from completing the minimum
 12 training course at the discretion of the appointing
 13 authority if the officer meets one of the following
 14 qualifications:
 15 a. The appointee is serving as a regular peace
 16 officer with a bona fide law enforcement agency when
 17 the application for a reserve peace officer
 18 appointment is made.

19 ~~b. The appointee has served as a regular peace~~
 20 ~~officer with a bona fide law enforcement agency within~~
 21 ~~three years of the date of application for appointment~~
 22 ~~as a reserve peace officer."~~

23 2. Page 4, by inserting after line 8 the
 24 following:

25 "Sec. ____ Section 80D.5, Code 2007, is amended to
 26 read as follows:

27 80D.5 NO EXEMPTIONS.

28 There shall be no exemptions from the personal and
 29 training standards provided for in this chapter except
 30 as provided in sections ~~80D.4~~, 80D.7, and 80D.15."

31 3. By renumbering as necessary.

DOLECHECK of Ringgold

H-1079

1 Amend House File 413 as follows:

2 1. Page 2, line 16, by striking the figure "2010"
 3 and inserting the following: "2008".

4 2. Page 2, line 17, by striking the figure "2012"
 5 and inserting the following: "2010".

GIPP of Winneshiek

H-1080

1 Amend Senate File 62, as passed by the Senate, as
 2 follows:

3 1. Page 10, by inserting after line 7 the
 4 following:

5 "Sec. ____ NEW SECTION. 279.65 PARENT AND
 6 GUARDIAN INVOLVEMENT POLICY.

7 1. The board of directors of each school district
 8 shall adopt a parent and guardian involvement policy
 9 that meets, at a minimum, the following criteria:

10 a. Ensures that communication between home and
 11 school is regular, two-way, and meaningful.

12 b. Promotes and supports parenting skills.

13 c. Recognizes and supports the integral role
 14 parents and guardians play in assisting student

15 learning.

16 d. Welcomes parents and guardians into the school
 17 and seeks their support and assistance.

18 e. Makes parents and guardians full participants
 19 in the decisions that affect children and families.

20 f. Utilizes community collaborations productively
 21 and community resources prolifically to strengthen
 22 schools, families, and student learning.

23 2. The policy adopted pursuant to subsection 1
 24 shall be published in the student handbook and, if the

- 25 school district or its attendance centers maintain a
 26 website, on the school district or attendance center
 27 website."
 28 2. By renumbering as necessary.

TYMESON of Madison

H-1081

1 Amend House File 319 as follows:

2 1. Page 1, by striking lines 1 through 34 and
 3 inserting the following:
 4 "Section 1. Section 15.335, subsection 4,
 5 unnumbered paragraph 2, Code 2007, is amended to read
 6 as follows:

7 For purposes of this section, "Internal Revenue
 8 Code" means the ~~Internal Revenue Code in effect on~~
 9 ~~January 1, 2006 same as defined in section 422.3.~~

10 Sec. 2. Section 15A.9, subsection 8, paragraph e,
 11 unnumbered paragraph 2, Code 2007, is amended to read
 12 as follows:

13 For purposes of this subsection, "Internal Revenue
 14 Code" means the ~~Internal Revenue Code in effect on~~
 15 ~~January 1, 2006 same as defined in section 422.3.~~

16 Sec. 3. Section 422.3, subsection 5, Code 2007, is
 17 amended by striking the subsection and inserting in
 18 lieu thereof the following:

19 5. "Internal Revenue Code" means the Internal
 20 Revenue Code of 1986, and amendments thereto, and
 21 other provisions of the laws of the United States
 22 relating to federal income taxes, as the same may be
 23 or become effective at any time, or from time to time,
 24 for the taxable year.

25 Sec. 4. NEW SECTION. 422.3A FISCAL IMPACT OF
 26 INTERNAL REVENUE CODE CHANGES – ANNUAL STATEMENT BY
 27 DIRECTOR.

28 On or before the first day of each regular session
 29 of the general assembly, the director of revenue shall
 30 transmit to each member of the general assembly a
 31 statement detailing the estimated fiscal impact to
 32 state general fund revenues, over at least a five-year
 33 period, resulting from the state's incorporating the
 34 changes made by Congress to the Internal Revenue Code.

35 Sec. 5. Section 422.10, subsection 3, unnumbered
 36 paragraph 2, Code 2007, is amended by striking the
 37 unnumbered paragraph.

38 Sec. 6. Section 422.32, subsection 7, Code 2007,
 39 is amended by striking the subsection.

40 Sec. 7. Section 422.33, subsection 5, paragraph d,
 41 unnumbered paragraph 2, Code 2007, is amended by
 42 striking the unnumbered paragraph."

43 2. Title page, by striking line 1 and inserting

44 the following: "An Act relating to coupling Iowa's
45 tax laws with the federal Internal Revenue Code".

VAN FOSSEN of Scott

H-1082

1 Amend House File 459 as follows:
2 1. Page 1, by inserting after line 7 the
3 following: "Expenditures allowed under this
4 subsection shall not be made until all facilities
5 within a school district have been certified in
6 writing as being compliant with state and local fire
7 codes, safety codes, and provisions of the federal
8 Americans With Disabilities Act, 42 U.S.C. §
9 12101-12117, by an architect registered under chapter
10 544A or an engineer licensed under chapter 542B."
11 2. By renumbering as necessary.

RAECKER of Polk

H-1083

1 Amend House File 469 as follows:
2 1. Page 1, by inserting after line 7 the
3 following:
4 "Expenditures allowed under this subsection shall
5 not be made until all facilities within a school
6 district have been certified in writing as being
7 compliant with state and local fire codes, safety
8 codes, and provisions of the federal Americans With
9 Disabilities Act, 42 U.S.C. § 12101-12117, by an
10 architect registered under chapter 544A or an engineer
11 licensed under chapter 542B."

RAECKER of Polk

H-1084

1 Amend House File 516 as follows:
2 1. Page 6, by inserting after line 28 the
3 following:
4 "Sec. ____ Section 462A.84, subsection 3, Code
5 2007, is amended by striking the subsection and
6 inserting in lieu thereof the following:
7 3. When a security interest is discharged, the
8 secured party shall note the cancellation of the
9 security interest on the face of the certificate of
10 title and send the title by first class mail to the
11 office of the county recorder where the title was
12 issued, or the secured party shall send a notarized
13 letter by first class mail to the county recorder

- 14 where the title was issued notifying the county
15 recorder of the cancellation of the security interest.
16 The county recorder shall note the release of the
17 security interest in the county records as evidence of
18 the release of the security interest."
19 2. By renumbering as necessary.

BELL of Jasper

H-1085

- 1 Amend House File 337 as follows:
2 1. Page 1, line 3, by inserting after the word
3 "banking" the following: "and related postnatal
4 procedures".
5 2. Page 1, by inserting after line 13 the
6 following:
7 "cc. A representative of the Iowa osteopathic
8 medical association."
9 3. Page 3, by inserting after line 20 the
10 following:
11 "4A. In addition to postnatal tissue and fluid
12 banking the task force shall review the issue of the
13 retention, use, and disposition of neonatal metabolic
14 screening specimens, including but not limited to the
15 length of time the specimens are retained and specimen
16 research use."
17 4. Title page, line 2, by inserting after the
18 word "banking" the following: "and related postnatal
19 procedures".
20 5. By renumbering as necessary.

Committee on Human Resources

H-1086

- 1 Amend House File 555 as follows:
2 1. Page 1, by striking lines 14 through 33 and
3 inserting the following:
4 "2. a. Moneys deposited in the healthy Iowans
5 tobacco trust, with the exception of proceeds derived
6 from payment of taxes pursuant to section 453A.6,
7 subsection 1, paragraph "a", subparagraph (2); section
8 453A.6, subsection 1, paragraph "b", subparagraph (2);
9 section 453A.43, subsection 1, paragraph "b"; and
10 section 453A.43, subsection 2, paragraph "b", shall be
11 used only in accordance with appropriations from the
12 healthy Iowans tobacco trust for purposes related to
13 health care, substance abuse treatment and
14 enforcement, tobacco use prevention and control, and
15 other purposes related to the needs of children,
16 adults, and families in the state.

17 b. (1) Moneys deposited in the healthy Iowans
18 tobacco trust which constitute proceeds derived from
19 payment of taxes pursuant to section 453A.6,
20 subsection 1, paragraph "a", subparagraph (2); section
21 453A.6, subsection 1, paragraph "b", subparagraph (2);
22 section 453A.43, subsection 1, paragraph "b"; and
23 section 453A.43, subsection 2, paragraph "b", shall be
24 used only in accordance with appropriations from the
25 healthy Iowans tobacco trust for the following
26 purposes:

- 27 (a) Tobacco use prevention and control.
28 (b) Substance abuse prevention including substance
29 abuse prevention for children.
30 (c) Smoking cessation products.
31 (d) Phenylketonuria assistance.
32 (e) The AIDS drug assistance program.
33 (f) The birth defects institute.
34 (g) Medical assistance supplemental funding.
35 (h) Medical assistance reimbursement for
36 physicians and other medical providers, dental
37 providers, hospital providers, home health care
38 providers, critical access hospitals, home health and
39 habilitative day care providers, respite care
40 providers, and breast and cervical cancer treatment.
41 (i) The state children's health insurance
42 expansion program under the medical assistance
43 program.
44 (j) Child and family services.
45 (2) Beginning July 1, 2008, and thereafter, moneys
46 deposited in the healthy Iowans tobacco trust that are
47 derived from the sources described in this paragraph
48 "b" shall be appropriated for the purposes described
49 in subparagraph (1), annually, in amounts such that
50 the amounts appropriated for the purposes in the

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1 fiscal year beginning July 1, 2006, are increased by
2 an amount which is the difference between the amount
3 of revenue generated from the sources described in
4 this paragraph "b" for the fiscal year beginning July
5 1, 2006, and the amount of revenue generated from
6 those sources in the fiscal year beginning July 1,
7 2007, multiplied by one hundred and fifteen percent.

8 (3) Notwithstanding any provision of law to the
9 contrary, moneys derived from the sources described in
10 this paragraph "b" and deposited in the healthy Iowans
11 tobacco trust which are unobligated or unexpended for
12 the purposes designated at the end of any fiscal year
13 shall be transferred to the senior living trust fund
14 created in section 249H.4."

15 2. By renumbering, redesignating, and correcting

16 internal references as necessary.

STRUYK of Pottawattamie

H-1087

1 Amend House File 555 as follows:

2 1. Page 1, by striking lines 14 through 33 and
3 inserting the following:

4 "2. a. Moneys deposited in the healthy Iowans
5 tobacco trust, with the exception of proceeds derived
6 from payment of taxes pursuant to section 453A.6,
7 subsection 1, paragraph "a", subparagraph (2); section
8 453A.6, subsection 1, paragraph "b", subparagraph (2);
9 section 453A.43, subsection 1, paragraph "b"; and
10 section 453A.43, subsection 2, paragraph "b", shall be
11 used only in accordance with appropriations from the
12 healthy Iowans tobacco trust for purposes related to
13 health care, substance abuse treatment and
14 enforcement, tobacco use prevention and control, and
15 other purposes related to the needs of children,
16 adults, and families in the state.

17 b. (1) Moneys deposited in the healthy Iowans
18 tobacco trust which constitute proceeds derived from
19 payment of taxes pursuant to section 453A.6,
20 subsection 1, paragraph "a", subparagraph (2); section
21 453A.6, subsection 1, paragraph "b", subparagraph (2);
22 section 453A.43, subsection 1, paragraph "b"; and
23 section 453A.43, subsection 2, paragraph "b", shall be
24 used only in accordance with appropriations from the
25 healthy Iowans tobacco trust for the following
26 purposes:

- 27 (a) Tobacco use prevention and control.
- 28 (b) Substance abuse prevention including substance
- 29 abuse prevention for children.
- 30 (c) Smoking cessation products.
- 31 (d) Phenylketonuria assistance.
- 32 (e) The AIDS drug assistance program.
- 33 (f) The birth defects institute.
- 34 (g) Medical assistance supplemental funding.
- 35 (h) Medical assistance reimbursement for
- 36 physicians and other medical providers, dental
- 37 providers, hospital providers, home health care
- 38 providers, critical access hospitals, home health and
- 39 habilitative day care providers, respite care
- 40 providers, and breast and cervical cancer treatment.
- 41 (i) The state children's health insurance
- 42 expansion program under the medical assistance
- 43 program.
- 44 (j) Child and family services.
- 45 (2) Beginning July 1, 2008, and thereafter, moneys
- 46 deposited in the healthy Iowans tobacco trust that are

47 derived from the sources described in this paragraph
 48 "b" shall be appropriated for the purposes described
 49 in subparagraph (1), annually, in amounts such that
 50 the amounts appropriated for the purposes in the

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1 fiscal year beginning July 1, 2006, are increased by
 2 an amount which is the difference between the amount
 3 of revenue generated from the sources described in
 4 this paragraph "b" for the fiscal year beginning July
 5 1, 2006, and the amount of revenue generated from
 6 those sources in the fiscal year beginning July 1,
 7 2007.

8 (3) Notwithstanding any provision of law to the
 9 contrary, moneys derived from the sources described in
 10 this paragraph "b" and deposited in the healthy Iowans
 11 tobacco trust which are unobligated or unexpended for
 12 the purposes designated at the end of any fiscal year
 13 shall be transferred to the senior living trust fund
 14 created in section 249H.4."

15 2. By renumbering, redesignating, and correcting
 16 internal references as necessary.

STRUYK of Pottawattamie

H-1088

1 Amend House File 555 as follows:

2 1. Page 2, line 11, by striking the word "five"
 3 and inserting the following: "three and one-tenth".

4 2. Page 2, line 17, by striking the word "five"
 5 and inserting the following: "three and one-tenth".

6 3. Page 3, line 28, by striking the word
 7 "sixty-one" and inserting the following: "sixty".

8 4. Page 4, line 16, by striking the word
 9 "sixty-one" and inserting the following: "sixty".

GIPP of Winneshiek
 HUSER of Polk
 MERTZ of Kossuth

H-1090

1 Amend House File 555 as follows:

2 1. Page 1, line 11, by striking the words "and
 3 section" and inserting the following: "section".

4 2. Page 1, line 11, by striking the word "," and
 5 and inserting the following: "; and section 453A.43,
 6 subsections 3 and 4, and".

7 3. Page 2, line 30, by striking the word "and".

8 4. Page 2, line 31, by striking the word ","

- 9 which" and inserting the following: "; and section
 10 453A.43, subsections 3 and 4, which".
- 11 5. Page 3, by inserting after line 17 the
 12 following:
 13 "Sec. _____. Section 453A.42, Code 2007, is amended
 14 by adding the following new subsection:
 15 NEW SUBSECTION. 11A. "Snuff" means any finely
 16 cut, ground, or powdered tobacco that is not intended
 17 to be smoked.
- 18 Sec. _____. Section 453A.42, subsection 14, Code
 19 2007, is amended to read as follows:
 20 14. "Tobacco products" means cigars; little cigars
 21 as defined herein; cheroots; stogies; periques;
 22 granulated, plug cut, crimp cut, ready rubbed, and
 23 other smoking tobacco; snuff; ~~snuff flour~~; cavendish;
 24 plug and twist tobacco; fine-cut and other chewing
 25 tobaccos; shorts; refuse scraps, clippings, cuttings
 26 and sweepings of tobacco, and other kinds and forms of
 27 tobacco, prepared in such manner as to be suitable for
 28 chewing or smoking in a pipe or otherwise, or both for
 29 chewing and smoking; but shall not include cigarettes
 30 as defined in section 453A.1, subsection 3."
- 31 6. Page 3, by striking lines 18 and 19, and
 32 inserting the following:
 33 "Sec. _____. Section 453A.43, Code 2007, is amended
 34 to read as follows:
 35 453A.43 TAX ON TOBACCO PRODUCTS."
 36 7. Page 3, line 24, by inserting after the word
 37 "cigars" the following: "and snuff".
- 38 8. Page 3, line 30, by inserting after the word
 39 "cigars" the following: "and snuff".
- 40 9. Page 3, line 34, by inserting after the word
 41 "chapter." the following: "Snuff shall be subject to
 42 the tax as provided in subsections 3 and 4."
- 43 10. Page 4, line 1, by inserting after the word
 44 "cigars" the following: "and snuff".
- 45 11. Page 4, line 4, by striking the word
 46 "without" and inserting the following: "~~without~~
 47 outside".
- 48 12. Page 4, line 23, by striking the figure "25"
 49 and inserting the following: "~~25~~ twenty-five".
- 50 13. Page 4, by striking line 24 and inserting the

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- 1 following:
 2 "~~b. Less than 10 oz. snuff or snuff powder.~~"
- 3 14. Page 4, by striking line 25, and inserting
 4 the following:
 5 "e. (2) Less than ~~1 lb.~~ one pound smoking or
 6 chewing tobacco or".
- 7 15. Page 4, by inserting after line 27, the

8 following:

9 "3. A tax is imposed upon all snuff in this state
 10 and upon any person engaged in business as a
 11 distributor of snuff at the rate of one dollar and
 12 thirteen cents per ounce, with a proportionate tax at
 13 the same rate on all fractional parts of an ounce of
 14 snuff. The tax shall be computed based on the net
 15 weight listed by the manufacturer. The tax on snuff
 16 shall be imposed at the time the distributor does any
 17 of the following:

18 a. Brings or causes to be brought into this state
 19 from outside the state, snuff for sale.

20 b. Makes, manufactures, or fabricates snuff in
 21 this state for sale in this state.

22 c. Ships or transports snuff to retailers in this
 23 state, to be sold by those retailers.

24 4. A tax is imposed upon the use or storage by
 25 consumers of snuff in this state, and upon the
 26 consumers, at the rate of one dollar and thirteen
 27 cents per ounce with a proportionate tax at the same
 28 rate on all fractional parts of an ounce of snuff.
 29 The tax shall be computed based on the net weight as
 30 listed by the manufacturer.

31 The tax imposed by this subsection shall not apply
 32 if the tax imposed by subsection 3 on snuff has been
 33 paid.

34 The tax shall not apply to the use or storage of
 35 snuff in quantities of less than ten ounces."

36 16. Page 4, by striking lines 28 through 31 and
 37 inserting the following:

38 "3. 5. Any tobacco product with respect to which
 39 a tax has once been imposed under this division shall
 40 not again be subject to tax under ~~said~~ this division,
 41 except as provided in section 453A.40.

42 4. 6. The tax imposed by this section shall not
 43 apply with respect to any tobacco product which under
 44 the Constitution and laws of the United States may not
 45 be made the subject of taxation by this state.

46 5. 7. The tax imposed by this section shall be in
 47 addition to all other occupation or privilege taxes or
 48 license fees now or hereafter imposed by any city or
 49 county.

50 6. 8. All excise taxes collected under this

Page 3

1 chapter by a distributor or any individual are deemed
 2 to be held in trust for the state of Iowa."

3 17. By renumbering as necessary.

H-1092

- 1 Amend the amendment, H-1088, to House File 555, as
- 2 follows:
- 3 1. Page 1, line 7, by striking the word "sixty"
- 4 and inserting the following: "thirty-eight".
- 5 2. Page 1, line 9, by striking the word "sixty"
- 6 and inserting the following: "thirty-eight".

GIPP of Winneshiek

H-1093

- 1 Amend House File 125 as follows:
- 2 1. Page 1, by striking line 6 and inserting the
- 3 following: "provided under the program. The".
- 4 2. Page 1, by striking line 8 and inserting the
- 5 following: "business days of receiving a bill or
- 6 claim for services provided. However, if the
- 7 department determines that a bill has an error or
- 8 omission, the department shall notify the provider of
- 9 the error or omission and identify any correction
- 10 needed before issuance of payment to the provider.
- 11 The department shall provide the notice within five
- 12 business days of receiving the billing from the
- 13 provider and shall remit payment to the provider
- 14 within ten business days of receiving the corrected
- 15 billing."

Committee on Human Resources

H-1094

- 1 Amend House File 611 as follows:
- 2 1. Page 4, by striking lines 4 through 9.
- 3 2. Page 5, by striking lines 5 and 6 and
- 4 inserting the following:
- 5 "d. "Research-based" means complete information
- 6 that is verified or supported by".
- 7 3. Page 5, by striking lines 10 through 16 and
- 8 inserting the following: "with relevant expertise in
- 9 the field."
- 10 4. Title page, by striking lines 3 and 4 and
- 11 inserting the following: "districts to provide
- 12 age-appropriate and research-based information
- 13 education, and requiring".
- 14 5. Title page, line 5, by inserting after the
- 15 word "education" the following: "to make such
- 16 information available to school districts and
- 17 nonpublic schools."
- 18 6. By renumbering as necessary.

TYMESON of Madison

H-1095

1 Amend House File 320 as follows:

2 1. By striking everything after the enacting
3 clause and inserting the following:

4 "Section 1. Section 321.89, subsection 1,
5 paragraph a, subparagraph (4), Code 2007, is amended
6 to read as follows:

7 (4) A vehicle that has been legally impounded by
8 order of a police authority and has not been reclaimed
9 for a period of ten days, or for the period required
10 under section 321.218B. However, a police authority
11 may declare the vehicle abandoned ~~within the ten-day~~
12 ~~period sooner~~ by commencing the notification process
13 in subsection 3.

14 Sec. 2. **NEW SECTION.** 321.218B DRIVING WITH
15 SUSPENDED OR REVOKED LICENSE – MOTOR VEHICLE
16 IMPOUNDMENT.

17 1. Notwithstanding any other provision of this
18 chapter, if a peace officer stops a motor vehicle and
19 discovers that the motor vehicle operator's driver's
20 license or operating privilege has been denied,
21 canceled, suspended, revoked, or barred, the peace
22 officer shall immediately cause the motor vehicle
23 operated by the person to be impounded.

24 2. After the expiration of thirty days, the person
25 or agency having physical possession of an impounded
26 motor vehicle shall release the vehicle to the owner
27 upon payment of all towing costs, storage costs not in
28 excess of fifteen dollars per day, and administrative
29 fees associated with impoundment of the motor vehicle,
30 if either of the following applies:

31 a. The owner provides satisfactory evidence that
32 the owner was not the operator of the motor vehicle at
33 the time the impoundment occurred.

34 b. If the owner was the operator at the time the
35 impoundment occurred, the owner provides satisfactory
36 proof to the person or agency that the owner's
37 driver's license or operating privilege has been
38 reinstated.

39 3. A rental company that owns a motor vehicle
40 which is impounded pursuant to this section shall be
41 notified of the impoundment by the agency or person
42 taking custody of the motor vehicle within seventy-two
43 hours of the impoundment of the motor vehicle and
44 shall have the right to claim the motor vehicle upon
45 the payment of all fees, towing costs, and storage
46 costs not in excess of fifteen dollars per day.

47 4. Except as provided in subsection 2 or 3 or by
48 court order, a motor vehicle shall remain impounded

49 under this section until reinstatement of the motor
50 vehicle operator's driving privilege and payment of

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1 all towing costs, storage costs not in excess of
2 fifteen dollars per day, and administrative fees
3 associated with impoundment of the motor vehicle.
4 5. The provisions of this section do not apply to
5 a person whose driver's license or operating privilege
6 is denied, revoked, suspended, or barred under chapter
7 321J."

8 2. Title page, line 1, by striking the words "the
9 revocation of a person's" and inserting the following:
10 "impoundment of a motor vehicle operated by a person
11 whose".

12 3. Title page, lines 2 and 3, by striking the
13 words "for a defendant who has had a previous
14 conviction or revocation." and inserting the
15 following: "has been denied, canceled, suspended,
16 revoked, or barred."

17 4. By renumbering as necessary.

PAULSEN of Linn

H-1098

1 Amend House File 555 as follows:

2 1. Page 1, line 13, by inserting after the word
3 "trust." the following: "Proceeds derived from
4 payment of taxes pursuant to section 453A.6,
5 subsection 1, paragraph "a", subparagraph (2); section
6 453A.6, subsection 1, paragraph "b", subparagraph (2);
7 section 453A.43, subsection 1, paragraph "b"; and
8 section 453A.43, subsection 2, paragraph "b", that are
9 deposited in the healthy Iowans tobacco trust shall
10 not be appropriated for any purpose for expenditure
11 prior to July 1, 2008."

12 2. Page 1, by striking lines 14 through 33 and
13 inserting the following:
14 "2. a. Moneys deposited in the healthy Iowans
15 tobacco trust, with the exception of proceeds derived
16 from payment of taxes pursuant to section 453A.6,
17 subsection 1, paragraph "a", subparagraph (2); section
18 453A.6, subsection 1, paragraph "b", subparagraph (2);
19 section 453A.43, subsection 1, paragraph "b"; and
20 section 453A.43, subsection 2, paragraph "b", shall be
21 used only in accordance with appropriations from the
22 healthy Iowans tobacco trust for purposes related to
23 health care, substance abuse treatment and
24 enforcement, tobacco use prevention and control, and
25 other purposes related to the needs of children,

26 adults, and families in the state.
27 b. Moneys deposited in the healthy Iowans tobacco
28 trust which constitute proceeds derived from payment
29 of taxes pursuant to section 453A.6, subsection 1,
30 paragraph "a", subparagraph (2); section 453A.6,
31 subsection 1, paragraph "b", subparagraph (2); section
32 453A.43, subsection 1, paragraph "b"; and section
33 453A.43, subsection 2, paragraph "b", shall be used
34 only in accordance with appropriations from the
35 healthy Iowans tobacco trust for the following
36 purposes:
37 (1) Tobacco use prevention and control.
38 (2) Substance abuse prevention and treatment
39 including substance abuse prevention and treatment for
40 children.
41 (3) Smoking cessation products.
42 (4) Phenylketonuria assistance.
43 (5) The AIDS drug assistance program.
44 (6) The birth defects institute.
45 (7) Medical assistance supplemental funding.
46 (8) Medical assistance reimbursement for
47 physicians and other medical providers, dental
48 providers, hospital providers, home health care
49 providers, critical access hospitals, home health and
50 habilitative day care providers, respite care

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1 providers, and breast and cervical cancer treatment.
2 (9) The state children's health insurance
3 expansion program under the medical assistance
4 program.
5 (10) Child and family services."
6 3. By renumbering as necessary.

SANDS of Louisa

H-1099

1 Amend House File 146 as follows:
2 1. Page 1, by striking lines 14 through 17 and
3 inserting the following:
4 "3. The program shall provide stipends to support
5 psychiatrist positions with an emphasis on securing
6 and retaining medical directors at community mental
7 health centers, providers of mental health services to
8 county residents pursuant to a waiver approved under
9 section 225C.7, subsection 3, and hospital psychiatric
10 units that are located in mental health professional
11 shortage areas."
12 2. Page 1, by striking lines 18 through 22.
13 3. Page 2, by inserting after line 8 the

14 following:

15 "Sec. ____ PSYCHOLOGIST INTERNSHIPS –
16 APPROPRIATION. There is appropriated from the general
17 fund of the state to the department of public health
18 for the fiscal year beginning July 1, 2007, and ending
19 June 30, 2008, the following amount, or so much
20 thereof as is necessary, to be used for the purposes
21 designated:

22 For a grant to a statewide association of
23 psychologists that is affiliated with the American
24 psychological association, to be used for initial
25 implementation of a program to rotate intern
26 psychologists in placements in urban and rural mental
27 health professional shortage areas, as defined in
28 section 135.80, as enacted by this Act:

29 \$ 50,000

30 Not more than 5 percent of the amount appropriated
31 in this section shall be used for administrative costs
32 associated with the grant."

33 4. Page 2, by inserting before line 9 the
34 following:

35 "Sec. ____ BEHAVIORAL HEALTH – DEVELOPING
36 WORKFORCE COMPETENCIES.

37 1. The department of public health shall work
38 collaboratively during the fiscal year beginning July
39 1, 2007, with the departments of corrections,
40 education, elder affairs, and human services, and
41 other state agencies, to enhance the workforce
42 competencies of professional and direct care staff who
43 provide behavioral health services, including but not
44 limited to all of the following:

- 45 a. Treatment of persons with co-occurring mental
- 46 health and substance use disorders.
- 47 b. Treatment of children with mental health or
- 48 substance use disorders.
- 49 c. Treatment of persons with serious mental
- 50 illness.

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1 d. Treatment of veterans of United States or Iowa
2 military service with mental health or substance use
3 disorders.

4 e. Treatment of older adults with mental health or
5 substance use disorders.

6 2. The department's collaborative effort shall
7 utilize the findings of the substance abuse and mental
8 health services administration of the United States
9 department of health and human services and materials
10 developed by the Annapolis coalition on the behavioral
11 health workforce in planning and implementing efforts
12 to enhance the competency-based training of the

- 13 state's behavioral health workforce."
 14 5. Title page, by striking lines 1 through 3 and
 15 inserting the following: "An Act relating to
 16 behavioral health staffing by establishing a mental
 17 health professional shortage area program and
 18 addressing the training of persons providing mental
 19 health services, and providing appropriations."
 20 6. By renumbering as necessary.

Committee on Human Resources

H-1103

- 1 Amend House File 646 as follows:
 2 1. Page 1, line 9, by inserting after the word
 3 "person" the following: "under eighteen years of
 4 age".
 5 2. Title page, line 1, by inserting after the
 6 word "passengers" the following: "under eighteen
 7 years of age".

HUSER of Polk

H-1105

- 1 Amend Senate File 62, as passed by the Senate, as
 2 follows:
 3 1. Page 10, by inserting after line 7 the
 4 following:
 5 "Sec. _____. Section 280.5, Code 2007, is amended to
 6 read as follows:
 7 280.5 DISPLAY OF UNITED STATES FLAG AND IOWA STATE
 8 FLAG - RECITATION OF PLEDGE OF ALLEGIANCE.
 9 1. The board of directors of each public school
 10 district and the authorities in charge of each
 11 nonpublic school shall provide and maintain a suitable
 12 flagstaff on each school site under its control, and
 13 the United States flag and the Iowa state flag shall
 14 be raised on all school days when weather conditions
 15 are suitable.
 16 2. The board of directors of each public school
 17 and the authorities in charge of each nonpublic school
 18 shall cause the pledge of allegiance to be recited at
 19 the beginning of each school day. Persons reciting
 20 the pledge of allegiance shall stand holding their
 21 right hand over their heart. A student shall not be
 22 compelled, against the student's objections or those
 23 of the student's parent or guardian, to recite the
 24 pledge of allegiance, but shall be required to
 25 maintain a respectful silence. A nonpublic school is
 26 exempt from this requirement if the authorities in
 27 charge of a nonpublic school determine that this

28 requirement conflicts with the school's religious
 29 doctrines."

30 2. By renumbering as necessary.

TYMESON of Madison

H-1106

1 Amend House File 498 as follows:

2 1. By striking everything after the enacting
 3 clause and inserting the following:

4 "Section 1. NEW SECTION. 7B.1 IOWA ENERGY
 5 INDEPENDENCE ACT.

6 This chapter shall be known and may be cited as the
 7 "Iowa Energy Independence Act".

8 Sec. 2. NEW SECTION. 7B.2 DEFINITIONS.

9 1. "Alternative and renewable energy" means energy
 10 sources including but not limited to solar, wind
 11 turbine, waste management, resource recovery,
 12 recovered energy generation, refuse-derived fuel,
 13 hydroelectric, agricultural crops or residues, and
 14 woodburning, or relating to renewable fuel development
 15 and distribution.

16 2. "Cellulosic biomass renewable fuel" means
 17 renewable fuel derived from any lignocellulosic or
 18 hemicellulosic matter that is available on a renewable
 19 or recurring basis, including dedicated energy crops
 20 and trees, wood and wood residues, plants, grasses,
 21 agricultural residues, fibers, animal wastes, and
 22 other waste material and municipal solid waste.

23 3. "Council" means the Iowa energy independence
 24 advisory council established in section 7B.6.

25 4. "Director" means the director of the Iowa
 26 energy independence office established in section
 27 7B.4.

28 5. "Recovered energy generation" means a recycled
 29 energy system, other than a system whose primary
 30 purpose is the generation of electricity, which
 31 produces electricity from currently unused waste heat
 32 resulting from combustion or other processes and which
 33 does not use an additional combustion process.

34 6. "Renewable fuel" means motor vehicle fuel that
 35 meets any of the following conditions:

36 a. Is produced from grain, starch, oilseed,
 37 vegetable, animal, or fish materials including fats,
 38 greases, and oils, sugarcane, sugar beets, sugar
 39 components, tobacco, potatoes, or other biomass, or is
 40 natural gas produced from a biogas source including a
 41 landfill, sewage waste treatment plant, feedlot, or
 42 other place where decaying organic material is found.

43 b. Is used to replace or reduce the quantity of
 44 fossil fuel present in a fuel mixture used to operate

45 a motor vehicle.
46 "Renewable fuel" includes cellulosic biomass
47 renewable fuel, waste-derived renewable fuel, and
48 biodiesel fuel and any blending components derived
49 from renewable fuel, provided that only the renewable
50 fuel portion of any such blending component shall be

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1 considered part of the applicable volume under the
2 renewable fuel program.

3 Sec. 3. NEW SECTION. 7B.3 PURPOSE.

4 The purpose for establishing the Iowa energy
5 independence Act is to enhance the quality of life of
6 the citizens of this state through increasing the
7 autonomy of the state as a self-sufficient source of
8 nonresource-depleting alternative or renewable energy,
9 the independence of the state from reliance upon
10 foreign sources of energy, and the efficiency of the
11 state in maximizing opportunities to achieve energy
12 efficiency through energy conservation measures and
13 practices and economic growth and new job creation.

14 Sec. 4. NEW SECTION. 7B.4 IOWA ENERGY
15 INDEPENDENCE OFFICE.

16 1. An Iowa energy independence office is
17 established to accomplish the purpose stated in
18 section 7B.3. The director of the office shall be
19 appointed by the governor, subject to confirmation by
20 the senate, and shall serve at the pleasure of the
21 governor. If the office of the director becomes
22 vacant, the vacancy shall be filled in the same manner
23 as provided for the original appointment. The
24 director shall serve as the governor's advisor
25 regarding state energy policy, and in performing that
26 function, and in exercising the responsibilities set
27 forth in subsection 2, shall recognize and observe the
28 autonomy of state agencies in relation to matters
29 within their scope of authority and shall focus on
30 policy recommendations to the governor and the members
31 of the general assembly rather than prescriptive or
32 regulatory actions impacting state agencies. The
33 director may hire a deputy director and support staff.

34 2. In serving as the state energy policy advisor,
35 the director shall develop policy recommendations
36 based on a review or coordination of the following:

37 a. Activities of the Iowa energy independence
38 advisory council established in section 7B.6.

39 b. All programs relating to energy independence in
40 this state which receive state appropriations.

41 c. State agency opportunities to identify and
42 secure federal, state, private, and nonprofit
43 foundation funding for energy efficiency, alternative

- 44 and renewable energy, and advanced technology energy
45 research projects and to coordinate use of such funds.
46 d. Consultation with congressional delegations
47 regarding federal energy policy, grant criteria, and
48 fund allocation to ensure that this state receives an
49 appropriate share of federal funding.
50 e. Assistance to local governments, small

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- 1 businesses, and community-based organizations in the
2 identification and securing of federal, state,
3 private, and nonprofit foundation funding for energy
4 efficiency, alternative and renewable energy
5 development, energy research, and other related energy
6 projects.
7 f. Preparation of the Iowa energy independence
8 plan as provided in section 7B.5.
9 g. Making presentations to private investors,
10 nonprofit foundations, and industry associations on
11 state programs for new alternative and renewable
12 energy technologies and investment opportunities in
13 research and technology deployment.
14 h. Formulation of recommendations to the governor
15 and the general assembly regarding changes in
16 programs, policies, legislation, and administrative
17 rules that may enhance state energy independence
18 efforts, including the elimination of programs or
19 transfer of programs to another agency.
20 i. Assistance with administration of the Iowa
21 power fund created in section 15J.1.
22 j. Conducting, in cooperation with the department
23 of public safety and the department of natural
24 resources, a study of green building standards. The
25 study shall be completed by January 1, 2009, and shall
26 include the following:
27 (1) Definition of green building standards,
28 including building design, construction, maintenance
29 techniques, building materials, and equipment
30 promoting energy efficiency, energy conservation,
31 utilization of renewable energy, and technology which
32 can be applied to the construction and maintenance of
33 new structures or rehabilitation of existing
34 structures.
35 (2) Development of performance objectives for
36 green buildings.
37 (3) Development of green building energy-efficient
38 design standards and the scope of their application,
39 and integration of energy-efficient design standards
40 into the state building code adopted pursuant to
41 chapter 103A and local building regulations.
42 (4) Determination of the current status of

43 enforcement of energy conservation requirements in
44 construction and methods for improving compliance with
45 those requirements.
46 (5) Development of training materials for building
47 code officials in energy-efficient design standards.
48 Sec. 5. NEW SECTION. 7B.5 IOWA ENERGY
49 INDEPENDENCE PLAN.
50 An Iowa energy independence plan shall be developed

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1 by the director in association with public and private
2 partners selected by the director and with the
3 assistance of the Iowa energy independence advisory
4 council established in section 7B.6. The goal of the
5 plan shall be to achieve energy independence from
6 foreign sources of energy by 2025. The first plan
7 shall be submitted to the governor and the members of
8 the general assembly by December 15, 2007, with
9 subsequent plans to be submitted every five years
10 thereafter, or more often if deemed necessary by the
11 director. The plan shall identify how the state can
12 accomplish the following:
13 1. Maximizing use of emerging technologies to
14 enhance energy efficiency and conservation and develop
15 alternative and renewable energy sources.
16 2. Enhancing the development of the state's
17 bioeconomy including but not limited to state-based
18 bioengineering and biorefining.
19 3. Encouraging private industry to invest in the
20 development of the state's bioeconomy including but
21 not limited to the design, production, maintenance,
22 and repair of state-based facilities.
23 4. Balancing the interests of crop, biomass,
24 livestock producers, biofuel, and other bioproduct
25 manufacturers, consistent with sustainable land use,
26 clean air, and clean water practices.
27 5. Identifying the road, rail, pipeline, and other
28 infrastructure modifications needed to enhance state
29 energy independence efforts.
30 6. Developing recommendations regarding regulatory
31 policy including utility renewable portfolio
32 standards, greenhouse gas emission standards, building
33 code standards, improved compliance and enforcement,
34 elimination of unnecessary rules, and streamlined
35 permitting that may enhance state energy independence
36 efforts consistent with sustainable land use, clean
37 air and clean water practices, and enforcement. The
38 recommendations shall include a cost analysis of the
39 recommended policy.
40 7. Structuring public and private education
41 policies including curriculum, research assistance,

42 and coordination of research among institutions and
 43 private industry that may enhance state energy
 44 independence efforts.
 45 8. Reviewing and assessing the effectiveness of
 46 state programs, including financial assistance
 47 programs and tax policies, in enhancing state energy
 48 independence efforts.
 49 9. Identifying strategies to increase
 50 affordability of energy for the low-income population

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1 in this state.
 2 Sec. 6. **NEW SECTION. 7B.6 IOWA ENERGY**
 3 **INDEPENDENCE ADVISORY COUNCIL ESTABLISHED –**
 4 **MEMBERSHIP – DUTIES.**
 5 1. An Iowa energy independence advisory council is
 6 created to assist the director in developing the Iowa
 7 energy independence plan and to provide public energy
 8 education and outreach. The council shall oversee and
 9 coordinate energy efficiency and conservation efforts
 10 for state agency facilities, in recognition of the
 11 relative amount of goods and services consumed by
 12 state government and the desirability of state
 13 agencies leading by example in those efforts.
 14 2. The council shall consist of eleven members
 15 appointed by the governor, subject to confirmation by
 16 the senate, as follows:
 17 a. One member representing the Iowa utilities
 18 board.
 19 b. One member representing the Iowa energy center.
 20 c. One member representing the Iowa farm bureau.
 21 d. One member representing investor-owned
 22 utilities.
 23 e. One member representing rural electric
 24 cooperatives.
 25 f. One member representing a municipal utility.
 26 g. One member representing the office of consumer
 27 advocate.
 28 h. Four members representing associations,
 29 organizations, or departments based in this state with
 30 demonstrated experience in the fields of economic
 31 development, biofuels, research and development,
 32 business and industry, or energy commercialization.
 33 Members appointed by the governor are subject to
 34 the requirements of sections 69.16, 69.16A, and 69.19,
 35 and shall serve three-year staggered terms.
 36 The Iowa energy independence office shall provide
 37 staffing support to the council.
 38 3. The council shall advise the director regarding
 39 the following:
 40 a. Iowa energy independence plan development and

- 41 administration of the Iowa power fund created in
42 section 15J.1.
- 43 b. Review of the progress reports submitted by
44 state agencies as described in subsection 4 and
45 development of policy recommendations based on that
46 review.
- 47 c. Recommendations for programs that encourage
48 greater consumer acceptance of biofuels, energy
49 efficiency, and conservation.
- 50 d. Recommendations for a public education and

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- 1 awareness campaign to ensure that all state citizens
2 can benefit from new alternative and renewable energy
3 programs, products, and investments.
- 4 e. Creation of a smart schools and smart
5 communities program to increase the awareness of
6 school districts and local governments regarding
7 energy efficiency measures to save money and reduce
8 their overall energy consumption.
- 9 4. a. The council shall cooperate with the
10 department of natural resources in obtaining copies of
11 the energy efficiency progress reports submitted by
12 state agencies to the department pursuant to executive
13 order number 41, 2005. As required pursuant to that
14 executive order, the reports shall document state
15 agency efforts to achieve the following:
- 16 (1) Identification and implementation of energy
17 efficiency measures as provided in section 473.13A,
18 including the reduction in energy consumption per
19 square foot in all state-owned facilities by an
20 average of fifteen percent by 2010 relative to 2000
21 levels, and retention and reinvestment of energy
22 savings realized in facility infrastructure needs.
- 23 (2) Compliance with sections 72.5 and 470.8
24 relating to implementation of a life cycle cost
25 analysis for new public facility construction or
26 renovation and the purchase of lowest life cycle cost
27 equipment.
- 28 (3) Procurement of at least ten percent of the
29 electric consumption for state-owned facilities from
30 alternate energy production facilities, as defined in
31 section 476.42, by 2010.
- 32 (4) Procurement of one hundred percent of the
33 nonlaw enforcement, light-duty vehicles by 2010 in the
34 form of alternative fuel vehicles or hybrid-electric
35 vehicles; and operation of flexible fuel vehicles on
36 E-85 fuel whenever an E-85 fueling facility is
37 available.
- 38 (5) Assurance that all bulk diesel fuel procured
39 has at least ten percent renewable content by 2008,

40 and twenty percent by 2010 if available, and assurance
 41 that diesel vehicles operate on biodiesel blends
 42 whenever such blends are available.

43 b. The council shall conduct a review of the
 44 reports submitted pursuant to paragraph "a", cooperate
 45 with the department regarding feedback and
 46 recommendations to each agency regarding progress to
 47 date and suggestions for modifications, and shall
 48 submit policy objectives and recommendations to the
 49 director based on the review.

50 Sec. 7. Section 8A.321, Code 2007, is amended by

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1 adding the following new subsection:

2 NEW SUBSECTION. 16. Review contracts for the
 3 acquisition, construction, erection, alteration, or
 4 repair of buildings and grounds for use by state
 5 agencies pursuant to this section to ensure compliance
 6 with state building code modifications and energy
 7 efficiency standards incorporated into the Iowa energy
 8 independence plan pursuant to section 7B.5, subsection
 9 6.

10 Sec. 8. Section 8A.362, subsection 5, unnumbered
 11 paragraph 1, Code 2007, is amended to read as follows:

12 ~~Of all~~ All new passenger vehicles and light pickup
 13 trucks purchased by the director, ~~a minimum of ten~~
 14 ~~percent of all such vehicles and trucks purchased~~
 15 shall be equipped with engines which utilize
 16 alternative methods of propulsion including but not
 17 limited to any of the following:

18 Sec. 9. Section 8A.362, subsection 9, Code 2007,
 19 is amended to read as follows:

20 9. a. All fuel used in state-owned automobiles
 21 shall be purchased at cost from the various
 22 installations or garages of the state department of
 23 transportation, state board of regents, department of
 24 human services, or state motor pools throughout the
 25 state, unless the state-owned sources for the purchase
 26 of fuel are not reasonably accessible. If the
 27 director determines that state-owned sources for the
 28 purchase of fuel are not reasonably accessible, the
 29 director shall authorize the purchase of fuel from
 30 other sources. The director may prescribe a manner,
 31 other than the use of the revolving fund, in which the
 32 purchase of fuel from state-owned sources is charged
 33 to the state agency responsible for the use of the
 34 motor vehicle. The director shall prescribe the
 35 manner in which oil and other normal motor vehicle
 36 maintenance for state-owned motor vehicles may be
 37 purchased from private sources, if they cannot be
 38 reasonably obtained from a state motor pool. The

39 director may advertise for bids and award contracts in
40 accordance with competitive bidding procedures for
41 items and services as provided in this subchapter for
42 furnishing fuel, oil, grease, and vehicle replacement
43 parts for all state-owned motor vehicles. The
44 director and other state agencies, when advertising
45 for bids for gasoline, shall also seek bids for
46 ethanol blended gasoline.

47 b. Installations or garages of the state
48 department of transportation, state board of regents,
49 department of human services, or state motor pools
50 throughout the state, shall be equipped with motor

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1 fuel storage and dispensing infrastructure in the form
2 of a tank and motor fuel pumps necessary to keep and
3 dispense E-85 gasoline by 2009. The department shall
4 by rule establish E-85 gasoline usage standards
5 applicable to state employees driving or operating
6 state-owned vehicles and trucks other than vehicles
7 and trucks purchased and directly used for law
8 enforcement or purchased and used for off-road
9 maintenance work or to pull loaded trailers.

10 Sec. 10. Section 15.103, subsection 1, paragraph
11 a, Code 2007, is amended to read as follows:

12 a. The Iowa economic development board is created,
13 consisting of fifteen voting members appointed by the
14 governor and ~~seven~~ eight ex officio, nonvoting
15 members. The ex officio, nonvoting members are four
16 legislative members; one president, or the president's
17 designee, of the university of northern Iowa, the
18 university of Iowa, or Iowa state university of
19 science and technology designated by the state board
20 of regents on a rotating basis; and one president, or
21 the president's designee, of a private college or
22 university appointed by the Iowa association of
23 independent colleges and universities; ~~and~~ one
24 superintendent, or the superintendent's designee, of a
25 community college, appointed by the Iowa association
26 of community college presidents; ~~and the director of~~
27 the Iowa energy independence office established in
28 section 7B.4. The legislative members are two state
29 senators, one appointed by the president of the
30 senate, after consultation with the majority leader of
31 the senate, and one appointed by the minority leader
32 of the senate, after consultation with the president
33 of the senate, from their respective parties; and two
34 state representatives, one appointed by the speaker
35 and one appointed by the minority leader of the house
36 of representatives from their respective parties. Not
37 more than eight of the voting members shall be from

38 the same political party. Beginning with the first
39 appointment to the board made after July 1, 2005, at
40 least one voting member shall have been less than
41 thirty years of age at the time of appointment. The
42 governor shall appoint the voting members of the board
43 for a term of four years beginning and ending as
44 provided by section 69.19, subject to confirmation by
45 the senate, and the governor's appointments shall
46 include persons knowledgeable of the various elements
47 of the department's responsibilities.

48 Sec. 11. NEW SECTION. 15J.1 IOWA POWER FUND.

49 1. An Iowa power fund is created in the state
50 treasury under the control of the department of

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1 economic development. Moneys in the fund are not
2 subject to section 8.33. Notwithstanding section
3 12C.7, interest or earnings on moneys in the fund
4 shall be credited to the fund. The fund shall be
5 administered by the department, which shall make
6 expenditures from the fund consistent with this
7 section and pertinent Acts of the general assembly in
8 coordination with the director of the Iowa energy
9 independence office established in section 7B.4, and
10 with the assistance of the Iowa energy independence
11 advisory council established in section 7B.6.

12 2. The purpose of the fund shall be to further the
13 goals of increasing the production and use of biofuels
14 and other renewable sources of energy, improving
15 energy efficiency, reducing greenhouse gas emissions,
16 and achieving energy independence for this state.
17 Distributions from the fund shall assist in the
18 achievement of these goals by accelerating research
19 and development, the transfer of knowledge,
20 technological innovations, improved economic
21 competitiveness, and the demand for and public
22 education in utilization of technological innovations
23 and approaches leading to energy efficiency.

24 3. The department, in consultation with the
25 director of the Iowa energy independence office and
26 the Iowa energy independence advisory council, shall
27 adopt rules specifying a request for proposals process
28 for making fund distributions to applicants from
29 private sector businesses located in this state
30 pledging to invest in the creation or enhancement of
31 alternative or renewable energy research, production
32 facilities, and jobs. Distributions shall commence by
33 December 2007. Applicants shall commit to the
34 following:

35 a. Assurance that state funding received shall be
36 matched by the applicant for venture capital and

37 business start-up expenses.

38 b. Provision of sufficient wages and benefits to
39 employees to provide an incentive to attract and
40 retain qualified employees.

41 c. Investment and expansion of existing or future
42 management functions and manufacturing plant locations
43 in this state, to the extent applicable.

44 4. The department may reclaim any state funds
45 invested if the commitments set forth in subsection 3
46 are not honored by an applicant receiving a
47 distribution from the fund, pursuant to procedures to
48 be adopted by rule.

49 Sec. 12. Section 103A.8A, Code 2007, is amended to
50 read as follows:

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1 103A.8A ENERGY CONSERVATION REQUIREMENTS.

2 The state building code commissioner shall adopt as
3 a part of the state building code a requirement that
4 new single-family or two-family residential
5 construction shall comply with energy conservation
6 requirements. The requirements adopted by the
7 commissioner shall be based upon a nationally
8 recognized standard or code for energy conservation.
9 The requirements shall only apply to single-family or
10 two-family residential construction commenced after
11 the adoption of the requirements. ~~This chapter shall
12 not be construed to prohibit a governmental
13 subdivision from adopting or enacting a minimum energy
14 standard which is substantially in accordance and
15 consistent with energy codes and standards developed
16 by a nationally recognized organization in effect on
17 or after July 1, 2002. A governmental subdivision
18 that adopts or enacts a minimum energy standard which
19 is substantially in accordance and consistent with
20 energy codes and standards developed by a nationally
21 recognized organization shall adopt or enact any
22 update or revision to the energy codes and standards.
23 Notwithstanding any other provision of this chapter to
24 the contrary, the energy conservation requirements
25 adopted by the commissioner and approved by the
26 council shall apply to new single-family or two-family
27 residential construction commenced on or after July 1,
28 2007, and shall supersede and replace any minimum
29 requirements for energy conservation adopted or
30 enacted by the governmental subdivision prior to that
31 date applicable to such construction.~~

32 Sec. 13. Section 103A.10, subsection 4, paragraph
33 a, Code 2007, is amended to read as follows:

34 a. Provisions of the state building code
35 establishing thermal efficiency energy conservation

36 standards shall be applicable to all new construction
 37 ~~owned by the state, an agency of the state or a~~
 38 ~~political subdivision of the state, to all new~~
 39 ~~construction located in a governmental subdivision~~
 40 ~~which has adopted either the state building code or a~~
 41 ~~local building code or compilation of requirements for~~
 42 ~~building construction and to all other new~~
 43 ~~construction in the state which will contain more than~~
 44 ~~one hundred thousand cubic feet of enclosed space that~~
 45 ~~is heated or cooled.~~

46 Sec. 14. Section 103A.10, subsection 5, Code 2007,
 47 is amended by striking the subsection and inserting in
 48 lieu thereof the following:

49 5. Notwithstanding any other provision of this
 50 chapter to the contrary, the energy conservation

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1 requirements adopted by the commissioner and approved
 2 by the council shall apply to all new construction
 3 commenced on or after July 1, 2007, and shall
 4 supersede and replace any minimum requirements for
 5 energy conservation adopted or enacted by the
 6 governmental subdivision prior to that date and
 7 applicable to such construction.

8 Sec. 15. Section 103A.22, subsection 1, Code 2007,
 9 is amended to read as follows:

10 1. Nothing in this chapter shall be construed as
 11 prohibiting any governmental subdivision from adopting
 12 or enacting any building regulations relating to any
 13 building or structure within its limits, but a
 14 governmental subdivision in which the state building
 15 code has been accepted and is applicable shall not
 16 have the power to supersede, void, or repeal or make
 17 more restrictive any of the provisions of this chapter
 18 or of the rules adopted by the commissioner. This
 19 subsection shall not apply to energy conservation
 20 requirements adopted by the commissioner and approved
 21 by the council pursuant to section 103A.8A or 103A.10.

22 Sec. 16. Section 266.39C, subsection 3, Code 2007,
 23 is amended to read as follows:

24 3. Iowa state university of science and technology
 25 shall employ a director for the center, who shall be
 26 appointed by the president of Iowa state university of
 27 science and technology. The director of the center
 28 shall employ necessary research and support staff.
 29 The director and staff shall be employees of Iowa
 30 state university of science and technology. ~~No more~~
 31 ~~than seven hundred thousand dollars of the funds made~~
 32 ~~available by appropriation from state revenues in any~~
 33 ~~one year shall be expended by the center for the~~
 34 ~~salaries and benefits of the employees of the center,~~

35 including the salary and benefits of the director.
36 The limit on expenditures for salaries and benefits
37 shall be adjusted annually by a percentage equal to
38 the average percentage salary adjustment approved
39 annually by the state board of regents for
40 professional and scientific employees at Iowa state
41 university of science and technology. The remainder
42 of the funds appropriated from state funds Funds
43 appropriated to the center shall be used to sponsor
44 research grants and projects submitted on a
45 competitive basis by Iowa colleges and universities
46 and private nonprofit agencies and foundations, and
47 for the salaries and benefits of the employees of the
48 center. The center may also solicit additional grants
49 and funding from public and private nonprofit agencies
50 and foundations.

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1 Sec. 17. Section 476.1A, subsection 7, Code 2007,
2 is amended by striking the subsection.

3 Sec. 18. Section 476.1A, unnumbered paragraph 2,
4 Code 2007, is amended by striking the numbered
5 paragraph.

6 Sec. 19. Section 476.1B, subsection 1, paragraph
7 1, Code 2007, is amended by striking the paragraph.

8 Sec. 20. Section 476.1B, subsection 2, Code 2007,
9 is amended by striking the subsection.

10 Sec. 21. Section 476.6, Code 2007, is amended by
11 adding the following new subsection:

12 **NEW SUBSECTION. 18A. ENERGY EFFICIENCY**
13 **IMPLEMENTATION FOR OTHER GAS AND ELECTRIC UTILITIES.**

14 1. a. All gas and electric public utilities that
15 are not subject to the provisions of subsections 16
16 through 18 shall offer energy efficiency programs to
17 their customers through board-approved energy
18 efficiency plans. The board shall permit these
19 utilities to file plans sponsored by the associations
20 to which they belong. Utility associations shall
21 develop energy efficiency plans that are tailored to
22 their membership. The utility may provide the energy
23 programs or the programs may be provided through a
24 contractor or agent of the utility, utilizing
25 contractors or agents in this state to the extent cost
26 effective.

27 b. An energy efficiency plan as a whole shall be
28 cost-effective. In determining the cost-effectiveness
29 of an energy efficiency plan, the board shall apply a
30 societal test and a participant test, as defined in
31 rules adopted by the board. Energy efficiency
32 programs for qualified low-income persons, tree
33 planting programs, and public education programs shall

34 not be subject to the societal or participant tests
35 and shall not be considered in determining
36 cost-effectiveness of plans as a whole.

37 c. All utilities shall file plans by January 15,
38 2009, and shall continue any existing plan until a new
39 plan is approved. The board by rule or order may
40 stagger the filings and require that some utilities
41 file at dates prior to December 31, 2008, but no
42 earlier than November 1, 2007. Utilities shall refile
43 their plans at least every five years.

44 2. a. All energy efficiency plans filed pursuant
45 to subsection 1 shall include a range of programs
46 tailored to the needs of a utility's various customer
47 classes. All energy efficiency plans shall also
48 include a program for qualified low-income persons.

49 b. An energy efficiency plan shall be deemed
50 approved within sixty days of filing, unless the board

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1 docket the plan for contested case proceedings. A
2 plan shall not be docketed until after the expiration
3 of a sixty-day period following return of the plan by
4 the board to the utility for submission by the utility
5 of a revised plan. The board may approve or reject a
6 plan, and shall adopt rules governing the contested
7 case proceedings. The board shall also adopt rules
8 containing a default energy efficiency plan that shall
9 be implemented by a utility if the board does not
10 approve its plan or if the utility fails to file a
11 plan. The default plan may include a range of options
12 based on type and size of the utility. The default
13 plan, at a minimum, shall provide that the public
14 spend two percent of its annual revenues on energy
15 efficiency programs, including funding for qualified
16 low-income persons, for residential and nonresidential
17 lighting for electric utilities, and for water-saving
18 measures to reduce gas water heating for gas
19 utilities.

20 c. Utilities that fail to file energy efficiency
21 plans or implement approved plans shall be subject to
22 enforcement of civil penalties pursuant to section
23 476.51.

24 d. The board shall adopt rules pursuant to chapter
25 17A to administer this subsection.

26 Sec. 22. Section 476.6, Code 2007, is amended by
27 adding the following new subsection:

28 **NEW SUBSECTION. 18B. ALTERNATIVE AND RENEWABLE**
29 **ENERGY OBJECTIVE.**

30 1. To attain the goal of energy independence, each
31 electric utility shall make a good faith effort to
32 generate or procure electricity from sources of

33 alternative and renewable energy as defined in section
34 7B.2 for provision to retail consumers.
35 2. Each electric utility shall report on its
36 plans, activities, and progress in meeting the
37 objective specified in subsection 1 either in filings
38 required to be submitted to the board, or in a
39 separate report submitted to the board on an annual
40 basis, demonstrating to the board that the utility is
41 making the required good faith effort. The filings or
42 report shall contain a description of the following:
43 a. Status of the utility's alternative and
44 renewable energy mix relative to the utility's stated
45 objective.
46 b. Efforts being undertaken to meet the objective.
47 c. Obstacles encountered or anticipated in meeting
48 the objective and their potential solutions.
49 3. The board shall submit an annual report based
50 on the information submitted in subsection 2 to the

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1 director of the Iowa energy independence office
2 established in section 7B.4, and to the chairpersons
3 of the senate and house of representatives committees
4 with jurisdiction over energy and environmental policy
5 issues regarding progress made by electric utilities
6 in this state in increasing the amount of alternative
7 and renewable energy used to provide electricity to
8 retail customers.

9 Sec. 23. Section 476.46, subsection 2, paragraph
10 d, subparagraph (2), Code 2007, is amended to read as
11 follows:

12 (2) A facility shall be eligible for no more than
13 ~~two hundred fifty thousand~~ one million dollars in
14 loans outstanding at any time under this program.

15 Sec. 24. Section 476.47, subsection 2, Code 2007,
16 is amended by adding the following new paragraph:
17 NEW PARAGRAPH. c. Electric utilities shall
18 include a report of efforts made in the past year to
19 further the use of renewable energy in this state.

20 Sec. 25. EFFECTIVE DATE. This Act, being deemed
21 of immediate importance, takes effect upon enactment."

22 2. Title page, by striking lines 3 and 4 and
23 inserting the following: "changes consistent with
24 energy efficiency, and providing an effective date."

Committee on Commerce

H-1108

1 Amend House File 320 as follows:

2 1. By striking everything after the enacting

3 clause and inserting the following:

4 "Section 1. Section 125.59, unnumbered paragraph
5 1, Code 2007, is amended to read as follows:

6 The treasurer of state shall transfer funds
7 credited from the issuance of special series plates as
8 provided in section 321J.4A, and on each July 1 for
9 that fiscal year, shall transfer the estimated amounts
10 to be received from section 123.36, subsection 8, and
11 section 123.143, subsection 1, to the department.

12 Sec. 2. **NEW SECTION. 321J.4A SURRENDER OF**
13 **VEHICLE REGISTRATION – SPECIAL SERIES PLATES.**

14 1. Upon a conviction for an offense that is a
15 second or subsequent offense under section 321J.2, the
16 court shall issue an order requiring the surrender of
17 the registration receipt and registration plates for
18 the following vehicles, as identified by the
19 department:

20 a. Any vehicle registered to the defendant,
21 individually or jointly.

22 b. Any vehicle for which the defendant is listed
23 on the certificate of title as the owner or co-owner.

24 c. Any leased vehicle required to be registered
25 under section 321F.8, if the defendant is listed as
26 the lessee. A rental vehicle which is one of a fleet
27 of vehicles rented for periods of four months or less
28 is not a leased vehicle for purposes of this section.

29 2. The court shall forward a copy of the surrender
30 of registration order to the applicable county
31 treasurer. The court shall forward the surrendered
32 registration receipt to the county treasurer within
33 seven days after surrender. The court may destroy the
34 surrendered registration plates and notify the county
35 treasurer of the destruction.

36 3. If a vehicle has been impounded pursuant to
37 section 321J.4B, the court shall order the
38 registration receipt and plates to be forwarded to the
39 court by a date specified by the court. If a
40 vehicle's registration receipt and plates have been
41 surrendered to the department pursuant to section
42 321A.17, the defendant shall notify the court.

43 4. a. A defendant or owner whose motor vehicle
44 registration receipt and plates have been surrendered
45 pursuant to this section may apply to the director for
46 new registration plates, which shall bear a special
47 series of numbers or letters so as to be readily
48 identified by peace officers. The director shall
49 authorize issuance of special series plates if any of
50 the following apply:

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1 (1) A member of the defendant's household or a
2 co-owner of the vehicle has a valid driver's license.

3 (2) The defendant has been issued a temporary
4 restricted license under section 321J.20.

5 b. The special series registration plates shall be
6 issued upon payment of a special fee of fifty dollars
7 for each vehicle for which special series plates are
8 issued. The special fee does not modify or replace
9 the annual registration fee required for the vehicle
10 under chapter 321. The special fees collected from
11 the issuance of special series plates shall be
12 credited to the road use tax fund. Notwithstanding
13 section 423.43, and prior to the crediting of the
14 revenues to the road use tax fund under section
15 423.43, subsection 1, paragraph "b", the treasurer of
16 state shall credit monthly the amount of the special
17 fees collected in the previous month to the Iowa
18 department of public health to be used in each county
19 for substance abuse education programs funded under
20 section 125.59.

21 5. Application for and acceptance of special
22 series registration plates constitutes implied consent
23 for a peace officer to stop the vehicle bearing the
24 special series plates at any time. A peace officer
25 who observes the operation of a motor vehicle bearing
26 special series registration plates issued under this
27 section may stop the vehicle for the purpose of
28 determining whether the driver is operating the
29 vehicle lawfully under a valid driver's license.

30 6. A registered owner of a motor vehicle shall not
31 sell the motor vehicle during the time its
32 registration plates and registration receipt have been
33 ordered surrendered or during the time its
34 registration plates bear a special series number,
35 unless the registered owner applies to the department
36 for consent to transfer title to the motor vehicle.
37 If the department is satisfied that the proposed sale
38 is in good faith and for valid consideration, that the
39 registered owner will be deprived of custody and
40 control of the motor vehicle, and that the sale is not
41 for the purpose of circumventing the provisions of
42 this section, the department may certify its consent
43 to the county treasurer. The county treasurer shall
44 then transfer the title to the new owner upon proper
45 application and issue new registration plates. After
46 the registration plates and registration receipt have
47 been ordered surrendered to the court under this
48 section, if the title to the motor vehicle is
49 transferred by the cancellation of a conditional sales
50 contract, a sale upon execution, or by decree or order
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1 of a court of competent jurisdiction, the department
2 shall order the title surrendered to the new

3 registered owner. The county treasurer shall then
4 transfer the title and issue new registration plates
5 to the new registered owner. If a registered owner
6 who is subject to a surrender order applies for a new
7 vehicle registration, the department shall issue
8 special series plates upon payment of a fee, as
9 required under this section, or permit transfer of
10 special series registration plates to the new vehicle
11 at no charge.

12 7. A surrender order shall remain in effect until
13 the department is authorized to delete all convictions
14 under section 321J.2 from the defendant's operating
15 record, as provided in section 321.12. The department
16 shall notify the registered owner of any vehicle
17 registered with special series plates when the
18 surrender order is about to expire. After the
19 surrender order has expired, the department shall
20 exchange the special series plates for regular
21 registration plates at no charge upon request of the
22 vehicle's registered owner.

23 8. This section is not intended to change or
24 modify the taxation of motor vehicles or the time
25 within which a motor vehicle tax must be paid.

26 9. a. A person who fails to surrender any
27 registration plates or a registration receipt to the
28 court upon demand under this section or who fails to
29 comply with this section is guilty of a simple
30 misdemeanor and contempt of court.

31 b. A person who operates a motor vehicle on a
32 street or highway at a time when a court has ordered
33 the surrender of the vehicle's registration plates and
34 registration receipt is guilty of a simple misdemeanor
35 as a separate and distinct offense from any other
36 penalty imposed in connection with the offense of
37 driving while under a license suspension or
38 revocation.

39 10. The director may adopt such rules as may be
40 necessary for the implementation and administration of
41 this section."

42 2. Title page, by striking lines 1 through 3 and
43 inserting the following: "An Act relating to
44 surrender of motor vehicle registrations upon
45 conviction for a second or subsequent offense of
46 operating while intoxicated, issuance of special
47 series motor vehicle registration plates, providing a
48 fee and an appropriation, and providing penalties."

KAUFMANN of Cedar

H-1109

1 Amend House File 652 as follows:

2 1. Page 3, line 15, by inserting after the word

3 "ballet" the following: "as an incomplete
 4 registration".
 5 2. Page 3, by striking lines 31 and 32 and
 6 inserting the following: "registration."

JACOBS of Polk

H-1110

1 Amend House File 320 as follows:
 2 1. By striking everything after the enacting
 3 clause and inserting the following:
 4 "Section 1. APPROPRIATION – DEPARTMENT OF PUBLIC
 5 SAFETY – STUDY.
 6 1. There is appropriated from the general fund of
 7 the state to the department of public safety for the
 8 fiscal year beginning July 1, 2007, and ending June
 9 30, 2008, the following amount, or so much thereof as
 10 is necessary, to be used for the purpose designated:
 11 For a study relating to the prevention of repeat
 12 violations by operating-while-intoxicated offenders:
 13 \$ 50,000
 14 2. The department shall submit a report of the
 15 results of the study to members of the general
 16 assembly and to the office of the prosecuting
 17 attorneys training coordinator by January 1, 2008."
 18 2. Title page, by striking lines 1 through 3 and
 19 inserting the following: "An Act relating to a study
 20 to prevent repeat violations by
 21 operating-while-intoxicated offenders and making an
 22 appropriation."

KAUFMANN of Cedar

H-1115

1 Amend Senate File 128, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 2, line 22, by striking the word "A" and
 4 inserting the following: "1. A".
 5 2. Page 3, by striking lines 7 through 9 and
 6 inserting the following:
 7 "2. Moneys deposited in the fund shall be used
 8 only in accordance with appropriations from the fund,
 9 shall not be appropriated for any purpose prior to
 10 July 1, 2008, and if appropriated shall only be
 11 appropriated for the following purposes:
 12 a. Tobacco use prevention and control.
 13 b. Substance abuse prevention and treatment
 14 including substance abuse prevention and treatment for
 15 children.
 16 c. Smoking cessation products.

- 17 d. Phenylketonuria assistance.
- 18 e. The AIDS drug assistance program.
- 19 f. The birth defects institute.
- 20 g. Medical assistance supplemental funding.
- 21 h. Medical assistance reimbursement for physicians
- 22 and other medical providers, dental providers,
- 23 hospital providers, home health care providers,
- 24 critical access hospitals, home health and
- 25 habilitative day care providers, respite care
- 26 providers, and breast and cervical cancer treatment.
- 27 i. The state children's health insurance expansion
- 28 program under the medical assistance program.
- 29 j. Child and family services."

SANDS of Louisiana

H-1117

- 1 Amend Senate File 128, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, by inserting after line 17 the
- 4 following:
- 5 "Sec.____. Section 423.3, Code 2007, is amended by
- 6 adding the following new subsection:
- 7 NEW SUBSECTION. 92. The sales price from the sale
- 8 of any over-the-counter smoking cessation product used
- 9 for the purpose of smoking cessation or nicotine
- 10 replacement."
- 11 2. Title page, line 3, by inserting after the
- 12 word "products," the following: "providing a sales
- 13 tax exemption for certain smoking cessation
- 14 products,".

STRUYK of Pottawattamie

H-1118

- 1 Amend House File 516 as follows:
- 2 1. Page 10, by inserting after line 8 the
- 3 following:
- 4 "Sec.____. Section 483A.8B, unnumbered paragraph
- 5 1, Code 2007, is amended to read as follows:
- 6 A person who is a resident and who is seventy sixty
- 7 years of age or older may be issued one special senior
- 8 statewide antlerless deer only crossbow deer hunting
- 9 license to hunt deer during bow season as established
- 10 by rule by the commission. A person who obtains a
- 11 license to hunt deer under this section is not
- 12 required to pay the wildlife habitat fee but shall be
- 13 otherwise qualified to hunt deer in this state and
- 14 shall have a resident hunting license."
- 15 2. By renumbering as necessary.

ALONS of Sioux

H-1120

1 Amend Senate File 128, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 3, line 9, by inserting after the word
4 "control." the following: "An appropriation shall not
5 be made from the fund for any purpose other than the
6 purposes specified in this section, unless the bill or
7 joint resolution providing for the appropriation is
8 approved by vote of at least three-fifths of the
9 members of both chambers of the general assembly and
10 is signed by the governor."

WISE of Lee
COHOON of Des Moines
REICHERT of Muscatine
QUIRK of Chickasaw

H-1121

1 Amend House File 671 as follows:
2 1. Page 1, by inserting after line 19 the
3 following:
4 "Sec. ____ Section 483A.8B, unnumbered paragraph
5 1, Code 2007, is amended to read as follows:
6 A person who is a resident and who is seventy six
7 years of age or older may be issued one special senior
8 statewide antlerless deer only crossbow deer hunting
9 license to hunt deer during bow season as established
10 by rule by the commission. A person who obtains a
11 license to hunt deer under this section is not
12 required to pay the wildlife habitat fee but shall be
13 otherwise qualified to hunt deer in this state and
14 shall have a resident hunting license."
15 2. Title page, line 1, by inserting after the
16 word "Act" the following: "relating to hunting by".
17 3. Title page, line 2, by inserting after the
18 word "animals" the following: ", providing for
19 additional senior crossbow deer hunting licenses,".
20 4. By renumbering as necessary.

ALONS of Sioux

H-1122

1 Amend Senate File 128, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 3, by striking lines 7 through 9 and
4 inserting the following:
5 "Moneys in the fund shall be used only for the
6 purposes of the medical assistance program, including

7 provider reimbursements. There is appropriated from
8 the health care trust fund, annually, an amount
9 specified in an appropriation by the general assembly
10 from the health care trust fund for reimbursement to
11 specified providers and for specified services under
12 the medical assistance program."

13 2. Page 6, by inserting after line 22 the
14 following:

15 "Sec. ____ MEDICAL ASSISTANCE PROVIDER
16 REIMBURSEMENTS – APPROPRIATION. There is
17 appropriated from the health care trust fund created
18 in section 453A.35A, as enacted in this Act, to the
19 department of human services for the fiscal year
20 beginning July 1, 2007, and ending June 30, 2008, the
21 following amount, or so much thereof as is necessary,
22 to be used for the purpose designated:

23 To provide reimbursement in an amount that is three
24 percent greater than the reimbursement amount provided
25 for the fiscal period beginning June 30, 2006, to the
26 following providers and for the following services:
27 Inpatient and outpatient hospital services;
28 disproportionate share hospitals, indirect medical
29 education and direct medical education; home health
30 services; physician services; psychiatric services;
31 family planning services; early periodic screening,
32 diagnosis, and treatment; dental services; optometric
33 services; supplies; ambulance services; practitioner
34 services; podiatric services; chiropractic services;
35 clinic services; community mental health centers; home
36 and community-based waiver services; the Iowa plan for
37 behavioral health; health maintenance organizations;
38 nursing facilities; case management services;
39 rehabilitative treatment services; adult
40 rehabilitative option services; and pharmacy
41 dispensing fees:

42 \$ 19,777,329"

43 3. Title page, line 4, by inserting after the
44 word "appropriation," the following: "providing a
45 limitation on the purposes of the fund to those
46 purposes related to the medical assistance program
47 including an appropriation for provider
48 reimbursements,".

49 4. By renumbering as necessary.

UPMEYER of Hancock

H-1123

1 Amend Senate File 128, as amended, passed, and
2 reprinted by the Senate, as follows:

- 3 1. Page 6, by striking lines 28 and 29.
4 2. Title page, line 4, by striking the following:
5 "and providing an effective date".

RANTS of Woodbury

H-1124

- 1 Amend Senate File 128, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 2, line 22, by striking the word "A" and
4 inserting the following: "1. A".
5 2. Page 3, by striking lines 7 through 9 and
6 inserting the following:
7 "2. a. Moneys deposited in the health care trust
8 fund which constitute proceeds derived from payment of
9 taxes pursuant to section 453A.6, subsection 1, and
10 section 453A.43, subsections 1, 2, 3, and 4, shall be
11 used only in accordance with appropriations from the
12 fund for the following purposes:
13 (1) Tobacco use prevention and control.
14 (2) Substance abuse prevention and treatment
15 including substance abuse prevention and treatment for
16 children.
17 (3) Smoking cessation products.
18 (4) Phenylketonuria assistance.
19 (5) The AIDS drug assistance program.
20 (6) The birth defects institute.
21 (7) Medical assistance supplemental funding.
22 (8) Medical assistance reimbursement for
23 physicians and other medical providers, dental
24 providers, hospital providers, critical access
25 hospitals, home health and habilitative day care
26 providers, respite care providers, and breast and
27 cervical cancer treatment.
28 (9) The state children's health insurance
29 expansion program under the medical assistance
30 program.
31 (10) Child and family services.
32 b. Beginning July 1, 2008, and thereafter, moneys
33 deposited in the health care trust fund which
34 constitute proceeds derived from payment of taxes
35 pursuant to section 453A.6, subsection 1, and section
36 453A.43, subsections 1, 2, 3, and 4, shall be
37 appropriated for the purposes described in paragraph
38 "a", annually, in amounts such that the amounts
39 appropriated for such purposes in the fiscal year
40 beginning July 1, 2006, are increased by an amount
41 which is the difference between the amount of revenue
42 generated from the sources described in this
43 subsection for the fiscal year beginning July 1, 2006,
44 and the amount of revenue generated from those sources

45 in the fiscal year beginning July 1, 2007, multiplied
 46 by one hundred and fifteen percent.
 47 c. Notwithstanding any provision of law to the
 48 contrary, moneys derived from the sources described in
 49 this subsection and deposited in the health care trust
 50 fund which are obligated or unexpended for the

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1 purposes designated at the end of any fiscal year
 2 shall be transferred to the senior living trust fund
 3 created in section 249H.4."

STRUYK of Pottawattamie

H-1125

1 Amend Senate File 128, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. By striking everything after the enacting
 4 clause and inserting the following:
 5 "Section 1. NEW SECTION. 453E.1 CIGARETTES –
 6 PROHIBITIONS.
 7 Beginning July 1, 2009:
 8 1. A person shall not sell, give, or otherwise
 9 supply cigarettes to any person in this state.
 10 2. A person shall not smoke, use, possess,
 11 purchase, or attempt to purchase cigarettes in this
 12 state.
 13 Sec. 2. CODE EDITOR DIRECTIVE. The Code editor,
 14 in consultation with the department of revenue and the
 15 department of public health, shall submit
 16 recommendations to the general assembly for conforming
 17 changes to the Code necessary to implement the
 18 prohibitions specified in section 453E.1, as enacted
 19 in this Act, by January 1, 2009."
 20 2. Title page, by striking lines 1 through 5, and
 21 inserting the following: "An Act relating to
 22 prohibitions relating to cigarettes."

VAN FOSSEN of Scott

H-1127

1 Amend Senate File 128, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 2, line 22, by striking the word "A" and
 4 inserting the following: "1. A".
 5 2. Page 3, by striking lines 7 through 9 and
 6 inserting the following:
 7 "2. a. Moneys deposited in the health care trust
 8 fund which constitute proceeds derived from payment of
 9 taxes pursuant to section 453A.6, subsection 1, and
 10 section 453A.43, subsections 1, 2, 3, and 4, shall be

11. used only in accordance with appropriations from the
12 fund for the following purposes:
13 (1) Tobacco use prevention and control.
14 (2) Substance abuse prevention and treatment
15 including substance abuse prevention and treatment for
16 children.
17 (3) Smoking cessation products.
18 (4) Phenylketonuria assistance.
19 (5) The AIDS drug assistance program.
20 (6) The birth defects institute.
21 (7) Medical assistance supplemental funding.
22 (8) Medical assistance reimbursement for
23 physicians and other medical providers, dental
24 providers, hospital providers, critical access
25 hospitals, home health and habilitative day care
26 providers, respite care providers, and breast and
27 cervical cancer treatment.
28 (9) The state children's health insurance
29 expansion program under the medical assistance
30 program.
31 (10) Child and family services.
32 b. Beginning July 1, 2008, and thereafter, moneys
33 deposited in the health care trust fund which
34 constitute proceeds derived from payment of taxes
35 pursuant to section 453A.6, subsection 1, and section
36 453A.43, subsections 1, 2, 3, and 4, shall be
37 appropriated for the purposes described in paragraph
38 "a", annually, in amounts such that the amounts
39 appropriated for such purposes in the fiscal year
40 beginning July 1, 2006, are increased by an amount
41 which is the difference between the amount of revenue
42 generated from the sources described in this
43 subsection for the fiscal year beginning July 1, 2006,
44 and the amount of revenue generated from those sources
45 in the fiscal year beginning July 1, 2007.
46 c. Notwithstanding any provision of law to the
47 contrary, moneys derived from the sources described in
48 this subsection and deposited in the health care trust
49 fund which are obligated or unexpended for the
50 purposes designated at the end of any fiscal year

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1 shall be transferred to the senior living trust fund
2 created in section 249H.4."

STRUYK of Pottawattamie

H-1129

1 Amend House File 545 as follows:
2 1. Page 2, line 25, by inserting after the word

3 "courses." the following: "The rules shall provide
 4 that not more than ten percent of the amount of course
 5 fees collected annually shall be used to reimburse the
 6 Iowa independent automobile dealers association for
 7 costs incurred by the association for the provision of
 8 education courses."

ARNOLD of Lucas

H-1130

1 Amend Senate File 128, as amended, passed, and
 2 reprinted by the Senate, as follows:

3 1. Page 1, line 35, by striking the word "
 4 STANDING".

5 2. Page 2, by striking line 1 and inserting the
 6 following: "AND TOBACCO USE PREVENTION AND CONTROL
 7 ACCOUNT."

8 3. Page 2, by striking lines 5 through 13, and
 9 inserting the following: "by the department, with the
 10 exception of the proceeds derived from payment of
 11 taxes pursuant to section 453A.6, subsection 1, and
 12 section 453A.43, subsections 1, 2, 3, and 4, which
 13 shall be credited to the tobacco use prevention and
 14 control account created in section 453A.35A, shall be
 15 credited to the general fund of the state."

16 4. By striking page 2, line 21; through page 3,
 17 line 9, and inserting the following:

18 "Sec. . NEW SECTION. 453A.35A TOBACCO USE
 19 PREVENTION AND CONTROL ACCOUNT.

20 1. A tobacco use prevention and control account is
 21 created in the office of the treasurer of state. The
 22 account consists of the revenue generated from the
 23 taxes imposed on cigarettes and tobacco products
 24 pursuant to section 453A.6, subsection 1, and section
 25 453A.43, subsections 1, 2, 3, and 4. Moneys in the
 26 account shall be separate from the general fund of the
 27 state and shall be considered a special account for
 28 the purposes of section 8.53 relating to generally
 29 accepted accounting principles. Moneys in the account
 30 shall be used only as specified in this section and
 31 shall be appropriated only for the uses specified.
 32 Moneys in the account are not subject to section 8.33
 33 and shall not be transferred, used, obligated,
 34 appropriated, or otherwise encumbered, except as
 35 provided in this section. Notwithstanding section
 36 12C.7, subsection 2, interest or earnings on moneys
 37 deposited in the account shall be credited to the
 38 account.

39 2. Moneys in the account are allocated, subject to
 40 their appropriation by the general assembly, as
 41 follows for the fiscal year beginning July 1, 2007,

42 and for each fiscal year thereafter, for the
 43 following:
 44 a. An amount that is the current annual amount
 45 recommended by the centers for disease control and
 46 prevention of the United States department of health
 47 and human services for tobacco use prevention and
 48 control.
 49 b. Ten million dollars for youth programs,
 50 designed to achieve the desired results of the

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1 comprehensive tobacco use prevention and control
 2 initiative pursuant to section 142A.9, that are
 3 directed by youth participants for youth.
 4 c. Five million dollars for enforcement of tobacco
 5 laws and regulations, including through grants to
 6 community partnerships as provided in section 142A.10.
 7 d. An amount, to be determined annually, for
 8 smoking cessation programs.
 9 3. In addition to the allocations specified in
 10 subsection 2, moneys in the fund may be used only for
 11 other activities related to tobacco use prevention,
 12 cessation, and control."
 13 5. Title page, by striking lines 3 and 4, and
 14 inserting the following: "products, creating a
 15 tobacco use prevention and control account, providing
 16 for standing appropriations from the account, and
 17 providing an effective date and".

RAECKER of Polk

H-1131

1 Amend Senate File 128, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 1, by striking line 27 and inserting the
 4 following: "~~thousand, eighteen mills~~ equal to four
 5 and nine-tenths cents".

GIPP of Winneshiek
 HUSER of Polk
 MERTZ of Kossuth

H-1132

1 Amend Senate File 128, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 2, by striking lines 11 through 13, and
 4 inserting the following: "subsection, there is
 5 appropriated, annually, to the property tax relief
 6 fund created in section 426B.1, the first twenty-five

7 million dollars to be annually distributed in
 8 accordance with law allocating mental health, mental
 9 retardation and developmental disabilities allowed
 10 growth factor adjustment funding to counties, and
 11 there is appropriated, annually, to the health care
 12 trust fund created in section 453A.35A, the subsequent
 13 one hundred two million six hundred thousand dollars."

JACOBS of Polk
 RAECKER of Polk
 WINDSCHITL of Harrison
 UPMAYER of Hancock
 PAULSEN of Linn

CLUTE of Polk
 VAN FOSSEN of Scott
 BOAL of Polk
 WIENCEK of Black Hawk
 DRAKE of Pottawattamie

H-1133

1 Amend Senate File 128, as amended, passed, and
 2 reprinted by the Senate, as follows:

3 1. Page 1, by inserting after line 17 the
 4 following:

5 "Sec. ____ Section 453A.2, subsections 1, 2, and
 6 3, Code 2007, are amended to read as follows:

7 1. A person shall not sell, give, or otherwise
 8 supply any tobacco, tobacco products, or cigarettes to
 9 any person under ~~eighteen~~ twenty-one years of age.

10 2. A person under ~~eighteen~~ twenty-one years of age
 11 shall not smoke, use, possess, purchase, or attempt to
 12 purchase any tobacco, tobacco products, or cigarettes.

13 3. Possession of cigarettes or tobacco products by
 14 an individual under ~~eighteen~~ twenty-one years of age
 15 does not constitute a violation under this section if
 16 the individual under ~~eighteen~~ twenty-one years of age
 17 possesses the cigarettes or tobacco products as part
 18 of the individual's employment and the individual is
 19 employed by a person who holds a valid permit under
 20 this chapter or who lawfully offers for sale or sells
 21 cigarettes or tobacco products.

22 Sec. ____ Section 453A.2, subsection 8, paragraph
 23 b, Code 2007, is amended to read as follows:

24 b. The compliance effort is conducted with the
 25 advance knowledge of law enforcement officers and
 26 reasonable measures are adopted by those conducting
 27 the effort to ensure that use of cigarettes or tobacco
 28 products by individuals under ~~eighteen~~ twenty-one
 29 years of age does not result from participation by any
 30 individual under ~~eighteen~~ twenty-one years of age in
 31 the compliance effort.

32 Sec. ____ Section 453A.5, subsection 1, Code 2007,
 33 is amended to read as follows:

34 1. The alcoholic beverages division of the
 35 department of commerce shall develop a tobacco
 36 compliance employee training program not to exceed two

37 hours in length for employees and prospective
38 employees of retailers, as defined in sections 453A.1
39 and 453A.42, to inform the employees about state and
40 federal laws and regulations regarding the sale of
41 cigarettes and tobacco products to persons under
42 ~~eighteen~~ twenty-one years of age and compliance with
43 and the importance of laws regarding the sale of
44 cigarettes and tobacco products to persons under
45 ~~eighteen~~ twenty-one years of age."

46 2. Page 3, by inserting after line 9 the
47 following:

48 "Sec.____. Section 453A.36, subsection 6, Code
49 2007, is amended to read as follows:

50 6. Any sales of cigarettes or tobacco products

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1 made through a cigarette vending machine are subject
2 to rules and penalties relative to retail sales of
3 cigarettes and tobacco products provided for in this
4 chapter. No cigarettes shall be sold through any
5 cigarette vending machine unless the cigarettes have
6 been properly stamped or metered as provided by this
7 division, and in case of violation of this provision,
8 the permit of the dealer authorizing retail sales of
9 cigarettes shall be canceled. Payment of the license
10 fee as provided in section 453A.13 authorizes a
11 cigarette vendor to sell cigarettes or tobacco
12 products through vending machines. However,
13 cigarettes or tobacco products shall not be sold
14 through a vending machine unless the vending machine
15 is located in a place where the retailer ensures that
16 no person younger than ~~eighteen~~ twenty-one years of
17 age is present or permitted to enter at any time.
18 This section does not require a retail licensee to buy
19 a cigarette vendor's permit if the retail licensee is
20 in fact the owner of the cigarette vending machines
21 and the machines are operated in the location
22 described in the retail permit.

23 Sec.____. Section 453A.39, subsection 2,
24 paragraphs b and c, Code 2007, are amended to read as
25 follows:

26 b. A manufacturer, distributor, wholesaler,
27 retailer, or distributing agent or agent thereof shall
28 not give away any cigarettes or tobacco products to
29 any person under ~~eighteen~~ twenty-one years of age, or
30 within five hundred feet of any playground, school,
31 high school, or other facility when such facility is
32 being used primarily by persons under age ~~eighteen~~
33 twenty-one for recreational, educational, or other
34 purposes.

35 c. Proof of age shall be required if a reasonable

36 person could conclude on the basis of outward
 37 appearance that a prospective recipient of a sample
 38 may be under ~~eighteen~~ twenty-one years of age."
 39 3. Title page, line 3, by inserting after the
 40 word "fund," the following: "providing for an
 41 increase in the legal age relating to cigarettes and
 42 tobacco products,".

LUKAN of Dubuque

H-1134

1 Amend Senate File 128, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 1, by inserting after line 32, the
 4 following:
 5 "Sec. . NEW SECTION. 453A.13A LIMITATIONS ON
 6 EXTENSION OF CREDIT.
 7 A manufacturer, distributor, distributing agent,
 8 wholesaler, or cigarette vendor shall not directly or
 9 indirectly extend any credit for cigarettes to a
 10 permittee authorized under this chapter to sell
 11 cigarettes at retail."
 12 2. Page 6, by inserting after line 22, the
 13 following:
 14 "Sec. . NEW SECTION. 453A.44A LIMITATIONS ON
 15 EXTENSION OF CREDIT.
 16 A manufacturer, distributor, or subjobber shall not
 17 directly or indirectly extend credit for tobacco
 18 products to a permittee authorized under this chapter
 19 to sell tobacco products at retail."
 20 3. By renumbering as necessary.

HEATON of Henry

H-1135

1 Amend Senate File 128, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 3, by striking lines 7 through 9 and
 4 inserting the following:
 5 "Moneys deposited in the health care trust fund
 6 which constitute proceeds derived from payment of
 7 taxes pursuant to section 453A.6, subsection 1, and
 8 section 453A.43, subsections 1, 2, 3, and 4, shall be
 9 used only in accordance with appropriations from the
 10 fund for programs or services existing before July 1,
 11 2007, that are directly related to health care."

STRUYK of Pottawattamie

H-1140

1 Amend Senate File 128, as amended, passed, and
 2 reprinted by the Senate, as follows:

3 1. Page 2, by striking lines 11 through 13 and
 4 inserting the following: "subsection, there is
 5 appropriated, annually, to the veterans trust fund
 6 created in section 35A.13, the first twelve million
 7 seven hundred sixty thousand dollars to be used for
 8 veterans health care, and there is appropriated,
 9 annually, to the health care trust fund created in
 10 section 453A.35A, the next one hundred fourteen
 11 million eight hundred forty thousand dollars."

KAUFMANN of Cedar
 WORTHAN of Buena Vista

H-1141

1 Amend House File 416 as follows:

2 1. By striking everything after the enacting
 3 clause and inserting the following:

4 "Section 1. CHILD CARE REGISTRATION – LEGISLATIVE
 5 INTENT. It is the intent of the general assembly to
 6 improve the safety and quality of home-based child
 7 care in the state by increasing the number of child
 8 care providers who are required to register under
 9 chapter 237A and increasing the staff and resources of
 10 the department of human services committed to
 11 addressing home-based child care.

12 Sec.____. Section 237A.1, subsections 6 and 7,
 13 Code 2007, are amended to read as follows:

14 6. "Child care home" means a person or program
 15 providing child care to ~~five~~ three or fewer children
 16 at any one time that is not registered to provide
 17 child care under this chapter, as authorized under
 18 section 237A.3.

19 7. "Child development home" means a person or
 20 program registered under section 237A.3A that may
 21 provide child care to ~~six~~ four or more children at any
 22 one time.

23 Sec.____. Section 237A.3, subsection 1, Code 2007,
 24 is amended to read as follows:

25 1. A person or program providing child care to
 26 ~~five~~ three children or fewer at any one time is a
 27 child care home provider and is not required to
 28 register under section 237A.3A as a child development
 29 home. However, the person or program may register as
 30 a child development home.

31 Sec.____. Section 237A.3, Code 2007, is amended by
 32 adding the following new subsection:

33 NEW SUBSECTION. 3. a. A child care home provider
 34 shall provide information to the parents, guardians,
 35 and custodians of the children receiving child care
 36 that the provider is not registered as a child
 37 development home provider and that the number of

38 children that can be cared for at any one time by the
39 provider is limited to three or fewer.

40 b. In addition, the information shall expressly
41 state that corporal punishment by a child care
42 provider is prohibited and list all the forms of
43 corporal punishment identified in section 237A.18.
44 The information shall also explain to the parent how
45 to file a complaint with the department against the
46 child care home.

47 c. The information shall be provided to parents,
48 guardians, and custodians either in writing at the
49 time of enrollment with the provider or be
50 conspicuously posted at the main entrance to the child

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1 care home where it can be read by parents and any
2 member of the public.

3 Sec.____. Section 237A.5, subsection 2, paragraph
4 a, subparagraph (3), Code 2007, is amended by adding
5 the following new subparagraph subdivision:

6 NEW SUBPARAGRAPH SUBDIVISION. (f) The person has
7 been determined through an investigation by the
8 department of a complaint, a child abuse assessment,
9 or the existence of a criminal record to have
10 inflicted corporal punishment as described in section
11 237A.18 on an individual receiving child care from the
12 person.

13 Sec.____. NEW SECTION. 237A.18 CORPORAL
14 PUNISHMENT.

15 A child care provider shall not inflict corporal
16 punishment on an individual receiving care from the
17 provider. For the purposes of this section, "corporal
18 punishment" includes but is not limited to spanking,
19 slapping, shaking, punishment which is humiliating or
20 frightening, using restraints, or enclosing a child in
21 a locked area. A child care provider who has
22 inflicted corporal punishment on an individual
23 receiving care from the provider, as determined
24 through an investigation by the department of a
25 complaint, a child abuse assessment, or existence of a
26 criminal record, may be subject to prohibition of
27 involvement with child care in accordance with section
28 237A.5.

29 Sec.____. EFFECTIVE DATE – IMPLEMENTATION.

30 1. The following provisions of this Act take
31 effect October 1, 2008:

32 a. The provision amending section 237A.1,
33 subsections 6 and 7.

34 b. The provision amending section 237A.3,
35 subsection 1.

36 2. The department shall adopt administrative

37 rules, assist child care providers, and expand
 38 staffing to support the implementation of the change
 39 in the numbers of children for which child care homes
 40 and child development homes may provide child care on
 41 October 1, 2008, as provided in this Act, in
 42 accordance with the funding made available for that
 43 purpose."

44 2. Title page, by striking lines 1 through 3 and
 45 inserting the following: "An Act revising the
 46 requirements for child care registration and providing
 47 an effective date."

48 3. By renumbering as necessary.

Committee on Human Resources

H-1142

1 Amend House File 320 as follows:

2 1. Page 1, by inserting before line 1 the
 3 following:

4 "Section 1. Section 321.215, subsection 1, Code
 5 2007, is amended by adding the following new
 6 paragraph:

7 NEW PARAGRAPH. f. The person's appointments with
 8 the person's parole or probation officer."

9 2. Page 1, by inserting after line 21 the
 10 following:

11 "Sec. ____ Section 321J.4, subsection 9, paragraph
 12 a, Code 2007, is amended to read as follows:

13 a. A person whose noncommercial driver's license
 14 has either been revoked under this chapter, or revoked
 15 or suspended under chapter 321 solely for violations
 16 of this chapter, or who has been determined to be a
 17 habitual offender under chapter 321 based ~~solely on~~
 18 ~~violations of this chapter or on violations listed in~~
 19 section 321.560, subsection 1, paragraph "b", and who
 20 is not eligible for a temporary restricted license
 21 under this chapter may petition the court upon the
 22 expiration of the minimum period of ineligibility for
 23 a temporary restricted license provided for under this
 24 section, section 321J.9, 321J.12, 321J.20, or 321.560,
 25 for an order to the department to require the
 26 department to issue a temporary restricted license to
 27 the person notwithstanding section 321.560."

28 3. Page 1, by inserting before line 22 the
 29 following:

30 "Sec. ____ Section 321J.20, subsection 1,
 31 unnumbered paragraph 1, Code 2007, is amended to read
 32 as follows:

33 The department may, on application, issue a
 34 temporary restricted license to a person whose
 35 noncommercial driver's license is revoked under this

36 chapter allowing the person to drive to and from the
 37 person's home and specified places at specified times
 38 which can be verified by the department and which are
 39 required by the person's full-time or part-time
 40 employment, continuing health care or the continuing
 41 health care of another who is dependent upon the
 42 person, continuing education while enrolled in an
 43 educational institution on a part-time or full-time
 44 basis and while pursuing a course of study leading to
 45 a diploma, degree, or other certification of
 46 successful educational completion, substance abuse
 47 treatment, and court-ordered community service
 48 responsibilities, and appointments with the person's
 49 parole or probation officer if the person's driver's
 50 license has not been revoked previously under section

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- 1 321J.4, 321J.9, or 321J.12 and if any of the following
 2 apply:"
 3 4. Title page, by striking lines 2 and 3 and
 4 inserting the following: "or nonresident operating
 5 privilege and temporary restricted licenses."
 6 5. By renumbering as necessary.

R. OLSON of Polk

H-1144

- 1 Amend House File 749 as follows:
 2 1. Page 1, by inserting after line 27 the
 3 following:
 4 "7. Distinguished service cross, navy cross, and
 5 air force cross special plates issued pursuant to
 6 section 321.34, subsection 20A.
 7 8. Soldier's medal, navy and marine corps medal,
 8 and airman's medal special plates issued pursuant to
 9 section 321.34, subsection 20B.
 10 Sec. ____ Section 321.34, subsection 8, Code 2007,
 11 is amended to read as follows:
 12 8. ~~CONGRESSIONAL~~ MEDAL OF HONOR PLATES. The owner
 13 of a motor vehicle subject to registration under
 14 section 321.109, subsection 1, motorcycle, trailer, or
 15 motor truck who has been awarded the ~~congressional~~
 16 medal of honor may, upon written application to the
 17 department, order special registration plates which
 18 shall be red, white, and blue in color and shall bear
 19 an emblem of the ~~congressional~~ medal of honor and an
 20 identifying number. Each applicant applying for
 21 special registration plates under this subsection may
 22 purchase only one set of registration plates under
 23 this subsection. The application is subject to

24 approval by the department and the special
25 registration plates shall be issued to the applicant
26 in exchange for the registration plates previously
27 issued to the person. The special plates are subject
28 to an annual registration fee of fifteen dollars. The
29 department shall validate the special plates in the
30 same manner as regular registration plates are
31 validated under this section. The department shall
32 not issue special registration plates until service
33 organizations in the state have furnished the
34 department either the special dies or the cost of the
35 special dies necessary for the manufacture of the
36 special registration plate.

37 The surviving spouse of a person who was issued
38 special plates under this subsection may continue to
39 use the special plates subject to registration of the
40 special plates in the surviving spouse's name and upon
41 payment of the fifteen dollar annual registration fee.
42 If the surviving spouse remarries, the surviving
43 spouse shall return the special plates to the
44 department and the department shall issue regular
45 registration plates to the surviving spouse."

46 2. Page 3, line 3, by striking the word
47 "congressional" and inserting the following:
48 "~~congressional~~".

49 3. Page 8, by inserting after line 1 the
50 following:

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1 "Sec. ____ . Section 321.34, Code 2007, is amended
2 by adding the following new subsections:
3 NEW SUBSECTION. 20A. DISTINGUISHED SERVICE, NAVY,
4 OR AIR FORCE CROSS PLATES. An owner referred to in
5 subsection 12 who was awarded a distinguished service
6 cross, a navy cross, or an air force cross by the
7 United States government may, upon written application
8 to the department and presentation of satisfactory
9 proof of the award, order special registration plates
10 with a distinguished service cross, navy cross, or air
11 force cross processed emblem. The emblem shall be
12 designed by the department in consultation with the
13 adjutant general. The special plate fees collected by
14 the director under subsection 12, paragraph "a", from
15 the issuance and annual validation of letter-number
16 designated and personalized distinguished service
17 cross, navy cross, and air force cross plates shall be
18 paid monthly to the treasurer of state and credited to
19 the road use tax fund. Notwithstanding section
20 423.43, and prior to the crediting of revenues to the
21 road use tax fund under section 423.43, subsection 1,
22 paragraph "b", the treasurer of state shall transfer

23 monthly from those revenues to the veterans license
24 fee fund created in section 35A.11 the amount of the
25 special fees collected in the previous month for
26 distinguished service cross, navy cross, and air force
27 cross plates.

28 The surviving spouse of a person who was issued
29 special plates under this subsection may continue to
30 use or apply for and use the special plates subject to
31 registration of the special plates in the surviving
32 spouse's name and upon payment of the annual
33 five-dollar special plate fee and the regular annual
34 registration fee for the vehicle. If the surviving
35 spouse remarries, the surviving spouse shall return
36 the special plates to the department and the
37 department shall issue regular registration plates to
38 the surviving spouse.

39 NEW SUBSECTION. 20B. SOLDIER'S, NAVY AND MARINE
40 CORPS, OR AIRMAN'S MEDAL PLATES. An owner referred to
41 in subsection 12 who was awarded a soldier's medal, a
42 navy and marine corps medal, or an airman's medal by
43 the United States government may, upon written
44 application to the department and presentation of
45 satisfactory proof of the award, order special
46 registration plates with a soldier's medal, navy and
47 marine corps medal, or airman's medal processed
48 emblem. The emblem shall be designed by the
49 department in consultation with the adjutant general.
50 The special plate fees collected by the director under

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1 subsection 12, paragraph "a", from the issuance and
2 annual validation of letter-number designated and
3 personalized soldier's medal, navy and marine corps
4 medal, and airman's medal plates shall be paid monthly
5 to the treasurer of state and credited to the road use
6 tax fund. Notwithstanding section 423.43, and prior
7 to the crediting of revenues to the road use tax fund
8 under section 423.43, subsection 1, paragraph "b", the
9 treasurer of state shall transfer monthly from those
10 revenues to the veterans license fee fund created in
11 section 35A.11 the amount of the special fees
12 collected in the previous month for soldier's medal,
13 navy and marine corps medal, and airman's medal
14 plates.

15 The surviving spouse of a person who was issued
16 special plates under this subsection may continue to
17 use or apply for and use the special plates subject to
18 registration of the special plates in the surviving
19 spouse's name and upon payment of the annual
20 five-dollar special plate fee and the regular annual
21 registration fee for the vehicle. If the surviving

22 spouse remarries, the surviving spouse shall return
 23 the special plates to the department and the
 24 department shall issue regular registration plates to
 25 the surviving spouse.
 26 Sec.____. Section 321.166, subsections 2 and 9,
 27 Code 2007, are amended to read as follows:
 28 2. Every registration plate or pair of plates
 29 shall display a registration plate number which shall
 30 consist of alphabetical or numerical characters or a
 31 combination thereof and the name of this state, which
 32 may be abbreviated. Every registration plate issued
 33 by the county treasurer shall display the name of the
 34 county, including any plate issued pursuant to section
 35 321.34, except Pearl Harbor and purple heart
 36 registration plates issued prior to January 1, 1997,
 37 and collegiate, fire fighter, and ~~congressional~~ medal
 38 of honor registration plates. Special truck
 39 registration plates shall display the word "special".
 40 9. Special registration plates issued pursuant to
 41 section 321.34 beginning January 1, 1997, other than
 42 ~~congressional~~ medal of honor, collegiate, fire
 43 fighter, and natural resources registration plates,
 44 shall be consistent with the design and color of
 45 regular registration plates but shall provide a space
 46 on a portion of the plate for the purpose of allowing
 47 the placement of a distinguishing processed emblem.
 48 Special registration plates shall also comply with the
 49 requirements for regular registration plates as
 50 provided in this section to the extent the

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1 requirements are consistent with the section
 2 authorizing a particular special vehicle registration
 3 plate."
 4 4. Title page, line 1, by inserting after the
 5 word "Act" the following: "concerning existing and
 6 new special motor vehicle registration plates
 7 associated with military service,".
 8 5. By renumbering as necessary.

HUSER of Polk

H-1145

1 Amend Senate File 128, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 1, line 35, by striking the word "=
 4 STANDING".
 5 2. Page 2, line 1, by striking the words
 6 "APPROPRIATION TO" and inserting the following:
 7 "AND".

- 8 3. Page 2, line 6, by striking the word "of".
 9 4. Page 2, by striking lines 9 through 13, and
 10 inserting the following: "specified in section
 11 453A.43, subsections 1, 2, 3, and 4, shall be credited
 12 to the health care trust fund created in section
 13 453A.35A."
 14 5. Page 2, by striking line 27, and inserting the
 15 following: "are credited".
 16 6. Page 2, line 28, by striking the word "
 17 annually,".
 18 7. Title page, lines 3 and 4, by striking the
 19 words ", providing for a standing appropriation,".

RANTS of Woodbury

H-1146

- 1 Amend House File 653 as follows:
 2 1. Page 1, line 9, by inserting after the word
 3 "b." the following: "(1)".
 4 2. Page 1, by striking lines 13 through 20 and
 5 inserting the following: "presenting any of the
 6 following current and valid forms of identification if
 7 such identification contains the person's photograph
 8 and a validity expiration date:
 9 (a) An out-of-state driver's license or
 10 nonoperator's identification card.
 11 (b) A United States passport.
 12 (c) A United States military identification card.
 13 (d) An identification card issued by an employer.
 14 (e) A student identification card issued by an
 15 Iowa postsecondary educational institution.
 16 (2) If the photographic identification presented
 17 does not contain the person's current address in the
 18 precinct, the person shall also present one of the
 19 following documents dated within the previous thirty
 20 days that shows the person's name and address in the
 21 precinct:
 22 (a) Residential lease.
 23 (b) Property tax statement.
 24 (c) Utility bill.
 25 (d) Bank statement.
 26 (e) Paycheck.
 27 (f) Government check.
 28 (g) Other government document."
 29 3. By renumbering, redesignating, and correcting
 30 internal references as necessary.

JACOBS of Polk

H-1148

- 1 Amend the amendment, H-1116, to House File 555, as
 2 follows:

- 3 1. Page 5, by striking lines 34 and 35.
- 4 2. Page 5, lines 41 and 42, by striking the
- 5 words: "and providing an effective date".

RANTS of Woodbury

H-1153

1 Amend House File 653 as follows:

2 1. Page 2, by striking lines 16 and 17 and
 3 inserting the following:

4 "4. a. The form of the written oath required of
 5 the person registering under this section shall read
 6 as follows:

7 I, (name of registrant), do solemnly swear or affirm all of
 8 the following:

9 I am a resident of the precinct, ward
 10 or township, city of, county of, Iowa.

11 I am the person named above.

12 I live at the address listed below.

13 I do not claim the right to vote anywhere else.

14 I have not voted and will not vote in any other
 15 precinct in this election.

16 I understand that any false statement in this oath
 17 is a class "D" felony punishable by no more than five
 18 years in confinement and a fine of at least seven
 19 hundred fifty dollars but not more than seven thousand
 20 five hundred dollars.

21
 22 Signature of Registrant

23
 24 Address

25
 26 Telephone (optional to provide)

27 Subscribed and sworn before me on (date).
 28

29 Signature of Precinct Election Official

30 b. The form of the written oath required of a
 31 person attesting to the identity and residency of the
 32 registrant shall read as follows:

33 I, (name of registered voter), do solemnly swear or
 34 affirm all of the following:

35 I am a preregistered voter in this precinct or I
 36 registered to vote in this precinct today, and a
 37 registered voter did not sign an oath on my behalf.

38 I am a resident of the precinct, ward
 39 or township, city of, county of, Iowa.

40 I reside at in
 41 (street address) (city or township)

42 I personally know, and I personally know
 43 (name or registrant)

44 that is a resident of the precinct,

45 (name of registrant)
 46 ward or township, city of, county of
 47, Iowa.
 48 I understand that any false statement in this oath
 49 is a class "D" felony punishable by no more than five
 50 years in confinement and a fine of at least seven

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1 hundred fifty dollars but not more than seven thousand
 2 five hundred dollars.
 3
 4 Signature of Registered Vote
 5 Subscribed and sworn before me on (date).
 6
 7 Signature of Precinct Election Official".

JACOBS of Polk

H-1159

1 Amend the amendment, H-1116, to House File 555 as
 2 follows:
 3 1. By striking page 1, line 4, through page 5,
 4 line 35, and inserting the following:
 5 ""Section 1. NEW SECTION. 453E.1 CIGARETTES -
 6 PROHIBITIONS.
 7 Beginning July 1, 2009:
 8 1. A person shall not sell, give, or otherwise
 9 supply cigarettes to any person in this state.
 10 2. A person shall not smoke, use, possess,
 11 purchase, or attempt to purchase cigarettes in this
 12 state.
 13 Sec. 2. CODE EDITOR DIRECTIVE. The Code editor,
 14 in consultation with the department of revenue and the
 15 department of public health, shall submit
 16 recommendations to the general assembly for conforming
 17 changes to the Code necessary to implement the
 18 prohibitions specified in section 453E.1, as enacted
 19 in this Act, by January 1, 2009.""
 20 2. Page 5, by striking lines 37 through 43, and
 21 inserting the following: "inserting the following:
 22 "An Act relating to prohibitions relating to
 23 cigarettes.""

VAN FOSSEN of Scott

H-1161

1 Amend the amendment, H-1140, to Senate File 128 as
 2 amended, passed, and reprinted by the Senate, as

3 follows:

4 1. Page 1, line 5, by striking the word
5 "appropriated" and inserting the following:

6 "allocated".

7 2. Page 1, line 8, by striking the word

8 "appropriated" and inserting the following:

9 "allocated".

KAUFMANN of Cedar
ALONS of Sioux

H-1162

1 Amend the amendment, H-1116, to House File 555, as
2 follows:

3 1. Page 2, by striking lines 3 through 6 and
4 inserting the following: "this subsection, there is
5 allocated, annually, to the veterans trust fund
6 created in section 35A.13, the first twelve million
7 seven hundred sixty thousand dollars to be used for
8 veterans health care, and there is allocated,
9 annually, to the health care trust fund created in
10 section 453A.35A, the next one hundred fourteen
11 million eight hundred forty thousand dollars."

KAUFMANN of Cedar
ALONS of Sioux

H-1163

1 Amend the amendment, H-1116, to House File 555, as
2 follows:

3 1. Page 2, line 17, by striking the word "A" and
4 inserting the following: "1. A".

5 2. Page 2, by striking lines 40 through 43 and
6 inserting the following:

7 "2. a. Moneys deposited in the health care trust
8 fund which constitute proceeds derived from payment of
9 taxes pursuant to section 453A.6, subsection 1, and
10 section 453A.43, subsections 1, 2, 3, and 4, shall be
11 used only in accordance with appropriations from the
12 fund for the following purposes:

13 (1) Tobacco use prevention and control.

14 (2) Substance abuse prevention and treatment
15 including substance abuse prevention and treatment for
16 children.

17 (3) Smoking cessation products.

18 (4) Phenylketonuria assistance.

19 (5) The AIDS drug assistance program.

20 (6) The birth defects institute.

21 (7) Medical assistance supplemental funding.

22 (8) Medical assistance reimbursement for

23 physicians and other medical providers, dental
 24 providers, hospital providers, critical access
 25 hospitals, home health and habilitative day care
 26 providers, respite care providers, and breast and
 27 cervical cancer treatment.
 28 (9) The state children's health insurance
 29 expansion program under the medical assistance
 30 program.
 31 (10) Child and family services.
 32 b. Beginning July 1, 2008, and thereafter, moneys
 33 deposited in the health care trust fund which
 34 constitute proceeds derived from payment of taxes
 35 pursuant to section 453A.6, subsection 1, and section
 36 453A.43, subsections 1, 2, 3, and 4, shall be
 37 appropriated for the purposes described in paragraph
 38 "a", annually, in amounts such that the amounts
 39 appropriated for such purposes in the fiscal year
 40 beginning July 1, 2006, are increased by an amount
 41 which is the difference between the amount of revenue
 42 generated from the sources described in this
 43 subsection for the fiscal year beginning July 1, 2006,
 44 and the amount of revenue generated from those sources
 45 in the fiscal year beginning July 1, 2007.
 46 c. Notwithstanding any provision of law to the
 47 contrary, moneys derived from the sources described in
 48 this subsection and deposited in the health care trust
 49 fund which are obligated or unexpended for the
 50 purposes designated at the end of any fiscal year

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1 shall be transferred to the senior living trust fund
 2 created in section 249H.4."

STRUYK of Pottawattamie

H-1164

1 Amend House File 653 as follows:
 2 1. Page 1, line 9, by inserting after the word
 3 "b." the following: "(1)".
 4 2. Page 1, by striking lines 13 through 20 and
 5 inserting the following: "presenting any of the
 6 following current and valid forms of identification if
 7 such identification contains the person's photograph
 8 and a validity expiration date:
 9 (a) An out-of-state driver's license or
 10 nonoperator's identification card.
 11 (b) A United States passport.
 12 (c) A United States military identification card.
 13 (d) An identification card issued by an employer.
 14 (e) A student identification card issued by an

15 Iowa high school or an Iowa postsecondary educational
 16 institution.

17 (2) If the photographic identification presented
 18 does not contain the person's current address in the
 19 precinct, the person shall also present one of the
 20 following documents dated within the previous thirty
 21 days that shows the person's name and address in the
 22 precinct:

- 23 (a) Residential lease.
- 24 (b) Property tax statement.
- 25 (c) Utility bill.
- 26 (d) Bank statement.
- 27 (e) Paycheck.
- 28 (f) Government check.
- 29 (g) Other government document."

30 3. By renumbering, redesignating, and correcting
 31 internal references as necessary.

JACOBS of Polk

H-1166

1 Amend Senate File 413, as passed by the Senate, as
 2 follows:

3 1. By striking the enacting clause and inserting
 4 the following:

5 "BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE
 6 STATE OF IOWA:"

7 2. By striking page 1, line 1, through page 4,
 8 line 24, and inserting the following:

9 "Section 1. The following amendment to the
 10 Constitution of the State of Iowa is proposed:
 11 The Constitution of the State of Iowa is amended by
 12 adding the following new section to new Article XIII:

13 ARTICLE XIII

14 LABOR UNION MEMBERSHIP

15 Section 1. RIGHT TO JOIN UNION. It is declared to
 16 be the policy of the state of Iowa that no person
 17 within its boundaries shall be deprived of the right
 18 to work at the person's chosen occupation for any
 19 public or private employer because of membership in,
 20 affiliation with, withdrawal or expulsion from, or
 21 refusal to join, any labor union, organization, or
 22 association, and any contract which contravenes this
 23 policy is illegal and void.

24 Sec. 2. REFUSAL TO EMPLOY PROHIBITED. It shall be
 25 unlawful for any person, firm, association or
 26 corporation to refuse or deny public or private
 27 employment to any person because of membership in, or
 28 affiliation with, or resignation or withdrawal from, a
 29 labor union, organization or association, or because
 30 of refusal to join or affiliate with a labor union,

31 organization or association.

32 Sec. 3. CONTRACTS TO EXCLUDE UNLAWFUL. It shall
 33 be unlawful for any person, firm, association,
 34 corporation or labor organization to enter into any
 35 understanding, contract, or agreement, whether written
 36 or oral, to exclude from public or private employment
 37 members of a labor union, organization or association,
 38 or persons who do not belong to, or who refuse to
 39 join, a labor union, organization or association, or
 40 because of resignation or withdrawal therefrom.

41 Sec. 4. UNION DUES AS PREREQUISITE TO EMPLOYMENT
 42 - PROHIBITED. It shall be unlawful for any person,
 43 firm, association, labor organization or corporation,
 44 or political subdivision, either directly or
 45 indirectly, or in any manner or by any means as a
 46 prerequisite to or a condition of public or private
 47 employment to require any person to pay dues, charges,
 48 fees, contributions, fines or assessments to any labor
 49 union, labor association or labor organization.

50 Sec. 5. DEDUCTING DUES FROM PAY UNLAWFUL. It

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1 shall be unlawful for any person, firm, association,
 2 labor organization or corporation to deduct labor
 3 organization dues, charges, fees, contributions, fines
 4 or assessments from a public or private employee's
 5 earnings, wages or compensation, unless the public or
 6 private employer has first been presented with an
 7 individual written order therefore signed by the
 8 employee, which written order shall be terminable at
 9 any time by the employee giving at least thirty days'
 10 written notice of such termination to the employer.

11 Sec. 6. REFERRAL AND PUBLICATION. The foregoing
 12 proposed amendment to the Constitution of the State of
 13 Iowa is referred to the General Assembly to be chosen
 14 at the next general election for members of the
 15 General Assembly and the Secretary of State is
 16 directed to cause it to be published for three
 17 consecutive months previous to the date of that
 18 election as provided by law."

19 3. Title page, by striking lines 1 through 3 and
 20 inserting the following: "A Joint Resolution
 21 proposing an amendment to the Constitution of the
 22 State of Iowa providing for labor union membership.

RANTS of Woodbury
 PAULSEN of Linn

H-1168

1 Amend Senate File 413, as passed by the Senate, as
 2 follows:

- 3 1. Page 1, by inserting after line 11 the
 4 following:
 5 "Sec. _____. Section 20.4, Code 2007, is amended by
 6 adding the following new subsection:
 7 NEW SUBSECTION. 14. Employees of the general
 8 assembly."
 9 2. Title page, line 1, by striking the words
 10 "relating to" and inserting the following: "and".
 11 3. By renumbering as necessary.

RANTS of Woodbury
 PAULSEN of Linn

H-1169

- 1 Amend House File 609 as follows:
 2 1. Page 1, by striking lines 6 through 26 and
 3 inserting the following: "system serving the building
 4 inspected prior to July 1, 2017."
 5 2. Page 1, by striking lines 31 through 34.
 6 3. Page 2, by striking lines 5 through 7 and
 7 inserting the following: "adopted by the department
 8 within a reasonable time period as determined by the
 9 department. The department shall prioritize the
 10 renovation requirements schedule. The highest
 11 priority systems for renovation shall be those that
 12 are located nearest to public lakes and high quality
 13 water resources as determined by the department. The
 14 next highest priority shall be those that are located
 15 nearest to public waters that have human sources of
 16 bacteriological or pathogen impairments as determined
 17 by the department. If moneys are not available
 18 through the on-site wastewater systems assistance fund
 19 established in section 466.9, renovations shall not be
 20 required until financial assistance through those
 21 programs are available. If the private".

SANDS of Louisa

H-1170

- 1 Amend the amendment, H-1120, to Senate File 128 as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 1, by inserting after line 2, the
 5 following:
 6 "____. Page 2, by striking line 9 and inserting
 7 the following: "specified in section 453A.43,
 8 subsections 1 and 2, and".
 9 _____. Page 2, by striking line 26 and inserting
 10 the following: "specified in section 453A.43,
 11 subsections 1 and 2, that".

- 12 2. Page 1, by inserting after line 10, the
 13 following:
 14 "____. By striking page 3, line 23, through page
 15 4, line 3.
 16 _____. Page 4, by striking line 4 and inserting the
 17 following:
 18 "Sec. _____. Section 453A.43, subsections 1, 2, and
 19 3, Code 2007, are amended to read as".
 20 _____. Page 4, by striking line 6.
 21 _____. Page 4, line 11, by striking the words "and
 22 snuff".
 23 _____. Page 4, by striking lines 17 through 19 and
 24 inserting the following: "cigars as defined in
 25 section 453A.42."
 26 _____. Page 4, by striking lines 23 through 25 and
 27 inserting the following: "be affixed as provided in
 28 division I of this chapter."
 29 _____. Page 4, line 27, by striking the words "and
 30 snuff".
 31 _____. Page 5, by striking lines 7 through 9 and
 32 inserting the following: "twenty-eight percent of the
 33 cost of the tobacco products."
 34 _____. Page 5, by striking line 17 and inserting
 35 the following:
 36 "b. (1A) Less than ~~10 oz.~~ ten ounces snuff or
 37 snuff powder."
 38 _____. By striking page 5, line 21, through page 6,
 39 line 8.
 40 _____. Page 6, line 9, by striking the following
 41 figures "3. 5." and inserting the following: "3."
 42 _____. Page 6, by striking lines 13 through 22.""

WISE of Lee

H-1172

- 1 Amend House File 616 as follows:
 2 1. Page 1, line 2, by striking the word and
 3 figure "subparagraph (2)" and inserting the following:
 4 "subparagraphs (2) and (3)".
 5 2. Page 1, line 3, by striking the word "is" and
 6 inserting the following: "are".
 7 3. Page 1, by inserting after line 11 the
 8 following:
 9 "(3) One-half of the moneys remaining after the
 10 appropriation in subparagraph (1) shall be credited,
 11 on a quarterly basis, to the general fund of the state
 12 for the purpose of funding the endow Iowa tax credit
 13 provided in section 15E.305."
 14 4. Title page, by striking lines 1 and 2 and
 15 inserting the following: "An Act relating to the
 16 disbursement of certain gambling revenues for purposes

17 of regional tourism marketing and endow Iowa tax
 18 credits."

DANDEKAR of Linn
 HOFFMAN of Crawford
 T. OLSON of Linn
 KRESSIG of Black Hawk

H-1176

1 Amend the amendment, H-1146, to House File 653 as
 2 follows:
 3 1. Page 1, line 14, by inserting after the words
 4 "issued by" the following: "an Iowa high school or".

JACOBS of Polk

H-1177

1 Amend House File 750 as follows:
 2 1. Page 29, by inserting after line 15 the
 3 following:
 4 "DIVISION V
 5 DISTRIBUTION OF CHILD SUPPORT
 6 Sec. . NEW SECTION. 252B.15A DISTRIBUTION OF
 7 CHILD SUPPORT COLLECTED TO FAMILY INVESTMENT PROGRAM
 8 RECIPIENTS.
 9 The department shall adopt rules, consistent with
 10 section 7301(b)(7) of the federal Deficit Reduction
 11 Act of 2005, Pub. L. No. 109-171, that provide that
 12 beginning October 1, 2008, for a family that received
 13 or is receiving family investment program assistance
 14 for the parent or child, pass through, to the family,
 15 of child support collected by the child support
 16 recovery unit in an amount that is not more than one
 17 hundred dollars for one child and not more than two
 18 hundred dollars for two or more children, based on the
 19 availability of state or federal funds. In addition,
 20 if the family is receiving family investment program
 21 assistance for the parent or child on or after October
 22 1, 2008, the rules shall provide for the disregard of
 23 the child support amount passed through in determining
 24 the amount and type of assistance provided to the
 25 family."

HEATON of Henry

H-1178

1 Amend Senate File 413, as passed by the Senate, as
 2 follows:

- 3 1. Page 1, line 3, by striking the words "Fair
- 4 share" and inserting the following: "Forced union".
- 5 2. Page 1, line 30, by striking the words "fair
- 6 share" and inserting the following: "forced union".
- 7 3. Page 2, line 6, by striking the words "FAIR
- 8 SHARE" and inserting the following: "FORCED UNION".
- 9 4. Page 2, line 9, by striking the words "fair
- 10 share" and inserting the following: "forced union".
- 11 5. Page 2, line 16, by striking the words "fair
- 12 share" and inserting the following: "forced union".
- 13 6. Page 2, line 25, by striking the words "fair
- 14 share" and inserting the following: "forced union".
- 15 7. Page 2, line 27, by striking the words "fair
- 16 share" and inserting the following: "forced union".
- 17 8. Page 2, line 28, by striking the words "fair
- 18 share" and inserting the following: "forced union".
- 19 9. Page 2, line 30, by striking the words "fair
- 20 share" and inserting the following: "forced union".
- 21 10. Page 2, line 34, by striking the words "fair
- 22 share" and inserting the following: "forced union".
- 23 11. Page 3, line 4, by striking the words "fair
- 24 share" and inserting the following: "forced union".
- 25 12. Page 3, line 5, by striking the words "fair
- 26 share" and inserting the following: "forced union".
- 27 13. Page 3, line 6, by striking the words "fair
- 28 share" and inserting the following: "forced union".
- 29 14. Page 3, line 14, by striking the words "fair
- 30 share" and inserting the following: "forced union".
- 31 15. Page 3, line 22, by striking the words "fair
- 32 share" and inserting the following: "forced union".
- 33 16. Page 3, lines 28 and 29, by striking the
- 34 words "fair share" and inserting the following:
- 35 "forced union".
- 36 17. Page 3, line 34, by striking the words "fair
- 37 share" and inserting the following: "forced union".
- 38 18. Page 4, line 7, by striking the words "fair
- 39 share" and inserting the following: "forced union".
- 40 19. Page 4, line 9, by striking the words "fair
- 41 share" and inserting the following: "forced union".
- 42 20. Page 4, line 18, by striking the words "fair
- 43 share" and inserting the following: "forced union".
- 44 21. Title page, line 1, by striking the words
- 45 "fair share" and inserting the following: "forced
- 46 union fee".

VAN FOSSEN of Scott

H-1179

- 1 Amend Senate File 413, as passed by the Senate, as
- 2 follows:

- 3 1. Page 4, by inserting after line 14 the
 4 following:
 5 "f. Provides, in the collective bargaining
 6 agreement, that any projected increase in revenue to a
 7 certified employee organization from collection of
 8 fair share fees shall be used to reduce on a pro rata
 9 basis the amount of dues and charges required to be
 10 paid by a member of the certified employee
 11 organization and the amount of the fair share fee."
 12 2. By renumbering as necessary.

HORBACH of Tama

H-1180

- 1 Amend Senate File 413, as passed by the Senate, as
 2 follows:
 3 1. Page 4, by inserting after line 14 the
 4 following:
 5 "f. Provides, in the collective bargaining
 6 agreement, that the exclusive bargaining
 7 representative conduct, and make available to the
 8 public, an annual audit of the amount of fair share
 9 fees collected and how the fair share fees were used
 10 during the year."
 11 2. By renumbering as necessary.

RANTS of Woodbury

H-1181

- 1 Amend Senate File 413, as passed by the Senate, as
 2 follows:
 3 1. Page 4, by inserting after line 22 the
 4 following:
 5 "Sec. ____ NEW SECTION. 96.41 SEASONAL EMPLOYEES
 6 - BENEFIT INELIGIBILITY.
 7 Seasonal employees shall not be eligible for
 8 benefits if the seasonal employees contracted or
 9 otherwise agreed to seasonal employment with a
 10 specified start date and end date. This section shall
 11 only be implemented if determined by the department of
 12 workforce development to be in compliance with federal
 13 law."
 14 2. By renumbering as necessary.

GRANZOW of Hardin

H-1182

- 1 Amend Senate File 413, as passed by the Senate, as
 2 follows:

- 3 1. Page 4, by inserting after line 14 the
 4 following:
 5 "f. Provides, in the collective bargaining
 6 agreement, that an accounting of all expenses of
 7 personnel working directly for the certified employee
 8 organization shall be made available to the public and
 9 published on a quarterly basis during the time period
 10 a fair share fee is collected."
 11 2. By renumbering as necessary.

CHAMBERS of O'Brien

H-1183

- 1 Amend Senate File 413, as passed by the Senate, as
 2 follows:
 3 1. Page 4, by inserting after line 22 the
 4 following:
 5 "Sec. ___. Section 20.22, subsection 9, Code 2007,
 6 is amended by adding the following new paragraph:
 7 NEW PARAGRAPH. e. Comparison of wages of the
 8 involved public employees with those of similar
 9 private sector employees doing comparable work, giving
 10 consideration to factors peculiar to the area and the
 11 classifications involved, and providing that the
 12 maximum wages awarded public sector employees shall be
 13 no more than five percent greater than comparable
 14 private sector employees unless the public employees
 15 are in a merit pay program."
 16 2. Title page, line 1, by striking the words
 17 "relating to" and inserting the following: "and".
 18 3. By renumbering as necessary.

MAY of Dickinson

H-1184

- 1 Amend Senate File 413, as passed by the Senate, as
 2 follows:
 3 1. Page 4, by inserting after line 22 the
 4 following:
 5 "Sec. ___. Section 20.22, subsection 4, paragraph
 6 c, Code 2007, is amended to read as follows:
 7 c. One member shall be appointed mutually by the
 8 members appointed by the public employer and the
 9 employee organization who shall be a private sector
 10 businessperson registered as a no party voter."
 11 2. Title page, line 1, by striking the words
 12 "relating to" and inserting the following: "and".
 13 3. By renumbering as necessary.

MAY of Dickinson

H-1185

1 Amend Senate File 413, as passed by the Senate, as
 2 follows:
 3 1. Page 1, line 31, by inserting after the word
 4 "organization" the following: "but only after a
 5 nonmember has been employed by the public employer for
 6 at least one year".

RANTS of Woodbury

H-1186

1 Amend Senate File 413, as passed by the Senate, as
 2 follows:
 3 1. Page 3, line 2, by inserting after the word
 4 "deduction." the following: "However, a fair share
 5 fee shall not be collected from a nonmember who is a
 6 person with a disability as recognized under the
 7 federal Americans With Disabilities Act."

RAYHONS of Hancock

H-1187

1 Amend Senate File 413, as passed by the Senate, as
 2 follows:
 3 1. Page 4, by inserting after line 22 the
 4 following:
 5 "Sec. ____ Section 602.1206, subsection 1, Code
 6 2007, is amended to read as follows:
 7 1. The supreme court shall prescribe rules as
 8 necessary to supervise the conduct of attorneys and
 9 judicial officers. These rules shall be executed by
 10 the chief justice. The rules shall provide that every
 11 attorney licensed to practice law in the state shall,
 12 as a condition of practicing law in the state, become
 13 a member of the largest association representing
 14 attorneys in the state."
 15 2. Title page, line 1, by inserting after the
 16 words "An Act" the following: "concerning employment,
 17 by providing for the regulation of attorneys and by".
 18 3. By renumbering as necessary.

PAULSEN of Linn

H-1188

1 Amend Senate File 413, as passed by the Senate, as
 2 follows:

- 3 1. Page 4, by inserting after line 22 the
 4 following:
 5 "Sec. ____ NEW SECTION. 368.7B MUNICIPAL
 6 SERVICES.
 7 1. The notice of a public hearing required in
 8 section 368.7 regarding an annexation application
 9 shall include applicable information from the annexing
 10 city as follows:
 11 a. A description of existing municipal services,
 12 including but not limited to water supply, sewage
 13 disposal, and fire and police protection provided to
 14 the territory to be annexed.
 15 b. A plan for extending municipal services to be
 16 provided by the annexing city to the annexed territory
 17 within three years of July 1 of the fiscal year in
 18 which city taxes are first collected against property
 19 in the annexed territory.
 20 2. Prior to expiration of the three-year period
 21 established in this section, the annexing city shall
 22 submit a report to the city development board
 23 describing the status of the provision of municipal
 24 services identified in the plan. If the city fails to
 25 provide municipal services, or fails to show
 26 substantial and continuing progress in providing
 27 municipal services to the annexed territory, the board
 28 may initiate proceedings to sever the annexed
 29 territory from the city. The board shall notify the
 30 city of the severance proceedings and shall hold a
 31 public hearing on the proposed severance. The board
 32 shall give notice of the hearing in the same manner as
 33 required in section 368.7. The board may order
 34 severance of all or a portion of the territory and the
 35 order to sever is not subject to approval at an
 36 election. A city may request that the board allow up
 37 to an additional three years to provide municipal
 38 services if good cause is shown. As an alternative to
 39 severance of the territory, the board may impose a
 40 moratorium on additional annexation by the city until
 41 the city complies with its plan for extending
 42 municipal services to the annexed territory."
 43 2. By renumbering as necessary.

PAULSEN of Linn

H-1189

- 1 Amend Senate File 413, as passed by the Senate, as
 2 follows:
 3 1. Page 3, line 2, by inserting after the word
 4 "deduction." the following: "However, the fair share
 5 fee shall not be collected unless the collective
 6 bargaining agreement provides that upon the written

7 request of ten percent or more of the employees
8 represented under the collective bargaining agreement,
9 the employee organization shall provide for a
10 representation election."

CHAMBERS of O'Brien

H-1190

1 Amend Senate File 413, as passed by the Senate, as
2 follows:
3 1. Page 4, by inserting after line 14 the
4 following:
5 "f. Provides, in the collective bargaining
6 agreement, for an annual vote of members of the
7 certified employee organization on whether the members
8 agree to represent nonmembers within the same
9 bargaining unit. If the members vote not to represent
10 nonmembers, the certified employee organization,
11 notwithstanding any provision of this chapter to the
12 contrary, shall not be required to represent the
13 nonmembers and a fair share fee shall not be collected
14 from nonmembers."
15 2. By renumbering as necessary.

CHAMBERS of O'Brien

H-1191

1 Amend Senate File 413, as passed by the Senate, as
2 follows:
3 1. Page 4, by inserting after line 14 the
4 following:
5 "f. Provides, in the collective bargaining
6 agreement, that the employee organization publish in a
7 newspaper of general circulation in the state on an
8 annual basis the salaries of all members of the
9 employee organization during the time period a fair
10 share fee is collected."
11 2. By renumbering as necessary.

CHAMBERS of O'Brien

H-1192

1 Amend Senate File 413, as passed by the Senate, as
2 follows:
3 1. Page 4, by inserting after line 22 the
4 following:
5 6. It shall be unlawful for any person, firm,
6 association, or corporation to coerce, intimidate,
7 threaten, or interfere with the right of any person

- 8 who pays a fair share fee to refuse to join or
 9 affiliate with an employee organization."
 10 2. By renumbering as necessary.

WORTHAN of Buena Vista

H-1193

- 1 Amend Senate File 413, as passed by the Senate, as
 2 follows:
 3 1. Page 4, by inserting after line 22 the
 4 following:
 5 "Sec. ____ Section 423.3, Coded 2007, is amended
 6 by adding the following new subsection:
 7 NEW SUBSECTION. 92. The sales price of pumpkins."
 8 2. By renumbering as necessary.

S. OLSON of Clinton

H-1194

- 1 Amend Senate File 413, as passed by the Senate, as
 2 follows:
 3 1. Page 4, by inserting after line 22 the
 4 following:
 5 "Sec. ____ Section 20.22, subsection 9, Code 2007,
 6 is amended by adding the following new unnumbered
 7 paragraph:
 8 NEW UNNUMBERED PARAGRAPH. No award shall be made
 9 if the economic cost of providing the award exceeds
 10 one hundred fifty percent of the economic cost of the
 11 most recent collective bargaining agreement between
 12 the parties to the arbitration."
 13 2. Title page, line 1, by striking the words
 14 "relating to" and inserting the following: "and".
 15 3. By renumbering as necessary.

ALONS of Sioux

H-1195

- 1 Amend Senate File 413, as passed by the Senate, as
 2 follows:
 3 1. Page 4, by inserting after line 22 the
 4 following:
 5 "Sec. ____ Section 99F.11, subsection 3, paragraph
 6 d, Code 2005, as amended by 2006 Iowa Acts, chapter
 7 1151, section 6, is amended to read as follows:
 8 d. ~~Eight tenths of one~~ One and one-tenth percent
 9 of the adjusted gross receipts tax shall be deposited
 10 in the county endowment fund created in section
 11 15E.311."

12 2. By renumbering as necessary.

ALONS of Sioux

H-1196

1 Amend Senate File 413, as passed by the Senate, as
2 follows:

3 1. Page 4, by inserting after line 22 the
4 following:

5 "Sec. ____ Section 280.5, Code 2007, is amended to
6 read as follows:

7 280.5 DISPLAY OF UNITED STATES FLAG AND IOWA STATE
8 FLAG - RECITATION OF PLEDGE OF ALLEGIANCE.

9 1. The board of directors of each public school
10 district and the authorities in charge of each
11 nonpublic school shall provide and maintain a suitable
12 flagstaff on each school site under its control, and
13 the United States flag and the Iowa state flag shall
14 be raised on all school days when weather conditions
15 are suitable.

16 2. The board of directors of each public school
17 shall cause the pledge of allegiance to be recited at
18 the beginning of each school day. Persons reciting
19 the pledge of allegiance shall stand holding their
20 right hand over their heart. A student shall not be
21 compelled, against the student's objections or those
22 of the student's parent or guardian, to recite the
23 pledge of allegiance, but shall be required to
24 maintain a respectful silence."

25 2. By renumbering as necessary.

DEYOE of Story

H-1197

1 Amend Senate File 413, as passed by the Senate, as
2 follows:

3 1. Page 2, line 25, by inserting after the word
4 "fee." the following: "However, the fair share fee
5 shall not exceed an amount equal to five percent of
6 the amount of dues and charges required to be paid by
7 a member in good standing of the employee
8 organization."

WINDSCHITL of Harrison

H-1200

- 1 Amend Senate File 413, as passed by the Senate, as
2 follows:
3 1. Page 1, by inserting after line 11 the
4 following:
5 "Sec. ____ Section 20.6, Code 2007, is amended by
6 adding the following new subsection:
7 NEW SUBSECTION. 6. By January 1, 2009, and each
8 two years thereafter, submit a report to the general
9 assembly providing a comparison of public sector and
10 private sector salaries and benefits."
11 2. Title page, line 1, by inserting after the
12 words "An Act" the following: "concerning employment,
13 by providing for a salary compensation study and by".
14 3. By renumbering as necessary.

LUKAN of Dubuque

H-1201

- 1 Amend Senate File 413, as passed by the Senate, as
2 follows:
3 1. Page 4, by inserting after line 22 the
4 following:
5 "Sec. ____ NEW SECTION. 659.7 ELECTED OFFICIALS
6 - UNION MEMBERSHIP.
7 An elected official shall be liable for any damages
8 for any defamatory statement published or uttered
9 relating to a person's exercise of the person's right
10 to join or to refuse to join a public sector union."
11 2. Title page, line 1, by inserting after the
12 words "An Act" the following: "relating to public
13 sector labor union membership and by".
14 3. By renumbering as necessary.

HORBACH of Tama

H-1202

- 1 Amend Senate File 413, as passed by the Senate, as
2 follows:
3 1. Page 4, line 23, by inserting after the word
4 "DATE" the following: "- APPLICABILITY".
5 2. Page 4, line 24, by inserting after the word
6 "enactment" the following: "and is applicable to
7 collective bargaining agreements reached by
8 ratification of the agreement or by issuance of an
9 arbitration award under section 20.22 on or after that
10 date".
11 3. Title page, line 3, by inserting after the

12 word "date" the following: "and applicability
13 provision".

HORBACH of Tama

H-1203

1 Amend Senate File 413, as passed by the Senate, as
2 follows:
3 1. Page 4, by inserting after line 22 the
4 following:
5 "Sec. ____ Section 84A.5, Code 2007, is amended by
6 adding the following new subsection:
7 NEW SUBSECTION. 11. The department of workforce
8 development shall develop a training program to
9 educate public employees on their rights and
10 responsibilities relating to fair share fee
11 agreements."
12 2. Title page, line 1, by striking the words
13 "providing for" and inserting the following:
14 "concerning".
15 3. By renumbering as necessary.

GREINER of Washington

H-1204

1 Amend Senate File 413, as passed by the Senate, as
2 follows:
3 1. Page 4, by inserting after line 14 the
4 following:
5 "f. Provides, in the collective bargaining
6 agreement, information on the steps necessary to
7 decertify the certified employee organization."
8 2. By renumbering as necessary.

GREINER of Washington

H-1205

1 Amend Senate File 413, as passed by the Senate, as
2 follows:
3 1. Page 1, by inserting before line 1 the
4 following:
5 "Section 1. Section 15.108, Code 2007, is amended
6 by adding the following new subsection:
7 NEW SUBSECTION. 12. LABOR RELATIONS. To provide
8 information relating to the rights of workers and
9 employers in the state. To carry out this
10 responsibility, the department shall include the
11 phrase, "Iowa is a Fair Share State" in bold letters
12 on all business recruitment literature."

- 13 2. Title page, line 1, by striking the words
 14 "providing for" and inserting the following:
 15 "concerning".
 16 3. By renumbering as necessary.

GREINER of Washington

H-1206

- 1 Amend Senate File 413, as passed by the Senate, as
 2 follows:
 3 1. Page 4, by inserting after line 22 the
 4 following:
 5 "Sec. ____ Section 307.14, unnumbered paragraph 1,
 6 Code 2007, is amended to read as follows:
 7 The department shall publish a map of the state of
 8 Iowa. The map shall include the following phrase,
 9 "Iowa is a Fair Share State" below the picture of the
 10 governor of Iowa on the map. At the request of a
 11 citizen of a particular city or town, the department
 12 shall add the city or town to the existing map of Iowa
 13 and identify the main road leading into the city or
 14 town if the city or town meets two or more of the
 15 following criteria:"
 16 2. By renumbering as necessary.

GREINER of Washington

H-1207

- 1 Amend Senate File 413, as passed by the Senate, as
 2 follows:
 3 1. Page 1, by inserting before line 1 the
 4 following:
 5 "Section 1. Section 15.108, Code 2007, is amended
 6 by adding the following new subsection:
 7 NEW SUBSECTION. 12. LABOR RELATIONS. To provide
 8 information relating to the rights of workers and
 9 employers in the state. To carry out this
 10 responsibility, the department shall provide training
 11 to employees on how to decertify a labor union."
 12 2. Title page, line 1, by striking the words
 13 "relating to" and inserting the following: "and".
 14 3. By renumbering as necessary.

GREINER of Washington

H-1208

- 1 Amend Senate File 413, as passed by the Senate, as
 2 follows:
 3 1. Page 4, by inserting after line 22 the

4 following:

5 "Sec. ____ Section 256.11, subsection 5, Code
6 2007, is amended by adding the following new
7 paragraph:

8 **NEW PARAGRAPH. k.** One-half unit of personal
9 finance literacy, the curriculum of which shall
10 include but not be limited to the use of common
11 banking instruments such as checking accounts; credit;
12 debit cards; compound interest; mortgage, auto, and
13 personal loans; investment basics, including stocks,
14 bonds, and index funds; credit scores; budgeting;
15 saving and debt management; retirement planning and
16 savings; and insurance. All students shall complete
17 at least one-half unit of personal finance literacy as
18 a condition of graduation.

19 Sec. ____ STATE MANDATE FUNDING SPECIFIED. In
20 accordance with section 25B.2, subsection 3, the state
21 cost of requiring compliance with any state mandate
22 included in this Act shall be paid by a school
23 district from state school foundation aid received by
24 the school district under section 257.16. This
25 specification of the payment of the state cost shall
26 be deemed to meet all the state funding-related
27 requirements of section 25B.2, subsection 3, and no
28 additional state funding shall be necessary for the
29 full implementation of this Act by and enforcement of
30 this Act against all affected school districts."

31 2. By renumbering as necessary.

BOAL of Polk

H-1209

1 Amend Senate File 413, as passed by the Senate, as
2 follows:

3 1. By striking everything after the enacting
4 clause and inserting the following:

5 "Section 1. Section 15.108, Code 2007, is amended
6 by adding the following new subsection:

7 **NEW SUBSECTION. 12. LABOR RELATIONS.** To provide
8 information relating to the rights of workers and
9 employers in the state. To carry out this
10 responsibility, the department shall include the
11 phrase, "Iowa is a Right-to-Work State" in bold
12 letters on all business recruitment literature."

13 2. Title page, by striking lines 1 through 3 and
14 inserting the following: "An Act promoting Iowa as a
15 right-to-work state."

SODERBERG of Plymouth

H-1210

1 Amend Senate File 413, as passed by the Senate, as
2 follows:

3 1. Page 4, by inserting after line 22 the
4 following:

5 "Sec. . NEW SECTION. 231G.1 FAIR SHARE FEES
6 - OLDER PERSONS.

7 As a condition of receiving any benefit from the
8 state, a person age sixty-five or older shall submit
9 written documentation that the person age sixty-five
10 or older is a member in good standing of an
11 organization representing older persons or has paid a
12 fair share fee to an organization representing older
13 persons for that portion of membership dues related to
14 activities that benefit older persons.

15 Sec. . Section 422.7, Code 2007, is amended by
16 adding the following new subsections:

17 NEW SUBSECTION. 50. Subtract, to the extent
18 included, the amount of any fair share fee paid
19 pursuant to section 231G.1.

20 NEW SUBSECTION. 51. Subtract, to the extent not
21 otherwise deducted in computing adjusted gross income,
22 the amounts paid by the taxpayer as a fair share fee
23 pursuant to section 231G.1. Amounts subtracted under
24 this subsection shall not be used by the taxpayer in
25 computing the amount of charitable contributions as
26 defined by section 170 of the Internal Revenue Code."

27 2. Title page, lines 1 and 2, by striking the
28 words "relating to collective bargaining for public
29 employees".

30 3. By renumbering as necessary.

HOFFMAN of Crawford

H-1211

1 Amend Senate File 413, as passed by the Senate, as
2 follows:

3 1. Page 4, by inserting after line 22 the
4 following:

5 "Sec. . NEW SECTION. 187.1 FAIR SHARE FEES -
6 FARMERS.

7 As a condition of receiving any benefit from the
8 state, a farmer shall submit written documentation
9 that the farmer is a member in good standing of an
10 organization representing farmers or has paid a fair
11 share fee to an organization representing farmers for
12 that portion of membership dues related to activities
13 that benefit farmers.

14 Sec. . Section 422.7, Code 2007, is amended by
15 adding the following new subsections:

- 16 NEW SUBSECTION. 50. Subtract, to the extent
 17 included, the amount of any fair share fee paid
 18 pursuant to section 187.1.
 19 NEW SUBSECTION. 51. Subtract, to the extent not
 20 otherwise deducted in computing adjusted gross income,
 21 the amounts paid by the taxpayer as a fair share fee
 22 pursuant to section 187.1. Amounts subtracted under
 23 this subsection shall not be used by the taxpayer in
 24 computing the amount of charitable contributions as
 25 defined by section 170 of the Internal Revenue Code."
 26 2. Title page, lines 1 and 2, by striking the
 27 words "relating to collective bargaining for public
 28 employees".
 29 3. By renumbering as necessary.

HOFFMAN of Crawford

H-1212

- 1 Amend Senate File 413, as passed by the Senate, as
 2 follows:
 3 1. Page 1, by inserting before line 1 the
 4 following:
 5 "Section 1. Section 2.10, Code 2007, is amended by
 6 adding the following new subsection:
 7 NEW SUBSECTION. 9. A general assembly shall not
 8 have the power to increase compensation and allowances
 9 effective prior to the convening of the next general
 10 assembly that follows the session in which the
 11 increase is adopted and the increase in compensation
 12 and allowances shall not become effective unless the
 13 proposition is submitted and approved by a vote of the
 14 people at the general election following the adoption
 15 by the general assembly of the increase in a manner as
 16 provided by chapter 49A."
 17 2. By renumbering as necessary.

WINDSCHITL of Harrison

H-1213

- 1 Amend Senate File 413, as passed by the Senate, as
 2 follows:
 3 1. Page 4, by inserting after line 22 the
 4 following:
 5 "Sec.____. DEPARTMENT OF HUMAN SERVICES – MENTAL
 6 HEALTH PROGRAMS. There is appropriated from the
 7 general fund of the state to the department of human
 8 services for the fiscal year beginning July 1, 2007,
 9 and ending June 30, 2008, the following amount, or so
 10 much thereof as is necessary, to be used for the
 11 purposes designated:

- 12 For distribution for mental health services:
- 13 \$ 23,000,000"
- 14 2. By renumbering as necessary.

WINDSCHITL of Harrison

H-1214

- 1 Amend Senate File 413, as passed by the Senate, as
- 2 follows:
- 3 1. Page 4, by inserting after line 22 the
- 4 following:
- 5 "Sec.____. DEPARTMENT OF TRANSPORTATION –
- 6 RAILROAD SPURS. There is appropriated from the
- 7 general fund of the state to the department of
- 8 transportation for the fiscal year beginning July 1,
- 9 2007, and ending June 30, 2008, the following amount,
- 10 or so much thereof as is necessary, to be used for the
- 11 purpose designated:
- 12 For building railroad spurs at potential economic
- 13 growth projects:
- 14 \$ 10,000,000"
- 15 2. By renumbering as necessary.

WINDSCHITL of Harrison

H-1215

- 1 Amend Senate File 413, as passed by the Senate, as
- 2 follows:
- 3 1. Page 4, by inserting after line 22 the
- 4 following:
- 5 "Sec.____. DEPARTMENT OF PUBLIC SAFETY – FIRE
- 6 TRAINING REALLOCATION. Notwithstanding any provision
- 7 of law to the contrary, of the moneys appropriated to
- 8 the department of public safety for fire training,
- 9 \$200,000 shall be reallocated from the Council Bluffs
- 10 fire department to Southwestern community college in
- 11 Creston."
- 12 2. By renumbering as necessary.

DOLECHECK of Ringgold

H-1216

- 1 Amend Senate File 413, as passed by the Senate, as
- 2 follows:
- 3 1. Page 4, by inserting after line 22 the
- 4 following:
- 5 "Sec.____. FUNDING FOR U.S. HIGHWAY 34
- 6 CONSTRUCTION. Notwithstanding any other provision, in
- 7 the annual budget prepared by the director of

8 transportation and presented to the transportation
9 commission for the fiscal year beginning July 1, 2008,
10 and each subsequent fiscal year as necessary, the
11 director shall include a request for the funds for
12 construction costs for completion of U.S. highway 34
13 as a four-lane highway across Iowa."
14 2. By renumbering as necessary.

DOLECHECK of Ringgold

H-1217

1 Amend Senate File 413, as passed by the Senate, as
2 follows:
3 1. Page 4, by inserting after line 22 the
4 following:
5 "Sec.____. Section 20.14, Code 2007, is amended by
6 adding the following new subsection:
7 NEW SUBSECTION. 3A. The petition of a public
8 employee shall allege that a collective bargaining
9 agreement provides for the payment of a fair share fee
10 to an employee organization which has been certified
11 as the bargaining representative and that the
12 petitioners do not want to be represented by the
13 employee organization or seek certification of the
14 employee organization.
15 Sec.____. Section 20.14, subsection 5, paragraph
16 a, Code 2007, is amended to read as follows:
17 a. It finds that less than thirty percent of the
18 public employees in the unit appropriate for
19 collective bargaining support the petition for
20 decertification or for certification. However, this
21 paragraph shall not apply if the petition was filed
22 pursuant to subsection 3A."
23 2. Title page, line 1, by striking the words
24 "relating to" and inserting the following: "and".
25 3. By renumbering as necessary.

ALONS of Sioux

H-1218

1 Amend Senate File 413, as passed by the Senate, as
2 follows:
3 1. Page 4, by inserting after line 22 the
4 following:
5 "Sec.____. Section 20.22, subsection 9, paragraph
6 d, Code 2007, is amended by striking the paragraph and
7 inserting in lieu thereof the following:
8 d. Whether any proposed increase in wages to
9 public employees is justified based upon an increase
10 in productivity and performance of the employees and

- 11 based upon the ability of the public employer to pay
 12 the award using existing resources without any
 13 increase in taxes."
 14 2. Title page, line 1, by striking the words
 15 "relating to" and inserting the following: "and".
 16 3. By renumbering as necessary.

SODERBERG of Plymouth

H-1219

- 1 Amend Senate File 413, as passed by the Senate, as
 2 follows:
 3 1. Page 4, by inserting after line 22 the
 4 following:
 5 "Sec. . NEW SECTION. 183B.1 FAIR SHARE FEES
 6 – HOG PRODUCERS.
 7 As a condition of receiving any benefit from the
 8 state, a hog producer shall submit written
 9 documentation that the hog producer is a member in
 10 good standing of an organization representing hog
 11 producers or has paid a fair share fee to an
 12 organization representing hog producers for that
 13 portion of membership dues related to activities that
 14 benefit hog producers.
 15 Sec. . Section 422.7, Code 2007, is amended by
 16 adding the following new subsections:
 17 NEW SUBSECTION. 50. Subtract, to the extent
 18 included, the amount of any fair share fee paid
 19 pursuant to section 183B.1.
 20 NEW SUBSECTION. 51. Subtract, to the extent not
 21 otherwise deducted in computing adjusted gross income,
 22 the amounts paid by the taxpayer as a fair share fee
 23 pursuant to section 183B.1. Amounts subtracted under
 24 this subsection shall not be used by the taxpayer in
 25 computing the amount of charitable contributions as
 26 defined by section 170 of the Internal Revenue Code."
 27 2. Title page, lines 1 and 2, by striking the
 28 words "relating to collective bargaining for public
 29 employees".
 30 3. By renumbering as necessary.

HOFFMAN of Crawford

H-1220

- 1 Amend Senate File 413, as passed by the Senate, as
 2 follows:
 3 1. Page 4, by inserting after line 22 the
 4 following:
 5 "Sec. . Section 422.7, Code 2007, is amended by
 6 adding the following new subsections:

- 7 NEW SUBSECTION. 50. Subtract, to the extent
 8 included, the amount of any fair share fee paid
 9 pursuant to section 562C.1.
- 10 NEW SUBSECTION. 51. Subtract, to the extent not
 11 otherwise deducted in computing adjusted gross income,
 12 the amounts paid by the taxpayer as a fair share fee
 13 pursuant to section 562C.1. Amounts subtracted under
 14 this subsection shall not be used by the taxpayer in
 15 computing the amount of charitable contributions as
 16 defined by section 170 of the Internal Revenue Code.
- 17 Sec.____. NEW SECTION. 562C.1 FAIR SHARE FEES –
 18 RENTAL PROPERTY OWNERS.
- 19 As a condition of receiving any benefit from the
 20 state, a rental property owner shall submit written
 21 documentation that the rental property owner is a
 22 member in good standing of an organization
 23 representing rental property owner or has paid a fair
 24 share fee to an organization representing rental
 25 property owners for that portion of membership dues
 26 related to activities that benefit insurance
 27 business."
- 28 2. Title page, lines 1 and 2, by striking the
 29 words "relating to collective bargaining for public
 30 employees".
- 31 3. By renumbering as necessary.

HOFFMAN of Crawford

H-1221

- 1 Amend Senate File 413, as passed by the Senate, as
 2 follows:
- 3 1. Page 4, by inserting after line 22 the
 4 following:
- 5 "Sec.____. Section 422.7, Code 2007, is amended by
 6 adding the following new subsections:
- 7 NEW SUBSECTION. 50. Subtract, to the extent
 8 included, the amount of any fair share fee paid
 9 pursuant to section 562C.1.
- 10 NEW SUBSECTION. 51. Subtract, to the extent not
 11 otherwise deducted in computing adjusted gross income,
 12 the amounts paid by the taxpayer as a fair share fee
 13 pursuant to section 562C.1. Amounts subtracted under
 14 this subsection shall not be used by the taxpayer in
 15 computing the amount of charitable contributions as
 16 defined by section 170 of the Internal Revenue Code.
- 17 Sec.____. NEW SECTION. 562C.1 FAIR SHARE FEES –
 18 PROPERTY OWNERS.
- 19 As a condition of receiving any benefit from the
 20 state, a property owner shall submit written
 21 documentation that the property owner is a member in
 22 good standing of an organization representing property

23 owners or has paid a fair share fee to an organization
 24 representing property owners for that portion of
 25 membership dues related to activities that protect
 26 property owners against damage by deer."

27 3. Title page, lines 1 and 2, by striking the
 28 words "relating to collective bargaining for public
 29 employees".

30 4. By renumbering as necessary.

HOFFMAN of Crawford

H-1222

1 Amend Senate File 413, as passed by the Senate, as
 2 follows:

3 1. Page 4, by inserting after line 22 the

4 following:

5 "Sec. . NEW SECTION. 187.1 FAIR SHARE FEES –
 6 SMALL CROP GROWERS.

7 As a condition of receiving any benefit from the
 8 state, a small crop grower shall submit written
 9 documentation that the small crop grower is a member
 10 in good standing of an organization representing small
 11 crop growers or has paid a fair share fee to an
 12 organization representing small crop growers for that
 13 portion of membership dues related to activities that
 14 benefit small crop growers.

15 Sec. . Section 422.7, Code 2007, is amended by
 16 adding the following new subsections:

17 NEW SUBSECTION. 50. Subtract, to the extent
 18 included, the amount of any fair share fee paid
 19 pursuant to section 187.1.

20 NEW SUBSECTION. 51. Subtract, to the extent not
 21 otherwise deducted in computing adjusted gross income,
 22 the amounts paid by the taxpayer as a fair share fee
 23 pursuant to section 187.1. Amounts subtracted under
 24 this subsection shall not be used by the taxpayer in
 25 computing the amount of charitable contributions as
 26 defined by section 170 of the Internal Revenue Code."

27 2. Title page, lines 1 and 2, by striking the
 28 words "relating to collective bargaining for public
 29 employees".

30 3. By renumbering as necessary.

HOFFMAN of Crawford

H-1223

1 Amend Senate File 413, as passed by the Senate, as
 2 follows:

3 1. Page 4, by inserting after line 22 the

4 following:

5 "Sec.____. Section 422.7, Code 2007, is amended by
 6 adding the following new subsections:
 7 NEW SUBSECTION. 50. Subtract, to the extent
 8 included, the amount of any fair share fee paid
 9 pursuant to section 441.20.
 10 NEW SUBSECTION. 51. Subtract, to the extent not
 11 otherwise deducted in computing adjusted gross income,
 12 the amounts paid by the taxpayer as a fair share fee
 13 pursuant to section 441.20. Amounts subtracted under
 14 this subsection shall not be used by the taxpayer in
 15 computing the amount of charitable contributions as
 16 defined by section 170 of the Internal Revenue Code.
 17 Sec.____. NEW SECTION. 441.20 FAIR SHARE FEES –
 18 COMMERCIAL PROPERTY OWNERS.
 19 As a condition of receiving any benefit from the
 20 state, a commercial property owner shall submit
 21 written documentation that the commercial property
 22 owner is a member in good standing of an organization
 23 representing commercial property owners or has paid a
 24 fair share fee to an organization representing
 25 commercial property owners for that portion of
 26 membership dues related to activities that benefit
 27 commercial property owners."
 28 2. Title page, lines 1 and 2, by striking the
 29 words "relating to collective bargaining for public
 30 employees".
 31 3. By renumbering as necessary.

HOFFMAN of Crawford

H-1224

1 Amend Senate File 413, as passed by the Senate, as
 2 follows:
 3 1. Page 4, by inserting after line 22 the
 4 following:
 5 "Sec.____. Section 422.7, Code 2007, is amended by
 6 adding the following new subsections:
 7 NEW SUBSECTION. 50. Subtract, to the extent
 8 included, the amount of any fair share fee paid
 9 pursuant to section 494.1.
 10 NEW SUBSECTION. 51. Subtract, to the extent not
 11 otherwise deducted in computing adjusted gross income,
 12 the amounts paid by the taxpayer as a fair share fee
 13 pursuant to section 494.1. Amounts subtracted under
 14 this subsection shall not be used by the taxpayer in
 15 computing the amount of charitable contributions as
 16 defined by section 170 of the Internal Revenue Code.
 17 Sec.____. NEW SECTION. 494.1 FAIR SHARE FEES –
 18 BUSINESS OWNER.
 19 As a condition of receiving any benefit from the
 20 state, a business owner shall submit written

21 documentation that the business owner is a member in
22 good standing of an organization representing business
23 owners or has paid a fair share fee to an organization
24 representing business owners for that portion of
25 membership dues related to activities that benefit
26 business owners."

27 2. Title page, lines 1 and 2, by striking the
28 words "relating to collective bargaining for public
29 employees".

30 3. By renumbering as necessary.

HOFFMAN of Crawford

H-1225

1 Amend Senate File 413, as passed by the Senate, as
2 follows:

3 1. Page 4, by inserting after line 22 the
4 following:
5 "Sec. ___, APPROPRIATION – LAKE DREDGING. There
6 is appropriated from the rebuild Iowa infrastructure
7 fund to the department of natural resources for the
8 designated fiscal years, the following amounts, or so
9 much thereof as is necessary, to be used for the
10 purpose designated:

11 For allocation for a lake dredging project on a
12 lake located in a county with a population between
13 20,400 and 20,450:

14	1. FY 2007-2008.....	\$ 1,000,000
15	2. FY 2008-2009.....	\$ 1,000,000
16	3. FY 2009-2010.....	\$ 1,000,000
17	4. FY 2010-2011.....	\$ 1,000,000
18	5. FY 2011-2012.....	\$ 1,000,000
19	6. FY 2012-2013.....	\$ 1,000,000
20	7. FY 2013-2014.....	\$ 1,000,000
21	8. FY 2014-2015.....	\$ 1,000,000
22	9. FY 2015-2016.....	\$ 1,000,000
23	10. FY 2016-2017.....	\$ 1,000,000
24	11. FY 2017-2018.....	\$ 1,000,000
25	12. FY 2018-2019.....	\$ 1,000,000
26	13. FY 2019-2020.....	\$ 1,000,000
27	14. FY 2020-2021.....	\$ 1,000,000
28	15. FY 2021-2022.....	\$ 1,000,000

29 The amount allocated shall include any necessary
30 preparation for the dredging of the lake in accordance
31 with the department's classification of Iowa lakes
32 restoration report.

33 Notwithstanding section 8.33, moneys appropriated
34 in this section that remain unencumbered or
35 unobligated at the close of the fiscal year shall not
36 revert but shall remain available for the purposes
37 designated until the close of the fiscal year begins

38 July 1, 2025, or until the project for which the
 39 appropriation was made is completed, whichever is
 40 earlier."
 41 2. By renumbering as necessary.

WORTHAN of Buena Vista

H-1226

1 Amend Senate File 413, as passed by the Senate, as
 2 follows:
 3 1. Page 4, by inserting after line 22 the
 4 following:
 5 "Sec.____. Section 20.26, unnumbered paragraph 1,
 6 Code 2007, is amended to read as follows:
 7 An employee organization shall not make any direct
 8 or indirect contribution out of the funds of the
 9 employee organization to any political party or
 10 organization or in support of any candidate for
 11 elective public office and shall not in any manner
 12 handle directly or indirectly political funds from
 13 paychecks."
 14 2. Title page, line 1, by striking the words
 15 "relating to" and inserting the following: "and".
 16 3. By renumbering as necessary.

MAY of Dickinson

H-1227

1 Amend Senate File 413, as passed by the Senate, as
 2 follows:
 3 1. Page 4, by inserting after line 22 the
 4 following:
 5 "Sec.____. Section 543D.7, Code 2007, is amended
 6 to read as follows:
 7 543D.7 CERTIFICATION PROCESS.
 8 Applications for original certification, renewal
 9 certification, and examinations shall be made in
 10 writing to the board on forms approved by the board.
 11 To be accepted, an application for original or renewal
 12 certification shall include documentation that the
 13 real estate appraiser is a member in good standing of
 14 an association representing real estate appraisers."
 15 2. Title page, line 1, by inserting after the
 16 words "An Act" the following: "concerning employment,
 17 by providing for the regulation of real estate
 18 appraisers and by".
 19 3. By renumbering as necessary.

SANDS of Louisa

H-1228

1 Amend Senate File 413, as passed by the Senate, as
2 follows:

3 1. Page 4, by inserting after line 22 the
4 following:

5 "Sec. ____ Section 524.303, Code 2007, is amended
6 by adding the following new subsection:

7 NEW SUBSECTION. 3. Documentation that the
8 proposed state bank has or will join the largest
9 association representing bankers in the state."

10 2. Title page, line 1, by inserting after the
11 words "An Act" the following: "concerning
12 associations, by providing for the regulation of state
13 banks and by".

14 3. By renumbering as necessary.

SANDS of Louisa

H-1229

1 Amend Senate File 413, as passed the Senate, as
2 follows:

3 1. Page 4, by inserting after line 22 the
4 following:

5 "Sec. ____ Section 279.59, Code 2007, is amended
6 to read as follows:

7 279.59 ACCESS BY PROFESSIONAL EDUCATION
8 ASSOCIATIONS.

9 1. The board of directors of a school district
10 shall provide not-for-profit, professional education
11 associations that offer membership to teachers or
12 administrators equal access to teacher or
13 administrator mailboxes for distribution of
14 professional literature.

15 2. Notwithstanding section 20.9, a school district
16 may, upon a teacher's or administrator's written
17 request, deduct from the salary or wages of the
18 teacher or administrator an amount specified by the
19 teacher or administrator for payment of dues or
20 membership fees for the teacher's or administrator's
21 membership in a not-for-profit, professional education
22 association. If a written request is granted, all
23 other written requests for salary or wage deductions
24 for payment of dues or membership fees for membership
25 in the same not-for-profit, professional education
26 association shall also be granted. The teacher or
27 administrator may withdraw the request for the
28 deduction at any time by giving the school district
29 thirty days' written notice.

30 3. For purposes of this section, unless the
31 context otherwise requires, "professional education

32 association" means an association in which the
33 majority of members are practitioners licensed in
34 accordance with chapter 272."

35 2. Title page, lines 1 and 2, by striking the
36 words "relating to collective bargaining for" and
37 inserting the following: "and payment of professional
38 dues by".

39 3. By renumbering as necessary.

TYMESON of Madison

H-1230

1 Amend Senate File 413, as passed by the Senate, as
2 follows:

3 1. Page 4, by inserting after line 14 the
4 following:

5 "f. Provides in the collective bargaining
6 agreement, that a fair share fee shall not be
7 collected if a member, officer, or employee of the
8 certified employee organization coerces, intimidates,
9 threatens, or interferes with the right of any
10 nonmember of the employee organization in the exercise
11 or enjoyment of the nonmember's right not to become a
12 member of the certified employee organization."

13 2. By renumbering as necessary.

TYMESON of Madison

H-1231

1 Amend Senate File 413, as passed by the Senate, as
2 follows:

3 1. Page 4, by inserting after line 14 the
4 following:

5 "f. Provides, in the collective bargaining
6 agreement, that an employee who is a member of and
7 adheres to established and traditional tenets of
8 teachings of a bona fide religion or religious body
9 which has historically held conscientious objections
10 to joining or financially supporting an employee
11 organization and which is exempt from taxation under
12 the provisions of the Internal Revenue Code shall not
13 be required to join or pay a fair share fee to any
14 employee organization pursuant to the fair share fee
15 agreement."

16 2. By renumbering as necessary.

TYMESON of Madison

H-1232

1 Amend Senate File 413, as passed by the Senate, as
2 follows:

3 1. Page 3, line 2, by inserting after the word
4 "deduction." the following: "A fair share fee shall
5 not be collected unless the certified employee
6 organization certifies that all officers and employees
7 of the employee organization are United States
8 citizens and have not been convicted of a felony."

FORRISTALL of Pottawattamie

H-1233

1 Amend Senate File 413, as passed by the Senate, as
2 follows:

3 1. Page 4, by inserting after line 22 the
4 following:
5 "Sec. ____ Section 69.16, unnumbered paragraph 1,
6 Code 2007, is amended to read as follows:
7 All appointive boards, commissions, and councils of
8 the state established by the Code if not otherwise
9 provided by law shall be bipartisan in their
10 composition. ~~No~~ A person shall not be appointed or
11 reappointed to any board, commission, or council
12 established by the Code if the effect of that
13 appointment or reappointment would cause the number of
14 members of the board, commission, or council belonging
15 to one eligible political party to be greater exceed
16 by more than one-half the membership one the members
17 of the board, commission, or council plus one
18 belonging to another eligible political party. For
19 purposes of this section, an eligible political party
20 is a political party, as defined in section 43.2, that
21 has one of the two highest numbers of registered
22 voters in this state. The political party to which a
23 person belongs for purposes of this section shall be
24 determined prior to the date of the person's
25 appointment or reappointment, based on the party
26 registration, if any, of the person as of the date of
27 the most recent general election, the date of the most
28 recent primary election, or the date the person
29 becomes eligible to register to vote, whichever is
30 latest.

31 Sec. ____ APPLICABILITY. The section of this Act
32 amending section 69.16 is applicable to appointments
33 or reappointments made on or after the effective date
34 of this Act to appointive boards, commissions, and
35 councils subject to Code section 69.16."

36 2. By renumbering as necessary.

ROBERTS of Carroll

H-1234

1 Amend Senate File 413, as passed by the Senate, as
2 follows:

3 1. Page 4, by inserting after line 22 the
4 following:

5 "Sec. ____ Section 483A.8, subsection 2, Code
6 2007, is amended to read as follows:

7 2. The deer hunting license shall be accompanied
8 by a tag designed to be used only once. When a deer
9 is taken, the deer shall be tagged and the tag shall
10 be dated. If the commission establishes a first
11 shotgun deer hunting season and a second shotgun deer
12 hunting season, a resident who is issued a deer
13 hunting license for the first shotgun deer hunting
14 season and does not take a deer during that season may
15 use the deer hunting license and unused tag during the
16 second shotgun deer hunting season to take an
17 antlerless deer."

18 2. By renumbering as necessary.

ROBERTS of Carroll

H-1235

1 Amend Senate File 413, as passed by the Senate, as
2 follows:

3 1. Page 4, by inserting after line 22 the
4 following:

5 "Sec. ____ Section 483A.24, subsection 2,
6 paragraph b, Code 2007, is amended to read as follows:

7 b. Upon written application on forms furnished by
8 the department, the department shall issue annually
9 without fee one wild turkey hunting license to the
10 owner of a farm unit or to a member of the owner's
11 family, but not to both, and to the tenant or to a
12 member of the tenant's family, but not to both. The
13 wild turkey hunting ~~license~~ licenses issued shall be
14 valid only on the farm unit for which an applicant
15 qualifies pursuant to this subsection ~~and shall be~~
16 ~~equivalent to the least restrictive license issued~~
17 ~~under section 481A.38.~~ The owner or the tenant need
18 not reside on the farm unit to qualify for a free
19 license to hunt on that farm unit. The wild turkey
20 hunting licenses issued for spring seasons pursuant to
21 this paragraph are valid and may be used during all
22 wild turkey hunting seasons established in the
23 spring."

24 2. By renumbering as necessary.

ARNOLD of Lucas

H-1236

- 1 . Amend Senate File 413, as passed by the Senate, as
2 follows:
3 1. Page 4, by inserting after line 22 the
4 following:
5 "Sec. ____ Section 20.14, Code 2007, is amended by
6 adding the following new subsection:
7 NEW SUBSECTION. 7. Notwithstanding any provision
8 of this chapter to the contrary, the professional
9 educators of Iowa shall be the only authorized
10 exclusive bargaining representative for teachers
11 licensed under chapter 272 and who are employed by a
12 public employer which is a school district or area
13 education agency."
14 2. Title page, line 1, by striking the words
15 "relating to" and inserting the following: "and".
16 3. By renumbering as necessary.

SANDS of Louisa

H-1237

- 1 Amend Senate File 413, as passed by the Senate, as
2 follows:
3 1. Page 3, line 2, by inserting after the word
4 "deduction." the following: "A fair share fee shall
5 not be collected unless the certified employee
6 organization certifies that it has paid taxes as an
7 Iowa corporation."

FORRISTALL of Pottawattamie

H-1238

- 1 Amend Senate File 413, as passed by the Senate, as
2 follows:
3 1. Page 3, by striking lines 10 through 13 and
4 inserting the following: "or other similar
5 activities. Costs that shall be excluded from".

SODERBERG of Plymouth

H-1239

- 1 Amend Senate File 413, as passed by the Senate, as
2 follows:
3 1. Page 4, by inserting after line 22 the
4 following:
5 "Sec. ____ Section 20.22, subsection 9, paragraph
6 b, Code 2007, is amended to read as follows:
7 b. Comparison of wages, hours and conditions of

- 8 employment of the involved public employees with those
 9 of other public similar private sector employees doin
 10 comparable work, giving consideration to factors
 11 peculiar to the area and the classifications
 12 involved."
 13 2. Title page, line 1, by striking the words
 14 "relating to", and inserting the following: "and".
 15 3. By renumbering as necessary.

MAY of Dickinson

H-1240

- 1 Amend Senate File 413, as passed by the Senate, as
 2 follows:
 3 1. Page 4, by inserting after line 22 the
 4 following:
 5 "Sec. ____ NEW SECTION. 313.38 CARCASS REMOVAL.
 6 The department shall remove a deer carcass from the
 7 right-of-way of a highway under the state's
 8 jurisdiction within seventy-two hours of receiving a
 9 report of the presence of the carcass. The department
 10 may enter into contracts with private parties as
 11 necessary to meet the requirements of this section."
 12 2. By renumbering as necessary.

DE BOEF of Keokuk

H-1241

- 1 Amend Senate File 413, as passed by the Senate, as
 2 follows:
 3 1. Page 4, by inserting after line 22 the
 4 following:
 5 "Sec. ____ Section 312.2, Code 2007, is amended by
 6 adding the following new subsection:
 7 NEW SUBSECTION. 19. The treasurer of state,
 8 before making the allotments provided for in this
 9 section, shall credit annually from the road use tax
 10 fund to the primary road fund, for each fiscal year in
 11 the fiscal period beginning July 1, 2007, and ending
 12 June 30, 2011, the sum of one hundred ten million
 13 dollars, or so much thereof as is necessary, to
 14 complete construction of U.S. highway 20 as a
 15 four-lane highway from Fort Dodge, Iowa, to Sioux
 16 City, Iowa."
 17 2. By renumbering as necessary.

WORTHAN of Buena Vista

H-1242

1 Amend Senate File 413, as passed by the Senate, as
2 follows:

3 1. Page 4, by inserting after line 22 the
4 following:

5 "Sec. ____ DEPARTMENT OF PUBLIC SAFETY – ILLEGAL
6 IMMIGRATION TASK FORCE. There is appropriated from
7 the general fund of the state to the department of
8 public safety for the fiscal year beginning July 1,
9 2007, and ending June 30, 2008, the following amount,
10 or so much thereof as is necessary, to be used for the
11 purposes designated:

12 For establishing an illegal immigration task force,
13 including salaries, support, maintenance,
14 miscellaneous purposes, and for not more than the
15 following full-time equivalent positions:

16 \$ 10,000,000
17 FTEs 50.00

18 Of the moneys appropriated in this section, the
19 department shall hire fifty state troopers for
20 purposes of the task force."

21 2. By renumbering as necessary.

GRASSLEY of Butler

H-1243

1 Amend Senate File 413, as passed by the Senate, as
2 follows:

3 1. Page 4, by inserting after line 22, the
4 following:

5 "Sec. ____ Section 455A.10, Code 2007, is amended
6 by adding the following new unnumbered paragraph:
7 NEW UNNUMBERED PARAGRAPH. Of the moneys remaining
8 in the state fish and game protection fund which are
9 not specifically appropriated by the general assembly
10 during any fiscal year, one hundred thousand dollars
11 is appropriated and shall be used by the department to
12 fund a pheasant and quail restoration and restocking
13 program in the lower three tiers of counties in the
14 state."

15 2. By renumbering as necessary.

ARNOLD of Lucas

H-1244

1 Amend Senate File 413, as passed by the Senate, as
2 follows:

3 1. Page 4, by inserting after line 22 the
4 following:

5 "Sec.____. FAIR SHARE FEE DISTRIBUTION – STATE
6 CAPITOL REPAIR. Notwithstanding any provision of
7 chapter 20 to the contrary, the amount of any fair
8 share fee deducted from nonmembers of an employee
9 organization who work at the state capitol complex
10 shall not be transmitted to the employee organization
11 but shall be appropriated to the department of
12 administrative services for the costs of repairing the
13 plumbing system in the attic of the state capitol.
14 The appropriation of fair share fees to the department
15 pursuant to this section shall continue until the
16 department of administrative services certifies that
17 it has received sufficient moneys for completing the
18 plumbing repair project. Notwithstanding section
19 8.33, moneys appropriated to the department of
20 administrative services pursuant to this section shall
21 not revert to the general fund of the state at the
22 close of a fiscal year."
23 2. By renumbering as necessary.

HUSEMAN of Cherokee

H-1245

1 Amend Senate File 413, as passed by the Senate, as
2 follows:
3 1. Page 4, by inserting after line 22 the
4 following:
5 "Sec.____. FAIR SHARE FEE DISTRIBUTION – U.S.
6 HIGHWAY 20. Notwithstanding any provision of chapter
7 20 to the contrary, the amount of any fair share fee
8 deducted from nonmembers of an employee organization
9 shall not be transmitted to the employee organization
10 but shall be appropriated to the department of
11 transportation for completing four lanes of U.S.
12 Highway 20 across the state within five years of
13 completing the I-235 project in the Des Moines area.
14 The appropriation of fair share fees to the department
15 pursuant to this section shall continue until the
16 department of transportation certifies that it has
17 received sufficient moneys for completing the U.S.
18 Highway 20 project. Notwithstanding section 8.33,
19 moneys appropriated to the department of
20 transportation pursuant to this section shall not
21 revert to the general fund at the close of a fiscal
22 year."
23 2. By renumbering as necessary.

HUSEMAN of Cherokee

H-1246

- 1 Amend Senate File 413, as passed by the Senate, as
 2 follows:
 3 1. Page 4, by inserting after line 22 the
 4 following:
 5 "Sec. ____ STATE MENTAL HEALTH INSTITUTE AT
 6 CHEROKEE – FAIR USE. The department of human
 7 services shall enhance the usage of the state mental
 8 health institute at Cherokee by implementing a fair
 9 use policy. Under the fair use policy, the department
 10 shall work with the department of corrections on
 11 options for housing inmates in unused building space
 12 at the mental health institute that can be made
 13 appropriately secure. The arrangements with the
 14 department of corrections shall also provide
 15 opportunities for the inmates housed at the institute
 16 to be employed in work projects for local
 17 governments."
 18 2. By renumbering as necessary,

HUSEMAN of Cherokee

H-1247

- 1 Amend Senate File 413, as passed by the Senate, as
 2 follows:
 3 1. Page 4, by inserting after line 22 the
 4 following:
 5 "Sec. ____ Section 257.13, Code 2007, is amended
 6 by striking the section and inserting in lieu thereof
 7 the following:
 8 257.13 ON-TIME FUNDING BUDGET ADJUSTMENT.
 9 1. For the school budget year beginning July 1,
 10 2006, and succeeding budget years, if a district's
 11 actual enrollment for the budget year, determined
 12 under section 257.6, is greater than its budget
 13 enrollment for the budget year, the district shall
 14 receive an on-time funding budget adjustment. The
 15 adjustment shall be in an amount equal to the
 16 difference between the actual enrollment for the
 17 budget year and the budget enrollment for the budget
 18 year, multiplied by the district cost per pupil. The
 19 additional funding received under this section is
 20 miscellaneous income to the school district.
 21 2. A school district which is receiving a budget
 22 adjustment for a budget year pursuant to section
 23 257.14 shall receive on-time funding for increased
 24 enrollment, reduced by the amount of the budget
 25 adjustment for that budget year. The resulting amount
 26 shall not be less than zero.
 27 3. If a district receives additional funding under

28 this section for a budget year, the department of
29 management shall determine the amount of the
30 additional funding which would have been generated by
31 local property tax revenues, in proportion to the
32 amount of funding actually received pursuant to this
33 section, if the actual enrollment for the budget year
34 had been used in determining district cost for that
35 budget year. The department of management shall
36 reduce, but not by more than the determined amount of
37 additional funding which would have been generated by
38 local property tax revenues, the district's total
39 state school aid otherwise available under this
40 chapter for the next following budget year.

41 4. There is appropriated each fiscal year from the
42 general fund of the state to the department of
43 education an amount required to pay the additional
44 funding authorized under this section."

45 2. By renumbering as necessary.

BOAL of Polk

H-1248

1 Amend Senate File 413, as passed by the Senate, as
2 follows:

3 1. Page 4, by inserting after line 22 the
4 following:

5 "Sec.____. Section 52.7, Code 2007, is amended by
6 adding the following new unnumbered paragraph:
7 NEW UNNUMBERED PARAGRAPH. If the machine is a
8 direct recording electronic device, the machine shall
9 be so constructed as to be capable of producing a
10 paper record that the voter may review before the
11 voter casts the voter's ballot. The paper record
12 shall be printed on paper separate from all other
13 paper records, be readable by the voter without the
14 use of an electronic device, not contain any
15 information that will identify the person who cast the
16 ballot, and be stored at the polling place in a secure
17 container, such that the voter is incapable of
18 removing the paper record from the polling place.
19 After the polls close, the precinct election officials
20 shall seal all paper records in the manner, and for
21 the time period, prescribed in section 50.12."

22 2. Title page, line 1, by inserting after the
23 words "An Act" the following: "relating to state
24 standards by specifying requirements for voting
25 machines and by".

26 3. By renumbering as necessary.

DEYOE of Story

H-1249

1 Amend Senate File 413, as passed by the Senate, as
2 follows:

3 1. Page 4, by inserting after line 22, the
4 following:

5 "Sec.____. Section 321.285, subsection 4, Code
6 2007, is amended to read as follows:

7 4. Notwithstanding any other speed restrictions,
8 the speed limit for all vehicular traffic shall be
9 ~~fifty five~~ sixty miles per hour."

10 2. Title page, line 2, by striking the word
11 "employees" and inserting the following: "employees,
12 increasing the speed limit on certain paved highways
13 and making penalties applicable,".

14 3. By renumbering as necessary.

VAN ENGELHOVEN of Marion

H-1250

1 Amend Senate File 413, as passed by the Senate, as
2 follows:

3 1. Page 4, by inserting after line 22 the
4 following:

5 "Sec.____. Section 233A.4, Code 2007, is amended
6 to read as follows:

7 233A.4 EDUCATION AND TRAINING.

8 The state training school shall provide a positive
9 living experience for older juveniles who require
10 secure custody and who live at the state training
11 school for an extended period of time. The education
12 and training programs provided to the juveniles shall
13 reflect the age level and extended period of stay by
14 focusing upon appropriate developmental skills to
15 prepare the juveniles for productive living. The
16 education and training programs at both the state
17 training school and the Iowa juvenile home shall
18 incorporate a personal finance literacy curriculum
19 that educates the juveniles regarding the use of
20 common banking instruments such as checking accounts;
21 credit; debit cards; compound interest; mortgage;
22 auto, and personal loans; investment basics, including
23 stocks, bonds, and index funds; credit scores;
24 budgeting; saving and debt management; retirement
25 planning and savings; and insurance."

26 2. By renumbering as necessary.

GRANZOW of Hardin

H-1251

1 Amend Senate File 413, as passed by the Senate, as
2 follows:

3 1. Page 4, by inserting after line 22 the
4 following:

5 "Sec. ____ Section 422.7, Code 2007, is amended by
6 adding the following new subsections:

7 NEW SUBSECTION. 50. Subtract, to the extent
8 included, the amount of any fair share fee paid
9 pursuant to chapter 20.

10 NEW SUBSECTION. 51. Subtract, to the extent not
11 otherwise deducted in computing adjusted gross income,
12 the amounts paid by the taxpayer as a fair share fee
13 pursuant to chapter 20. Amounts subtracted under this
14 subsection shall not be used by the taxpayer in
15 computing the amount of charitable contributions as
16 defined by section 170 of the Internal Revenue Code."

17 2. By renumbering as necessary.

LUKAN of Dubuque

H-1252

1 Amend Senate File 413, as passed by the Senate, as
2 follows:

3 1. Page 4, by inserting after line 22 the
4 following:

5 "Sec. ____ NEW SECTION. 422.11T TEACHER EXPENSE
6 CREDIT.

7 The taxes imposed under this division, less the
8 credits allowed under sections 422.12 and 422.12B,
9 shall be reduced by a teacher expense credit equal to
10 the first two hundred fifty dollars of the cost
11 incurred to purchase supplies by the taxpayer to
12 assist the taxpayer in teaching at an elementary or
13 secondary school situated in Iowa, which school is
14 accredited under section 256.11. To qualify for the
15 credit, the costs must be nonreimbursable from any
16 source. If the cost incurred has been deducted in
17 computing federal adjusted gross income, the amount of
18 such deduction shall be added in determining net
19 income under section 422.7. Any credit in excess of
20 the tax liability is nonrefundable.

21 As used in this section, "supplies" includes but is
22 not limited to paper supplies, bulletin boards, books,
23 maps, charts, computer software but not hardware, and
24 other items directly used by the taxpayer as a
25 teacher. The cost incurred to purchase supplies for
26 which a tax credit may be received under this section
27 shall not be used by a school district to supplement
28 its costs of instructional materials.

- 29 Sec.____. APPLICABILITY. This Act applies
 30 retroactively to January 1, 2006, for tax years
 31 beginning on or after that date."
 32 2. By renumbering as necessary.

TYMESON of Madison

H-1253

- 1 Amend Senate File 413, as passed by the Senate, as
 2 follows:
 3 1. Page 4, by inserting after line 22 the
 4 following:
 5 "Sec.____. Section 423.3, Code 2007, is amended by
 6 adding the following new subsection:
 7 NEW SUBSECTION. 68A. The sales price from the
 8 sale of general school supplies which are intended for
 9 classroom use if all of the following apply:
 10 a. The sales price of each item is less than
 11 twenty dollars.
 12 b. The sale takes place during a period beginning
 13 at 12:01 a.m. on the first Friday in August and ending
 14 at midnight on the following Saturday."
 15 2. By renumbering as necessary.

TYMESON of Madison

H-1254

- 1 Amend Senate File 413, as passed by the Senate, as
 2 follows:
 3 1. Page 4, by inserting after line 22 the
 4 following:
 5 "Sec.____. Section 256.7, subsection 8, Code 2007,
 6 is amended by striking the subsection."
 7 2. By renumbering as necessary.

TYMESON of Madison

H-1255

- 1 Amend Senate File 413, as passed by the Senate, as
 2 follows:
 3 1. Page 1, by inserting before line 1 the
 4 following:
 5 "Section 1. Section 20.3, Code 2007, is amended by
 6 adding the following new subsection:
 7 NEW SUBSECTION. 1A. "Bargaining unit" means only
 8 those employees in a particular class of employees who
 9 have not opted out of representation by an employee
 10 organization."
 11 2. Page 1, by inserting after line 17 the

12 following:

- 13 "Sec. ____ Section 20.8, Code 2007, is amended by
14 adding the following new subsection:
15 NEW SUBSECTION. 5. Opt out of representation by
16 an employee organization by written notice to the
17 employee organization and the public employer."
18 3. Title page, line 1, by striking the words
19 "relating to" and inserting the following: "and".
20 4. By renumbering as necessary.

WATTS of Dallas

H-1256

- 1 Amend Senate File 413, as passed by the Senate, as
2 follows:
3 1. Page 4, by inserting after line 22 the
4 following:
5 "Sec. ____ NEW SECTION. 259.10 FARMERS WITH
6 DISABILITIES – FEDERAL REPLACEMENT FUNDS.
7 There is appropriated from the general fund of the
8 state to the department of agriculture and land
9 stewardship for the fiscal year beginning July 1,
10 2007, and each subsequent fiscal year thereafter the
11 amount of one hundred thirty thousand dollars, to be
12 used for a grant to a national nonprofit organization
13 with over eighty years of experience in assisting
14 children and adults with disabilities and special
15 needs and their families through services that include
16 medical rehabilitation, job training and employment
17 services, child care, adult day services, and camping
18 and recreation. The appropriation replaces expired
19 federal funding for a nationally recognized program
20 that has been replicated in at least thirty other
21 states, but which is not available through any other
22 entity in this state, that provides assistance to
23 farmers with disabilities in all ninety-nine counties
24 to allow the farmers to remain in their own homes and
25 be gainfully engaged in farming through provision of
26 agricultural worksite and home modification
27 consultations, peer support services, services to
28 families, information and referral, and equipment loan
29 services."
30 2. By renumbering as necessary.

DOLECHECK of Ringgold

H-1257

- 1 Amend Senate File 413, as passed by the Senate, as
2 follows:
3 1. Page 4, by inserting after line 22 the

4 following:

5 "Sec. ____ Section 91D.1, subsection 2, Code 2007,
6 is amended to read as follows:

7 2. ~~The exemptions from the minimum wage~~
8 ~~requirements stated in 29 U.S.C. } 213 Notwithstanding~~
9 ~~subsection 1, this section shall apply, except that~~
10 ~~the exemption in 29 U.S.C. } 213(a)(2) shall only~~
11 ~~apply to an enterprise which is comprised of one or~~
12 ~~more retail or service establishments whose annual~~
13 ~~gross volume of sales made or business done is less~~
14 ~~more than sixty percent of the amount stated in 29~~
15 ~~U.S.C. } 203(s)(2), seven hundred fifty thousand~~
16 ~~dollars exclusive of excise taxes at the retail level~~
17 ~~that are separately stated."~~

18 2. Title page, line 1, by inserting after the
19 words "An Act" the following: "concerning employment,
20 by providing for the applicability of the minimum wage
21 and by".

22 3. By renumbering as necessary.

DOLECHECK of Ringgold

H-1258

1 Amend Senate File 413, as passed by the Senate, as
2 follows:

3 1. Page 4, by inserting after line 22 the
4 following:

5 "Sec. ____ Section 257.31, Code 2007, is amended
6 by adding the following new subsection:
7 NEW SUBSECTION. 5A. The committee shall direct
8 that all modified allowable growth funds or any
9 supplemental aid received by a school district under
10 this section shall not be directed for purposes of
11 collective bargaining specified in chapter 20."

12 2. By renumbering as necessary.

DOLECHECK of Ringgold

H-1259

1 Amend Senate File 413, as passed by the Senate, as
2 follows:

3 1. Page 1, line 29, by inserting after the word
4 "upon." the following: "However, negotiations shall
5 not include terms authorizing furlough days."

6 2. Title page, line 1, by striking the words
7 "relating to" and inserting the following: "and".

8 3. By renumbering as necessary.

HORBACH of Tama

H-1260

1 Amend Senate File 413, as passed by the Senate, as
2 follows:

3 1. Page 4, by inserting after line 22 the
4 following:

5 "Sec. _____. Section 483A.27, subsection 5, Code
6 2007, is amended to read as follows:

7 5. a. An officer of the department or a certified
8 instructor may issue a certificate to a person who has
9 not completed the hunter safety and ethics education
10 course but meets the criteria established by the
11 commission.

12 b. An officer of the department shall issue a
13 certificate to a person who has not completed the
14 hunter safety and ethics education course if the
15 person demonstrates to the officer, pursuant to rules
16 adopted by the commission under chapter 17A, that the
17 person meets either of the following criteria:

18 (1) The person is a member of the armed forces of
19 the United States who is serving on active duty and
20 has passed a weapons proficiency test.

21 (2) The person served in the armed forces of the
22 United States at any time, was discharged under
23 honorable conditions, and passed a weapons proficiency
24 test."

25 2. By renumbering as necessary.

STRUYK of Pottawattamie

H-1261

1 Amend Senate File 413, as passed by the Senate, as
2 follows:

3 1. Page 4, by inserting after line 22 the
4 following:

5 "Sec. _____. Section 483A.8B, Code 2007, is amended
6 to read as follows:

7 ~~483A.8B SENIOR CROSSBOW DEER HUNTING LICENSES~~
8 ~~HUNTS.~~

9 A person who is a resident and who is seventy years
10 of age or older may be issued one special senior
11 statewide ~~antlerless deer only crossbow~~ any sex deer
12 hunting license to hunt deer during ~~bow season~~ the
13 youth and severely disabled deer hunting season as
14 established by rule by the commission. A person who
15 obtains a license to hunt deer under this section is
16 not required to pay the wildlife habitat fee but shall
17 be otherwise qualified to hunt deer in this state and
18 shall have a resident hunting license.

19 A person who obtains a license under this section
20 may obtain a one additional statewide bow license

21 ~~under this section in addition to a statewide antlered~~
 22 ~~or any sex and one additional antlerless deer only~~
 23 ~~deer hunting bow season license for use during the~~
 24 ~~youth and severely disabled deer hunting season.~~
 25 Season dates, shooting hours, limits, license quotas,
 26 and other regulations for this license shall be the
 27 same as set forth by the commission by rule for ~~bow~~
 28 ~~season the youth and severely disabled deer hunts. A~~
 29 ~~person who obtains a deer hunting license under this~~
 30 ~~section is not eligible to obtain a deer hunting~~
 31 ~~license under any other provision.”~~
 32 2. By renumbering as necessary.

STRUYK of Pottawattamie

H-1262

1 Amend Senate File 413, as passed by the Senate, as
 2 follows:
 3 1. Page 3, line 2, by inserting after the word
 4 “deduction.” The following: “However, the fair share
 5 fee shall be no more than the amount determined to be
 6 the cost of representing nonmembers following a
 7 certified audit by a licensed certified public
 8 accountant. The collective bargaining agreement shall
 9 provide that prior to collecting the fair share fee,
 10 the summary of the audit, a location of where the
 11 complete audit can be obtained, and fee to be charged
 12 shall be published in two newspapers of general
 13 circulation in the area of the covered workplace.”

DRAKE of Pottawattamie

H-1263

1 Amend Senate File 413, as passed by the Senate, as
 2 follows:
 3 1. Page 4, by striking lines 23 and 24 and
 4 inserting the following:
 5 “Sec. ____ CONTINGENT EFFECTIVE DATE. This Act
 6 takes effect upon the repeal of section 1 of Article I
 7 of the Constitution of the State of Iowa.”
 8 2. By renumbering as necessary.

CHAMBERS of O'Brien

H-1264

1 Amend Senate File 413, as passed by the Senate, as
 2 follows:
 3 1. Page 3, line 2, by inserting after the word
 4 “deduction.” The following: “However, for teachers

5 licensed under chapter 272 and employed by a public
 6 employer which is a school district or area education
 7 agency, the fair share fee shall be limited to only
 8 those costs incurred by the local bargaining
 9 association directly involved in representing teachers
 10 from that particular school district or area education
 11 agency.”.

CHAMBERS of O'Brien

H-1265

1 Amend Senate File 413, as passed by the Senate, as
 2 follows:
 3 1. Page 2, line 3, by inserting after the word
 4 “notice” the following: “, which written notice shall
 5 terminate one year from the date the written notice is
 6 signed”.
 7 2. Page 4, by inserting after line 22, the
 8 following:
 9 “Sec. ____ NEW SECTION. 20.9B DUES FOR POLITICAL
 10 CAUSES AND LOBBYING – REQUIREMENTS.
 11 It shall be unlawful for an employee organization
 12 to accept payment of any employee organization dues or
 13 fees for political causes or lobbying activities of
 14 the employee organization unless the employee has
 15 agreed to pay such dues or fees in a signed written
 16 agreement which agreement shall terminate upon thirty
 17 days' written notice of such termination by the
 18 employee to the employee organization or one year from
 19 the date the agreement is signed, whichever occurs
 20 first. The employee organization shall authorize the
 21 payment of dues or fees solely related to the
 22 representation of the employee, including fees for
 23 collective bargaining, contract administration, and
 24 grievance adjustment, and that are not used for the
 25 political and lobbying causes of the organization.”
 26 3. Title page, line 1, by inserting after the
 27 words “An Act” the following: “providing for payment
 28 of dues for political causes and lobbying and”.
 29 4. By renumbering as necessary.

DEYOE of Story
 FORRISTALL of Pottawattamie

H-1266

1 Amend Senate File 413, as passed by the Senate, as
 2 follows:
 3 1. Page 4, by inserting after line 22 the
 4 following:
 5 “Sec. ____ Section 20.15, subsection 1, Code 2007,

6 is amended to read as follows:

- 7 1. Upon the filing of a petition for certification
- 8 of an employee organization and each two years
- 9 thereafter, the board shall submit a question to the
- 10 public employees at an election in an appropriate
- 11 bargaining unit. The question on the ballot shall
- 12 permit the public employees to vote for no bargaining
- 13 representation or for any employee organization which
- 14 has petitioned for certification or which has
- 15 presented proof satisfactory to the board of support
- 16 of ten percent or more of the public employees in the
- 17 appropriate unit.”
- 18 2. Title page, line 1, by striking the words
- 19 “relating to” and inserting the following: “and”.
- 20 3. By renumbering as necessary.

PAULSEN of Linn

H-1267

1 Amend Senate File 413, as passed by the Senate, as
2 follows:

3 1. Page 4, by inserting after line 22 the
4 following:

5 “Sec. ____ Section 331.401, subsection 3, Code
6 2007, is amended to read as follows:

7 3. a. The board shall not pay bounties on crows,
8 rattlesnakes, foxes, or wolves other than coyotes.

9 b. A county may receive reimbursement from the
10 department of natural resources for bounty payments on
11 raccoons, as provided in section 455A.10. In order to
12 receive reimbursement, the county must submit the
13 total number of county claims subject to reimbursement
14 as provided by rules adopted by the department. The
15 county must maintain a list of persons holding an
16 interest in land located within the county who
17 authorize the destruction of raccoons on their land.
18 A reimbursable claim is made when a raccoon is
19 destroyed on land listed with the county as certified
20 by the person destroying the raccoon and a person
21 holding an interest in the land. A person who
22 fraudulently submits a claim or certifies that a
23 raccoon has been destroyed on listed land is guilty of
24 a simple misdemeanor.

25 Sec. ____ Section 455A.10, Code 2007, is amended
26 by adding the following new unnumbered paragraph:

27 **NEW UNNUMBERED PARAGRAPH.** Of the moneys remaining
28 in the state fish and game protection fund which are
29 not specifically appropriated by the general assembly
30 during any fiscal year, twenty-five thousand dollars
31 is appropriated and shall be used by the department to
32 reimburse counties for the payment of claims for

33 bounties paid on raccoons as provided in section
34 331.401. If the total amount of eligible claims
35 exceeds twenty-five thousand dollars, the department
36 shall prorate the reimbursement amount to provide an
37 equal payment for all claims.”
38 2. By renumbering as necessary.

VAN ENGELENHOVEN of Marion

H-1268

1 Amend Senate File 413, as passed by the Senate, as
2 follows:

3 1. Page 4, by inserting after line 22 the
4 following:

5 “Sec. ____ Section 331.401, subsection 3, Code
6 2007, is amended to read as follows:

7 3. a. The board shall not pay bounties on crows,
8 rattlesnakes, foxes, or wolves other than coyotes.
9 b. A county may receive reimbursement from the
10 department of natural resources for bounty payments on
11 coyotes, as provided in section 455A.10. In order to
12 receive reimbursement, the county must submit the
13 total number of county claims subject to reimbursement
14 as provided by rules adopted by the department. The
15 county must maintain a list of persons holding an
16 interest in land located within the county who
17 authorize the destruction of coyotes on their land. A
18 reimbursable claim is made when a coyote is destroyed
19 on land listed with the county as certified by the
20 person destroying the coyote and a person holding an
21 interest in the land. A person who fraudulently
22 submits a claim or certifies that a coyote has been
23 destroyed on listed land is guilty of a simple
24 misdemeanor.

25 Sec. ____ Section 455A.10, Code 2007, is amended
26 by adding the following new unnumbered paragraph:
27 NEW UNNUMBERED PARAGRAPH. Of the moneys remaining
28 in the state fish and game protection fund which are
29 not specifically appropriated by the general assembly
30 during any fiscal year, twenty-five thousand dollars
31 is appropriated and shall be used by the department to
32 reimburse counties for the payment of claims for
33 bounties paid on coyotes as provided in section
34 331.401. If the total amount of eligible claims
35 exceeds twenty-five thousand dollars, the department
36 shall prorate the reimbursement amount to provide an
37 equal payment for all claims.”

38 2. By renumbering as necessary.

VAN ENGELENHOVEN of Marion

H-1269

- 1 Amend Senate File 413, as passed by the Senate, as
2 follows:
3 1. Page 4, by inserting after line 22 the
4 following:
5 "Sec. ____ NEW SECTION. 161A.4A CONTRACTOR
6 REQUIREMENTS - SOIL CONSERVATION PROJECTS.
7 As a condition for being awarded a contract for a
8 soil conservation project utilizing federal or state
9 funds, a contractor shall submit written documentation
10 that the contractor is a member of the Iowa land
11 improvement contractor's association."
12 2. By renumbering as necessary.

RASMUSSEN of Buchanan

H-1270

- 1 Amend the amendment, H-1116, to House File 555, as
2 follows:
3 1. Page 1, by inserting after line 3, the
4 following:
5 "Sec. ____ NEW SECTION. 249A.19A HOSPITAL
6 REIMBURSEMENT.
7 Beginning July 1, 2007, the department shall
8 reimburse hospitals as defined in section 135B.1 for
9 provision of services under the medical assistance
10 program at the reimbursement level allowed under the
11 Medicare program, subject to the medical assistance
12 program upper payment limit. The reimbursement level
13 shall be adjusted annually, on July 1, in accordance
14 with the requirements of this section and shall
15 provide for reimbursement that is not less than the
16 reimbursement provided under the Medicare program,
17 subject to the medical assistance program upper
18 payment limit."
19 2. Page 5, by inserting after line 27, the
20 following:
21 "Sec. ____ HOSPITAL AND NONINSTITUTIONAL MEDICAL
22 ASSISTANCE PROVIDER REIMBURSEMENT - APPROPRIATION.
23 There is appropriated from the health care trust fund
24 created in section 453A.35A, to the department of
25 human services for the fiscal year beginning July 1,
26 2007, and ending June 30, 2008, the following amount
27 or so much thereof as is necessary, for the purposes
28 designated:
29 For reimbursement of hospitals pursuant to section
30 249A.19A and noninstitutional health providers
31 pursuant to section 249A.20 in a manner that provides
32 for reimbursement at the level allowed under the
33 Medicare program, subject to the medical assistance

34 program upper payment limit:
 35 \$ 21,838,959"
 36 3. Page 5, line 41, by inserting after the word
 37 "appropriation," the following: "providing an
 38 appropriation for certain medical assistance
 39 providers,".

UPMEYER of Hancock

H-1271

1 Amend Senate File 413, as passed by the Senate, as
 2 follows:
 3 1. Page 4, by inserting after line 22 the
 4 following:
 5 "Sec. ____ NEW SECTION. 99F.4D MORATORIUM FOR
 6 ISSUANCE AND RELOCATION OF LICENSES FOR GAMBLING
 7 GAMES.
 8 1. Commencing on the effective date of this Act
 9 until January 1, 2012, the commission shall not issue
 10 a license to conduct gambling games on an excursion
 11 boat pursuant to this chapter.
 12 2. This section does not affect the validity of a
 13 license issued by the commission pursuant to this
 14 chapter before the effective date of this Act, or the
 15 authority of the commission to suspend, revoke,
 16 transfer, or renew a license issued before the
 17 effective date of this Act, pursuant to chapter 99D or
 18 this chapter. However, the commission shall not
 19 permit a licensee to change the location of an
 20 excursion boat or pari-mutuel racetrack authorized to
 21 conduct gambling games after the effective date of
 22 this Act until January 1, 2012."
 23 2. By renumbering as necessary.

BOAL of Polk

H-1272

1 Amend Senate File 413, as passed by the Senate, as
 2 follows:
 3 1. Page 1, by inserting after line 11 the
 4 following:
 5 "Sec. ____ Section 20.5, subsection 1, unnumbered
 6 paragraph 1, Cqde 2007, is amended to read as follows:
 7 There is established a board to be known as the
 8 "Public Employment Relations Board". The board shall
 9 consist of three members appointed by the governor,
 10 subject to confirmation by the senate. No more than
 11 ~~two members~~ one member shall be of the same political
 12 affiliation, no more than one member shall be
 13 registered as a no party voter, no member shall engage

- 14 in any political activity while holding office, and
 15 the members shall devote full time to their duties."
 16 2. Title page, line 1, by striking the words
 17 "relating to" and inserting the following: "and".
 18 3. By renumbering as necessary.

MAY of Dickinson

H-1273

- 1 Amend Senate File 413, as passed by the Senate, as
 2 follows:
 3 1. Page 4, by inserting after line 22 the
 4 following:
 5 "Sec.____. Section 483A.36, Code 2007, is amended
 6 to read as follows:
 7 483A.36 MANNER OF CONVEYANCE.
 8 No person, except as permitted by law, shall have
 9 or carry a gun in or on a vehicle on a public highway,
 10 unless the gun is taken down or totally contained in a
 11 securely fastened case, and its barrels and magazines
 12 are unloaded."
 13 2. By renumbering as necessary.

BAUDLER of Adair

H-1274

- 1 Amend Senate File 413, as passed by the Senate, as
 2 follows:
 3 1. Page 4, by inserting after line 22 the
 4 following:
 5 "Sec.____. Section 20.10, subsection 2, Code 2007,
 6 is amended by adding the following new paragraph:
 7 NEW PARAGRAPH. i. Restrict an employee of a
 8 bargaining unit of the public employer from airing
 9 workplace grievances or concerns with the public
 10 employer or supervisor of the employee.
 11 Sec.____. Section 20.10, subsection 3, Code 2007,
 12 is amended by adding the following new paragraph:
 13 NEW PARAGRAPH. J. Restrict a public employer or
 14 supervisor from airing workplace grievances or
 15 concerns with officials of an employee organization
 16 representing employees of the public employer."
 17 2. By renumbering as necessary.

LUKAN of Dubuque

H-1275

- 1 Amend Senate File 413, as passed by the Senate, as
 2 follows:

- 3 1. Page 4, by inserting after line 22 the
4 following:
5 "Sec.____. SENIOR LIVING TRUST FUND –
6 APPROPRIATION. Notwithstanding any provision to the
7 contrary, there is appropriated from the general fund
8 of the state for the fiscal year beginning July 1,
9 2007, and ending June 30, 2008, for distribution to
10 the senior living trust fund created in section
11 249H.4, after the deposits pursuant to section 8.57,
12 subsection 2, and section 8.55, subsection 2, have
13 been transferred to the senior living trust fund, an
14 amount necessary to equal an aggregate amount of three
15 hundred million dollars."
16 2. Title page, line 2, by inserting after the
17 word "employees" the following: ", providing an
18 appropriation."
19 3. By renumbering as necessary.

KAUFMANN of Cedar

H-1276

- 1 Amend Senate File 413, as passed by the Senate, as
2 follows:
3 1. Page 4, by striking lines 23 and 24 and
4 inserting the following:
5 "Sec.____. CONTINGENT EFFECTIVE DATE. This Act
6 takes effect upon the repeal of that portion of the
7 First Amendment to the Constitution of the United
8 States that provides for the right of the people
9 peaceably to assemble."
10 2. By renumbering as necessary.

CHAMBERS of O'Brien

H-1277

- 1 Amend Senate File 413, as passed by the Senate, as
2 follows:
3 1. Page 4, by inserting after line 22 the
4 following:
5 "6. Provides, in the collective bargaining
6 agreement, that a fair share fee shall not be
7 collected if the agreement does not allow an employee
8 to opt out of representation by the employee
9 organization or if the agreement requires an employee
10 to become a member of the employee organization or pay
11 a fair share fee."
12 2. By renumbering as necessary.

WATTS of Dallas

H-1278

1 Amend Senate File 413, as passed by the Senate, as
2 follows:

3 1. Page 4, by inserting after line 22 the
4 following:

5 "6. Notwithstanding any provision of this chapter
6 to the contrary and if a fair share fee is included in
7 a collective bargaining agreement, an employee
8 organization shall only be required to represent
9 employees in the applicable bargaining unit that
10 voluntarily agree to such representation and shall
11 only be permitted to collect a fair share fee from
12 those employees who voluntarily agree to be
13 represented by the employee organization."

14 2. By renumbering as necessary.

HORBACH of Tama

H-1279

1 Amend Senate File 413, as passed by the Senate, as
2 follows:

3 1. Page 4, by inserting after line 22 the
4 following:

5 "Sec. ____ Section 20.22, subsection 9, Code 2007,
6 is amended by adding the following new paragraph:
7 NEW PARAGRAPH. E. If the public employer is a
8 school district, area education agency, or city, the
9 ability of the school district, area education agency,
10 or city to pay for any economic adjustments and the
11 effect of payment of any economic adjustments on the
12 financial position of the school district, area
13 education agency, or city based upon the existing tax
14 rate."

15 2. Title page, line 1, by striking the words
16 "relating to" and inserting the following: "and".

17 3. By renumbering as necessary.

HORBACH of Tama

H-1280

1 Amend Senate File 413, as passed by the Senate, as
2 follows:

3 1. Page 4, by inserting after line 22 the
4 following:

5 "Sec. ____ Section 441.21, subsections 4 and 5,
6 Code 2007, are amended to read as follows:

7 4. For valuations established as of January 1,
8 1979, the percentage of actual value at which
9 agricultural and residential property shall be

10 assessed shall be the quotient of the dividend and
11 divisor as defined in this section. The dividend for
12 each class of property shall be the dividend as
13 determined for each class of property for valuations
14 established as of January 1, 1978, adjusted by the
15 product obtained by multiplying the percentage
16 determined for that year by the amount of any
17 additions or deletions to actual value, excluding
18 those resulting from the revaluation of existing
19 properties, as reported by the assessors on the
20 abstracts of assessment for 1978, plus six percent of
21 the amount so determined. However, if the difference
22 between the dividend so determined for either class of
23 property and the dividend for that class of property
24 for valuations established as of January 1, 1978,
25 adjusted by the product obtained by multiplying the
26 percentage determined for that year by the amount of
27 any additions or deletions to actual value, excluding
28 those resulting from the revaluation of existing
29 properties, as reported by the assessors on the
30 abstracts of assessment for 1978, is less than six
31 percent, the 1979 dividend for the other class of
32 property shall be the dividend as determined for that
33 class of property for valuations established as of
34 January 1, 1978, adjusted by the product obtained by
35 multiplying the percentage determined for that year by
36 the amount of any additions or deletions to actual
37 value, excluding those resulting from the revaluation
38 of existing properties, as reported by the assessors
39 on the abstracts of assessment for 1978, plus a
40 percentage of the amount so determined which is equal
41 to the percentage by which the dividend as determined
42 for the other class of property for valuations
43 established as of January 1, 1978, adjusted by the
44 product obtained by multiplying the percentage
45 determined for that year by the amount of any
46 additions or deletions to actual value, excluding
47 those resulting from the revaluation of existing
48 properties, as reported by the assessors on the
49 abstracts of assessment for 1978, is increased in
50 arriving at the 1979 dividend for the other class of

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1 property. The divisor for each class of property
2 shall be the total actual value of all such property
3 in the state in the preceding year, as reported by the
4 assessors on the abstracts of assessment submitted for
5 1978, plus the amount of value added to said total
6 actual value by the revaluation of existing properties
7 in 1979 as equalized by the director of revenue
8 pursuant to section 441.49. The director shall

9 utilize information reported on abstracts of
10 assessment submitted pursuant to section 441.45 in
11 determining such percentage. For valuations
12 established as of January 1, 1980, and each year
13 thereafter, the percentage of actual value as
14 equalized by the director of revenue as provided in
15 section 441.49 at which agricultural and residential
16 property shall be assessed shall be calculated in
17 accordance with the methods provided herein including
18 the limitation of increases in agricultural and
19 residential assessed values to the percentage increase
20 of the other class of property if the other class
21 increases less than the allowable limit adjusted to
22 include the applicable and current values as equalized
23 by the director of revenue in this subsection, except
24 that any references to six percent in this subsection
25 shall be four percent. For valuations established for
26 the assessment year beginning January 1, 2007, and
27 each year thereafter, the percentage of actual value
28 as equalized by the director of revenue as provided in
29 section 441.49 at which agricultural and residential
30 property shall be assessed shall be calculated in
31 accordance with the methods provided in this
32 subsection and subsection 5A, except that any
33 references to six percent in this subsection shall be
34 four percent.

35 5. For valuations established as of January 1,
36 1979, commercial property and industrial property,
37 excluding properties referred to in section 427A.1,
38 subsection 8, shall be assessed as a percentage of the
39 actual value of each class of property. The
40 percentage shall be determined for each class of
41 property by the director of revenue for the state in
42 accordance with the provisions of this section. For
43 valuations established as of January 1, 1979, the
44 percentage shall be the quotient of the dividend and
45 divisor as defined in this section. The dividend for
46 each class of property shall be the total actual
47 valuation for each class of property established for
48 1978, plus six percent of the amount so determined.
49 The divisor for each class of property shall be the
50 valuation for each class of property established for

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1 1978, as reported by the assessors on the abstracts of
2 assessment for 1978, plus the amount of value added to
3 the total actual value by the revaluation of existing
4 properties in 1979 as equalized by the director of
5 revenue pursuant to section 441.49. For valuations
6 established as of January 1, 1979, property valued by
7 the department of revenue pursuant to chapters 428,

8 433, 437, and 438 shall be considered as one class of
9 property and shall be assessed as a percentage of its
10 actual value. The percentage shall be determined by
11 the director of revenue in accordance with the
12 provisions of this section. For valuations
13 established as of January 1, 1979, the percentage
14 shall be the quotient of the dividend and divisor as
15 defined in this section. The dividend shall be the
16 total actual valuation established for 1978 by the
17 department of revenue, plus ten percent of the amount
18 so determined. The divisor for property valued by the
19 department of revenue pursuant to chapters 428, 433,
20 437, and 438 shall be the valuation established for
21 1978, plus the amount of value added to the total
22 actual value by the revaluation of the property by the
23 department of revenue as of January 1, 1979. For
24 valuations established as of January 1, 1980,
25 commercial property and industrial property, excluding
26 properties referred to in section 427A.1, subsection
27 8, shall be assessed at a percentage of the actual
28 value of each class of property. The percentage shall
29 be determined for each class of property by the
30 director of revenue for the state in accordance with
31 the provisions of this section. For valuations
32 established as of January 1, 1980, the percentage
33 shall be the quotient of the dividend and divisor as
34 defined in this section. The dividend for each class
35 of property shall be the dividend as determined for
36 each class of property for valuations established as
37 of January 1, 1979, adjusted by the product obtained
38 by multiplying the percentage determined for that year
39 by the amount of any additions or deletions to actual
40 value, excluding those resulting from the revaluation
41 of existing properties, as reported by the assessors
42 on the abstracts of assessment for 1979, plus four
43 percent of the amount so determined. The divisor for
44 each class of property shall be the total actual value
45 of all such property in 1979, as equalized by the
46 director of revenue pursuant to section 441.49, plus
47 the amount of value added to the total actual value by
48 the revaluation of existing properties in 1980. The
49 director shall utilize information reported on the
50 abstracts of assessment submitted pursuant to section

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1 441.45 in determining such percentage. For valuations
2 established as of January 1, 1980, property valued by
3 the department of revenue pursuant to chapters 428,
4 433, 437, and 438 shall be assessed at a percentage of
5 its actual value. The percentage shall be determined
6 by the director of revenue in accordance with the

7 provisions of this section. For valuations
 8 established as of January 1, 1980, the percentage
 9 shall be the quotient of the dividend and divisor as
 10 defined in this section. The dividend shall be the
 11 total actual valuation established for 1979 by the
 12 department of revenue, plus eight percent of the
 13 amount so determined. The divisor for property valued
 14 by the department of revenue pursuant to chapters 428,
 15 433, 437, and 438 shall be the valuation established
 16 for 1979, plus the amount of value added to the total
 17 actual value by the revaluation of the property by the
 18 department of revenue as of January 1, 1980. For
 19 valuations established as of January 1, 1981, and each
 20 year thereafter, the percentage of actual value as
 21 equalized by the director of revenue as provided in
 22 section 441.49 at which commercial property and
 23 industrial property, excluding properties referred to
 24 in section 427A.1, subsection 8, shall be assessed
 25 shall be calculated in accordance with the methods
 26 provided herein in this subsection, except that any
 27 references to six percent in this subsection shall be
 28 four percent. For valuations established as of
 29 January 1, 1981, and each year thereafter, the
 30 percentage of actual value at which property valued by
 31 the department of revenue pursuant to chapters 428,
 32 433, 437, and 438 shall be assessed shall be
 33 calculated in accordance with the methods provided
 34 herein, except that any references to ten percent in
 35 this subsection shall be eight percent. Beginning
 36 with valuations established as of January 1, 1979, and
 37 each year thereafter, property valued by the
 38 department of revenue pursuant to chapter 434 shall
 39 also be assessed at a percentage of its actual value
 40 which percentage shall be equal to the percentage
 41 determined by the director of revenue for commercial
 42 property, industrial property, or property valued by
 43 the department of revenue pursuant to chapters 428,
 44 433, 437, and 438, whichever is lowest. For
 45 valuations established for the assessment year
 46 beginning January 1, 2007, and each year thereafter,
 47 the percentage of actual value as equalized by the
 48 director of revenue as provided in section 441.49 at
 49 which commercial and industrial property shall be
 50 assessed shall be calculated in accordance with the

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1 methods provided in this subsection and subsection 5A,
 2 except that any references to six percent in this
 3 subsection shall be four percent.

4 Sec. ____ Section 441.21, Code 2007, is amended by
 5 adding the following new subsection:

6 NEW SUBSECTION. 5A. Notwithstanding the
 7 limitation of increases for agricultural and
 8 residential property in subsection 4 and the
 9 limitation of increases for commercial and industrial
 10 property in subsection 5, for valuations established
 11 for the assessment year beginning January 1, 2007, and
 12 each year thereafter, for residential, agricultural,
 13 and commercial property, the assessed values of these
 14 three classes of property shall be limited to the
 15 percentage increase of that class of property that is
 16 the lowest percentage increase under the allowable
 17 limit adjusted to include the applicable and current
 18 values as equalized by the director of revenue. The
 19 lowest percentage increase determined under this
 20 subsection shall also be applied to industrial
 21 property in the same manner it is applied to the other
 22 three classes of property.”

23 2. Page 4, by inserting after line 24 the
 24 following:

25 “Sec.____. RETROACTIVE APPLICABILITY. The
 26 sections of this Act amending section 442.21 apply
 27 retroactively to January 1, 2007, for assessment years
 28 beginning on or after that date.”

29 3. Title page, line 1, by inserting after the
 30 words “An Act” the following: “relating to state
 31 regulation by tying together the assessment
 32 limitations of certain classes of property and by”.

33 4. Title page, line 3, by inserting after the
 34 word “date” the following: “and a retroactive
 35 applicability date”.

36 5. By renumbering as necessary.

DEYOE of Story

H-1281

1 Amend Senate File 413, as passed by the Senate, as
 2 follows:

3 1. Page 4, by inserting after line 22 the
 4 following:

5 “Sec.____. Section 260C.14, subsection 2, Code
 6 2007, is amended to read as follows:

7 2. Have authority to determine tuition rates for
 8 instruction.

9 a. Tuition for residents of Iowa shall not exceed
 10 the lowest tuition rate per semester, or the
 11 equivalent, charged by an institution of higher
 12 education under the state board of regents for a
 13 full-time resident student. However, except for
 14 students enrolled under chapter 261C, if a local
 15 school district pays tuition for a resident pupil of
 16 high school age, the limitation on tuition for

17 residents of Iowa shall not apply, the amount of
 18 tuition shall be determined by the board of directors
 19 of the community college with the consent of the local
 20 school board, and the pupil shall not be included in
 21 the full-time equivalent enrollment of the community
 22 college for the purpose of computing general aid to
 23 the community college.

24 b. Tuition for nonresidents of Iowa shall not be
 25 less than the marginal cost of instruction of a
 26 student attending the college.

27 c. A lower tuition for nonresidents may be
 28 permitted under a reciprocal tuition agreement between
 29 a merged area and an educational institution in
 30 another state, if the agreement is approved by the
 31 director.

32 d. The board shall grant full remission of
 33 nonresident tuition and fees charged for not more than
 34 one hundred twenty-eight semester credit hours or
 35 eight semesters of undergraduate study, or the
 36 trimester or quarter equivalent, whichever is longer,
 37 less the amount of any fees paid under 10 U.S.C. }
 38 2107(c) or 38 U.S.C. } 3104(a)(7)(A), if applicable,
 39 for a student who is a veteran and who has received
 40 hazardous duty pay. The department of veterans
 41 affairs shall verify that the veteran received
 42 hazardous duty pay and is a resident of this state for
 43 purposes of receiving benefits under chapter 29A, and
 44 was a resident of this state at the time of entry into
 45 the United States armed forces or the Iowa national
 46 guard or reserve forces of the United States. For
 47 purposes of this lettered paragraph, "veteran" means
 48 the same as defined in section 35.1, or a resident of
 49 this state who served in the armed forces of the
 50 United States, served in active federal service, and

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1 was discharged under honorable conditions. The
 2 limitation on credit hours and semesters of study
 3 shall be applied cumulatively within the community
 4 college system.

5 e. The board may designate that a portion of the
 6 tuition moneys collected from students be used for
 7 student aid purposes.

8 Sec. ____ Section 262.9, subsection 29, Code 2007,
 9 is amended to read as follows:

10 29. Direct Develop and adopt rules which direct
 11 the institutions of higher education under its control
 12 to adopt do the following:

13 a. Adopt a policy to offer not less than the
 14 following options to a student who is a member of the
 15 Iowa national guard or reserve forces of the United

16 States and who is ordered to state ~~military service~~
 17 active duty or federal service ~~or duty, as defined in~~
 18 section 29A.1:
 19 a. (1) Withdraw from the student's entire
 20 registration and receive a full refund of tuition and
 21 mandatory fees.
 22 b. (2) Make arrangements with the student's
 23 instructors for course grades, or for incompletes that
 24 shall be completed by the student at a later date. If
 25 such arrangements are made, the student's registration
 26 shall remain intact and tuition and mandatory fees
 27 shall be assessed for the courses in full.
 28 e. (3) Make arrangements with only some of the
 29 student's instructors for grades, or for incompletes
 30 that shall be completed by the student at a later
 31 date. If such arrangements are made, the registration
 32 for those courses shall remain intact and tuition and
 33 mandatory fees shall be assessed for those courses.
 34 Any course for which arrangements cannot be made for
 35 grades or incompletes shall be considered dropped and
 36 the tuition and mandatory fees for the course
 37 refunded.
 38 b. Grant full remission of nonresident tuition and
 39 fees charged for not more than one hundred
 40 twenty-eight semester credit hours or eight semesters
 41 of undergraduate study, or the trimester or quarter
 42 equivalent, whichever is longer, or for not more than
 43 fifty graduate semester hours of coursework or the
 44 trimester or quarter equivalent, less the amount of
 45 any fees paid under 10 U.S.C. § 2107(c) or 38 U.S.C.
 46 § 3104(a)(7)(A), if applicable, for a student who is a
 47 veteran and who has received hazardous duty pay. The
 48 department of veterans affairs shall verify that the
 49 veteran received hazardous duty pay and is a resident
 50 of this state for purposes of receiving benefits under

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1 chapter 29A, and was a resident of this state at the
 2 time of entry into the United States armed forces or
 3 the Iowa national guard or reserve forces of the
 4 United States. For purposes of this lettered
 5 paragraph, "veteran" means the same as defined in
 6 section 35.1, or a resident of this state who served
 7 in the armed forces of the United States, served in
 8 active federal service, and was discharged under
 9 honorable conditions. The limitation on credit hours
 10 and semesters of study shall be applied cumulatively
 11 among the institutions of higher education governed by
 12 the board."
 13 2. By renumbering as necessary.

H-1282

1 Amend Senate File 413, as passed by the Senate, as
2 follows:

3 1. Page 4, by inserting after line 22 the
4 following:

5 "Sec. ____ Section 704.1, Code 2007, is amended to
6 read as follows:

7 704.1 REASONABLE FORCE.

8 "Reasonable force" is that force and no more which
9 a reasonable person, in like circumstances, would
10 judge to be necessary to prevent an injury or loss and
11 can include deadly force if it is reasonable to
12 believe that such force is necessary to avoid injury
13 or risk to one's life or safety or the life or safety
14 of another, or it is reasonable to believe that such
15 force is necessary to resist a like force or threat.
16 Reasonable force, including deadly force, may be used
17 ~~even if an alternative course of action is available~~
18 ~~if the alternative entails a risk to life or safety,~~
19 ~~or the life or safety of a third party, or requires~~
20 ~~one to abandon or retreat from one's dwelling or place~~
21 ~~of business or employment, and a person has no duty to~~
22 retreat, and has the right to stand the person's
23 ground, and meet force with force, if the person
24 believes reasonable force, including deadly force, is
25 necessary under the circumstances to prevent death or
26 serious injury to oneself or a third party, or to
27 prevent the commission of a forcible felony.

28 Sec. ____ NEW SECTION. 704.4A IMMUNITY.

29 1. A person who uses reasonable force shall be
30 immune from any criminal prosecution or civil action
31 for using such force, unless the person against whom
32 such force is used is a peace officer acting within
33 the scope of the officer's duties and the peace
34 officer identifies their identity, or the person knew
35 or reasonably should have known the person is a peace
36 officer.

37 2. A law enforcement agency may use standard
38 investigating procedures for investigating the use of
39 force, but the law enforcement agency shall not arrest
40 a person for using force unless it determines there is
41 probable cause that the force was unlawful under this
42 chapter.

43 3. If a person is arrested and it is later
44 determined by a court or jury that the person was
45 justified in using reasonable force under the
46 circumstances, the person shall be awarded reasonable
47 attorney fees, court costs, compensation for loss of
48 any income, and reimbursement of any other expenses

49 incurred as a result of being arrested and charged."
 50 2. By renumbering as necessary.

BAUDLER of Adair

H-1283

1 Amend Senate File 413, as passed by the Senate, as
 2 follows:

3 1. Page 4, by inserting after line 22 the
 4 following:

5 "Sec. ____ Section 724.7, Code 2007, is amended to
 6 read as follows:

7 724.7 NONPROFESSIONAL PERMIT TO CARRY WEAPONS.

8 Any person who ~~can reasonably justify going armed may~~
 9 be satisfies the requirements of section 724.8 shall
 10 be issued a nonprofessional permit to carry weapons.

11 Such permits shall be on a form prescribed and
 12 published by the commissioner of public safety, which
 13 shall be readily distinguishable from the professional
 14 permit, and shall identify the holder thereof, and
 15 state the reason for the issuance of the permit, and
 16 the limits of the authority granted by such permit.
 17 All permits so issued shall be for a definite period
 18 ~~as established by the issuing officer, but in no event~~
 19 shall exceed a period of twelve months of three years.
 20 The department shall adopt rules stipulating the
 21 beginning and ending dates for the three-year
 22 permitting periods.

23 Sec. ____ Section 724.9, Code 2007, is amended to
 24 read as follows:

25 724.9 FIREARM FIREARMS TRAINING PROGRAM PROGRAM S.

26 ~~A training program to qualify persons in the safe~~
 27 ~~use of firearms shall be provided by the issuing~~
 28 ~~officer of permits, as provided in section 724.11.~~

29 1. The commissioner of public safety shall
 30 establish minimum standards for a training program
 31 designed to qualify persons in the safe use of
 32 firearms and shall include a course of instruction
 33 designed to qualify a person on a firing range. The
 34 program shall include a course of instruction with a
 35 maximum of twelve hours. The course of instruction
 36 shall include the following topics:

- 37 a. Firearms safety in the classroom, at home, on
 38 the firing range, and while carrying the firearm.
- 39 b. A physical demonstration performed by the
 40 applicant that demonstrates the applicant's ability to
 41 safely load and unload a revolver and a semiautomatic
 42 pistol and the applicant's marksmanship.
- 43 c. The basic principles of marksmanship.
- 44 d. The law relating to firearms pursuant to this
 45 chapter.

- 46 e. The law relating to the justifiable use of
 47 force pursuant to chapter 704.
 48 f. A live fire test administered to the applicant
 49 while in the presence of a qualified firearms safety
 50 instructor as defined in section 724.9B of twenty

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- 1 rounds from a standing position or its equivalent at a
 2 distance from a B-27 silhouette target, or an
 3 equivalent target, of seven yards.
 4 2. The commissioner of public safety shall approve
 5 the training program, and the county sheriff or the
 6 commissioner of public safety conducting the training
 7 program within their respective jurisdictions may
 8 contract with a private organization or use the
 9 services of other agencies, or may use a combination
 10 of the two, to provide such a training program that
 11 meets the minimum standards specified in subsection 1.
 12 Any person eligible to be issued a permit to carry
 13 weapons may enroll in such course. A fee sufficient
 14 to cover the cost of the program may be charged to
 15 each person attending. Certificates of completion, on
 16 a form prescribed and published by the commissioner of
 17 public safety, shall be issued by a qualified firearms
 18 safety instructor subject to the restrictions of
 19 section 724.9A to each person who successfully
 20 completes the program. No A person shall not be
 21 issued either a professional or nonprofessional permit
 22 unless the person has received a certificate of
 23 completion or is a certified peace officer. No A
 24 peace officer or correctional officer, except a
 25 certified peace officer, shall not go armed with a
 26 pistol or revolver unless the officer has received a
 27 certificate of completion, provided that this
 28 requirement shall not apply to persons who are
 29 employed in this state as peace officers on January 1,
 30 1978 until July 1, 1978, or to peace officers of other
 31 jurisdictions exercising their legal duties within
 32 this state.
 33 Sec. NEW SECTION. 724.9A CERTIFICATE OF
 34 COMPLETION.
 35 A qualified firearms safety instructor shall not
 36 issue a certificate of completion to an applicant for
 37 a permit to carry weapons who does any of the
 38 following:
 39 1. Fails to demonstrate the requisite knowledge
 40 and technique regarding the proper handling of a
 41 firearm.
 42 2. Handles a firearm in a manner that, in the
 43 judgment of the qualified firearms safety instructor,
 44 poses a danger to the applicant or others.

45 3. During the live fire testing portion of the
 46 training program, fails to hit the silhouette portion
 47 of the targets with at least eighteen rounds.
 48 Sec.____. NEW SECTION. 724.9B QUALIFIED FIREARMS
 49 SAFETY INSTRUCTOR.
 50 A firearms safety instructor shall be considered to

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1 be a qualified firearms safety instructor if the
 2 instructor has any of the following qualifications:
 3 1. Is a valid firearms safety instructor certified
 4 by the national rifle association holding a rating as a
 5 a personal protection instructor or pistol
 6 marksmanship instructor.
 7 2. Submits a photocopy of a certificate of
 8 completion of a firearms safety instructor course
 9 offered by a local, state, or federal governmental
 10 agency and approved by the department of public
 11 safety.
 12 3. Submits a photocopy of a certificate of
 13 completion of a firearms safety instructor course
 14 approved by the department of public safety.
 15 4. Has successfully completed a firearms safety
 16 instructor course given by or under the supervision of
 17 any state, county, municipal, or federal law
 18 enforcement agency.
 19 5. Is a certified police officer firearms safety
 20 instructor.
 21 6. Is a certified law enforcement academy firearms
 22 safety instructor.
 23 Sec.____. Section 724.11, Code 2007, is amended to
 24 read as follows:

25 724.11 ISSUANCE OF PERMIT TO CARRY WEAPONS.

26 1. Applications for permits to carry weapons shall
 27 be made to the sheriff of the county in which the
 28 applicant resides. Applications from persons who are
 29 nonresidents of the state, or whose need to go armed
 30 arises out of employment by the state, shall be made
 31 to the commissioner of public safety. In either case,
 32 the issuance of the permit shall be by and at the
 33 discretion of the sheriff or commissioner, who shall,
 34 before issuing the permit, determine that the
 35 requirements of sections 724.6 to 724.10 have been
 36 satisfied. However, the training program requirements
 37 in section 724.9 may shall be waived for renewal
 38 permits. If the sheriff or the commissioner restricts
 39 or denies an application for a permit under this
 40 section, the sheriff or commissioner shall provide a
 41 written statement of the reasons for the restriction
 42 or denial to the applicant by certified mail within
 43 fifteen working days of the filing of the application.

44 2. The issuing officer shall collect a fee of ~~ten~~
 45 thirty dollars, except from a duly appointed peace
 46 officer or correctional officer, for each permit
 47 issued. Renewal permits or duplicate permits shall be
 48 issued for a fee of five dollars. The issuing officer
 49 shall notify the commissioner of public safety of the
 50 issuance of any permit at least monthly and forward to

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1 the commissioner an amount equal to two dollars for
 2 each permit issued and one dollar for each renewal or
 3 duplicate permit issued. All such fees received by
 4 the commissioner shall be paid to the treasurer of
 5 state and deposited in the operating account of the
 6 department of public safety to offset the cost of
 7 administering this chapter. Any unspent balance as of
 8 June 30 of each year shall revert to the general fund
 9 as provided by section 8.33.

10 Sec. . NEW SECTION. 724.11A RECIPROCITY.

11 A person possessing a valid out-of-state permit to
 12 carry a weapon shall be entitled to the privileges and
 13 subject to the restrictions prescribed by this chapter
 14 provided the state that issued the permit has training
 15 requirements that are equal to or greater than the
 16 training requirements prescribed by this chapter and
 17 this state's law enforcement officers have continuous
 18 access to databases on the criminal information
 19 network to verify the continued validity of any permit
 20 to carry a weapon that has been granted by the issuing
 21 state.

22 Sec. . NEW SECTION. 724.13A IMMUNITY.

23 The sheriff or the commissioner of public safety
 24 shall not be liable for damages in any civil action
 25 arising from the alleged wrongful issuance, renewal,
 26 or failure to revoke a permit to carry weapons
 27 provided that the sheriff or the commissioner acted in
 28 good faith and without malice in carrying out the
 29 sheriff's or the commissioner's official duties."

30 2. By renumbering as necessary.

BAUDLER of Adair

H-1284

1 Amend Senate File 413, as passed by the Senate, as
 2 follows:

3 1. Page 4, by inserting after line 22 the
 4 following:

5 "Sec. . Section 260C.14, subsection 2, Code
 6 2007, is amended to read as follows:

7 2. Have authority to determine tuition rates for

8 instruction.

9 a. Tuition for residents of Iowa shall not exceed
10 the lowest tuition rate per semester, or the
11 equivalent, charged by an institution of higher
12 education under the state board of regents for a
13 full-time resident student. However, except for
14 students enrolled under chapter 261C, if a local
15 school district pays tuition for a resident pupil of
16 high school age, the limitation on tuition for
17 residents of Iowa shall not apply, the amount of
18 tuition shall be determined by the board of directors
19 of the community college with the consent of the local
20 school board, and the pupil shall not be included in
21 the full-time equivalent enrollment of the community
22 college for the purpose of computing general aid to
23 the community college.

24 b. Tuition for nonresidents of Iowa shall not be
25 less than the marginal cost of instruction of a
26 student attending the college. .

27 c. A lower tuition for nonresidents may be
28 permitted under a reciprocal tuition agreement between
29 a merged area and an educational institution in
30 another state, if the agreement is approved by the
31 director.

32 d. The board shall grant full remission of tuition
33 and fees charged for not more than one hundred
34 twenty-eight semester credit hours or eight semesters
35 of undergraduate study, or the trimester or quarter
36 equivalent, whichever is longer, for the spouse, the
37 unremarried surviving spouse, or a child of a veteran
38 if the veteran has a service-connected disability or
39 disabilities with a combined rating by the United
40 States department of veterans affairs of thirty
41 percent or greater, or if the veteran died either in
42 the line of duty or as a result of a service-connected
43 disability. To be eligible for remission, a child
44 must be at least seventeen years old but not yet
45 twenty-six years old. For purposes of this
46 subparagraph, "child" means any biological child,
47 adopted child, stepchild, or any other child who is a
48 member of the veteran's household, or any nonmarital
49 child if the veteran acknowledges paternity or
50 paternity has been otherwise established. The state

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1 department of veterans affairs shall verify that the
2 veteran is a resident of this state for purposes of
3 receiving benefits under chapter 29A, or was a
4 resident of this state at the time of death, and was a
5 resident of this state at the time of entry into the
6 United States armed forces or the Iowa national guard

7 or reserve forces of the United States. The
 8 limitation on credit hours and semesters of study
 9 shall be applied cumulatively within the community
 10 college system.

11 e. The board may designate that a portion of the
 12 tuition moneys collected from students be used for
 13 student aid purposes.

14 Sec. __. Section 262.9, subsection 29, Code 2007,
 15 is amended to read as follows:

16 29. Direct Develop and adopt rules which direct
 17 the institutions of higher education under its control
 18 to ~~adopt~~ do the following:

19 a. Adopt a policy to offer not less than the
 20 following options to a student who is a member of the
 21 Iowa national guard or reserve forces of the United
 22 States and who is ordered to state ~~military service~~
 23 active duty or federal service ~~or duty~~, as defined in
 24 section 29A.1:

25 a- (1) Withdraw from the student's entire
 26 registration and receive a full refund of tuition and
 27 mandatory fees.

28 b- (2) Make arrangements with the student's
 29 instructors for course grades, or for incompletes that
 30 shall be completed by the student at a later date. If
 31 such arrangements are made, the student's registration
 32 shall remain intact and tuition and mandatory fees
 33 shall be assessed for the courses in full.

34 c- (3) Make arrangements with only some of the
 35 student's instructors for grades, or for incompletes
 36 that shall be completed by the student at a later
 37 date. If such arrangements are made, the registration
 38 for those courses shall remain intact and tuition and
 39 mandatory fees shall be assessed for those courses.
 40 Any course for which arrangements cannot be made for
 41 grades or incompletes shall be considered dropped and
 42 the tuition and mandatory fees for the course
 43 refunded.

44 b. Grant full remission of tuition and fees
 45 charged for not more than one hundred twenty-eight
 46 semester credit hours or eight semesters of
 47 undergraduate study, or the trimester or quarter
 48 equivalent, whichever is longer, or for not more than
 49 fifty graduate semester hours of coursework or the
 50 trimester or quarter equivalent for the spouse, the

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1 unremarried surviving spouse, or a child of a veteran
 2 if the veteran has a service-connected disability or
 3 disabilities with a combined rating by the United
 4 States department of veterans affairs of thirty
 5 percent or greater, or if the veteran died either in

6 the line of duty or as a result of a service-connected
7 disability. To be eligible for remission, a child
8 must be at least seventeen years old but not yet
9 twenty-six years old. For purposes of this
10 subparagraph, "child" means any biological child,
11 adopted child, stepchild, or any other child who is a
12 member of the veteran's household, or any nonmarital
13 child if the veteran acknowledges paternity or
14 paternity has been otherwise established. The state
15 department of veterans affairs shall verify that the
16 veteran is a resident of this state for purposes of
17 receiving benefits under chapter 29A, or was a
18 resident of this state at the time of death, and was a
19 resident of this state at the time of entry into the
20 United States armed forces or the Iowa national guard
21 or reserve forces of the United States. The
22 limitation on credit hours and semesters of study
23 shall be applied cumulatively among the institutions
24 of higher education governed by the board."

25 2. By renumbering as necessary.

WORTHAN of Buena Vista

H-1285

1 Amend Senate File 413, as passed by the Senate, as
2 follows:

3 1. Page 4, by inserting after line 22 the
4 following:

5 "Sec. ____ **NEW SECTION. 147.140 NOTICE OF CLAIM**
6 **AND CERTIFICATE OF MERIT REQUIREMENT.**

7 1: At least thirty days prior to filing a civil
8 action for personal injury or wrongful death against a
9 licensed health care provider, based upon the alleged
10 negligence of the licensed health care provider in the
11 practice of that profession, a plaintiff shall serve
12 by certified mail, return receipt requested, a notice
13 of claim upon the licensed health care provider. The
14 notice of claim shall include a statement of the
15 theory of liability upon which the cause of action is
16 based and include a list of all persons to whom
17 notices have been sent, together with a certificate of
18 merit, if necessary, as specified in subsection 2.

19 2. a. The certificate of merit shall be signed
20 under oath by an expert who, in the three years
21 preceding the allegedly negligent act, either
22 practiced or instructed in the same or substantially
23 similar field of medicine as the defendant.

24 b. The certificate of merit shall contain
25 information relating to all of the following:

26 (1) The expert's familiarity with the applicable
27 standard of care.

- 28 (2) The expert's qualifications.
29 (3) The expert's statement that the appropriate
30 standard of care was breached by the health care
31 provider named in the complaint.
32 (4) The expert's statement of the actions that the
33 health care provider should have taken or failed to
34 take to have complied with the standard of care.
35 (5) A statement of the manner in which the breach
36 of the standard of care was the cause of the injury
37 alleged in the complaint.
38 c. A separate certificate of merit shall be
39 completed for each defendant named in the notice of
40 claim.
41 d. If a plaintiff or plaintiff's counsel asserts
42 in good faith that the plaintiff has insufficient time
43 to obtain a certificate of merit prior to the
44 expiration of the period of limitation in subsection
45 1, the plaintiff shall provide notice of intent to
46 provide a certificate of merit to the defendant within
47 sixty days of the date the defendant receives the
48 notice of the claim.
49 3. Notwithstanding subsection 2, if a plaintiff
50 believes that a certificate of merit is not necessary

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- 1 because the plaintiff's cause of action against a
2 health care provider is based upon a well-established
3 legal theory of liability which does not require
4 expert testimony supporting a breach of the applicable
5 standard of care, the plaintiff shall file a statement
6 setting forth the basis for the alleged liability of
7 the health care provider in lieu of the certificate of
8 merit.
9 4. Except as otherwise provided in this section,
10 the applicable statute of limitations in a civil cause
11 of action against a health care provider upon whom a
12 notice of claim is served pursuant to this section
13 shall be tolled from the date the notice of claim is
14 mailed.
15 5. If the plaintiff fails to provide a notice of
16 claim and a certificate of merit, or a statement of
17 the legal theory upon which the claim is based, the
18 claim shall be dismissed with prejudice.
19 6. For purposes of this section, "health care
20 provider" means a physician or surgeon, osteopath,
21 osteopathic physician or surgeon, dentist, podiatric
22 physician, optometrist, pharmacist, chiropractor, or
23 nurse licensed in this state, a hospital licensed
24 pursuant to chapter 135B, or a health care facility

- 25 licensed pursuant to chapter 135C.”
26 2. By renumbering as necessary.

UPMEYER of Hancock

H-1286

1 Amend Senate File 413, as passed by the Senate, as
2 follows:

3 1. Page 1, by inserting before line 1 the
4 following:

5 “Section 1. Section 20.3, subsection 1, Code 2007,
6 is amended to read as follows:

7 1. “Arbitration” means the procedure whereby the
8 parties involved in an impasse submit their
9 differences to a third party for a ~~final and binding~~
10 decision or as provided in this chapter.”

11 2. Page 4, by inserting after line 22 the
12 following:

13 “Sec. ____ Section 20.17, subsection 10, Code
14 2007, is amended to read as follows:

15 10. The negotiation of a proposed collective
16 bargaining agreement by representatives of a state
17 public employer and a state employee organization
18 shall be complete not later than March 15 of the year
19 when the agreement is to become effective. The board
20 shall provide, by rule, a date on which any impasse
21 item must be submitted to ~~binding~~ arbitration and for
22 such other procedures as deemed necessary to provide
23 for the completion of negotiations of proposed state
24 collective bargaining agreements not later than March
25 15. The date selected for the mandatory submission of
26 impasse items to ~~binding~~ arbitration shall be
27 sufficiently in advance of March 15 to insure that the
28 arbitrators’ decision can be reasonably made before
29 March 15.

30 Sec. ____ Section 20.22, subsection 1, Code 2007,
31 is amended to read as follows:

32 1. If an impasse persists after the findings of
33 fact and recommendations are made public by the
34 fact-finder, the parties may continue to negotiate or,
35 the board shall have the power, upon request of either
36 party, to arrange for arbitration, ~~which shall be~~
37 ~~binding~~. The request for arbitration shall be in
38 writing and a copy of the request shall be served upon
39 the other party.

40 Sec. ____ Section 20.22, subsection 12, Code 2007,
41 is amended to read as follows:

42 12. The selections by the panel of arbitrators and
43 items agreed upon by the public employer and the
44 employee organization, shall be deemed to be the
45 collective bargaining agreement between the parties

46 subject to the provisions of section 20.22A.

47 Sec. _____. Section 20.22, subsection 13, Code 2007,

48 is amended to read as follows:

49 13. The determination of the panel of arbitrators

50 shall be by majority vote and shall be final and

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1 binding subject to the provisions of section 20.17,

2 subsection 6, and section 20.22A. The panel of

3 arbitrators shall give written explanation for its

4 selection and inform the parties of its decision.

5 Sec. _____. NEW SECTION. 20.22A STATE EMPLOYEE

6 NEGOTIATIONS.

7 1. The items of a collective bargaining agreement

8 reached pursuant to this chapter between a public

9 employer and an employee organization representing

10 state employees which require economic adjustments

11 shall not take effect and the agreement is not final

12 and binding until moneys have been appropriated to

13 fund the economic adjustments by the general assembly,

14 specifically to fund the economic adjustments of the

15 collective bargaining agreement at issue. Items of a

16 collective bargaining agreement concerning an employee

17 organization representing state employees that are not

18 economic adjustments are not subject to approval by

19 the general assembly and are final and binding upon

20 their determination subject to the provisions of

21 section 20.17, subsection 6.

22 2. Within ten days following the determination of

23 a collective bargaining agreement on all negotiated

24 items by agreement of the parties or by an arbitration

25 decision, the governor, or the governor's designee,

26 shall inform the general assembly the amount of the

27 appropriation necessary to fund the economic

28 adjustments requires to fund the collective bargaining

29 agreement.

30 3. The general assembly shall appropriate funds in

31 any amount up to and including the amount indicated by

32 the governor, or the governor's designee, under

33 subsection 2. If less than the entire amount

34 indicated by the governor, or the governor's designee,

35 is appropriated by the general assembly, the

36 collective bargaining agreement shall be administered

37 on the basis of the amounts appropriated by and any

38 directions of the general assembly.

39 4. The general assembly shall make an

40 appropriation as provided by this section prior to the

41 date the collective bargaining agreement is to become

42 effective.

43 5. The items of a collective bargaining agreement

44 that require economic adjustments subject to the

45 provisions of this section shall become final and
 46 binding upon an appropriation of funds by the general
 47 assembly, subject to the provisions of section 20.17,
 48 subsection 6.”

49 3. Title page, line 1, by striking the words
 50 “relating to” and inserting the following: “and”.

Page 3

1 4. By renumbering as necessary.

WATTS of Dallas

H-1287

1 Amend Senate File 413, as passed by the Senate, as
 2 follows:

3 1. Page 4, by inserting after line 22 the
 4 following:

5 “Sec.____. **NEW SECTION. 20.32 EMPLOYER AND LABOR**
 6 **ORGANIZATION COMMUNICATIONS.**

7 1. As used in this section, unless the context
 8 otherwise requires, “political matters” includes
 9 political party affiliation or the decision to join or
 10 not join any lawful political, social, or community
 11 group or activity or any employee organization.

12 2. a. Any public employer shall not require the
 13 public employer’s public employees to attend an
 14 employer-sponsored meeting or participate in any
 15 communications with the public employer, the primary
 16 purpose of which is to communicate the public
 17 employer’s opinion about religious or political
 18 matters, except that a public employer may communicate
 19 to employees information about religious or political
 20 matters that the public employer is required by law to
 21 communicate, but only to the extent of such legal
 22 requirement.

23 b. An employee organization shall not require the
 24 employee organization’s public employee members to
 25 attend a meeting sponsored by the employee
 26 organization or participate in any communications with
 27 the employee organization, the primary purpose of
 28 which is to communicate the employee organization’s
 29 opinion about religious or political matters, except
 30 that an employee organization may communicate to
 31 members information about religious or political
 32 matters that the employee organization is required by
 33 law to communicate, but only to the extent of such
 34 legal requirement.

35 3. a. A public employer shall not discharge,
 36 discipline, or otherwise penalize or threaten to
 37 discharge, discipline, or otherwise penalize any

38 public employee because the public employee, or a
39 person acting on behalf of the public employee, makes
40 a good faith report, verbally or in writing, of a
41 violation or suspected violation of this section.
42 This subsection shall not apply if the public employee
43 knows that such report is false at the time the report
44 is made.
45 b. An employee organization shall not discharge,
46 discipline, or otherwise penalize or threaten to
47 discharge, discipline, or otherwise penalize any
48 public employee member of the employee organization
49 because the public employee, or a person acting on
50 behalf of the public employee, makes a good faith

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1 report, verbally or in writing, of a violation or
2 suspected violation of this section. This subsection
3 shall not apply if the public employee knows that such
4 report is false at the time the report is made.
5 4. A public employee alleging to be aggrieved by a
6 violation of this section may file a civil action
7 within ninety days after the date of the alleged
8 violation in a court of competent jurisdiction in the
9 county where the violation is alleged to have occurred
10 or where the public employer or employee organization
11 has its principal office. The court may award a
12 prevailing public employee all appropriate relief,
13 including reinstatement, back pay, and reestablishment
14 of any public employee or employee organization
15 benefits to which the public employee would otherwise
16 have been eligible if such violation had not occurred.
17 The court shall award a prevailing public employee
18 treble damages in an amount up to three times the
19 amount of all other damages awarded, reasonable
20 attorney fees, and costs.
21 5. This section shall not be construed to limit a
22 public employee's right to bring any other action
23 allowed by law against a public employer for wrongful
24 termination or to diminish or impair the rights of a
25 person under any collective bargaining agreement.
26 6. This section shall not prohibit any of the
27 following:
28 a. A political organization from requiring its
29 employees to attend a public employer-sponsored
30 meeting or to participate in any communications with
31 the public employer or its agents or representatives,
32 the primary purpose of which is to communicate the
33 public employer's political tenets or purposes.
34 b. An institution of higher education from
35 requiring student instructors to attend lectures on
36 religious or political matters that are part of the

- 37 regular coursework at such institution.”
38 2. Title page, line 1, by inserting after the
39 words “An Act” the following: “concerning employment,
40 by providing for public employer and employee
41 organization communications and”.
42 3. By renumbering as necessary.

HORBACH of Tama

H-1288

- 1 Amend Senate File 413, as passed by the Senate, as
2 follows:
3 1. Page 1, line 7, by inserting after the word
4 “unit” the following: “and who voluntarily agrees to
5 be represented by the employee organization”.
6 2. Page 1, line 31, by inserting after the word
7 “organization” the following: “who voluntarily agree –
8 to be represented by the employee organization”.
9 3. Page 2, line 10, by inserting after the word
10 “organization” the following: “who voluntarily agree
11 to be represented by the employee organization”.
12 4. Page 2, line 15, by inserting after the word
13 “organization” the following: “who voluntarily agree,
14 in writing, to be represented by the employee
15 organization. Notwithstanding any provision of this
16 chapter to the contrary, if a collective bargaining
17 agreement provides that a fair share fee shall be
18 charged, the employee organization shall not be
19 required to represent nonmembers of the employee
20 organization who do not voluntarily agree, in writing,
21 to be represented by the employee organization”.
22 5. Page 2, line 24, by inserting after the word
23 “organization” the following: “who voluntarily agrees
24 to be represented by the employee organization”.
25 6. Page 2, line 34, by inserting after the word
26 “nonmember” the following: “who voluntarily agrees to
27 be represented by the employee organization”.
28 7. Page 3, line 27, by inserting after the word
29 “organization” the following: “who voluntarily agree
30 to be represented by the employee organization”.
31 8. Page 3, line 33, by inserting after the word
32 “nonmembers” the following: “who voluntarily agree to
33 be represented by the employee organization”.
34 9. By renumbering as necessary.

RANTS of Woodbury

H-1289

- 1 Amend Senate File 413, as passed by the Senate, as
2 follows:

3 1. Page 4, by inserting after line 22 the
4 following:

5 "Sec. ____ Section 321.109, subsection 1,
6 paragraph a, Code 2007, is amended to read as follows:

7 a. The annual fee for all motor vehicles including
8 vehicles designated by manufacturers as station
9 wagons, ~~and~~ 1993 and subsequent model years for
10 multipurpose vehicles, and 2009 and subsequent model
11 year motor trucks with an unladen weight of seven
12 thousand five hundred pounds or less, except motor
13 trucks registered under section 321.122, special
14 trucks, motor homes, ambulances, hearses, motorcycles,
15 motorized bicycles, and 1992 and older model years for
16 multipurpose vehicles, shall be equal to one percent
17 of the value as fixed by the department plus forty
18 cents for each one hundred pounds or fraction thereof
19 of weight of vehicle, as fixed by the department. The
20 weight of a motor vehicle, fixed by the department for
21 registration purposes, shall include the weight of a
22 battery, heater, bumpers, spare tire, and wheel.
23 Provided, however, that for any new vehicle purchased
24 in this state by a nonresident for removal to the
25 nonresident's state of residence the purchaser may
26 make application to the county treasurer in the county
27 of purchase for a transit plate for which a fee of ten
28 dollars shall be paid. And provided, however, that
29 for any used vehicle held by a registered dealer and
30 not currently registered in this state, or for any
31 vehicle held by an individual and currently registered
32 in this state, when purchased in this state by a
33 nonresident for removal to the nonresident's state of
34 residence, the purchaser may make application to the
35 county treasurer in the county of purchase for a
36 transit plate for which a fee of three dollars shall
37 be paid. The county treasurer shall issue a
38 nontransferable certificate of registration for which
39 no refund shall be allowed; and the transit plates
40 shall be void thirty days after issuance. Such
41 purchaser may apply for a certificate of title by
42 surrendering the manufacturer's or importer's
43 certificate or certificate of title, duly assigned as
44 provided in this chapter. In this event, the
45 treasurer in the county of purchase shall, when
46 satisfied with the genuineness and regularity of the
47 application, and upon payment of a fee of ten dollars,
48 issue a certificate of title in the name and address
49 of the nonresident purchaser delivering the title to
50 the owner. If there is a security interest noted on

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1 the title, the county treasurer shall mail to the

2 secured party an acknowledgment of the notation of the
 3 security interest. The county treasurer shall not
 4 release a security interest that has been noted on a
 5 title issued to a nonresident purchaser as provided in
 6 this paragraph. The application requirements of
 7 section 321.20 apply to a title issued as provided in
 8 this subsection, except that a natural person who
 9 applies for a certificate of title shall provide
 10 either the person's social security number, passport
 11 number, or driver's license number, whether the
 12 license was issued by this state, another state, or
 13 another country. The provisions of this subsection
 14 relating to multipurpose vehicles are effective
 15 January 1, 1993, for all 1993 and subsequent model
 16 years. The annual registration fee for multipurpose
 17 vehicles that are 1992 model years and older shall be
 18 in accordance with section 321.124.
 19 Sec.____. Section 321.122, subsection 1,
 20 unnumbered paragraph 1, Code 2007, is amended to read
 21 as follows:

22 The annual registration fee for truck tractors,
 23 road tractors, and motor trucks, except 2009 and
 24 subsequent model year motor trucks with an unladen
 25 weight of seven thousand five hundred pounds or less
 26 and motor trucks registered as special trucks, shall
 27 be based on the combined gross weight of the vehicle
 28 or combination of vehicles. All such trucks, truck
 29 tractors, or road tractors registered under this
 30 section shall be registered for a gross weight equal
 31 to or in excess of the unladen weight of the vehicle
 32 or combination of vehicles. The annual registration
 33 fee fees for such vehicles or combination of vehicles,
 34 except special trucks, ~~shall be~~ are as follows:

35 Sec.____. Section 321.123, subsection 2, Code
 36 2007, is amended by adding the following new
 37 paragraph:
 38 NEW PARAGRAPH. c. This subsection does not apply
 39 to motor trucks registered under section 321.109."
 40 2. By renumbering as necessary.

BOAL of Polk

H-1290

1 Amend Senate File 413, as passed by the Senate, as
 2 follows:
 3 1. Page 4, by inserting after line 22 the
 4 following:
 5 "Sec.____. Section 99G.30A, subsection 2,
 6 paragraph b, Code 2007, is amended to read as follows:
 7 b. All powers and requirements of the director to
 8 administer the state sales and use tax law are

9 applicable to the administration of the monitor
 10 vending machine excise tax, including but not limited
 11 to the provisions of section 422.25, subsection 4,
 12 sections 422.30, 422.67, and 422.68, section 422.69,
 13 subsection 1, sections 422.70 to 422.75, section
 14 423.14, subsection 1 and subsection 2, paragraphs "b"
 15 through "e", and sections ~~423.15~~, 423.23, 423.24,
 16 423.25, 423.31 to 423.35, 423.37 to 423.42, 423.46,
 17 and 423.47.

18 Sec.____. Section 423.57, Code 2007, is amended to
 19 read as follows:

20 423.57 STATUTES APPLICABLE.

21 The director shall administer this subchapter as it
 22 relates to the taxes imposed in this chapter in the
 23 same manner and subject to all the provisions of, and
 24 all of the powers, duties, authority, and restrictions
 25 contained in sections 423.14, ~~423.15~~, ~~423.16~~, ~~423.17~~,
 26 ~~423.18~~, ~~423.19~~, ~~423.20~~, 423.21, 423.22, 423.23,
 27 423.24, 423.25, 423.28, 423.29, 423.31, 423.32,
 28 423.33, 423.34, 423.35, 423.37, 423.38, 423.39,
 29 423.40, 423.41, and 423.42, section 423.43, subsection
 30 3, and sections 423.45, 423.46, and 423.47.

31 Sec.____. Section 423B.6, subsection 2, paragraph
 32 b, Code 2007, is amended to read as follows:

33 b. The ordinance of a county board of supervisors
 34 imposing a local sales and services tax shall adopt by
 35 reference the applicable provisions of the appropriate
 36 sections of chapter 423. All powers and requirements
 37 of the director to administer the state sales tax law
 38 and use tax law are applicable to the administration
 39 of a local sales and services tax law and the local
 40 excise tax, including but not limited to the
 41 provisions of section 422.25, subsection 4, sections
 42 422.30, 422.67, and 422.68, section 422.69, subsection
 43 1, sections 422.70 to 422.75, section 423.14,
 44 subsection 1 and subsection 2, paragraphs "b" through
 45 "e", and sections ~~423.15~~, 423.23, 423.24, 423.25,
 46 423.31 to 423.35, 423.37 to 423.42, 423.46, and
 47 423.47. Local officials shall confer with the
 48 director of revenue for assistance in drafting the
 49 ordinance imposing a local sales and services tax. A
 50 certified copy of the ordinance shall be filed with

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1 the director as soon as possible after passage.

2 Sec.____. Section 423C.4, Code 2007, is amended to
 3 read as follows:

4 423C.4 ADMINISTRATION AND ENFORCEMENT.

5 All powers and requirements of the director of
 6 revenue to administer the state sales tax law under
 7 chapter 423 are applicable to the administration of

8 the tax imposed under section 423C.3, including but
9 not limited to section 422.25, subsection 4, sections
10 422.30, 422.67, and 422.68, section 422.69, subsection
11 1, sections 422.70 through 422.75, section 423.14,
12 subsection 1, and sections ~~423.15~~, 423.23, 423.24,
13 423.25, 423.31, 423.33, 423.35 and 423.37 through
14 423.42, 423.45, 423.46, and 423.47. However, as an
15 exception to the powers specified in section 423.31,
16 the director shall only require the filing of
17 quarterly reports.
18 Sec.____. Sections 423.15 through 423.20, Code
19 2007, are repealed.”

PAULSEN of Linn

H-1291

1 Amend Senate File 413, as passed by the Senate, as
2 follows:
3 1. Page 1, by inserting before line 1 the
4 following:
5 “Section 1. Section 15E.196, subsection 3, Code
6 2007, is amended to read as follows:
7 3. a. Investment tax credit of up to ten percent,
8 as provided in section 15.333.
9 b. For purposes of the tax credit provided in
10 paragraph “a”, if the eligible business is a biodiesel
11 or biodiesel blended fuel production facility, the
12 department of economic development shall issue a
13 biodiesel enterprise zone investment tax credit
14 certificate to be attached to the taxpayer’s tax
15 return. The tax credit certificate shall contain the
16 taxpayer’s name, address, tax identification number,
17 the date of project completion, the amount of credit,
18 other information required by the department of
19 revenue, and a place for the name and tax
20 identification number of a transferee and the amount
21 of the tax credit being transferred. Tax credit
22 certificates issued under this paragraph may be
23 transferred to any person or entity. Within ninety
24 days of transfer, the transferee must submit the
25 transferred tax credit certificate to the department
26 of revenue along with a statement containing the
27 transferee’s name, tax identification number, and
28 address, and the denomination that each replacement
29 tax credit certificate is to carry and any other
30 information required by the department of revenue.
31 Within thirty days of receiving the transferred tax
32 credit certificate and the transferee’s statement, the
33 department of revenue shall issue one or more
34 replacement tax credit certificates to the transferee.
35 Each replacement certificate must contain the

36 information required for the original tax credit
 37 certificate and must have the same expiration date
 38 that appeared on the original tax credit certificate.
 39 Tax credit certificate amounts of less than the
 40 minimum amount established by rule of the department
 41 of economic development shall not be transferable. A
 42 tax credit shall not be claimed by a transferee under
 43 this paragraph until a replacement tax credit
 44 certificate identifying the transferee as the proper
 45 holder has been issued. The transferee may use the
 46 amount of the tax credit transferred against the taxes
 47 imposed under chapter 422, divisions II, III, and V,
 48 and under chapter 432, and against the moneys and
 49 credits tax imposed in section 533.24, for any tax
 50 year the original transferor could have claimed the

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1 tax credit. Any consideration received for the
 2 transfer of the tax credit shall not be included as
 3 income under chapter 422, divisions II, III, and V,
 4 under chapter 432, or against the moneys and credits
 5 tax imposed in section 533.24. Any consideration paid
 6 for the transfer of the tax credit shall not be
 7 deducted from income under chapter 422, divisions II,
 8 III, and V, under chapter 432, or against the moneys
 9 and credits tax imposed in section 533.24.
 10 c. For purposes of this subsection, the terms
 11 "biodiesel" and "biodiesel blended fuel" mean the same
 12 as defined in section 214A.1."
 13 2. By renumbering as necessary.

S. OLSON of Clinton

H-1292

1 Amend Senate File 413, as passed by the Senate, as
 2 follows:
 3 1. Page 4, by inserting after line 22 the
 4 following:
 5 "Sec. NEW SECTION. 91F.1 DEFINITIONS.
 6 As used in this chapter:
 7 1. "Commissioner" means the labor commissioner.
 8 2. "Employee" means a natural person who is
 9 employed in this state for wages paid on an hourly
 10 basis by an employer.
 11 3. "Employer" means a person, as defined in
 12 section 4.1, who in this state employs for wages, paid
 13 on an hourly basis, one or more natural persons. An
 14 employer does not include a client, patient, customer,
 15 or other person who obtains professional services from
 16 a licensed person who provides the services on a fee

17 service basis or as an independent contractor, or the
 18 state, or an agency or governmental subdivision of the
 19 state.

20 4. "Unauthorized alien" means a person who is not
 21 a citizen or legal resident and who has not been
 22 lawfully admitted to the United States for permanent
 23 residence or who is not authorized to work in the
 24 United States.

25 Sec. ____ NEW SECTION. 91F.2 UNAUTHORIZED ALIENS
 26 – EMPLOYER PROHIBITION.

27 An employer shall not knowingly employ as an
 28 employee an unauthorized alien. For purposes of this
 29 section, "knowingly employ as an employee an
 30 unauthorized alien" includes cases in which an
 31 employer actually knows a person is an unauthorized
 32 alien and cases in which any person exercising
 33 reasonable care should know from facts and
 34 circumstances that a person is an unauthorized alien.

35 Sec. ____ NEW SECTION. 91F.3 PENALTIES.

36 1. An employer who violates section 91F.2 is
 37 subject to a civil penalty of up to one hundred
 38 thousand dollars.

39 2. A corporate officer of an employer who, through
 40 repeated violation of section 91F.2, demonstrates a
 41 pattern of employing unauthorized aliens commits a
 42 serious misdemeanor.

43 3. An employer who, through repeated violation of
 44 section 91F.2, demonstrates a pattern of employing
 45 unauthorized aliens may be ordered to pay punitive
 46 damages.

47 Sec. ____ NEW SECTION. 91F.4 DUTIES AND
 48 AUTHORITY OF THE COMMISSIONER – ENFORCEMENT BY
 49 ATTORNEY GENERAL.

50 1. The commissioner shall adopt rules to implement

Page 2

1 and enforce this chapter.

2 2. In order to carry out the purposes of this
 3 chapter, the commissioner or the commissioner's
 4 representative, upon presenting appropriate
 5 credentials to an employer's owner, operator, or agent
 6 in charge, may:

7 a. Inspect employment records relating to the
 8 employees of the employer.

9 b. Interview an employer, owner, operator, agent,
 10 or employee, during working hours or at other
 11 reasonable times.

12 3. If the commissioner has reason to believe than
 13 an employer may be in violation of this chapter, the
 14 commissioner shall notify the attorney general, and
 15 provide the attorney general with any supporting

16 information, for prosecution of the violation by the
17 attorney general.

18 Sec. . **NEW SECTION.** 91F.5 PROHIBITIONS
19 RELATING TO CERTAIN ACTIONS BY EMPLOYEES - PENALTY -
20 CIVIL REMEDY.

21 1. An employer shall not discharge an employee or
22 take or fail to take action regarding an employee's
23 appointment or proposed appointment or promotion or
24 proposed promotion, or regarding any advantage of an
25 employee as a reprisal for a failure by that employee
26 to inform the employer that the employee made a
27 disclosure of information to any law enforcement
28 agency if the employee reasonably believes the
29 information evidences a violation of section 91F.2 or
30 710A.2.

31 2. Subsection 1 does not apply if the disclosure
32 of the information is prohibited by statute.

33 3. An employer who violates subsection 1 commits a
34 simple misdemeanor.

35 4. Subsection 1 may be enforced through a civil
36 action.

37 a. An employer who violates subsection 1 is liable
38 to an aggrieved employee for affirmative relief,
39 including reinstatement, with or without back pay, or
40 any other equitable relief the court deems
41 appropriate, including attorney fees and costs.

42 b. If an employer commits, is committing, or
43 proposes to commit an act in violation of subsection
44 1, an injunction may be granted through an action in
45 district court to prohibit the person from continuing
46 such acts. The action for injunctive relief may be
47 brought by an aggrieved employee or the attorney
48 general."

49 2. Title page, line 1, by inserting after the
50 words "An Act" the following: "concerning employment

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1 relating to the employment of unauthorized aliens
2 and".

3 3. By renumbering as necessary.

WINDSCHITL of Harrison

H-1293

1 Amend Senate File 413, as passed by the Senate, as
2 follows:

3 1. Page 4, by inserting after line 22 the
4 following:

5 "Sec. . **NEW SECTION.** 135.17 FUNDING FOR
6 SERVICES FOR PREGNANT WOMEN.

7 1. The department shall distribute annually the
8 moneys transferred to the department from the choose
9 life motor vehicle registration plate fees under
10 section 321.34, subsection 24, to each county board of
11 health in the state in the ratio that the registration
12 plate fees collected by each county bears to the total
13 fees collected for such plates within the state. Each
14 county board of health shall distribute the funds
15 yearly to qualified, nongovernmental, not-for-profit
16 organizations within the county that provide services
17 free of charge to pregnant women who are planning to
18 place their children for adoption. Each county board
19 of health shall develop application procedures and
20 qualification guidelines for organizations to follow
21 in applying for funds. A county board of health shall
22 not distribute funds to any organization that is
23 involved or associated with abortion activities,
24 including counseling for or referrals to abortion
25 clinics, providing medical abortion-related
26 procedures, or proabortion advertising. County
27 guidelines shall specify that an organization that
28 receives funds under this section shall not
29 discriminate in its employment policies or provision
30 of services on the basis of race, religion, gender,
31 marital status, national origin, age, or disability.

32 2. A county board of health shall require that an
33 organization receiving funds under this section shall
34 do all of the following:

35 a. Use up to sixty percent of the funds to provide
36 for the material needs of pregnant women who are
37 planning to place their children for adoption,
38 including clothing, housing, medical care, food,
39 utilities, and transportation. Such funds may also be
40 used for the expenses of infants awaiting placement
41 with adoptive parents.

42 b. Use up to forty percent of the funds for costs
43 associated with the adoption efforts of the
44 organization including counseling, training, or
45 advertising. However, such funds shall not be used
46 for administrative or legal expenses or for capital
47 expenditures.

48 c. Return to the county board of health any unused
49 funds that exceed ten percent of the total amount of
50 funds received by the organization during the year.

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1 The county board of health shall redistribute the
2 funds to qualified organizations as described in
3 subsection 1.
4 d. Submit an annual audited financial statement of
5 the funds received to the county board of health. The

6 audit shall be prepared by a certified public
7 accountant. A county board of health may conduct a
8 consolidated audit of all funds distributed by the
9 board during a year or for a period of years. Such
10 audits shall be subject to review by the auditor of
11 state.

12 3. For purposes of this section, "county board of
13 health" means a district board of health if the county
14 and city boards of health in an area have formed a
15 district board of health under section 137.10.

16 Sec. ____ Section 321.34, Code 2007, is amended by
17 adding the following new subsection:

18 NEW SUBSECTION. 24. CHOOSE LIFE PLATES.

19 a. Upon application and payment of the proper
20 fees, an owner referred to in subsection 12 may order
21 special registration plates with a choose life emblem.

22 b. The emblem shall be designed by the department
23 and shall include the words "choose life".

24 c. The special fee for letter number designated
25 choose life plates is thirty-five dollars. The fee
26 for personalized choose life plates is twenty-five
27 dollars, which shall be paid in addition to the
28 special choose life fee of thirty-five dollars. The
29 fees collected by the director under this subsection
30 shall be paid monthly to the treasurer of state and
31 credited to the road use tax fund. Notwithstanding
32 section 423.43, and prior to the crediting of revenues
33 to the road use tax fund under section 423.43,
34 subsection 1, paragraph "b", the treasurer of state
35 shall transfer monthly from those revenues to the
36 department of public health the amount of the special
37 fees collected in the previous month for the choose
38 life plates. The moneys from such fees are
39 appropriated for distribution by the department of
40 public health for services for pregnant women as
41 provided in section 135.17. Notwithstanding section
42 8.33, moneys transferred under this subsection shall
43 not revert to the general fund of the state.

44 d. Upon receipt of the special registration
45 plates, the applicant shall surrender the current
46 registration receipt and plates to the county
47 treasurer. The county treasurer shall validate the
48 special registration plates in the same manner as
49 regular registration plates are validated under this
50 section. The annual special choose life fee for

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1 letter number designated plates is fifteen dollars,
2 which shall be paid in addition to the regular annual
3 registration fee. The annual fee for personalized
4 choose life plates is five dollars, which shall be

5 paid in addition to the annual special choose life fee
 6 and the regular annual registration fee. The annual
 7 choose life fee shall be credited as provided under
 8 paragraph "c".

9 Sec.____. EMBLEM DESIGN. The state department of
 10 transportation shall consult with Choose Life, Inc.,
 11 in designing the emblem for the special choose life
 12 license plate as required in this Act."

13 2. By renumbering as necessary.

DE BOEF of Keokuk

H-1294

1 Amend Senate File 413, as passed by the Senate, as
 2 follows:

3 1. Page 1, by inserting after line 11 the
 4 following:

5 "Sec.____. Section 20.4, Code 2007, is amended by
 6 adding the following new subsection:

7 NEW SUBSECTION. 14. Employees who are teachers
 8 licensed under chapter 272 and who are employed by a
 9 public employer which is a school district or area
 10 education agency."

11 2. Page 4, by inserting after line 22 the
 12 following:

13 "Sec.____. Section 20.17, subsection 11, paragraph
 14 a, Code 2007, is amended by striking the paragraph.

15 Sec.____. Section 20.19, Code 2007, is amended to
 16 read as follows:

17 20.19 IMPASSE PROCEDURES – AGREEMENT OF PARTIES.

18 As the first step in the performance of their duty
 19 to bargain, the public employer and the employee
 20 organization shall endeavor to agree upon impasse
 21 procedures. Such agreement shall provide for
 22 implementation of these impasse procedures not later
 23 than one hundred twenty days prior to the certified
 24 budget submission date of the public employer.

25 ~~However, if public employees represented by the~~
 26 ~~employee organization are teachers licensed under~~
 27 ~~chapter 272, and the public employer is a school~~
 28 ~~district or area education agency, the agreement shall~~
 29 ~~provide for implementation of impasse procedures not~~
 30 ~~later than one hundred twenty days prior to May 31 of~~
 31 ~~the year when the collective bargaining agreement is~~
 32 ~~to become effective.~~ If the public employer is a
 33 community college, the agreement shall provide for
 34 implementation of impasse procedures not later than
 35 one hundred twenty days prior to May 31 of the year
 36 when the collective bargaining agreement is to become
 37 effective. If the parties fail to agree upon impasse
 38 procedures under the provisions of this section, the

39 impasse procedures provided in sections 20.20 to 20.22
 40 shall apply.
 41 Sec.____. Section 20.20, Code 2007, is amended to
 42 read as follows:
 43 20.20 MEDIATION.
 44 In the absence of an impasse agreement negotiated
 45 pursuant to section 20.19 or the failure of either
 46 party to utilize its procedures, one hundred twenty
 47 days prior to the certified budget submission date, or
 48 ~~one hundred twenty days prior to May 31 of the year~~
 49 ~~when the collective bargaining agreement is to become~~
 50 ~~effective if public employees represented by the~~

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1 ~~employee organization are teachers licensed under~~
 2 ~~chapter 272 and the public employer is a school~~
 3 ~~district or area education agency, the board shall,~~
 4 upon the request of either party, appoint an impartial
 5 and disinterested person to act as mediator. If the
 6 public employer is a community college, and in the
 7 absence of an impasse agreement negotiated pursuant to
 8 section 20.19 or the failure of either party to
 9 utilize its procedures, one hundred twenty days prior
 10 to May 31 of the year when the collective bargaining
 11 agreement is to become effective, the board, upon the
 12 request of either party, shall appoint an impartial
 13 and disinterested person to act as mediator. It shall
 14 be the function of the mediator to bring the parties
 15 together to effectuate a settlement of the dispute,
 16 but the mediator may not compel the parties to agree.
 17 Sec.____. Section 20.21, unnumbered paragraph 3,
 18 Code 2007, is amended by striking the unnumbered
 19 paragraph."
 20 3. Title page, line 1, by striking the words
 21 "relating to" and inserting the following: "and".
 22 4. By renumbering as necessary.

TYMESON of Madison

H-1295

1 Amend Senate File 413, as passed by the Senate, as
 2 follows:
 3 1. Page 4, by inserting after line 14 the
 4 following:
 5 "f. Provides, in the collective bargaining
 6 agreement, that a fair share fee shall not be
 7 collected unless the certified employee organization
 8 refrains from sending letters or providing printed
 9 information relating to any political campaign during
 10 the time period the fee is being collected."

11 2. By renumbering as necessary.

EINDSCHITL of Harrison

H-1296

1 Amend Senate File 413, as passed by the Senate, as
2 follows:

3 1. Page 4, by inserting after line 22 the
4 following:

5 "Sec. ____ Section 256.7, subsection 19, Code
6 2007, is amended by striking the subsection.

7 Sec. ____ Section 256.7, Code 2007, is amended by
8 adding the following new subsection:

9 NEW SUBSECTION. 27. Adopt rules that define what
10 constitutes instructional time for purposes of the
11 minimum hours of instructional time set forth in
12 section 279.10. Instructional time shall not include
13 the lunch period, recess, time for noninstructional
14 assemblies, late arrival or early dismissal times
15 required for emergency health or safety factors,
16 weather-related late starts or early releases, or time
17 used for professional development.

18 Sec. ____ Section 256F.4, subsection 5, Code 2007,
19 is amended to read as follows:

20 5. A charter school shall provide instruction for
21 at least the number of days hours required by section
22 279.10, subsection 1, ~~or shall provide at least the~~
23 ~~equivalent number of total hours.~~

24 Sec. ____ Section 279.10, subsections 1 and 2,
25 Code 2007, are amended to read as follows:

26 1. The school year shall begin on the first day of
27 July and each regularly established elementary and
28 secondary school shall begin no sooner than a day
29 during the calendar week in which the first day of
30 September falls but no later than the first Monday in
31 December. However, if the first day of September
32 falls on a Sunday, school may begin on a day during
33 the calendar week which immediately precedes the first
34 day of September. ~~School shall continue for at least~~
35 ~~one hundred eighty days, except as provided in~~
36 ~~subsection 3, and may be maintained during the entire~~
37 ~~calendar year. However, if the board of directors of~~
38 ~~a district extends the school calendar because~~
39 ~~inclement weather caused the district to temporarily~~
40 ~~close school during the regular school calendar, the~~ Δ
41 school district may excuse shall require a graduating
42 senior who has met district or school to meet the same
43 requirements for graduation from attendance during the
44 extended school calendar as those required of any
45 other class of students enrolled at the secondary
46 level in the school district, except with regard to

47 activities related to graduation as authorized by the
 48 school district. The minimum hours of instructional
 49 time in a school year for grades one through six shall
 50 be nine hundred ninety hours. The minimum hours of

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1 instructional time in a school year for grades seven
 2 through twelve shall be one thousand eighty hours. A
 3 school corporation may begin employment of personnel
 4 for in-service training and development purposes
 5 before the date to begin elementary and secondary
 6 school.
 7 2. The board of directors shall hold a public
 8 hearing on any ~~proposal~~ request authorized under
 9 subsection 4 prior to submitting it to the department
 10 of education for approval.
 11 Sec.____. FUTURE EFFECTIVE DATE. The sections of
 12 this Act amending sections 256.7, 256F.4, and 279.10
 13 take effect July 1, 2009.”
 14 2. By renumbering as necessary.

TYMESON of Madison

H-1297

1 Amend Senate File 413, as passed by the Senate, as
 2 follows:
 3 1. Page 4, by inserting after line 22 the
 4 following:
 5 “Sec.____. Section 135.37, Code 2007, is amended
 6 to read as follows:
 7 135.37 TATTOOING, BODY PIERCING, BODY MODIFICATION
 8 – PERMIT REQUIREMENT – PARENTAL CONSENT – PENALTY.
 9 1. A person shall not own, control and lease, act
 10 as an agent for, conduct, manage, or operate an
 11 establishment to practice the art of tattooing, body
 12 piercing, or body modification, or engage in the
 13 practice of tattooing, body piercing, or body
 14 modification, without first applying for and receiving
 15 a permit from the Iowa department of public health.
 16 2. A minor shall not obtain a tattoo, or undergo a
 17 body piercing or body modification, and a person shall
 18 not provide a tattoo, body piercing, or body
 19 modification to a minor unless parental consent has
 20 first been obtained. For the purposes of this
 21 section, “minor” means an unmarried person who is
 22 under the age of eighteen years. The department shall
 23 develop parental consent forms and procedures for
 24 verification of the consent by rule.
 25 2A. For the purposes of this section:
 26 a. “Body modification” means for commercial

27 purposes the permanent or semipermanent deliberate
28 altering of the human body for nonmedical reasons.
29 "Body modification" does not include tattooing or body
30 piercing.
31 b. "Body piercing" means for commercial purposes
32 the act of penetrating the skin to make a hole, mark,
33 or scar. "Body piercing" does not include the use of
34 a mechanized, presterilized, ear-piercing system that
35 penetrates the outer perimeter or lobe of the ear, or
36 both.
37 c. "Minor" means an unmarried person who is under
38 the age of eighteen years.
39 3. A person who fails to meet the requirements of
40 subsection 1 or a person providing a tattoo, body
41 piercing, or body modification to a minor is guilty of
42 a serious an aggravated misdemeanor.
43 4. The Iowa department of public health shall:
44 a. Adopt rules pursuant to chapter 17A and
45 establish and collect all fees necessary to administer
46 this section. The provisions of chapter 17A,
47 including licensing provisions, judicial review, and
48 appeal, shall apply to this chapter.
49 b. Establish minimum safety and sanitation
50 criteria for the operation of tattooing, body

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1 piercing, and body modification establishments.
2 5. If the Iowa department of public health
3 determines that a provision of this section has been
4 or is being violated, the department may order that a
5 tattooing, body piercing, or body modification
6 establishment not be operated until the necessary
7 corrective action has been taken. If the
8 establishment continues to be operated in violation of
9 the order of the department, the department may
10 request that the county attorney or the attorney
11 general make an application in the name of the state
12 to the district court of the county in which the
13 violations have occurred for an order to enjoin the
14 violations and confiscate commercial property and
15 equipment. This remedy is in addition to any other
16 legal remedy available to the department."
17 2. By renumbering as necessary.

BOAL of Polk

H-1298

1 Amend House File 749 as follows:
2 1. Page 1, by inserting after line 27 the
3 following:

4 "7. Distinguished service cross, navy cross, and
 5 air force cross special plates issued pursuant to
 6 section 321.34, subsection 20A.

7 8. Soldier's medal, navy and marine corps medal,
 8 and airman's medal special plates issued pursuant to
 9 section 321.34, subsection 20B.

10 Sec. ____ Section 321.34, subsection 8, Code 2007,
 11 is amended to read as follows:

12 8. CONGRESSIONAL MEDAL OF HONOR PLATES. The owner
 13 of a motor vehicle subject to registration under
 14 section 321.109, subsection 1, motorcycle, trailer, or
 15 motor truck who has been awarded the congressional
 16 medal of honor may, upon written application to the
 17 department, order special registration plates which
 18 shall be red, white, and blue in color and shall bear
 19 an emblem of the congressional medal of honor and an
 20 identifying number. Each applicant applying for
 21 special registration plates under this subsection may
 22 purchase only one set of registration plates under
 23 this subsection. The application is subject to
 24 approval by the department and the special
 25 registration plates shall be issued to the applicant
 26 in exchange for the registration plates previously
 27 issued to the person. The special plates are subject
 28 to an annual registration fee of fifteen dollars. The
 29 department shall validate the special plates in the
 30 same manner as regular registration plates are
 31 validated under this section. The department shall
 32 not issue special registration plates until service
 33 organizations in the state have furnished the
 34 department either the special dies or the cost of the
 35 special dies necessary for the manufacture of the
 36 special registration plate.

37 The surviving spouse of a person who was issued
 38 special plates under this subsection may continue to
 39 use the special plates subject to registration of the
 40 special plates in the surviving spouse's name and upon
 41 payment of the fifteen dollar annual registration fee.
 42 If the surviving spouse remarries, the surviving
 43 spouse shall return the special plates to the
 44 department and the department shall issue regular
 45 registration plates to the surviving spouse."

46 2. Page 3, line 3, by striking the word
 47 "congressional" and inserting the following:
 48 "congressional".

49 3. Page 8, by inserting after line 1 the
 50 following:

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1 "Sec. ____ Section 321.34, Code 2007, is amended
 2 by adding the following new subsections:

3 NEW SUBSECTION. 20A. DISTINGUISHED SERVICE, NAVY,
4 OR AIR FORCE CROSS PLATES. An owner referred to in
5 subsection 12 who was awarded a distinguished service
6 cross, a navy cross, or an air force cross by the
7 United States government may, upon written application
8 to the department and presentation of satisfactory
9 proof of the award, order special registration plates
10 with a distinguished service cross, navy cross, or air
11 force cross processed emblem. The emblem shall be
12 designed by the department in consultation with the
13 adjutant general. The special plate fees collected by
14 the director under subsection 12, paragraph "a", from
15 the issuance and annual validation of letter-number
16 designated and personalized distinguished service
17 cross, navy cross, and air force cross plates shall be
18 paid monthly to the treasurer of state and credited to
19 the road use tax fund. Notwithstanding section
20 423.43, and prior to the crediting of revenues to the
21 road use tax fund under section 423.43, subsection 1,
22 paragraph "b", the treasurer of state shall transfer
23 monthly from those revenues to the veterans license
24 fee fund created in section 35A.11 the amount of the
25 special fees collected in the previous month for
26 distinguished service cross, navy cross, and air force
27 cross plates.

28 The surviving spouse of a person who was issued
29 special plates under this subsection may continue to
30 use or apply for and use the special plates subject to
31 registration of the special plates in the surviving
32 spouse's name and upon payment of the annual
33 five-dollar special plate fee and the regular annual
34 registration fee for the vehicle. If the surviving
35 spouse remarries, the surviving spouse shall return
36 the special plates to the department and the
37 department shall issue regular registration plates to
38 the surviving spouse.

39 NEW SUBSECTION. 20B. SOLDIER'S, NAVY AND MARINE
40 CORPS, OR AIRMAN'S MEDAL PLATES. An owner referred to
41 in subsection 12 who was awarded a soldier's medal, a
42 navy and marine corps medal, or an airman's medal by
43 the United States government may, upon written
44 application to the department and presentation of
45 satisfactory proof of the award, order special
46 registration plates with a soldier's medal, navy and
47 marine corps medal, or airman's medal processed
48 emblem. The emblem shall be designed by the
49 department in consultation with the adjutant general.
50 The special plate fees collected by the director under

2 annual validation of letter-number designated and
3 personalized soldier's medal, navy and marine corps
4 medal, and airman's medal plates shall be paid monthly
5 to the treasurer of state and credited to the road use
6 tax fund. Notwithstanding section 423.43, and prior
7 to the crediting of revenues to the road use tax fund
8 under section 423.43, subsection 1, paragraph "b", the
9 treasurer of state shall transfer monthly from those
10 revenues to the veterans license fee fund created in
11 section 35A.11 the amount of the special fees
12 collected in the previous month for soldier's medal,
13 navy and marine corps medal, and airman's medal
14 plates.

15 The surviving spouse of a person who was issued
16 special plates under this subsection may continue to
17 use or apply for and use the special plates subject to
18 registration of the special plates in the surviving
19 spouse's name and upon payment of the annual
20 five-dollar special plate fee and the regular annual
21 registration fee for the vehicle. If the surviving
22 spouse remarries, the surviving spouse shall return
23 the special plates to the department and the
24 department shall issue regular registration plates to
25 the surviving spouse.

26 Sec. ____ Section 321.166, subsections 2 and 9,
27 Code 2007, are amended to read as follows:

28 2. Every registration plate or pair of plates
29 shall display a registration plate number which shall
30 consist of alphabetical or numerical characters or a
31 combination thereof and the name of this state, which
32 may be abbreviated. Every registration plate issued
33 by the county treasurer shall display the name of the
34 county, including any plate issued pursuant to section
35 321.34, except Pearl Harbor and purple heart
36 registration plates issued prior to January 1, 1997,
37 and collegiate, fire fighter, and congressional medal
38 of honor registration plates. Special truck
39 registration plates shall display the word "special".

40 9. Special registration plates issued pursuant to
41 section 321.34 beginning January 1, 1997, other than
42 congressional medal of honor, collegiate, fire
43 fighter, and natural resources registration plates,
44 shall be consistent with the design and color of
45 regular registration plates but shall provide a space
46 on a portion of the plate for the purpose of allowing
47 the placement of a distinguishing processed emblem.
48 Special registration plates shall also comply with the
49 requirements for regular registration plates as
50 provided in this section to the extent the

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- 1 requirements are consistent with the section
 2 authorizing a particular special vehicle registration
 3 plate."
 4 4. Page 8, by striking lines 2 and 3 and
 5 inserting the following:
 6 "Sec.____. EFFECTIVE DATES.
 7 1. The following provisions of this Act take
 8 effect January 1, 2008:
 9 a. The portion of the section of this Act amending
 10 section 35A.11 that enacts new subsections 7 and 8.
 11 b. The section of this Act amending section 321.34
 12 by adding new subsections 20A and 20B.
 13 2. The remaining sections of this Act, being
 14 deemed of immediate importance, take effect upon
 15 enactment."
 16 5. Title page, line 1, by inserting after the
 17 word "Act" the following: "concerning existing and
 18 new special motor vehicle registration plates
 19 associated with military service,".
 20 6. Title page, lines 3 and 4, by striking the
 21 words "an effective date" and inserting the following:
 22 "effective dates".
 23 7. By renumbering as necessary.

HUSER of Polk

H-1299

- 1 Amend House File 760 as follows:
 2 1. Page 4, by striking line 21 and inserting the
 3 following: "of the following statement written in
 4 English ~~and Spanish~~,".
 5 2. Page 5, by inserting after line 20 the
 6 following:
 7 "c. The court may print the notice in languages
 8 other than English."
 9 3. By renumbering as necessary.

ALONS of Sioux
 BAUDLER of Adair

H-1300

- 1 Amend House File 611 as follows:
 2 1. Page 3, line 33, by striking the word "Each"
 3 and inserting the following: "Each As a condition of -
 4 state accreditation, each".

TYMESON of Madison

H-1301

- 1 Amend House File 611 as follows:
 2 1. Page 2, line 9, by inserting after the word
 3 "material" the following: ", including material
 4 related to abstinence education."

TYMESON of Madison

H-1302

- 1 Amend House File 611 as follows:
 2 1. Page 3, by striking lines 22 through 25 and
 3 inserting the following: "section 256.11."

TYMESON of Madison

H-1304

- 1 Amend Senate File 413, as passed by the Senate, as
 2 follows:
 3 1. Page 3, line 2, by inserting after the word
 4 "deduction." the following: "However, the exclusive
 5 representative shall, upon written request by an
 6 employee, have the employee's fair share fee donated
 7 to a charity of the employee's choice."
 8 2. By renumbering as necessary.

HUSEMAN of Cherokee

H-1305

- 1 Amend Senate File 413, as passed by the Senate, as
 2 follows:
 3 1. Page 1, by inserting before line 1 the
 4 following:
 5 "Section 1. Section 20.3, Code 2007, is amended by
 6 adding the following new subsection:
 7 NEW SUBSECTION. 1A. "Bargaining unit" means only
 8 those employees in a particular class of employees who
 9 voluntarily agree to be represented by an employee
 10 organization."
 11 2. Page 1, by inserting after line 17 the
 12 following:
 13 "Sec. ____ Section 20.3; subsection 4, Code 2007,
 14 is amended to read as follows:
 15 4. "Employee organization" means an organization
 16 of any kind in which public employees voluntarily
 17 participate and which exists for the primary purpose
 18 of representing public employees in their employment
 19 relations."

- 20 3. Title page, line 1, by striking the words
 21 "relating to" and inserting the following: "and".
 22 4. By renumbering as necessary.

HORBACH of Tama

H-1306

- 1 Amend Senate File 413, as passed by the Senate, as
 2 follows:
 3 1. Page 4, by inserting after line 22 the
 4 following:
 5 "Sec. ____ Section 422.7, Code 2007, is amended by
 6 adding the following new subsection:
 7 NEW SUBSECTION. 50. Subtract, to the extent not
 8 otherwise deducted in computing adjusted gross income,
 9 the amount of federal and state motor vehicle fuel
 10 taxes paid."
 11 2. Page 4, by inserting after line 24 the
 12 following:
 13 "Sec. ____ RETROACTIVE APPLICABILITY DATE. The
 14 section of this Act amending section 422.7 applies
 15 retroactively to January 1, 2007, for tax years
 16 beginning on or after that date."

RASSMUSSEN of Buchanan

H-1307

- 1 Amend Senate File 413, as passed by the Senate, as
 2 follows:
 3 1. Page 4, by inserting after line 22 the
 4 following:
 5 "Sec. ____ Section 321.285, subsection 6,
 6 paragraph a, Code 2007, is amended to read as follows:
 7 a. Notwithstanding any other speed restrictions,
 8 the speed limit for all vehicular traffic on fully
 9 controlled-access, divided, multilaned highways is
 10 sixty-five miles per hour. However, the speed limit
 11 for all vehicular traffic on highways that are part of
 12 the interstate road system, as defined in section
 13 306.3, is ~~seventy~~ seventy-five miles per hour. The
 14 department may establish a speed limit of sixty-five
 15 miles per hour on certain divided, multilaned highways
 16 not otherwise described in this paragraph."
 17 2. By renumbering as necessary.

ARNOLD of Lucas

H-1308

- 1 Amend Senate File 413, as passed by the Senate, as
 2 follows:
 3 1. Page 4, by inserting after line 24 the

4 following

5 "Sec.____. Section 422.12C, Code 2007, is amended
6 by adding the following new subsection after
7 subsection 1:

8 **NEW SUBSECTION. 1A.** For tax years beginning on or
9 after January 1, 2007, but before January 1, 2008,
10 each net income amount specified in subsection 1 shall
11 be increased by five thousand dollars. For tax years
12 beginning on or after January 1, 2008, each net income
13 amount specified in subsection 1 shall be increased by
14 ten thousand dollars.

15 Sec.____. Section 422.12C, subsection 2,
16 unnumbered paragraph 1, Code 2007, is amended to read
17 as follows:

18 2. The taxes imposed under this division, less the
19 amounts of nonrefundable credits allowed under this
20 division, may be reduced by an early childhood
21 development tax credit equal to twenty-five percent of
22 the first one thousand dollars which the taxpayer has
23 paid to others for each dependent, as defined in the
24 Internal Revenue Code, ages three through five for
25 early childhood development expenses. In determining
26 the amount of early childhood development expenses for
27 the tax year beginning in the 2006 calendar year only,
28 such expenses paid during November and December of the
29 previous tax year shall be considered paid in the tax
30 year for which the tax credit is claimed. This For
31 the tax year beginning before January 1, 2007, this
32 credit is available to a taxpayer whose net income is
33 less than forty-five thousand dollars. For tax years
34 beginning on or after January 1, 2007, but before
35 January 1, 2008, this credit is available to taxpayers
36 whose net income is less than fifty thousand dollars.
37 For tax years beginning on or after January 1, 2008,
38 this credit is available to a taxpayer whose net
39 income is less than fifty-five thousand dollars. If
40 the early childhood development tax credit is claimed
41 for a tax year, the taxpayer and the taxpayer's spouse
42 shall not claim the child and dependent care credit
43 under subsection 1. As used in this subsection,
44 "early childhood development expenses" means services
45 provided to the dependent by a preschool, as defined
46 in section 237A.1, materials, and other activities as
47 follows:

48 Sec.____. **APPLICABILITY DATE.** The sections of
49 this Act amending section 422.12C apply retroactively
50 to January 1, 2007, for tax years beginning on or

Page 2

1 after that date."

H-1309

1 Amend Senate File 413, as passed by the Senate, as
2 follows:

3 1. Page 4, by inserting after line 22 the
4 following:

5 "Sec.____. Section 422.7, Code 2007, is amended by
6 adding the following new subsection:

7 NEW SUBSECTION. 50. Subtract, to the extent
8 included, the amount of gain realized from the sale of
9 farmland to the state department of transportation, if
10 such gain is deposited into a qualified pension plan
11 pursuant to section 401 of the Internal Revenue Code
12 for the benefit of the taxpayer. If only a portion of
13 the gain realized is deposited into the qualified
14 pension plan, then only that portion shall be
15 subtracted under this subsection. For purposes of
16 this subsection, "farmland" means land of two acres or
17 more that in good faith is used for agricultural or
18 horticultural purposes.

19 Sec.____. RETROACTIVE APPLICABILITY DATE. The
20 section of this Act amending section 422.7 applies
21 retroactively to January 1, 2007, for tax years
22 beginning on or after that date."

23 2. By renumbering as necessary.

SANDS of Louisa

H-1310

1 Amend Senate File 413, as passed by the Senate, as
2 follows:

3 1. Page 3, line 2, by inserting after the word
4 "deduction." the following: "However, a fair share
5 fee shall not be collected unless the certified
6 employee organization files a written notice with the
7 board that a nonmember of the certified employee
8 organization served on the collective bargaining

9 committee for the employee organization and the
10 written notice is signed by that nonmember."

CHAMBERS of O'Brien

H-1311

1 Amend Senate File 413, as passed by the Senate, as
2 follows:

3 1. Page 4, by inserting after line 22 the
4 following:

5 "Sec.____. Section 423E.2, subsection 3, Code
6 2007, is amended to read as follows:

7 3. The county commissioner of elections shall
 8 submit the question of imposition of a local sales and
 9 services tax for school infrastructure purposes at a
 10 state general election ~~or at a special election held~~
 11 ~~at any time other than the time of a city regular~~
 12 ~~election only.~~ The question shall not be voted on at
 13 an election shall not be which is held sooner than
 14 sixty days after publication of notice of the ballot
 15 proposition. The ballot proposition shall specify the
 16 rate of tax, the date the tax will be imposed and
 17 repealed, and shall contain a statement as to the
 18 specific purpose or purposes for which the revenues
 19 shall be expended. The content of the ballot
 20 proposition shall be substantially similar to the
 21 petition of the board of supervisors or motions of a
 22 school district or school districts requesting the
 23 election as provided in subsection 2, as applicable,
 24 including the rate of tax, imposition and repeal date,
 25 and the specific purpose or purposes for which the
 26 revenues will be expended. The dates for the
 27 imposition and repeal of the tax shall be as provided
 28 in subsection 1. The rate of tax shall not be more
 29 than one percent. The state commissioner of elections
 30 shall establish by rule the form for the ballot
 31 proposition which form shall be uniform throughout the
 32 state.

33 Sec. __. Section 423E.2, subsection 5, paragraph
 34 a, Code 2007, is amended to read as follows:
 35 a. The tax may be repealed, the period of
 36 imposition of the tax may be extended for additional
 37 periods up to ten years each, or the rate increased,
 38 but not above one percent, or decreased, or the use of
 39 the revenues changed after an election at which a
 40 majority of those voting on the question of repeal,
 41 extension, rate change, or change in use favored the
 42 repeal, extension, rate change, or change in use. The
 43 election at which the question of repeal, extension,
 44 rate change, or change in use is offered shall be
 45 called and held in the same manner and under the same
 46 conditions as provided in this section for the
 47 election on the imposition of the tax. However, an
 48 election on the change in use shall only be held in
 49 the school district where the change in use is
 50 proposed to occur. The question on the repeal,

Page 2

1 extension, rate change, or change in use shall be held
 2 at a state general election only. ~~The election may be~~
 3 ~~held at any time but not shall not be held~~ sooner tha
 4 sixty days following publication of the ballot
 5 proposition. However, the tax shall not be repealed

6 before it has been in effect for one year.
7 Sec. ____ . APPLICABILITY DATE. The sections
8 amending 423E.2 in this Act apply to elections
9 involving local sales and services tax for school
10 infrastructure purposes to be held after the effective
11 date of this Act."

DEYOE of Story

H-1312

1 Amend Senate File 413, as passed by the Senate, as
2 follows:

3 1. Page 4, by inserting after line 22 the
4 following:

5 "Sec. 100. Section 476C.2, subsection 1, Code
6 2007, is amended to read as follows:

7 1. A producer or purchaser of renewable energy may
8 receive renewable energy tax credits under this
9 chapter in an amount equal to one and one-half cents
10 per kilowatt-hour of electricity, or four dollars and
11 fifty cents per million British thermal units of heat
12 for a commercial purpose, or four dollars and fifty
13 cents per million British thermal units of methane gas
14 or other biogas used to generate electricity, or one
15 dollar and forty-four cents per one thousand standard
16 cubic feet of hydrogen fuel generated by and purchased
17 from an eligible renewable energy facility, and in
18 addition in an amount up to twenty-five percent of the
19 start-up or investment expenses incurred by the
20 producer or purchaser in constructing or making
21 operational an eligible renewable energy facility.

22 Sec. 101. Section 476C.3, subsection 1, paragraph
23 c, Code 2007, is amended to read as follows:

24 c. Information regarding the facility's initial
25 placement in service, and the start-up or investment
26 expenses incurred.

27 Sec. 102. Section 476C.4, subsection 2, Code 2007,
28 is amended to read as follows:

29 2. The board shall notify the department of the
30 amount of kilowatt-hours, British thermal units of
31 heat for a commercial purpose, British thermal units
32 of methane gas or other biogas used to generate
33 electricity, or standard cubic feet of hydrogen fuel
34 generated and purchased from an eligible renewable
35 energy facility, and the amount of start-up or
36 investment expenses incurred. The department shall
37 calculate the amount of the tax credit for which the
38 applicant is eligible and shall issue the tax credit
39 certificate for that amount or notify the applicant in
40 writing of its refusal to do so. An applicant whose
41 application is denied may file an appeal with the

42 department within sixty days from the date of the
 43 denial pursuant to the provisions of chapter 17A."
 44 2. Page 4, line 24, by inserting after the word
 45 "enactment." the following: "Sections 100 through 102
 46 of this Act, relating to renewable energy tax credits,
 47 are retroactively applicable to January 1, 2007."
 48 3. Title page, by striking lines 2 and 3 and
 49 inserting the following: "bargaining for public
 50 employees, providing renewable energy tax credits for

Page 2

1 investment and start-up expenses, and including
 2 effective and retroactive applicability provisions."

S. OLSON of Clinton

H-1313

1 Amend House File 503 as follows:
 2 1. Page 1, by striking lines 13 and 14 and
 3 inserting the following: "offered by the parent's
 4 employer. Such assistance shall be".
 5 2. Page 1, by striking lines 16 through 29 and
 6 inserting the following: "individual."
 7 3. Page 2, line 14, by striking the words "human
 8 services" and inserting the following: "public
 9 health".
 10 4. Page 3, by striking lines 4 through 13.
 11 5. By renumbering as necessary.

HEDDENS of Story
 FOEGE of Linn
 HEATON of Henry
 GRASSLEY of Butler

H-1316

1 Amend Senate File 413, as passed by the Senate, as
 2 follows:
 3 1. Page 4, by inserting after line 22 the
 4 following:
 5 "Sec. ____ Section 20.26, unnumbered paragraph 1,
 6 Code 2007, is amended to read as follows:
 7 An employee organization shall not make any direct
 8 or indirect contribution out of the funds of the
 9 employee organization to any political party or
 10 organization or in support of any candidate for
 11 elective public office. In addition, if a public
 12 employee is required to join a political party or
 13 other organization as a prerequisite of joining and
 14 being a member of an employee organization, the

15 political party or other organization shall disclose
 16 to members of the employee organization all political
 17 contributions made to any political party or
 18 organization or in support of any candidate for
 19 elective public office within sixty days of each
 20 general election."

21 2. Title page, line 1, by inserting after the
 22 words "An Act" the following: "concerning employee
 23 organizations, by providing for certain disclosures of
 24 political contributions and by".

25 3. By renumbering as necessary.

TYMESON of Madison

H-1317

1 Amend Senate File 413, as passed by the Senate, as
 2 follows:

3 1. Page 4, by inserting after line 22 the
 4 following:

5 "Sec. ____ NEW SECTION. 68A.506 PROHIBITED
 6 CONTRIBUTIONS.

7 A labor union, employee organization, or employee
 8 association shall not contribute, act as an agent or
 9 intermediary for contributions, or arrange for the
 10 making of monetary contributions to any candidate for
 11 office in this state, or to the candidate's committee,
 12 unless the labor union, employee organization, or
 13 employee association certifies that all individuals
 14 paying dues or making contributions to the labor
 15 union, employee organization, or employee association
 16 are United States citizens."

17 2. By renumbering as necessary.

FORRISTALL of Pottawattamie

H-1318

1 Amend the amendment, H-1095, to House File 320 as
 2 follows:

3 1. Page 2, by striking lines 4 through 7 and
 4 inserting the following:

5 "Sec. ____ Section 321J.4B, subsection 2, Code
 6 2007, is amended to read as follows:

7 2. A motor vehicle is subject to impoundment in
 8 the following circumstances:

9 a. If a person operates a vehicle in violation of
 10 section 321J.2, and if is convicted for that conduct,
 11 ~~the conviction would be a second or subsequent offense~~
 12 ~~under section 321J.2.~~

13 b. If a person operates a vehicle while that
 14 person's driver's license or operating privilege has
 15 been suspended, denied, revoked, or barred due to a

16 violation of section 321J.2.

17 The clerk of court shall send notice of a
18 conviction of an offense for which the vehicle was
19 impounded to the impounding authority upon conviction
20 of the defendant for such offense.

21 Impoundment of the vehicle under this section ~~may~~
22 shall occur in addition to any criminal penalty
23 imposed under chapter 321 or this chapter for the
24 underlying criminal offense.

25 Sec.____. Section 321J.4B, subsection 3,
26 unnumbered paragraph 1, Code 2007, is amended to read
27 as follows:

28 The motor vehicle operated by the person in the
29 commission of any offense included in subsection 2 ~~may~~
30 shall be immediately impounded or immobilized in
31 accordance with this section.

32 Sec.____. Section 321J.4B, subsection 5, paragraph
33 b, unnumbered paragraph 1, Code 2007, is amended to
34 read as follows:

35 Upon conviction of the defendant for a violation of
36 subsection 2, paragraph "a", the court ~~may~~ shall order
37 continued impoundment, or the immobilization, of the
38 motor vehicle used in the commission of the offense,
39 if the convicted person is the owner of the motor
40 vehicle, and shall specify all of the following in the
41 order:""

42 2. Page 2, line 16, by inserting after the word
43 "barred" the following: "or who is convicted of an
44 operating-while-intoxicated offense".

PAULSEN of Linn

H-1320

1 Amend the amendment, H-1119, to House File 653, as
2 follows:

3 1. Page 1, by inserting before line 2 the
4 following:

5 "____. Page 2, by inserting after line 27 the
6 following:

7 "Sec.____. Section 48A.9, subsection 2, Code 2007,
8 is amended to read as follows:

9 2. The commissioner's office shall be open from
10 eight a.m. until at least five p.m. on the day
11 registration closes before each regularly scheduled
12 election unless the day registration closes is a
13 Saturday. However, if the last day to register to
14 vote for a regularly scheduled election falls on the
15 day after Thanksgiving, the deadline shall be the
16 following Monday.""

17 2. By renumbering as necessary.

ANDERSON of Page

H-1321

1 Amend the amendment, H-1096, to House File 81 as
2 follows:

3 1. Page 2, by striking lines 4 through 7 and
4 inserting the following:

5 "Sec. ____ Section 321J.4B, subsection 2, Code
6 2007, is amended to read as follows:

7 2. A motor vehicle is subject to impoundment in
8 the following circumstances:

9 a. If a person operates a vehicle in violation of
10 section 321J.2, and if is convicted for that conduct,
11 ~~the conviction would be a second or subsequent offense~~
12 ~~under section 321J.2.~~

13 b. If a person operates a vehicle while that
14 person's driver's license or operating privilege has
15 been suspended, denied, revoked, or barred due to a
16 violation of section 321J.2.

17 The clerk of court shall send notice of a
18 conviction of an offense for which the vehicle was
19 impounded to the impounding authority upon conviction
20 of the defendant for such offense.

21 Impoundment of the vehicle under this section ~~may~~
22 shall occur in addition to any criminal penalty
23 imposed under chapter 321 or this chapter for the
24 underlying criminal offense.

25 Sec. ____ Section 321J.4B, subsection 3,
26 unnumbered paragraph 1, Code 2007, is amended to read
27 as follows:

28 The motor vehicle operated by the person in the
29 commission of any offense included in subsection 2 ~~may~~
30 shall be immediately impounded or immobilized in
31 accordance with this section.

32 Sec. ____ Section 321J.4B, subsection 5, paragraph
33 b, unnumbered paragraph 1, Code 2007, is amended to
34 read as follows:

35 Upon conviction of the defendant for a violation of
36 subsection 2, paragraph "a", the court ~~may~~ shall order
37 continued impoundment, or the immobilization, of the
38 motor vehicle used in the commission of the offense,
39 if the convicted person is the owner of the motor
40 vehicle, and shall specify all of the following in the
41 order:""

42 2. Page 2, line 13, by inserting after the word
43 "barred" the following: "or who is convicted of an
44 operating-while-intoxicated offense".

PAULSEN of Linn

H-1322

1 Amend Senate File 413, as passed by the Senate, as

2 follows:

- 3 1. Page 1, line 7, by inserting after the word
- 4 "unit" the following: "and who voluntarily agrees to
- 5 be represented by the employee organization".
- 6 2. Page 1, line 31, by inserting after the word
- 7 "organization" the following: "who voluntarily agree
- 8 to be represented by the employee organization".
- 9 3. Page 2, line 10, by inserting after the word
- 10 "organization" the following: "who voluntarily agree
- 11 to be represented by the employee organization".
- 12 4. Page 2, line 15, by inserting after the word
- 13 "organization" the following: "who voluntarily agree,
- 14 in writing, to be represented by the employee
- 15 organization. Notwithstanding any provision of this
- 16 chapter to the contrary, if a collective bargaining
- 17 agreement provides that a fair share fee shall be
- 18 charged, the employee organization shall not be
- 19 required to represent nonmembers of the employee
- 20 organization who do not voluntarily agree, in writing,
- 21 to be represented by the employee organization".
- 22 5. Page 2, line 24, by inserting after the word
- 23 "organization" the following: "who voluntarily agrees
- 24 to be represented by the employee organization".
- 25 6. Page 2, line 34, by inserting after the word
- 26 "nonmember" the following: "who voluntarily agrees to
- 27 be represented by the employee organization".
- 28 7. Page 3, line 27, by inserting after the word
- 29 "organization" the following: "who voluntarily agree
- 30 to be represented by the employee organization".
- 31 8. Page 3, line 33, by inserting after the word
- 32 "nonmembers" the following: "who voluntarily agree to
- 33 be represented by the employee organization".
- 34 9. By renumbering as necessary.

PETTENGILL of Benton

H-1323

1 Amend Senate File 413, as passed by the Senate, as

2 follows:

- 3 1. Page 1, by inserting before line 1 the
- 4 following:
- 5 "Section 1. Section 1A.1, Code 2007, is amended to
- 6 read as follows:
- 7 1A.1 SEAL – DEVICE – MOTTO.
- 8 The secretary of state be, and is, hereby
- 9 authorized to procure a seal which shall be the great
- 10 seal of the state of Iowa, two inches in diameter,
- 11 upon which shall be engraved the following device,
- 12 surrounded by the words, "The Great Seal of the State
- 13 of Iowa" – a sheaf and field of standing wheat, with
- 14 a sickle and other farming utensils, on the left side

15 near the bottom; a lead furnace and pile of pig lead
16 on the right side; the citizen soldier, with a plow in
17 his rear, supporting the American flag and liberty cap
18 with his right hand, and his gun with his left, in the
19 center and near the bottom; the Mississippi river in
20 the rear of the whole, with the steamer Iowa under
21 way; an eagle near the upper edge, holding in his beak
22 a scroll, with the following inscription upon it: Our
23 liberties we prize, and our rights we will maintain,
24 and employees pay to work.

25 Sec. 2. Section 1B.1, Code 2007, is amended to
26 read as follows:

27 1B.1 SPECIFICATIONS OF STATE FLAG.

28 The banner designed by the Iowa society of the
29 Daughters of the American Revolution and presented to
30 the state is hereby adopted as the state flag for use
31 on all occasions where a state flag may be fittingly
32 displayed. The design consists of three vertical
33 stripes of blue, white, and red, the blue stripe being
34 nearest the staff and the white stripe being in the
35 center. On the central white stripe is depicted a
36 spreading eagle bearing in its beak blue streamers on
37 which is inscribed the state motto, "Our liberties we
38 prize and our rights we will maintain, and employees
39 pay to work" in white letters, with the word "Iowa" in
40 red letters below the streamers."

41 2. By renumbering as necessary.

HORBACH of Tama

H-1324

1 Amend Senate File 413, as passed by the Senate, as
2 follows:

3 1. Page 4, line 8, by inserting after the word
4 "organization." the following: "The burden of proof
5 shall not be overcome unless the employee organization
6 provides historical cost data and information, and not
7 estimates, justifying the amount of the fair share
8 fee."

ANDERSON of Page

H-1325

1 Amend Senate File 413, as passed by the Senate, as
2 follows:

3 1. Page 2, line 11, by striking the words
4 "agreement or" and inserting the following:
5 "agreement and not".

ANDERSON of Page

H-1326

- 1 Amend Senate File 413, as passed by the Senate, as
2 follows:
3 1. Page 2, line 11, by striking the words
4 "agreement or" and inserting the following:
5 "agreement by a majority vote of all employees subject
6 to the agreement and not".

ANDERSON of Page

H-1327

- 1 Amend Senate File 413, as passed by the Senate, as
2 follows:
3 1. Page 1, by inserting before line 1 the
4 following:
5 "Section 1. Section 20.3, Code 2007, is amended by
6 adding the following new subsection:
7 NEW SUBSECTION. 1A. "Bargaining unit" means only
8 those employees in a particular class of employees who
9 voluntarily agree to be represented by an employee
10 organization."
11 2. Page 4, by inserting after line 22 the
12 following:
13 "Sec.____. Section 20.10, subsection 2, paragraph
14 f, Code 2007, is amended to read as follows:
15 f. Deny the rights accompanying certification or
16 exclusive recognition granted in this chapter.
17 Sec.____. Section 20.14, subsection 1, Code 2007,
18 is amended to read as follows:
19 1. Board certification of an employee organization
20 as ~~the exclusive a~~ bargaining representative of a
21 bargaining unit shall be upon a petition filed with
22 the board by a public employer, public employee, or an
23 employee organization and an election conducted
24 pursuant to section 20.15. However, notwithstanding
25 any provision of this chapter to the contrary,
26 multiple employee organizations may represent teachers
27 who are licensed under chapter 272 and who are
28 employed by a public employer which is a school
29 district or area education agency.
30 Sec.____. Section 20.15, subsection 6, Code 2007,
31 is amended to read as follows:
32 6. A petition for certification as ~~an exclusive a~~
33 bargaining representative shall not be considered by
34 the board for a period of one year from the date of
35 the certification or noncertification of ~~an exclusive~~
36 a bargaining representative or during the duration of
37 a collective bargaining agreement which shall not
38 exceed two years. A collective bargaining agreement
39 with the state, its boards, commissions, departments,

40 and agencies shall be for two years and the provisions
41 of a collective bargaining agreement except agreements
42 agreed to or tentatively agreed to prior to July 1,
43 1977, or arbitrators' award affecting state employees
44 shall not provide for renegotiations which would
45 require the refinancing of salary and fringe benefits
46 for the second year of the term of the agreement,
47 except as provided in section 20.17, subsection 6, and
48 the effective date of any such agreement shall be July
49 1 of odd-numbered years, provided that if ~~an exclusive~~
50 a bargaining representative is certified on a date

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1 which will prevent the negotiation of a collective
2 bargaining agreement prior to July 1 of odd-numbered
3 years for a period of two years, the certified
4 collective bargaining representative may negotiate a
5 one-year contract with a public employer which shall
6 be effective from July 1 of the even-numbered year to
7 July 1 of the succeeding odd-numbered year when new
8 contracts shall become effective. However, if a
9 petition for decertification is filed during the
10 duration of a collective bargaining agreement, the
11 board shall award an election under this section not
12 more than one hundred eighty days nor less than one
13 hundred fifty days prior to the expiration of the
14 collective bargaining agreement. If an employee
15 organization is decertified, the board may receive
16 petitions under section 20.14, provided that no such
17 petition and no election conducted pursuant to such
18 petition within one year from decertification shall
19 include as a party the decertified employee
20 organization.

21 Sec.____. Section 20.16, Code 2007, is amended to
22 read as follows:

23 20.16 DUTY TO BARGAIN.

24 Upon the receipt by a public employer of a request
25 from an employee organization to bargain on behalf of
26 public employees, the duty to engage in collective
27 bargaining shall arise if the employee organization
28 has been certified by the board as ~~the exclusive a~~
29 bargaining representative for the public employees in
30 that bargaining unit.

31 Sec.____. Section 20.17, subsection 1, Code 2007,
32 is amended to read as follows:

33 1. The employee organization certified as ~~the a~~
34 bargaining representative shall be ~~the exclusive a~~
35 representative of ~~all~~ public employees in the
36 bargaining unit and shall represent ~~all~~ public
37 employees fairly. However, any public employee may
38 meet and adjust individual complaints with a public

39 employer. To sustain a claim that a certified
 40 employee organization has committed a prohibited
 41 practice by breaching its duty of fair representation,
 42 a public employee must establish by a preponderance of
 43 the evidence action or inaction by the organization
 44 which was arbitrary, discriminatory, or in bad faith.
 45 Sec. ____ Section 20.18, unnumbered paragraph 1,
 46 Code 2007, is amended to read as follows:
 47 An agreement with an employee organization which is
 48 the ~~exclusive~~ representative of public employees in an
 49 appropriate unit may provide procedures for the
 50 consideration of public employee grievances and of

Page 3

1 disputes over the interpretation and application of
 2 agreements. Negotiated procedures may provide for
 3 binding arbitration of public employee grievances and
 4 of disputes over the interpretation and application of
 5 existing agreements. An arbitrator's decision on a
 6 grievance may not change or amend the terms,
 7 conditions or applications of the collective
 8 bargaining agreement. Such procedures shall provide
 9 for the invoking of arbitration only with the approval
 10 of the employee organization, and in the case of an
 11 employee grievance, only with the approval of the
 12 public employee. The costs of arbitration shall be
 13 shared equally by the parties."
 14 3. Title page, line 1, by striking the words
 15 "relating to" and inserting the following: "and".
 16 4. By renumbering as necessary.

MAY of Dickinson

H-1328

1 Amend Senate File 413, as passed by the Senate, as
 2 follows:
 3 1. Page 1, by inserting before line 1 the
 4 following:
 5 "Section 1. Section 17A.4, subsection 1, paragraph
 6 a, Code 2007, is amended to read as follows:
 7 a. Give notice of its intended action by
 8 submitting the notice to the administrative rules
 9 coordinator and the administrative code editor. The
 10 administrative rules coordinator shall assign an ARC
 11 number to each rulemaking document. The
 12 administrative code editor shall publish each notice
 13 meeting the requirements of this chapter in the Iowa
 14 administrative bulletin created pursuant to section
 15 17A.6. The agency shall also submit a copy of the
 16 notice to the speaker of the house of representatives

17 and the president of the senate who shall refer the
 18 rules to the appropriate standing committees of the
 19 general assembly for additional study. Any notice of
 20 intended action shall be published at least
 21 thirty-five days in advance of the action. The notice
 22 shall include a statement of either the terms or
 23 substance of the intended action or a description of
 24 the subjects and issues involved, and the time when,
 25 the place where, and the manner in which interested
 26 persons may present their views.

27 Sec. 2. Section 17A.5, subsection 1, Code 2007, is
 28 amended to read as follows:

29 1. Each agency shall file each rule adopted by the
 30 agency with the office of the administrative rules
 31 coordinator and provide an exact copy to the
 32 administrative code editor. The administrative rules
 33 coordinator shall assign an ARC number to each
 34 rulemaking document. The administrative rules
 35 coordinator shall keep a permanent register of the
 36 rules open to public inspection. The administrative
 37 code editor shall publish each rule adopted in
 38 accordance with this chapter in the Iowa
 39 administrative code. The agency shall also submit a
 40 copy of the adopted rule to the speaker of the house
 41 of representatives and the president of the senate who
 42 shall refer the rule to the appropriate standing
 43 committees of the general assembly for additional
 44 study.

45 Sec. 3. Section 17A.5, Code 2007, is amended by
 46 adding the following new subsection:

47 **NEW SUBSECTION.** 3. An administrative rule is
 48 rescinded five years after the initial effective date
 49 of the rule, excluding the effective dates of later
 50 amendments. For rules that are in effect on July 1,

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1 2007, the rescision date is July 1, 2012.

2 Sec. 4. Section 17A.6, subsection 3, unnumbered
 3 paragraph 2, Code 2007, is amended to read as follows:

4 The administrative code editor shall omit or cause
 5 to be omitted from the Iowa administrative code any
 6 rule or portion of a rule nullified by the general
 7 assembly pursuant to Article III, section 40, of the
 8 Constitution of the State of Iowa, and shall publish
 9 notice of such nullification in the bulletin.

10 Sec. 5. **NEW SECTION.** 17A.8A LEGISLATIVE REVIEW
 11 OF RULES.

12 The standing committees of the house of
 13 representatives and senate may review any
 14 administrative rule. If reviewed, the standing
 15 committee reviewing the rule shall report to the house

16 of representatives or senate its findings and
17 recommendations concerning its review. If ordered by
18 the speaker of the house of representatives or the
19 president of the senate, the report of the committee
20 shall be printed in the journal."

21 2. By renumbering as necessary.

UPMEYER of Hancock

H-1329

1 Amend Senate File 413, as passed by the Senate, as
2 follows:

3 1. Page 4, by inserting after line 22 the
4 following:

5 "Sec. . NEW SECTION. 249J.24A NONPARTICIPATING
6 PROVIDER EXPANSION POPULATION PROVIDER NETWORK -
7 TRANSFER PROCEDURE - COMPENSATION FUND.

8 1. The department shall establish a procedure to
9 transfer an expansion population member who seeks
10 medical care or treatment from a nonparticipating
11 provider in the expansion population provider network
12 to a participating provider in the expansion
13 population provider network, if medically possible.
14 If transfer is not medically possible or if the
15 participating provider refuses to accept the transfer
16 of the expansion population member, the
17 nonparticipating provider shall be compensated through
18 the nonparticipating provider expansion population
19 provider network compensation fund in accordance with
20 subsection 2.

21 2. a. A nonparticipating provider expansion
22 population provider network compensation fund is
23 created in the state treasury under the authority of
24 the department. Moneys designated for deposit in the
25 fund that are received from sources including but not
26 limited to appropriations from the general fund of the
27 state, grants, and contributions shall be deposited in
28 the fund.

29 b. Moneys in the fund shall be separate from the
30 general fund of the state and shall not be considered
31 part of the general fund of the state. The moneys
32 deposited in the fund are not subject to section 8.33
33 and shall not be transferred, used, obligated,
34 appropriated, or otherwise encumbered, except to
35 provide for the purposes specified in this section.
36 Notwithstanding section 12C.7, subsection 2, interest
37 or earnings on moneys deposited in the fund shall be
38 credited to the fund.

39 c. Moneys deposited in the fund shall be used only
40 to compensate health care providers who are not
41 participants in the expansion population provider

42 network pursuant to section 249J.7, who provide
 43 services to expansion population members, if no other
 44 third party is liable for reimbursement for the
 45 services provided.
 46 d. In order to be compensated through the fund, a
 47 health care provider shall submit a claim to the
 48 department for compensation and reimbursement of
 49 expenses incurred in providing services to an
 50 expansion population member. The department shall

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1 adopt rules relating to the format of and the
 2 information to be included in the claims submitted. A
 3 claim shall be submitted to the department within
 4 forty-five days of provision of the service."
 5 2. Title page, line 1, by inserting after the
 6 word "Act" the following: "relating to public
 7 programs including the IowaCare program and".

UPMEYER of Hancock

H-1330

1 Amend Senate File 413, as passed by the Senate, as
 2 follows:
 3 1. Page 4, by inserting after line 22 the
 4 following:
 5 "Sec. ____ UNIVERSITY OF IOWA HOSPITALS AND
 6 CLINICS – IOWACARE PHYSICIAN SERVICES REIMBURSEMENT.
 7 In addition to any other appropriation for the purpose
 8 designated, there is appropriated from the health care
 9 improvement fund created in section 453A.35A to the
 10 state board of regents for the fiscal year beginning
 11 July 1, 2007, and ending June 30, 2008, the following
 12 amount, or so much thereof as is necessary, for the
 13 purpose designated:
 14 For distribution to the university of Iowa
 15 hospitals and clinics for reimbursement of physician
 16 services provided to members of the expansion
 17 population pursuant to chapter 249J:
 18\$ 10,000,000"
 19 2. Title page, line 3, by inserting after the
 20 word "date" the following: "and providing an
 21 appropriation".
 22 3. By renumbering as necessary.

UPMEYER of Hancock

H-1331

1 Amend Senate File 413, as passed by the Senate, as
 2 follows:

- 3 1. Page 1, by inserting before line 1 the
 4 following:
 5 "Section 1. Section 17A.23, unnumbered paragraph
 6 3, Code 2007, is amended to read as follows:
 7 An agency shall have only that authority or
 8 discretion delegated to or conferred upon the agency
 9 by law and shall not expand or enlarge its authority
 10 or discretion beyond the powers delegated to or
 11 conferred upon the agency. Unless otherwise
 12 specifically provided by statute, a delegation of
 13 rulemaking authority to a state agency shall be
 14 construed narrowly."
 15 2. By renumbering as necessary.

UPMEYER of Hancock

H-1333

- 1 Amend Senate File 413, as passed by the Senate, as
 2 follows:
 3 1. Page 4, by inserting after line 22 the
 4 following:
 5 "Sec. ____ FAIR SHARE FEE DISTRIBUTION –
 6 RIGHT-TO-WORK FUND. Notwithstanding any provision of
 7 chapter 20 to the contrary, one-half of the amount of
 8 any fair share fee deducted from nonmembers of an
 9 employee organization shall not be transmitted to the
 10 employee organization but shall be appropriated to the
 11 department of economic development for deposit in a
 12 right-to-work job loss fund. Moneys in the fund shall
 13 be distributed by the department to businesses and
 14 their employees for up to five years to offset their
 15 financial losses due to the loss of Iowa's status as a
 16 right-to-work state. Notwithstanding section 8.33,
 17 moneys appropriated to the department of economic
 18 development pursuant to this section shall not revert
 19 to the general fund of the state at the close of a
 20 fiscal year."
 21 2. By renumbering as necessary.

SODERBERG of Plymouth

H-1334

- 1 Amend Senate File 413, as passed by the Senate, as
 2 follows:
 3 1. Page 3, line 2, by inserting after the word
 4 "deduction." the following: "However, the exclusive
 5 representative shall, upon written request by an
 6 employee, have the employee's fair share fee donated
 7 to a charity or community betterment organization or
 8 project of the employee's choice if the employee

- 9 matches the donation on a dollar-for-dollar basis."
 10 2. By renumbering as necessary.

SODERBERG of Plymouth

H-1335

- 1 Amend Senate File 413, as passed by the Senate, as
 2 follows:
 3 1. Page 4, by inserting after line 22 the
 4 following:
 5 "Sec. ____ FAIR SHARE FEE DISTRIBUTION - WELLNESS
 6 PROGRAMS. Notwithstanding any provision of chapter 20
 7 to the contrary, the amount of any fair share fee
 8 deducted from nonmembers of an employee organization
 9 shall not be transmitted to the employee organization
 10 but shall be appropriated to the department of
 11 administrative services to facilitate or provide
 12 wellness and other health-related activities, health
 13 education programs, health risk assessments, and
 14 smoking cessation programs. Notwithstanding section
 15 8.33, moneys appropriated to the department of
 16 administrative services pursuant to this section shall
 17 not revert to the general fund at the close of a
 18 fiscal year."
 19 2. By renumbering as necessary.

SODERBERG of Plymouth

H-1336

- 1 Amend Senate File 413, as passed by the Senate, as
 2 follows:
 3 1. Page 1, line 31, by inserting after the word
 4 "organization," the following: "diversity policies,
 5 harassment policies, discipline policies, shift
 6 assignments, transfer and promotion procedures,
 7 participation in workplace committees."

UPMEYER of Hancock
 JACOBS of Polk

H-1337

- 1 Amend Senate File 413, as passed by the Senate, as
 2 follows:
 3 1. Page 4, by inserting after line 22 the
 4 following:
 5 "Sec. ____ NEW SECTION. 73A.22 STATE ASSISTANCE
 6 RESTRICTIONS - UNAUTHORIZED ADULT ALIENS -
 7 PENALTIES.
 8 1. For purposes of this section, unless the

9 context otherwise requires:

- 10 a. "State aid" means any form of financial
 11 benefit, aid, or assistance provided to a person by a
 12 state department, institution, or agency.
 13 b. "Unauthorized adult alien" means a person who
 14 is eighteen years of age or older and who is not a
 15 citizen or legal resident of, and who has not been
 16 lawfully admitted to the United States for permanent
 17 residence or who is not authorized to work in the
 18 United States.

19 2. A state department, institution, or agency
 20 shall not provide any state aid to an unauthorized
 21 adult alien.

22 3. A person who makes a false statement or
 23 representation as to whether the person is an
 24 unauthorized adult alien knowing it to be false or
 25 knowingly fails to disclose this fact, to obtain or
 26 increase any state aid in violation of this section,
 27 is guilty of a fraudulent practice as defined in
 28 sections 714.8 to 714.14. The total amount of state
 29 aid involved in the completion of or in the attempt to
 30 complete a fraudulent practice shall be used in
 31 determining the value involved under section 714.14.

32 Sec. ____ NEW SECTION. 91F.1 DEFINITIONS.

33 As used in this chapter:

34 1. "Commissioner" means the labor commissioner.

35 2. "Employee" means a natural person who is
 36 employed in this state for wages paid on an hourly
 37 basis by an employer.

38 3. "Employer" means a person, as defined in
 39 section 4.1, who in this state employs for wages, paid
 40 on an hourly basis, one or more natural persons. An
 41 employer does not include a client, patient, customer,
 42 or other person who obtains professional services from
 43 a licensed person who provides the services on a fee
 44 service basis or as an independent contractor, or the
 45 state, or an agency or governmental subdivision of the
 46 state.

47 4. "Unauthorized alién" means a person who is not
 48 lawfully present in the United States.

49 Sec. ____ NEW SECTION. 91F.2 UNAUTHORIZED ALIENS

50 - EMPLOYER PROHIBITION.

Page 2

1 An employer shall not knowingly employ as an
 2 employee an unauthorized alien. For purposes of this
 3 section, "knowingly employ as an employee an
 4 unauthorized alien" means an employer has actual
 5 knowledge that a person is an unauthorized alien and
 6 employs the person as an employee. An employer who
 7 obtains a verification of employment eligibility form

8 required by the federal Immigration Reform and Control
9 Act of 1986, 8 U.S.C. §1324a, shall not be considered
10 in violation of this chapter.

11 Sec. ____ NEW SECTION. 91F.3 PENALTIES.

12 1. An employer who violates section 91F.2 is
13 subject to a civil penalty of up to one thousand
14 dollars.

15 2. A corporate officer of an employer who, by
16 knowingly directing the repeated violation of section
17 91F.2, demonstrates a pattern of employing
18 unauthorized aliens commits a serious misdemeanor.

19 3. An employer who, through repeated violation of
20 section 91F.2, demonstrates a pattern of employing
21 unauthorized aliens may be ordered to pay punitive
22 damages.

23 Sec. ____ NEW SECTION. 91F.4 DUTIES AND
24 AUTHORITY OF THE COMMISSIONER - ENFORCEMENT BY
25 ATTORNEY GENERAL.

26 1. The commissioner shall adopt rules to implement
27 and enforce this chapter.

28 2. In order to carry out the purposes of this
29 chapter, the commissioner or the commissioner's
30 representative, upon presenting appropriate
31 credentials to an employer's owner, operator, or agent
32 in charge, may:

33 a. Inspect employment records relating to the
34 employees of the employer.

35 b. Interview an employer, owner, operator, agent,
36 or employee, during working hours or at other
37 reasonable times.

38 3. If the commissioner has reason to believe that
39 an employer may be in violation of this chapter, the
40 commissioner shall notify the attorney general, and
41 provide the attorney general with any supporting
42 information, for prosecution of the violation by the
43 attorney general.

44 Sec. ____ NEW SECTION. 91F.5 PROHIBITIONS
45 RELATING TO CERTAIN ACTIONS BY EMPLOYEES - PENALTY -
46 CIVIL REMEDY.

47 1. An employer shall not discharge an employee or
48 take or fail to take action regarding an employee's
49 appointment or proposed appointment or promotion or
50 proposed promotion, or regarding any advantage of an

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1 employee as a reprisal for a failure by that employee
2 to inform the employer that the employee made a
3 disclosure of information to any law enforcement
4 agency if the employee reasonably believes the
5 information evidences a violation of section 91F.2.

6 2. Subsection 1 does not apply if the disclosure

- 7 of the information is prohibited by statute.
- 8 3. An employer who violates subsection 1 commits a
9 simple misdemeanor.
- 10 4. Subsection 1 may be enforced through a civil
11 action.
- 12 a. An employer who violates subsection 1 is liable
13 to an aggrieved employee for affirmative relief,
14 including reinstatement, with or without back pay, or
15 any other equitable relief the court deems
16 appropriate, including attorney fees and costs.
- 17 b. If an employer commits, is committing, or
18 proposes to commit an act in violation of subsection
19 1, an injunction may be granted through an action in
20 district court to prohibit the person from continuing
21 such acts. The action for injunctive relief may be
22 brought by an aggrieved employee or the attorney
23 general.
- 24 Sec. ____ . NEW SECTION. 91F.6 CERTIFIED EMPLOYEE
25 ORGANIZATIONS – MEMBERSHIP DUES OR FEES.
26 A certified employee organization shall certify to
27 the commissioner that a potential member of the
28 organization is lawfully present in the state before
29 accepting membership dues or fees."
- 30 2. By renumbering as necessary.

RANTS of Woodbury

H-1338

- 1 Amend Senate File 413, as passed by the Senate, as
2 follows:
- 3 1. Page 4, by inserting after line 22 the
4 following:
- 5 "Sec. ____ . Section 257.3, Code 2005, is amended by
6 adding the following new subsection:
- 7 NEW SUBSECTION. 4. MUNICIPAL SCHOOL TAX.
- 8 a. For purposes of this subsection, unless the
9 context otherwise requires, "municipal utility
10 property" means municipal electric or gas utility
11 property subject to valuation and taxation under
12 chapter 437B.
- 13 b. Notwithstanding any other Code provision to the
14 contrary, for budget years beginning in tax years
15 beginning on or after January 1, 2008, a school
16 district with municipal utility property within its
17 district boundaries shall calculate its foundation
18 property tax to include the municipal utility property
19 as taxable property for the purposes of this section.
20 Payment of tax for the municipal utility property
21 shall be designated as the municipal school tax. The
22 municipal school tax shall be considered foundation
23 property taxes for the budget year during which the

24 tax is due.

25 c. The amount of foundation property tax raised as
26 a result of the municipal school tax by a school
27 district shall be used by the school district to fund
28 middle school before and after school remediation
29 programs.

30 Sec. ____ Section 427.1, subsection 2, Code 2007,
31 is amended to read as follows:

32 2. MUNICIPAL AND MILITARY PROPERTY. a. The
33 property of a county, township, city, school
34 corporation, levee district, drainage district, or the
35 Iowa national guard, when devoted to public use and
36 not held for pecuniary profit, except property of a
37 municipally owned electric utility held under joint
38 ownership and property of an electric power facility
39 financed under chapter 28F or 476A that shall be
40 subject to taxation under chapter 437A and facilities
41 of a municipal utility that are used for the provision
42 of local exchange services pursuant to chapter 476,
43 but only to the extent such facilities are used to
44 provide such services, which shall be subject to
45 taxation under chapter 433, except that section 433.11
46 shall not apply. This exemption shall not apply to
47 municipal electric and gas utility properties for the
48 purposes of municipal school taxes levied under
49 section 257.3.

50 b. The exemption for property owned by a city or

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1 county also applies to property which is operated by a
2 city or county as a library, art gallery or museum,
3 conservatory, botanical garden or display, observatory
4 or science museum, or as a location for holding
5 athletic contests, sports or entertainment events,
6 expositions, meetings or conventions, or leased from
7 the city or county for any such purposes, or leased
8 from the city or county by the Iowa national guard or
9 by a federal agency for the benefit of the Iowa
10 national guard when devoted for public use and not for
11 pecuniary profit. Food and beverages may be served at
12 the events or locations without affecting the
13 exemptions, provided the city has approved the serving
14 of food and beverages on the property if the property
15 is owned by the city or the county has approved the
16 serving of food and beverages on the property if the
17 property is owned by the county. The exemption for
18 property owned by a city or county also applies to
19 property which is located at an airport and leased to
20 a fixed base operator providing aeronautical services
21 to the public.

22 Sec. ____ Section 437A.16, Code 2007, is amended

23 to read as follows:

24 437A.16 ASSESSMENT EXCLUSIVE.

25 All operating property and all other property that
 26 is primarily and directly used in the production,
 27 generation, transmission, or delivery of electricity
 28 or natural gas subject to replacement tax or transfer
 29 replacement tax is exempt from taxation except as
 30 otherwise provided by this chapter. This exemption
 31 shall not extend to taxes imposed under chapters 437,
 32 438, and 468, taxpayers described in section 437A.8,
 33 subsection 6, or facilities or property described in
 34 section 437A.6, subsection 1, paragraphs "a" through
 35 "f", and section 437A.7, subsection 3, or to municipal
 36 school taxes imposed under section 257.3 and chapter
 37 437B.

38 Sec. ____ NEW SECTION. 437B.1 TITLE AND PURPOSE.

39 1. This chapter shall be known and shall be
 40 referred to as "Municipal School Tax".

41 2. The purpose of this chapter is solely to assess
 42 and tax municipal utility property that would
 43 otherwise be exempt from the foundation property tax
 44 under chapter 257.

45 Sec. ____ NEW SECTION. 437B.2 DEFINITIONS.

46 For purposes of this chapter, unless the context
 47 otherwise requires:

48 1. "Assessed value" means net book value.

49 2. "Book value" means acquisition cost less
 50 accumulated depreciation, plus the cost of additions

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1 or improvements to the property since its acquisition,
 2 less any deletions or retirements to the property,
 3 determined under generally accepted accounting
 4 principles.

5 3. "Department" means the department of
 6 management.

7 4. "Director" means the director of revenue.

8 5. "Local taxing district" means a geographic area
 9 with a common consolidated property tax rate.

10 6. "Municipal school tax" means the foundation
 11 property tax levy as provided in section 257.3.

12 7. "Municipal utility property" means municipally
 13 owned electric or gas utility property.

14 8. "Taxpayer" means a municipal electric or gas
 15 utility subject to the tax levied under section 257.3.

16 9. "Taxpayer property" means that portion of the
 17 municipal utility property that is primarily and
 18 directly used in the production, generation,
 19 transmission, or delivery of electricity or natural
 20 gas that is not subject to the imposition of the
 21 replacement tax as defined in section 437A.3.

22 Sec. . NEW SECTION. 437B.3 VALUATION AND
 23 ASSESSMENT OF MUNICIPAL UTILITY PROPERTY WITHIN SCHOOL
 24 DISTRICT BOUNDARIES.

25 1. An assessment date of January 1 shall apply to
 26 all taxpayer property under this chapter. The tax
 27 assessment year shall begin one year preceding the
 28 beginning of an applicable tax year.

29 2. For the tax assessment year beginning January
 30 1, 2007, and subsequent assessment years, the assessed
 31 value of taxpayer property shall be calculated as
 32 provided in this chapter.

33 Sec. . NEW SECTION. 437B.4 PROPERTY VALUE
 34 REPORTS AND NOTIFICATION.

35 1. On or before May 1 of each tax assessment year,
 36 a taxpayer shall file a report with the director, on
 37 forms provided by the director, regarding the book
 38 value of taxpayer property as of the end of the
 39 preceding calendar year, with notation of location
 40 within each affected local taxing district.

41 2. The director, on or before August 31 of each
 42 assessment year, shall report to the department, the
 43 taxpayer, and to the applicable county auditors the
 44 assessed value of taxpayer property, with notation of
 45 location within each affected local taxing district,
 46 as of January 1 of the tax assessment year.

47 3. On or before each January 1, the county auditor
 48 shall notify the department and each school district
 49 of any municipal utility property valued for taxation
 50 within the local taxing district under this chapter.

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1 Such notification shall be filed on forms and in the
 2 format required by the department.

3 Sec. . NEW SECTION. 437B.5 SCHOOL BUDGET
 4 PROCESS - LEVY RATES - INSTALLMENTS - RECEIPTS -
 5 TRANSMISSION.

6 1. On or before June 15 of each tax year, the
 7 department shall certify the municipal school tax
 8 rates and amounts to the county auditor.

9 2. Before July 1 of each tax year, the county
 10 auditor shall compute the applicable municipal school
 11 tax for each taxpayer, and shall notify the county
 12 treasurer of the amount.

13 3. As soon as practicable after receiving
 14 notification of the amount of municipal school tax due
 15 for each taxpayer, the county treasurer shall deliver
 16 to each taxpayer a statement of municipal school tax
 17 due and payable which shall include the following
 18 information:

- 19 a. The year of the tax.
- 20 b. A description of the parcel.

- 21 c. The assessed value of the parcel for the
 22 current year and the previous year as valued by the
 23 assessor.
- 24 d. The certified levy rate.
- 25 e. Total municipal school tax due and payable.
- 26 4. The taxpayer shall either pay the taxes in
 27 full, or one-half of the taxes before September 1, and
 28 the remaining half before March 1. However, if the
 29 first installment of taxes is delinquent and not paid
 30 as of February 1, the treasurer shall mail a notice to
 31 the taxpayer of the delinquency and the due date for
 32 the second installment. Failure to receive a mailed
 33 notice is not a defense to the payment of the total
 34 amount due.
- 35 5. The county treasurer shall deliver to the
 36 taxpayer a receipt stating the year of tax, date of
 37 payment, a description of the parcel, and the amount
 38 of taxes, interest, fees, and costs paid. However,
 39 when payment of taxes is made by check, a receipt
 40 shall be issued only upon request. The receipt shall
 41 be in full of the first half, second half, or full
 42 year amount unless a payment is made under section
 43 445.36A.
- 44 6. On or before the tenth day of each month, the
 45 county treasurer shall enter all municipal school tax
 46 collected during the preceding month upon the
 47 treasurer's cash account, and transmit those amounts
 48 to the applicable school district, and report the
 49 transmitted amounts to the county auditor.
- 50 Sec. ____ NEW SECTION. 437B.6 DELINQUENCY -

Page 5

1 NOTIFICATION.

- 2 1. a. If the first installment of any tax is not
 3 paid before October 1, it becomes delinquent from
 4 October 1. However, in those instances when the last
 5 day of September is a Saturday or Sunday, it becomes
 6 delinquent on the second business day of October.
- 7 b. If the second installment is not paid before
 8 April 1, it becomes delinquent from April 1. However,
 9 in those instances when the last day of March is a
 10 Saturday or Sunday, it becomes delinquent on the
 11 second business day of April.
- 12 c. This subsection applies to all municipal school
 13 taxes imposed under this chapter.
- 14 2. The county treasurer shall notify the director
 15 of the delinquency thirty days after the tax first
 16 becomes delinquent.
- 17 3. a. To avoid interest on delinquent taxes, a
 18 payment must be received by the county treasurer on or
 19 before the last business day of the month preceding

20 the delinquent date, or mailed with appropriate
21 postage and applicable fees paid, and a United States
22 postal service postmark affixed to the payment
23 envelope, with the postmark bearing a date preceding
24 the delinquent date. Items returned to the sender by
25 the United States postal service for insufficient
26 postage or applicable fees shall be assessed interest,
27 unless the appropriate postage and fees are paid and
28 the items are postmarked again before the delinquent
29 date. However, if the last calendar day of a month
30 falls on a Saturday, Sunday, or a holiday, a payment
31 becomes delinquent on the second business day of the
32 following month.

33 b. To avoid interest on current or delinquent
34 taxes, an electronic payment must be initiated by
35 midnight on the last day of the month preceding the
36 delinquent date.

37 Sec. ____ NEW SECTION. 437B.7 FAILURE TO FILE -
38 RIGHTS OF APPEAL.

39 1. If a report required to be filed by a taxpayer
40 with the state by section 437B.4 is not filed, or is
41 incorrect or insufficient when filed, and the taxpayer
42 fails to file a corrected or sufficient report within
43 twenty days after the report is required by notice
44 from the director, the director may assess the value
45 of taxpayer property from information as the
46 department of revenue may be able to obtain.

47 2. The director shall give notice of the amount of
48 the assessment to the department of management and to
49 each applicable county auditor and taxpayer, as
50 provided under this chapter.

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1 3. The notice shall fix the amount of the
2 assessment unless the taxpayer, within thirty days
3 after notice, applies to the director for a hearing.
4 At the hearing, evidence may be offered to support the
5 assessment or to prove that it is incorrect. After
6 the hearing, the director shall give notice of the
7 decision to the taxpayer and the applicable county
8 auditor.

9 Sec. ____ NEW SECTION. 437B.8 PENALTIES -
10 OFFENSES - LIMITATIONS.

11 1. A taxpayer is subject to a penalty if the
12 taxpayer fails to pay a municipal school tax,
13 installment, or other balance due on or before the due
14 date as follows:

15 a. Five percent of the first half or remaining
16 balance, as applicable, for failure to pay timely the
17 amount due, or failure to use the required form for
18 filing and payment.

19 b. Ten percent of the amount due for failure to
20 pay timely.

21 c. Seventy-five percent of the amount due for
22 willful failure to pay, or willful filing of false
23 information with intent to evade the tax.

24 2. a. A taxpayer shall also pay interest on a
25 delinquent municipal school tax, installment, or other
26 balance remaining at the rate in effect under section
27 421.7 for each month computed from the date the
28 payment was due, counting each fraction of a month as
29 an entire month. The penalty and interest shall be
30 paid to the county treasurer. Payment of unpaid
31 penalties and interest may be enforced in the manner
32 as provided for enforcement of unpaid municipal school
33 tax under this chapter.

34 b. A penalty, if assessed, shall be waived by the
35 department of revenue if the conditions specified in
36 section 421.27 that are applicable to the type of
37 delinquency by the taxpayer are met.

38 3. A taxpayer, or officer, member, or employee of
39 the taxpayer, who willfully attempts to evade the
40 municipal school tax imposed or the payment of the
41 municipal school tax is guilty of a class "D" felony.

42 4. The issuance of a certificate by the director,
43 the department of revenue, or a county treasurer
44 stating that a municipal school tax, or the balance
45 remaining, has not been paid, that a report has not
46 been filed, or that information has not been supplied
47 pursuant to this chapter is prima facie evidence of
48 such failure.

49 5. A taxpayer, or officer, member, or employee of
50 the taxpayer, required to pay a municipal school tax

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1 or the balance remaining, or required to make, sign,
2 or file a report, who willfully makes a false or
3 fraudulent report, or who willfully fails to pay at
4 least ninety percent of the tax or willfully fails to
5 make, sign, or file the report as required is guilty
6 of a fraudulent practice.

7 6. For purposes of determining the place of trial
8 for a violation of this section, the situs of an
9 offense is in the county in which the taxpayer
10 property at issue is located.

11 7. Prosecution for an offense specified in this
12 section shall be commenced within six years after the
13 commission of the violation.

14 Sec. . **NEW SECTION. 437B.9 CORRECTION OF**
15 **ERRORS – REFUNDS OR CREDITS OF TAX PAID – PENALTIES.**

16 1. a. If a tax, penalty, or interest has been
17 paid that was not due under this chapter, a county

18 treasurer to whom such erroneous payment was made
19 shall do one of the following:

20 (1) Credit the amount of the erroneous payment
21 against any tax due, or to become due, from the
22 taxpayer on the books of the city or county.

23 (2) Refund the amount of the erroneous payment to
24 the taxpayer.

25 b. Claims for refund or credit of tax paid shall
26 be filed with the director.

27 (1) A claim for refund or credit that is not filed
28 with the director within three years after the payment
29 upon which a refund or credit is claimed became due,
30 or one year after the payment was made, whichever time
31 is later, shall not be allowed.

32 (2) A claim for refund or credit of a tax alleged
33 to be unconstitutional not filed with the director
34 within ninety days after the payment upon which a
35 refund or credit is claimed became due shall not be
36 allowed. As a precondition for claiming a refund or
37 credit of an alleged unconstitutional tax, such tax
38 must be paid under written protest that specifies the
39 particulars of the alleged unconstitutionality.

40 (3) Claims for refund or credit may only be made
41 by, and refunds or credits may only be made to, the
42 person responsible for paying the tax, or such
43 person's successors.

44 (4) The director shall notify affected county
45 treasurers of the acceptance or denial of any refund
46 claim and the county treasurer shall pay a refund to a
47 taxpayer pursuant to notice of an accepted refund
48 claim. The appeal period for denial of a refund claim
49 is sixty days.

50 2. a. A person who makes an erroneous application

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1 for refund shall be liable for any overpayment
2 received plus interest at the rate in effect under
3 section 421.7.

4 b. A person who willfully makes a false or
5 frivolous application for refund with intent to evade
6 tax is guilty of fraudulent practice and is liable for
7 a penalty equal to seventy-five percent of the amount
8 claimed.

9 c. Repayments, penalties, and interest due under
10 this section may be collected and enforced in the same
11 manner as the tax.

12 3. The county treasurer shall have access to any
13 computations made by the director or department
14 pursuant to the provisions of this chapter, and any
15 return or other information used by the director or
16 department in making such computations, which affect

- 17 the tax owed by any taxpayer.
- 18 Sec. ____ NEW SECTION. 437B.10 LIEN - ACTIONS
- 19 AUTHORIZED.
- 20 1. Whenever a taxpayer who is liable to pay the
- 21 tax imposed by section 257.3 and calculated pursuant
- 22 to this chapter refuses or neglects to pay such tax,
- 23 the amount, including any interest, penalty, or
- 24 addition to such tax, together with the costs that may
- 25 accrue, shall be a lien in favor of the county
- 26 treasurer to which the tax is owed upon all property
- 27 and rights to property, whether real or personal,
- 28 belonging to the taxpayer.
- 29 2. The lien shall be prior to and superior over
- 30 all subsequent liens upon any personal property within
- 31 this state, or right to such personal property,
- 32 belonging to the taxpayer, without the necessity of
- 33 recording the lien. The requirement for recording
- 34 shall apply only to a lien upon real property.
- 35 3. The lien may be preserved against subsequent
- 36 mortgagees, purchasers, or judgment creditors, for
- 37 value and without notice of the lien, on any real
- 38 property situated in a county, by filing a notice of
- 39 the lien with the recorder of the county in which the
- 40 real property is located by the county treasurer to
- 41 which the tax under section 257.3 is owed.
- 42 4. The county recorder of each county shall
- 43 prepare and keep in the recorder's office an index and
- 44 record to show, under the names of taxpayers arranged
- 45 alphabetically, all of the following:
- 46 a. The name of the taxpayer.
- 47 b. The name of the county treasurer as claimant.
- 48 c. Time the notice of lien was received.
- 49 d. Date of notice.
- 50 e. Amount of lien then due.

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- 1 f. Date of assessment.
- 2 g. Date when the lien is satisfied.
- 3 5. The recorder shall endorse on each notice of
- 4 lien the day, hour, and minute when received and
- 5 preserve such notice, and shall promptly record the
- 6 lien in the manner provided for recording real estate
- 7 mortgages. The lien is effective from the time of the
- 8 indexing of the lien.
- 9 6. Notwithstanding any contrary provision, the
- 10 county treasurer shall pay a recording fee as provided
- 11 in section 331.604, subsection 1, for the recording of
- 12 the lien, or for its satisfaction.
- 13 7. Upon the payment of the tax due under section
- 14 257.3 and this chapter, as to which a county treasurer
- 15 has filed notice with a county recorder, the county

16 treasurer shall promptly file with the recorder a
 17 satisfaction of the tax. The recorder shall enter the
 18 satisfaction on the notice on file in the recorder's
 19 office and indicate that fact on the index.
 20 8. Section 445.3 applies with respect to the tax
 21 and penalties and interest imposed by this chapter,
 22 except for the provisions limiting the commencement of
 23 actions.

24 Sec. . NEW SECTION. 437B.11 SIGNATURE AND
 25 CERTIFICATION REQUIRED.

26 Reports or returns filed by a taxpayer under this
 27 chapter shall be signed by the chief financial officer
 28 of the taxpayer, or other person duly authorized by
 29 the taxpayer, and must be certified as correct and in
 30 accordance with rules and forms prescribed for the
 31 applicable report or return.

32 Sec. . NEW SECTION. 437B.12 SERVICE OF
 33 NOTICE.

34 1. A notice authorized or required under this
 35 chapter may be given by mailing the notice to the
 36 taxpayer, addressed to the taxpayer at the address
 37 given in the last return filed by the taxpayer
 38 pursuant to this chapter, or if no return has been
 39 filed, then to the most recently obtainable address of
 40 the taxpayer.

41 2. The mailing of the notice is presumptive
 42 evidence of the receipt of the notice by the taxpayer
 43 to whom the notice is addressed. A period of time
 44 within which some action must be taken for which
 45 notice is provided under this section commences to run
 46 from the date of mailing of the notice.

47 3. The enforcement of a civil remedy is not
 48 limited in any way pursuant to any proceeding or
 49 action taken to levy, appraise, assess, determine, or
 50 enforce the collection of any tax, penalty, or

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1 interest due under this chapter.

2 Sec. . NEW SECTION. 437B.13 RECORDS.

3 A taxpayer shall maintain records associated with
 4 the assessed value of taxpayer property for a period
 5 of five years following the later of the original due
 6 date for filings under section 437B.4 or the date on
 7 which the report was actually filed. Applicable
 8 records under this section shall include but are not
 9 limited to records associated with acquisition,
 10 improvements, additions, and depreciation.

11 Sec. . NEW SECTION. 437B.14 JUDICIAL REVIEW.

12 1. Judicial review of the actions of either the
 13 director or of the department may be sought pursuant
 14 to chapter 17A.

15 2. For cause and upon a showing by the director or
 16 the department that collection of the tax in dispute
 17 is in doubt, the court may order the petitioner to
 18 file with the clerk of the district court a bond for
 19 the use of the appropriate local taxing authorities,
 20 with sureties approved by the clerk of the district
 21 court, in the amount of the tax appealed from,
 22 conditioned upon the performance by the petitioner of
 23 any orders of the court.

24 3. An appeal may be taken to the supreme court by
 25 the taxpayer, or the director or the department, as
 26 applicable, regardless of the amount involved.

27 Sec.____. **NEW SECTION. 437B.15 RULES.**

28 The director of revenue and the director of the
 29 department of management may each adopt rules pursuant
 30 to chapter 17A for the administration and enforcement
 31 of this chapter.

32 Sec.____. **FILING SCHEDULE FOR TAX ASSESSMENT YEAR**

33 2007. Notwithstanding section 437B.4 as enacted in
 34 this Act, the following dates shall apply for taxpayer
 35 and other filings during tax assessment year 2007:

36 1. On or before August 31, 2007, a taxpayer shall
 37 file a report with the director, on forms prescribed
 38 by the director, with the book value of taxpayer
 39 property, with notation of location within each
 40 applicable local taxing district.

41 2. The director, on or before October 31, 2007,
 42 shall report to the department and to each applicable
 43 county auditor and taxpayer the assessed value of
 44 taxpayer property, with notation of location within
 45 each applicable local taxing district, as of January
 46 1, 2007.

47 3. On or before January 1, 2008, each applicable
 48 county auditor shall notify the department and each
 49 applicable school district of any municipal utility
 50 property valued for taxation within the local taxing

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1 district under chapter 437B as enacted in this Act.
 2 Such notification shall be filed on forms and in the
 3 format required by the department.

4 4. The definitions contained in section 437B.2 as
 5 enacted in this Act apply to this section."

6 2. Page 4, by inserting after line 22 the
 7 following:

8 "Sec.____. **APPLICABILITY.**

9 1. The sections of this Act amending chapter 20
 10 take effect upon enactment of this Act.

11 2. Except as provided in subsection 1, this Act is
 12 retroactively applicable to January 1, 2007, for tax
 13 assessment years beginning on or after January 1,

14 2007.

15 3. Except as provided in subsection 1, this Act is
16 applicable to tax years beginning on or after January
17 1, 2008."

STRUYK of Pottawattamie

H-1339

1 Amend House File 786 as follows:

2 1. By striking everything after the enacting
3 clause and inserting the following:

4 "Section 1. NEW SECTION. 626D.1 TITLE.

5 This chapter shall be cited as the "Recognition and
6 Enforcement of Tribal Court Civil Judgments Act".

7 Sec. 2. NEW SECTION. 626D.3 DEFINITIONS.

8 As used in this chapter:

9 1. "Tribal court" means any court of any Indian
10 tribe which is federally recognized by the United
11 States department of interior, bureau of Indian
12 affairs as a recognized Indian tribal entity. A
13 "tribal court" must be a court of record.

14 2. "Tribal judgment, order, or decree" means any
15 final written judgment, order, or decree of a tribal
16 court of record duly authenticated in accordance with
17 the laws and procedures of the tribe or tribal court
18 of record and in accordance with this chapter.

19 Sec. 3. NEW SECTION. 626D.4 FILING PROCEDURES.

20 1. A copy of any tribal judgment, order, or decree
21 may be filed in the office of the clerk of court in
22 any county in this state.

23 2. The person filing the tribal judgment, order,
24 or decree shall make and file with the clerk of court
25 an affidavit setting forth the name and last known
26 address of the party seeking enforcement and the
27 responding party. Upon the filing of the tribal
28 judgment, order, or decree, and accompanying
29 affidavit, the enforcing party shall serve upon the
30 responding party a notice of filing of the tribal
31 judgment, order, or decree together with a copy of the
32 judgment, order, or decree in accordance with rule
33 1.442 of the Iowa rules of civil procedure. The
34 enforcing party shall file proof of service or mailing
35 with the clerk of court. The notice of filing shall
36 include the name and address of the enforcing party
37 and the enforcing party's attorney, if any, and shall
38 include the text contained in sections 626D.5 and
39 626D.6.

40 Sec. 4. NEW SECTION. 626D.5 RESPONSES.

41 Any objection to the enforcement of a tribal
42 judgment, order, or decree shall be filed within
43 thirty days of receipt of the mailing of the notice of

44 filing the judgment, order, or decree. If an
45 objection is filed within such time period, the court
46 shall set a time period for a formal response to the
47 objection and shall set the matter for hearing.
48 Sec. 5. NEW SECTION. 626D.6 RECOGNITION OF
49 TRIBAL JUDGMENTS.
50 .1. Unless objected to pursuant to section 626D.5,

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1 a tribal judgment, order, or decree shall be
2 recognized and enforced by the courts of this state to
3 the same extent and with the same effect as any
4 judgment, order, or decree of a court of this state.

5 2. If no objections are timely filed, the clerk
6 shall issue a certification that no objections were
7 timely filed and the tribal judgment, order, or decree
8 shall be enforceable in the same manner as if issued
9 by a valid court of this state.

10 3. A tribal judgment, order, or decree shall not
11 be recognized and enforced if the objecting party
12 demonstrates by a preponderance of the evidence at
13 least one of the following:

14 a. The tribal court did not have personal or
15 subject matter jurisdiction.

16 b. The defendant was not afforded due process.

17 4. The court may recognize and enforce a tribal
18 judgment, order, or decree on equitable grounds. The
19 court may decline to recognize and enforce a tribal
20 judgment, order, or decree for any of the following
21 reasons:

22 a. The tribal judgment, order, or decree was
23 obtained by fraud, duress, or coercion.

24 b. The tribal judgment, order, or decree conflicts
25 with another final judgment, order, or decree that is
26 entitled to recognition in this state.

27 c. The tribal judgment, order, or decree is
28 inconsistent with the parties' contractual choice of
29 forum.

30 d. The tribal court does not grant full faith and
31 credit to a judgment, order, or decree of a court of
32 this state.

33 e. Recognition of the tribal judgment, order, or
34 decree or the cause of action or defense upon which
35 the tribal judgment, order, or decree is based is
36 against the public policy of the United States or this
37 state.

38 Sec. 6. NEW SECTION. 626D.7 STAY.

39 If the objecting party demonstrates to the court
40 that an appeal from the tribal judgment, order, or
41 decree is pending or will be taken or that a stay of
42 execution has been granted, the court shall stay

43 enforcement of the tribal judgment, order, or decree
 44 until the appeal is concluded, the time for appeal
 45 expires, or the stay of execution expires or is
 46 vacated.
 47 Sec. 7. NEW SECTION. 626D.8 CONTACTING COURTS.
 48 The district court, after notice to the parties,
 49 may attempt to resolve any issues raised regarding a
 50 tribal court judgment, order, or decree pursuant to

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1 section 626D.4 or 626D.6, by contacting the tribal
 2 court judge who issued the judgment.
 3 Sec. 8. NEW SECTION. 626D.9 APPLICABILITY.
 4 1. This chapter shall govern the procedures for
 5 the recognition and enforcement by the courts of this
 6 state of a civil judgment, order, or decree issued by
 7 a tribal court of any federally recognized Indian
 8 tribe. This chapter does not apply to tribal
 9 judgments, orders, or decrees for which federal law
 10 requires that states grant full faith and credit
 11 recognition or for which state law mandates different
 12 treatment.
 13 2. A tribal court judgment may be recognized and
 14 enforced pursuant to this chapter only if the
 15 underlying cause of action accrued on or after the
 16 effective date of this Act. The date of accrual shall
 17 be determined by the laws of this state.
 18 3. This chapter shall not be deemed or construed
 19 to expand or limit the jurisdiction of either this
 20 state or any Indian tribe."
 21 2. By renumbering as necessary.

STRUYK of Pottawattamie

H-1340

1 Amend Senate File 413, as passed by the Senate, as
 2 follows:
 3 1. Page 4, by inserting after line 22 the
 4 following:
 5 "Sec.____. Section 441.43, Code 2007, is amended
 6 to read as follows:
 7 441.43 POWER OF COURT.
 8 1. Upon trial of any appeal from the action of the
 9 board of review or of the property assessment appeal
 10 board fixing the amount of assessment upon any
 11 property concerning which complaint is made, the court
 12 may increase, decrease, or affirm the amount of the
 13 assessment appealed from.
 14 2. a. If the appeal involves an assessment of
 15 property classified as residential or agricultural and

- 16 the appeal is from a decision of the local board of
 17 review and the court determines that the valuation
 18 appealed from is one hundred ten percent of the amount
 19 of assessment determined by the court, the court shall
 20 assess the costs incurred by the taxpayer, including
 21 attorney fees, against the office of assessor.
 22 b. If the appeal involves an assessment of
 23 property classified as commercial or industrial and
 24 the appeal is from a decision of the local board of
 25 review and the court determines that the valuation
 26 appealed from is one hundred twenty percent of the
 27 amount of assessment determined by the court, the
 28 court shall assess the costs incurred by the taxpayer,
 29 including attorney fees, against the office of
 30 assessor."
 31 2. Title page, line 1, by inserting after the
 32 words "An Act" the following: "relating to fees and
 33 costs mandated by the state by modifying the method
 34 for assessing certain court costs in appeals to
 35 district court and by".
 36 3. By renumbering as necessary.

PAULSEN of Linn

H-1341

- 1 Amend Senate File 413, as passed by the Senate, as
 2 follows:
 3 1. Page 2, line 27, by inserting after the word
 4 "fee" the following: ", a copy of the notice sent to
 5 nonmembers of the employee organization about the fair
 6 share fee,".
 7 2. Page 2, line 28, by inserting after the word
 8 "fee." the following: "By February 1 of each year,
 9 the labor commissioner shall post a copy of all fair
 10 share fee notices received by the commissioner in the
 11 previous calendar year on an internet website
 12 maintained by the department of workforce
 13 development."
 14 3. Page 3, line 32, by inserting after the word
 15 "amount." the following: "The notice shall include
 16 but is not limited to all of the following
 17 information:
 18 (1) The total amount of dues collected by the
 19 employee organization during the previous twelve
 20 calendar months.
 21 (2) The total amount of fair share fees collected
 22 by the employee organization during the previous
 23 twelve calendar months.
 24 (3) The total amount spent by the employee
 25 organization on social events and entertainment during
 26 the previous twelve calendar months.

- 27 (4) The total amount spent by the employee
 28 organization on lobbying during the previous twelve
 29 calendar months.
 30 (5) The total amount spent by the employee
 31 organization on voter registration training during the
 32 previous twelve calendar months.
 33 (6) The total amount spent by the employee
 34 organization on efforts to increase voting during the
 35 previous twelve calendar months.
 36 (7) The total amount spent by the employee
 37 organization on political campaigns during the
 38 previous twelve calendar months.
 39 (8) The total amount spent by the employee
 40 organization on supporting or contributing to
 41 charitable organizations during the previous twelve
 42 calendar months.
 43 (9) The total amount spent by the employee
 44 organization on supporting or contributing to
 45 religious or other ideological causes during the
 46 previous twelve calendar months.
 47 (10) The expiration date of the collective
 48 bargaining agreement applicable to the nonmember.
 49 (11) The date of the next election of officers or
 50 other elected officials of the employee organization."

Page 2

- 1 4. By renumbering as necessary.

PAULSEN of Linn

H-1343

- 1 Amend House File 779 as follows:
 2 1. Page 2, by striking lines 23 through 32 and
 3 inserting the following:
 4 "Sec. ____ CONTINGENT EFFECTIVE DATE. The
 5 sections of this Act amending sections 299.1A and
 6 299.2 take effect July 1, 2008, if, by July 1, 2008,
 7 the general assembly appropriates or identifies
 8 existing state funds sufficient to provide students
 9 who would otherwise have dropped out of school with
 10 the educational, economic, human services, or other
 11 services and supports necessary to assist the students
 12 to remain in school and graduate. The legislative
 13 services agency shall notify the Code editor if, by
 14 July 1, 2008, the general assembly appropriates or
 15 identifies existing state funds sufficient to meet the
 16 requirements of this section."
 17 2. By renumbering as necessary.

TYMESON of Madison

H-1344

- 1 Amend Senate File 413, as passed by the Senate, as
 2 follows:
 3 1. Page 2, line 8, by inserting after the word
 4 "organization" the following: "for a particular
 5 bargaining unit".
 6 2. Page 2, line 10, by inserting after the word
 7 "organization" the following: "for that particular
 8 bargaining unit".
 9 3. Page 2, line 11, by inserting after the word
 10 "agreement" the following: "by that particular
 11 bargaining unit".
 12 4. Page 2, line 15, by inserting after the word
 13 "organization." the following: "A fair share fee
 14 contained in a collective bargaining agreement shall
 15 not be collected unless the agreement is applicable
 16 only to a particular bargaining unit."

STRUYK of Pottawattamie

H-1345

- 1 Amend Senate File 413, as passed by the Senate, as
 2 follows:
 3 1. Page 1, by inserting after line 17 the
 4 following:
 5 "Sec. Section 20.8, Code 2007, is amended by
 6 adding the following new unnumbered paragraph:
 7 **NEW UNNUMBERED PARAGRAPH.** It shall be unlawful for
 8 any person, firm, association, or corporation to
 9 coerce, intimidate, threaten, or interfere with the
 10 right of any person to refuse to join or affiliate
 11 with an employee organization."
 12 2. Title page, line 1, by inserting after the
 13 words "An Act" the following: "relating to public
 14 sector labor union membership and by".
 15 3. By renumbering as necessary.

TYMESON of Madison

H-1346

- 1 Amend Senate File 413, as passed by the Senate, as
 2 follows:
 3 1. Page 4, by inserting after line 14 the
 4 following:
 5 "f. Provides, in the collective bargaining
 6 agreement, that financial records of the employee
 7 organization shall be made available to any person
 8 upon submitting to the board a petition signed by at
 9 least twenty-five interested persons requesting the

10 records."

11 2. By renumbering as necessary.

STRUYK of Pottawattamie

H-1347

1 Amend Senate File 413, as passed by the Senate, as
2 follows:

3 1. Page 1, by inserting before line 1 the
4 following:

5 "Section 1. Section 20.3, Code 2007, is amended by
6 adding the following new subsection:
7 NEW SUBSECTION. 1A. "Bargaining unit" means only
8 those employees in a particular class of employees who
9 have opted to be represented by an employee
10 organization."

11 2. Page 1, by inserting after line 17 the
12 following:

13 "Sec.____. Section 20.8, Code 2007, is amended by
14 adding the following new subsection:
15 NEW SUBSECTION. 5. Opt to be represented by an
16 employee organization by written notice to the
17 employee organization and the public employer."

18 3. Page 4, by inserting after line 22 the
19 following:

20 "Sec.____. Section 20.10, subsection 3, Code 2007,
21 is amended by adding the following new paragraph:
22 NEW PARAGRAPH. j. Represent, as an employee
23 organization, employees who are not members of the
24 employee organization."

25 4. Title page, line 1, by striking the words
26 "relating to" and inserting the following: "and".

27 5. By renumbering as necessary.

VAN FOSSEN of Scott

H-1348

1 Amend Senate File 413, as passed by the Senate, as
2 follows:

3 1. Page 4, by inserting after line 22 the
4 following:

5 "Sec.____. Section 20.15, subsection 1, Code 2007,
6 is amended to read as follows:

7 1. Upon the filing of a petition for certification
8 of an employee organization, the board shall submit a
9 question to the public employees at ~~an~~ a public
10 election in an appropriate bargaining unit. The
11 question ~~on the ballot presented at the public~~
12 election shall permit the public employees to vote for
13 no bargaining representation or for any employee
14 organization which has petitioned for certification or

15 which has presented proof satisfactory to the board of
 16 support of ten percent or more of the public employees
 17 in the appropriate unit. The public election shall be
 18 conducted by secret ballot."

19 2. Title page, line 1, by striking the words
 20 "relating to" and inserting the following: "and".

21 3. By renumbering as necessary.

WATTS of Dallas

H-1349

1 Amend House File 796 as follows:

2 1. Page 1, by inserting before line 1 the
 3 following:

4 "Section 1. Section 123.46, Code 2007, is amended
 5 by adding the following new subsection:
 6 NEW SUBSECTION. 3A. If a person under the age of
 7 eighteen commits a violation of this section, the
 8 matter shall be disposed of in the manner provided in
 9 chapter 232.

10 Sec. 2. Section 123.46, subsection 4, Code 2007,
 11 is amended to read as follows:

12 4. a. A peace officer shall make a reasonable
 13 effort to identify a person under the age of eighteen
 14 who violates this section and, ~~if the person is not~~
 15 ~~referred to juvenile court, the law enforcement agency~~
 16 ~~of which the peace officer is an employee shall make a~~
 17 ~~reasonable attempt to notify the person's custodial~~
 18 ~~parent, or legal guardian, or custodian of the~~
 19 ~~violation, whether or not the person is taken into~~
 20 ~~custody, unless the officer has reasonable grounds to~~
 21 ~~believe that notification is not in the best interests~~
 22 ~~of the person or will endanger that person pursuant to~~
 23 section 232.19, subsection 2.

24 b. The peace officer shall also make a reasonable
 25 effort to identify the elementary or secondary school
 26 which the person attends if the person is enrolled in
 27 elementary or secondary school and to notify the
 28 superintendent or the superintendent's designee of the
 29 school which the person attends, or the authorities in
 30 charge of the nonpublic school which the person
 31 attends, of the violation. ~~If the person is taken~~
 32 ~~into custody, the~~ The peace officer shall notify a
 33 juvenile court officer who shall make a reasonable
 34 effort to identify the elementary or secondary school
 35 the person attends, if any, and to notify the
 36 superintendent of the school district or the
 37 superintendent's designee, or the authorities in
 38 charge of the nonpublic school, of the violation. A
 39 reasonable attempt to notify the person includes, but
 40 is not limited to, a telephone call or notice by

41 first-class mail."

42 2. Page 1, by inserting after line 27 the
43 following:

44 "Sec.____. Section 123.47, subsection 3, paragraph
45 c, Code 2007, is amended to read as follows:

46 c. If ~~the a person who~~ under the age of eighteen
47 ~~commits a violation of this section is under the age~~
48 ~~of eighteen~~, the matter shall be disposed of in the
49 manner provided in chapter 232."

50 3. Page 2, by inserting after line 2 the

Page 2

1 following:

2 "Sec.____. Section 123.47B, Code 2007, is amended
3 to read as follows:

4 123.47B PARENTAL AND SCHOOL NOTIFICATION –
5 PERSONS UNDER EIGHTEEN YEARS OF AGE.

6 1. A peace officer shall make a reasonable effort
7 to identify a person under the age of eighteen
8 discovered to be in possession of alcoholic liquor,
9 wine, or beer in violation of section 123.47 and if
10 ~~the person is not referred to juvenile court, the law~~
11 ~~enforcement agency of which the peace officer is an~~
12 ~~employee shall make a reasonable attempt to notify the~~
13 ~~person's custodial parent, or legal guardian, or~~
14 ~~custodian~~ of such possession, ~~whether or not the~~
15 ~~person is arrested or a citation is issued pursuant to~~
16 ~~section 305.16, unless the officer has reasonable~~
17 ~~grounds to believe that such notification is not in~~
18 ~~the best interests of the person or will endanger that~~
19 ~~person pursuant to section 232.19, subsection 2.~~

20 2. The peace officer shall also make a reasonable
21 effort to identify the elementary or secondary school
22 which the person attends if the person is enrolled in
23 elementary or secondary school and to notify the
24 superintendent or the superintendent's designee of the
25 school which the person attends, or the authorities in
26 charge of the nonpublic school which the person
27 attends, of the possession. ~~If the person is taken~~
28 ~~into custody, the~~ The peace officer shall notify a
29 juvenile court officer who shall make a reasonable
30 effort to identify the elementary or secondary school
31 the person attends, if any, and to notify the
32 superintendent of the school district or the
33 superintendent's designee, or the authorities in
34 charge of the nonpublic school, of the taking into
35 custody. A reasonable attempt to notify the person
36 includes but is not limited to a telephone call or
37 notice by first-class mail.

38 Sec.____. Section 232.8, subsection 1, paragraph
39 b, Code 2007, is amended to read as follows:

40 b. ~~Violations~~ Except for violations by a child of
41 section 321.284 or 321.284A, violations by a child of
42 provisions of chapter 321, 321G, 321I, 453A, 461A,
43 461B, 462A, 481A, 481B, 483A, 484A, or 484B, which
44 would be simple misdemeanors if committed by an adult,
45 and violations by a child of county or municipal
46 curfew or traffic ordinances, are excluded from the
47 jurisdiction of the juvenile court and shall be
48 prosecuted as simple misdemeanors as provided by law.
49 A child convicted of a violation excluded from the
50 jurisdiction of the juvenile court under this

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1 paragraph shall be sentenced pursuant to section
2 805.8, where applicable, and pursuant to section
3 903.1, subsection 3, for all other violations.

4 Sec. ____ Section 321.284, Code 2007, is amended
5 to read as follows:

6 321.284 OPEN CONTAINERS IN MOTOR VEHICLES –
7 DRIVERS.

8 1. A driver of a motor vehicle upon a public
9 street or highway shall not possess in the passenger
10 area of the motor vehicle an open or unsealed bottle,
11 can, jar, or other receptacle containing an alcoholic
12 beverage. "Passenger area" means the area designed to
13 seat the driver and passengers while the motor vehicle
14 is in operation and any area that is readily
15 accessible to the driver or a passenger while in their
16 seating positions, including the glove compartment.
17 An open or unsealed receptacle containing an alcoholic
18 beverage may be transported in the trunk of the motor
19 vehicle. An unsealed receptacle containing an
20 alcoholic beverage may be transported behind the last
21 upright seat of the motor vehicle if the motor vehicle
22 does not have a trunk. A person convicted of a
23 violation of this section is guilty of a simple
24 misdemeanor punishable as a scheduled violation under
25 section 805.8A, subsection 14, paragraph "e".

26 2. If a person under the age of eighteen commits a
27 violation of this section, the matter shall be
28 disposed of in the manner provided in chapter 232.

29 Sec. ____ Section 321.284A, Code 2007, is amended
30 by adding the following new subsection:

31 NEW SUBSECTION. 5. If a person under the age of
32 eighteen commits a violation of this section, the
33 matter shall be disposed of in the manner provided in
34 chapter 232.

35 Sec. ____ Section 805.8A, subsection 14, paragraph
36 e, Code 2007, is amended to read as follows:

37 e. OPEN CONTAINER VIOLATIONS. For violations
38 under sections 321.284 and 321.284A, the scheduled

39 fine is one hundred dollars. This paragraph shall not
 40 apply to a person under the age of eighteen who
 41 commits a violation under section 321.284 or 321.284A.

42 Sec.____. Section 805.8C, subsection 7, Code 2007,
 43 is amended to read as follows:

44 7. ALCOHOLIC BEVERAGE VIOLATIONS BY PERSONS UNDER

45 LEGAL AGE. For first offense violations of section
 46 123.47, subsection 3, the scheduled fine is two
 47 hundred dollars. This subsection shall not apply to a
 48 person under the age of eighteen who commits a
 49 violation of section 123.47.

50 Sec.____. Section 805.16, subsection 1, Code 2007,

Page 4

1 is amended to read as follows:

2 1. Except as provided in this subsection and in
 3 subsection 2 of this section, a peace officer shall
 4 issue a police citation or uniform citation and
 5 complaint, in lieu of making a warrantless arrest, to
 6 a person under eighteen years of age accused of
 7 committing a simple misdemeanor under chapter 321,
 8 321G, 321I, 461A, 461B, 462A, 481A, 481B, 483A, 484A,
 9 484B, or a local ordinance not subject to the
 10 jurisdiction of the juvenile court, and shall not
 11 detain or confine the person in a facility regulated
 12 under chapter 356 or 356A. This subsection shall not
 13 apply to a person under the age of eighteen for
 14 violations of section 123.46, 123.47, 321.284, or
 15 321.284A."

16 4. Title page, by striking line 2 and inserting
 17 the following: "beverage by minors and persons under
 18 legal age and providing a".

19 5. By renumbering as necessary.

ALONS of Sioux

H-1350

1 Amend the amendment, H-1298, to House File 749, as
 2 follows:

3 1. Page 1, by inserting after line 9 the
 4 following:

5 "9. Gold star special plates issued pursuant to
 6 section 321.34, subsection 24."

7 2. Page 3, by inserting after line 25 the
 8 following:

9 "Sec.____. Section 321.34, Code 2007, is amended
 10 by adding the following new subsection:

11 **NEW SUBSECTION. 24. GOLD STAR PLATES.**

12 a. An owner referred to in subsection 12 who is
 13 the surviving spouse or a surviving parent of a
 14 deceased veteran who died while serving on active duty

15 in the United States armed forces may order special
16 registration plates bearing a gold star emblem upon
17 written application to the department accompanied by
18 satisfactory supporting documentation as determined by
19 the department.

20 b. The gold star emblem shall be designed by the
21 department in consultation with the commission of
22 veterans affairs.

23 c. The special fee for letter number designated
24 gold star plates is twenty-five dollars. The fee for
25 personalized gold star plates is twenty-five dollars,
26 which shall be paid in addition to the special gold
27 star fee of twenty-five dollars. The fees collected
28 by the director under this subsection shall be paid
29 monthly to the treasurer of state and credited to the
30 road use tax fund. Notwithstanding section 423.43,
31 and prior to the crediting of revenues to the road use
32 tax fund under section 423.43, subsection 1, paragraph
33 "b", the treasurer of state shall transfer monthly
34 from those revenues to the veterans license fee fund
35 created in section 35A.11 the amount of the special
36 fees collected in the previous month for the gold star
37 plates. Notwithstanding section 8.33, moneys
38 transferred under this subsection shall not revert to
39 the general fund of the state.

40 d. Upon receipt of the special registration
41 plates, the applicant shall surrender the current
42 registration plates to the county treasurer. The
43 county treasurer shall validate the special
44 registration plates in the same manner as regular
45 registration plates are validated under this section.
46 The annual special gold star fee for letter number
47 designated plates is five dollars, which shall be paid
48 in addition to the regular annual registration fee.
49 The annual special fee for personalized plates is five
50 dollars, which shall be paid in addition to the annual

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1 special gold star fee and the regular annual
2 registration fee. The annual special gold star fee
3 shall be credited and transferred as provided under
4 paragraph "c".

5 3. Page 4, line 10, by striking the word and
6 figures "7 and 8" and inserting the following: "7, 8,
7 and 9".

8 4. Page 4, by inserting after line 12 the
9 following:

10 "c. The section of this Act amending section
11 321.34 by adding new subsection 24 creating a special

- 12 gold star registration plate."
13 5. By renumbering as necessary.

MAY of Dickinson
HEDDENS of Story

H-1351

- 1 Amend House File 580 as follows:
2 1. Page 1, by striking lines 16 through 19 and
3 inserting the following: "vote for the candidate."
4 2. By renumbering as necessary.

STRUYK of Pottawattamie

H-1352

- 1 Amend Senate File 413, as passed by the Senate, as
2 follows:
3 1. Page 1, by inserting before line 1 the
4 following:
5 "Section 1. Section 20.3, Code 2007, is amended by
6 adding the following new subsection:
7 NEW SUBSECTION. 1A. "Bargaining unit" means only
8 those employees in a particular class of employees who
9 have not declared themselves a free agent employee."
10 2. Page 1, by inserting after line 11 the
11 following:
12 "Sec. ____ Section 20.3, Code 2007, is amended by
13 adding the following new subsection:
14 NEW SUBSECTION. 5B. "Free agent employee" means a
15 public employee who has signed a release declaring
16 that the employee will not be represented by an
17 employee organization and that the employee
18 understands that signing the release waives any claim
19 or right to representation by that employee
20 organization."
21 3. Page 1, by inserting after line 17 the
22 following:
23 "Sec. ____ Section 20.8, Code 2007, is amended by
24 adding the following new subsection:
25 NEW SUBSECTION. 5. Declare themselves a free
26 agent employee."
27 4. Title page, line 1, by striking the words
28 "relating to" and inserting the following: "and".
29 5. By renumbering as necessary.

WATTS of Dallas

H-1353

- 1 Amend House File 582 as follows:
2 1. Page 1, by inserting before line 1 the

3 following:

4 "Section 1. Section 321.40, Code 2007, is amended

5 to read as follows:

6 321.40 APPLICATION FOR RENEWAL – NOTIFICATION –
7 REASONS FOR REFUSAL.

8 1. Application for renewal of a vehicle
9 registration shall be made on or after the first day
10 of the month prior to the month of expiration of
11 registration and up to and including the last day of
12 the month following the month of expiration of
13 registration. The registration shall be renewed upon
14 payment of the appropriate registration fee.
15 Application for renewal for a vehicle registered under
16 chapter 326 shall be made on or after the first day of
17 the month of expiration of registration and up to and
18 including the last day of the month following the
19 month of expiration of registration.

20 2. On or before the fifteenth day of the eleventh
21 month of a vehicle's registration year, the department
22 shall create an electronic file and the county
23 treasurer shall send a statement of fees due to the
24 appropriate owner of record. After the department has
25 generated the electronic file used to produce
26 statements for a registration month, and before the
27 fifteenth day of the month following expiration of a
28 vehicle's registration year, the department shall
29 create a subsequent electronic file and the county
30 treasurer shall send a statement of fees due to the
31 appropriate owner of record for any vehicle
32 subsequently registered for that registration month.
33 The statement shall be mailed or electronically
34 transmitted to the most current address of record,
35 showing information sufficient to identify the vehicle
36 and a listing of the various fees as appropriate.

37 Failure to receive a statement shall have no effect
38 upon the accrual of penalty at the appropriate date.
39 3. Registration receipts issued for renewals shall
40 have the word "renewal" imprinted thereon and, if the
41 owner making a renewal application has been issued a
42 certificate of title, the title number shall appear on
43 the registration receipt. All registration receipts
44 for renewals shall be typewritten or printed by other
45 mechanical means. The applicant shall receive a
46 registration receipt.

47 4. The county treasurer shall refuse to renew the
48 registration of a vehicle registered to a person when
49 notified by the department through the distributed
50 teleprocessing network that the person has not paid

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1 restitution as defined under section 910.1, subsection

2 4, to a clerk of the court located within the state.
3 Each clerk of court shall, on a daily basis, notify
4 the department through the Iowa court information
5 system of the full name and social security number of
6 all persons who owe delinquent restitution and whose
7 restitution obligation has been satisfied or canceled.
8 This paragraph subsection does not apply to the
9 transfer of a registration or the issuance of a new
10 registration.

11 5. The county treasurer shall refuse to renew the
12 registration of a vehicle registered to the applicant
13 for renewal of registration if the applicant has
14 failed to pay any local vehicle taxes due in that
15 county on that vehicle or any other vehicle owned or
16 previously owned by the applicant until such local
17 vehicle taxes are paid.

18 6. The county treasurer shall refuse to renew the
19 registration of a vehicle registered to the applicant
20 if the county treasurer knows that the applicant has a
21 delinquent account, charge, fee, loan, taxes, or other
22 indebtedness owed to or being collected by the state,
23 from information provided pursuant to sections 8A.504
24 and 421.17. An applicant may contest this action by
25 requesting a contested case proceeding from the agency
26 that referred the debt for collection pursuant to
27 section 8A.504.

28 7. The county treasurer may refuse to renew the
29 registration of a vehicle registered to the applicant
30 if the county treasurer knows, from information
31 provided through the county system, that the person
32 owns a mobile home or manufactured home with
33 delinquent tax owed to a county pursuant to chapter
34 435.

35 If the county treasurer refuses to renew the
36 applicant's registration, the county treasurer of the
37 county where renewal of registration is applied for
38 shall collect the delinquent tax for the county where
39 the mobile home or manufactured home is located. Upon
40 payment of the required amount for the delinquent tax
41 including applicable fees and penalties, an
42 administrative fee as provided in section 331.557,
43 subsection 3A, and the registration fee, the county
44 treasurer shall issue the registration to the person.
45 The county treasurer shall cancel the registration
46 restriction for the person for each mobile or
47 manufactured home parcel sold at tax sale pursuant to
48 chapter 446, except for those mobile or manufactured
49 home parcels sold at tax sale pursuant to section
50 446.18. The county treasurer shall cancel the

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1 registration restriction for the person for each tax
2 sale certificate of title issued pursuant to section
3 435.25. The county treasurer to whom the delinquent
4 taxes are paid shall update vehicle records to remove
5 registration restrictions that have been satisfied or
6 canceled by the county treasurer.
7 8. In addition to all other remedies and
8 proceedings provided by law for the collection of
9 taxes, the county treasurer may refuse to renew the
10 registration of a vehicle registered to the applicant
11 if the county treasurer knows, from information
12 provided through the county system, that the person is
13 the owner of record of a building or improvement with
14 delinquent tax owed to a county and the owner of the
15 building or improvement is a person other than the
16 owner of the land on which the building or improvement
17 is located.

18 If the county treasurer refuses to renew the
19 applicant's registration, the county treasurer of the
20 county where renewal of registration is applied for
21 shall collect the delinquent tax for the county where
22 the building or improvement is located. Upon payment
23 of the required amount for the delinquent tax
24 including applicable fees and penalties, an
25 administrative fee as provided in section 331.557,
26 subsection 3A, and the registration fee, the county
27 treasurer shall issue the registration to the person.
28 The county treasurer to whom the delinquent taxes are
29 paid shall update vehicle records to remove
30 registration restrictions that have been satisfied or
31 canceled by the county treasurer.

32 9. When application is made for the renewal of a
33 motor vehicle registration on or after December 1,
34 1982, the person in whose name the registration is
35 recorded shall notify the county treasurer of the type
36 of fuel used by the vehicle if the type of fuel used
37 is different from that which is shown on the
38 registration receipt. If a motor vehicle registration
39 indicates that the vehicle uses or may use a special
40 fuel as defined in chapter 452A the county treasurer
41 shall issue a special fuel user identification
42 sticker. The person who owns or controls the vehicle
43 shall affix the sticker in a prominent place on the
44 vehicle adjacent to the place where the special fuel
45 is delivered into the motor vehicle fuel supply tank."

46 2. Page 1, by inserting after line 28 the
47 following:

48 "Sec.____. Section 331.557, Code 2007, is amended
49 by adding the following new subsection:

50 NEW SUBSECTION. 3A. Charge an administrative fee

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1 for taxes collected by the treasurer from a person
 2 applying for renewal of a vehicle registration
 3 pursuant to section 321.40, subsections 7 and 8. This
 4 amount shall be added to the total amount due,
 5 collected at the time of payment from the payor, and
 6 credited to the county general fund."

7 3. Title page, line 1, by inserting after the
 8 words "relating to" the following: "registration of
 9 and certificates of title for certain vehicles,
 10 including".

11 4. Title page, line 2, by inserting after the
 12 word "vessel" the following: "and the collection of
 13 certain delinquent property taxes in conjunction with
 14 the registration of a motor vehicle".

15 5. By renumbering as necessary.

ALONS of Sioux

H-1357

1 Amend House File 790 as follows:

2 1. Page 4, by inserting after line 11 the
 3 following:

4 "DIVISION III

5 UNIFORM BILLING CODES

6 Sec. __. Section 217.41A, subsection 3, Code
 7 2007, is amended by adding the following new
 8 paragraph:

9 NEW PARAGRAPH. d. By January 1, 2008, make
 10 recommendations to the commissioner of insurance
 11 regarding uniform billing codes for insurers in the
 12 state. The commissioner of insurance shall consult
 13 with the director of human services and the director
 14 of public health to determine the billing codes to be
 15 used and shall direct insurers to implement the
 16 uniform billing code by January 1, 2009.

17 Sec. __. NEW SECTION. 505.31 UNIFORM BILLING
 18 CODES.

19 The commissioner of insurance, in consultation with
 20 the director of human services and the director of
 21 public health, shall consider the recommendation of
 22 the electronic health records system task force
 23 pursuant to section 217.41A regarding the use of
 24 uniform billing codes for insurers and shall make a
 25 determination by April 1, 2008, regarding the billing
 26 codes to be utilized. Use of the uniform billing
 27 codes selected shall be implemented by January 1,
 28 2009."

29 2. Page 4, line 12, by striking the figure "III"
 30 and inserting the following: "IV".

- 31 3. Title page, line 2, by inserting after the
 32 word "initiatives," the following: "providing for
 33 utilization of uniform billing codes,".
 34 4. By renumbering as necessary.

UPMEYER of Hancock

H-1358

- 1 Amend the amendment, H-1336, to Senate File 413, as
 2 passed by the Senate, as follows:
 3 1. Page 1, line 4, by inserting before the word
 4 "diversity" the following: "multicultural".

UPMEYER of Hancock

H-1359

- 1 Amend the amendment, H-1355, to House File 793 as
 2 follows:
 3 1. Page 1, by striking lines 2 through 4 and
 4 inserting the following:
 5 " ____ Page 14, by striking lines 20 through 35.
 6 ____ By striking page 15, line 10, through page
 7 17, line 14.
 8 ____ Page 25, by striking lines 2 through 8.
 9 ____ Page 25, by striking lines 24 through 27.
 10 ____ Title page, by striking lines 13 through 16
 11 and inserting the following: "the maximum length
 12 limitation for single trucks, and disposition of
 13 regional transit district"."
 14 2. By renumbering as necessary.

HUSER of Polk

H-1360

- 1 Amend the amendment, H-1354, to House File 793 as
 2 follows:
 3 1. Page 3, by inserting after line 4 the
 4 following:
 5 " ____ Page 17, by inserting before line 15 the
 6 following:
 7 "Sec. ____ Section 321E.12, Code 2007, is amended
 8 to read as follows:
 9 321E.12 REGISTRATION MUST BE CONSISTENT.
 10 A vehicle traveling under permit shall be properly
 11 registered for the gross weight of the vehicle and
 12 load. A trip permit issued according to section
 13 326.23 shall not be used in lieu of the registration
 14 provided for in this section. A person owning special
 15 mobile equipment may use a transport vehicle

16 registered for the gross weight of the transport
 17 without a load. Vehicles, while being used for the
 18 transportation of buildings, except mobile homes and
 19 factory-built structures, or for the transportation of
 20 power grid equipment, including transformers used for
 21 the bulk transfer of electrical power, may be
 22 registered for the combined gross weight of the
 23 vehicle and load on a single-trip basis. The fee is
 24 five cents per ton exceeding the weight registered
 25 under section 321.122 per mile of travel. Fees shall
 26 not be prorated for fractions of miles. This
 27 provision does not exempt these vehicles from any
 28 other provision of this chapter.""
 29 2. Page 3, by inserting after line 19 the
 30 following:
 31 "____. Title page, line 12, by inserting after the
 32 word "liability," the following: "permits for the
 33 transportation of power grid equipment,"."
 34 3. By renumbering as necessary.

ALONS of Sioux

H-1362

1 Amend House File 774 as follows:
 2 1. Page 1, by inserting before line 1 the
 3 following:
 4 "Sec.____. Section 571.1A, subsection 3, Code
 5 2007, is amended to read as follows:
 6 3. "Harvesting services" means baling, chopping,
 7 combining, cutting, husking, picking, shelling,
 8 stacking, threshing, or ~~winnowing~~ windrowing a crop,
 9 regardless of the means or method employed.
 10 Sec.____. Section 571.3, subsection 2, Code 2007,
 11 is amended to read as follows:
 12 2. In order to perfect the lien, the harvester
 13 must file a financing statement in the office of the
 14 secretary of state as provided in section 554.9308
 15 within ~~ten~~ thirty days after the last date that the
 16 harvesting services were rendered. The financing
 17 statement shall meet the requirements of section
 18 554.9502, subsection 1, and include all applicable
 19 information described in section 554.9516. Filing a
 20 financing statement as provided in this subsection
 21 satisfies all requirements for perfection of an
 22 agricultural lien as provided in chapter 554, article
 23 9."
 24 2. Title page, by inserting after the word
 25 "mechanics" the following: "and agricultural".
 26 3. By renumbering as necessary.

ALONS of Sioux

H-1363

- 1 Amend House File 778 as follows:
- 2 1. Page 3, by inserting after line 26 the
- 3 following:
- 4 "3. Notwithstanding any provision to the contrary,
- 5 the state fair board and the county fair boards,
- 6 respectively, shall retain jurisdiction to adopt rules
- 7 regulating smoking on fairgrounds including fairground
- 8 buildings and equipment."
- 9 2. By renumbering as necessary.

TJEPKES of Webster

H-1364

- 1 Amend House File 778 as follows:
- 2 1. Page 3, by inserting after line 26, the
- 3 following:
- 4 "3. Notwithstanding any provision to the contrary,
- 5 the state, a city, or a county shall retain
- 6 jurisdiction to regulate smoking in government
- 7 buildings and on adjacent grounds over which the
- 8 state, city, or county has custody or control."

TJEPKES of Webster

H-1365

- 1 Amend House File 757 as follows:
- 2 1. Page 3, by inserting after line 8 the
- 3 following:
- 4 "Sec. . **NEW SECTION. 68A.408 CLEAN CAMPAIGN**
- 5 **PLEDGE PROGRAM - PENALTIES.**
- 6 1. The general assembly finds that political
- 7 campaigns increasingly disparage or denigrate an
- 8 opposing candidate for public office by making
- 9 personal attacks and making inflammatory or misleading
- 10 statements. The general assembly further finds that
- 11 such campaign tactics impede a full and fair
- 12 discussion of campaign issues and diminish the trust
- 13 and confidence of the public in the electoral process.
- 14 2. A clean campaign pledge program is created
- 15 under the administration of the board. The board
- 16 shall allow a candidate for public office to
- 17 participate in the program by electronically signing
- 18 the clean campaign pledge on the board's internet
- 19 website. The website shall also contain a database,
- 20 available to the public, of current candidates for
- 21 public office who have signed the pledge.
- 22 a. The clean campaign pledge shall be displayed on
- 23 the website and shall provide:

24 "I pledge to abide by an exemplary standard of
 25 conduct. During this campaign, I pledge to confine
 26 any criticism of my opponent to campaign issues and
 27 matters of public record and to avoid personal
 28 attacks. I pledge to refrain from using inciting or
 29 inflammatory language and from making misleading
 30 statements. I further pledge to promptly disavow any
 31 independent expenditure made on my behalf which
 32 violates the standards established in this pledge."
 33 b. When signed by the candidate the pledge is
 34 binding on both the candidate and the candidate's
 35 committee through the current election period or until
 36 specifically withdrawn by the candidate.
 37 c. The board shall develop a clean-campaign-pledge
 38 logogram which shall be available for use by a
 39 participating candidate in the candidate's campaign.
 40 3. A candidate for public office who alleges
 41 conduct in violation of a pledge made pursuant to this
 42 section may file a complaint with the board.
 43 The board shall give priority consideration to a
 44 complaint filed under this section over all other
 45 matters pending before the board. If the board
 46 determines that a violation of a pledge made pursuant
 47 to this section did occur, the board shall remove the
 48 candidate from the program, prohibit the candidate
 49 from any further use of the program logogram, and
 50 publicly reprimand the candidate for violation of a

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1 pledge made pursuant to this section. Other remedies
 2 set out in section 68B.32D or section 68A.701 do not
 3 apply to such violations.
 4 4. The board shall adopt rules as necessary to
 5 administer the clean campaign pledge program."
 6 2. Title page, line 2, by inserting after the
 7 word "candidates" the following: ", creating a clean
 8 campaign pledge program,".
 9 3. By renumbering as necessary.

D. OLSON of Boone

H-1366

1 Amend House File 804 as follows:
 2 1. Page 2, line 27, by striking the word "shall"
 3 and inserting the following: "are strongly encouraged
 4 to".

WENDT of Woodbury

H-1367

- 1 Amend House File 416 as follows:
 2 1. By striking everything after the enacting
 3 clause and inserting the following:
 4 "Section 1. CHILD CARE REIMBURSEMENT RATES. For
 5 the fiscal year beginning July 1, 2007, for child care
 6 providers reimbursed under the state child care
 7 assistance program, the department of human services
 8 shall set provider reimbursement rates based on the
 9 rate reimbursement survey completed in December 2006.
 10 The department shall set rates in a manner so as to
 11 provide incentives for a nonregistered provider to
 12 become registered."
 13 2. Title page, by striking lines 1 through 3 and
 14 inserting the following: "An Act revising the
 15 reimbursement requirements under the state child care
 16 assistance program for registered, unregistered, and
 17 licensed child care providers."
 18 3. By renumbering as necessary.

HEATON of Henry

H-1368

- 1 Amend the amendment, H-1141, to House File 416, as
 2 follows:
 3 1. By striking page 1, line 4, through page 2,
 4 line 43, and inserting the following:
 5 ""Section 1. CHILD CARE REIMBURSEMENT RATES. For
 6 the fiscal year beginning July 1, 2007, for child care
 7 providers reimbursed under the state child care
 8 assistance program, the department of human services
 9 shall set provider reimbursement rates based on the
 10 rate reimbursement survey completed in December 2006.
 11 The department shall set rates in a manner so as to
 12 provide incentives for a nonregistered provider to
 13 become registered.""
 14 2. Page 2, by striking lines 46 and 47 and
 15 inserting the following: "reimbursement requirements
 16 under the state child care assistance program for
 17 registered, unregistered, and licensed child care
 18 providers.""
 19 3. By renumbering as necessary.

HEATON of Henry

H-1369

- 1 Amend the amendment, H-1141, to House File 416 as
 2 follows:
 3 1. Page 1, by inserting after line 22 the

- 4 following:
- 5 "Sec. ____ Section 237A.1, Code 2007, is amended
- 6 by adding the following new subsection:
- 7 NEW SUBSECTION. 14A. "Relative" means an adult
- 8 person who is, or was at any time, one of the
- 9 following relatives of a child, by means of blood
- 10 relationship, marriage, or adoption, or is a spouse of
- 11 one of the following relatives:
- 12 a. Grandparent.
- 13 b. Great-grandparent.
- 14 c. Great-great-grandparent.
- 15 d. Stepparent, but not the parent of the
- 16 stepparent.
- 17 e. Sibling.
- 18 f. Stepsibling.
- 19 g. Sibling by at least the half blood.
- 20 h. Uncle or aunt by at least the half blood.
- 21 i. Great-uncle or great-aunt.
- 22 j. Great-great-uncle or great-great-aunt.
- 23 k. First cousin.
- 24 l. Nephew or niece.
- 25 m. Second cousin."
- 26 2. Page 1, line 29, by inserting after the word
- 27 "home." the following: "In addition, a relative who
- 28 provides child care to only related children or a
- 29 person providing child care to only children from a
- 30 single unrelated family is not required to register
- 31 under section 237A.3A."
- 32 3. Page 1, line 29, by striking the words "or
- 33 program" and inserting the following: "or, program,
- 34 or relative".
- 35 4. By renumbering as necessary.

FORRISTALL of Pottawattamie

H-1370

- 1 Amend House File 618 as follows:
- 2 1. Page 1, line 27, by striking the words
- 3 "election precinct" and inserting the following:
- 4 "precinct election".

T. TAYLOR of Linn

H-1376

- 1 Amend the amendment, H-1141, to House File 416, as
- 2 follows:
- 3 1. Page 1, line 25, by inserting after the word
- 4 "A" the following: "grandparent providing child care
- 5 to their own grandchildren or a".

- 6 2. Page 1, line 29, by striking the word "person"
7 and inserting the following: "grandparent, person,".

ROBERTS of Carroll

H-1377

- 1 Amend Senate File 358, as passed by the Senate, as
2 follows:
3 1. Page 2, line 25, by inserting after the word
4 "courses." the following: "The rules shall provide
5 that not more than ten percent of the amount of course
6 fees collected annually shall be used to reimburse the
7 Iowa independent automobile dealers association for
8 costs incurred by the association for the provision of
9 education courses."

ARNOLD of Lucas

H-1380

- 1 Amend House File 793 as follows:
2 1. Page 14, by striking lines 20 through 28.
3 2. By striking page 15, line 10, through page 17,
4 line 14.
5 3. Page 25, by striking lines 2 through 8.
6 4. Page 25, by striking lines 24 through 27.
7 5. Title page, by striking lines 14 through 16
8 and inserting the following: "length limitation for
9 single trucks, and disposition of regional transit
10 district".
11 6. By renumbering as necessary.

HUSER of Polk

H-1382

- 1 Amend House File 779 as follows:
2 1. Page 1, by striking lines 7 through 10 and
3 inserting the following: "if a child who is receiving'
4 competent private instruction in accordance with the
5 provisions of chapter 299A shall be considered to be
6 of compulsory attendance age if the child has reached
7 the age of six and is under sixteen years of age by
8 September 15. If a child enrolled in a school".
9 2. Page 1, line 12, by inserting after the word
10 "eighteen" the following: ", or sixteen if the child
11 is receiving competent private instruction,"."

WINCKLER of Scott

H-1383

- 1 Amend House File 618 as follows:
 2 1. Page 1, by inserting after line 35 the
 3 following:
 4 "_. No later than fourteen days after the date
 5 of the election, the commissioner shall report to the
 6 appropriate secondary school the following
 7 information:
 8 () The name of each student attending the
 9 school who served as a precinct election board member
 10 on election day.
 11 () The number of hours the student served as a
 12 precinct election board member.
 13 () The precinct number and polling place
 14 location where the student served as a precinct
 15 election board member.
 16 () The reason the commissioner chose the
 17 student to serve as a precinct election board member
 18 rather than an adult member of the precinct election
 19 board panel who is affiliated with a political party
 20 or an adult member of the precinct election board
 21 panel who is not affiliated with a political party.
 22 () Any other information the commissioner deems
 23 appropriate or that is requested by the school."
 24 2. By renumbering, redesignating, and correcting
 25 internal references as necessary.

JACOBS of Polk

H-1384

- 1 Amend the amendment, H-1141, to House File 416 as
 2 follows:
 3 1. Page 1, line 25 by striking the word "A" and
 4 inserting the following: "A An individual providing
 5 child care in a private residence to children who live
 6 in that residence or a".

GRANZOW of Hardin

H-1386

- 1 Amend Senate File 236, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 2, by inserting after line 15, the
 4 following:
 5 "Sec. ___. Section 142B.6, unnumbered paragraph 2,
 6 Code 2007, is amended to read as follows:
 7 Judicial magistrates shall hear and determine
 8 violations of this chapter. The civil penalties paid
 9 pursuant to this chapter shall be deposited in the

10 county treasury and shall be used for enforcement of
11 this chapter."

12 2. Page 3, by inserting after line 3, the
13 following:

14 "Sec. ____ Section 805.8C, subsection 3, paragraph
15 a, Code 2007, is amended to read as follows:

16 a. For violations of section 142B.6, the scheduled
17 fine is ~~twenty five~~ one hundred dollars, and is a
18 civil penalty, and the criminal penalty surcharge
19 under section 911.1 shall not be added to the penalty,
20 and the court costs pursuant to section 805.9,
21 subsection 6, shall not be imposed. If the civil
22 penalty assessed for a violation of section 142B.6 is
23 not paid in a timely manner, a citation shall be
24 issued for the violation in the manner provided in
25 section 804.1. However, a person under age eighteen
26 shall not be detained in a secure facility for failure
27 to pay the civil penalty. The complainant shall not
28 be charged a filing fee."

29 3. Title page, line 1, by inserting after the
30 word "smoking" the following: "providing funding for
31 enforcement, and increasing a penalty".

32 4. By renumbering as necessary.

HEATON of Henry

H-1387

1 Amend Senate File 236, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 3, by inserting after line 3, the
4 following:

5 "3. Notwithstanding any provision to the contrary,
6 the state, a city, or a county shall retain
7 jurisdiction to regulate smoking in government
8 buildings and on adjacent grounds over which the
9 state, city, or county has custody or control."

TJEPKES of Webster

H-1388

1 Amend House File 778 as follows:

2 1. Page 3, by inserting before line 5 the
3 following:

4 "Sec. ____ Section 142B.6, unnumbered paragraph 2,
5 Code 2007, is amended to read as follows:

6 Judicial magistrates shall hear and determine
7 violations of this chapter. The civil penalties paid
8 pursuant to this chapter shall be deposited in the
9 county treasury and shall be used for enforcement of
10 this chapter."

11 2. Page 3, by inserting after line 26, the
12 following:

13 "Sec. ____ Section 805.8C, subsection 3, paragraph

14 a, Code 2007, is amended to read as follows:

15 a. For violations of section 142B.6, the scheduled
16 fine is ~~twenty-five~~ one hundred dollars, and is a
17 civil penalty, and the criminal penalty surcharge
18 under section 911.1 shall not be added to the penalty,
19 and the court costs pursuant to section 805.9,
20 subsection 6, shall not be imposed. If the civil
21 penalty assessed for a violation of section 142B.6 is
22 not paid in a timely manner, a citation shall be
23 issued for the violation in the manner provided in
24 section 804.1. However, a person under age eighteen
25 shall not be detained in a secure facility for failure
26 to pay the civil penalty. The complainant shall not
27 be charged a filing fee."

28 3. Title page, line 1, by inserting after the
29 word "smoking" the following: "providing funding for
30 enforcement, and increasing a penalty".

31 4. By renumbering as necessary.

HEATON of Henry

H-1389

1 Amend House File 843 as follows:

2 1. Page 1, by inserting after line 31 the
3 following:

4 "8. The authority, in consultation with the
5 department of natural resources, shall adopt rules
6 pursuant to chapter 17A for purposes of administering
7 this section."

SANDS of Louisa

H-1392

1 Amend House File 779 as follows:

2 1. Page 1, by striking lines 4 through 14 and
3 inserting the following:

4 "1. A child
5 who has reached the age of six and is under sixteen
6 years of age, by September 15, through seventeen years
7 of age by September 15 is of compulsory attendance
8 age. However, if a child enrolled in a school
9 district or accredited nonpublic school reaches the
10 age of sixteen on or after September 15, the child
11 remains of compulsory age until the end of the regular
12 school calendar a child who is receiving competent
13 private instruction in accordance with the provisions
14 of chapter 299A and who has reached the age of six and
15 is under sixteen years of age by September 15 is of

16 compulsory attendance age."

17 2. Page 1, by inserting before line 15 the
18 following:

19 "2. a. An individual who reaches the age of
20 eighteen during the school year is not subject to
21 compulsory school attendance beyond the date upon
22 which the individual attains the age of eighteen. The
23 individual shall, however, file with the board of
24 directors of the school district or the accredited
25 nonpublic school of enrollment, a formal declaration
26 of intent to terminate school enrollment, participate
27 in an exit interview pursuant to paragraph "b", and
28 complete a survey in accordance with paragraph "c".
29 The declaration, which shall be on a form approved by
30 the department of education, must acknowledge that
31 terminating school enrollment is likely to reduce the
32 individual's earning potential and shall be signed by
33 the individual. The school district or accredited
34 nonpublic school shall make every effort to notify the
35 individual's parent or guardian of receipt of the
36 individual's declaration of intent to terminate school
37 enrollment. An individual who has reached the age of
38 eighteen and who has not yet graduated from high
39 school or attained a high school equivalency diploma
40 is subject to compulsory school attendance until the
41 formal declaration is filed with the board of
42 directors of the school district or the authorities in
43 charge of an accredited nonpublic school.

44 b. A guidance counselor or other school personnel
45 designated by the school district or accredited
46 nonpublic school shall conduct an exit interview with
47 the individual to do all of the following:

- 48 (1) Determine the reasons for the individual's
49 decision to terminate school enrollment.
50 (2) Discuss actions that could be taken to assist

Page 2

1 the individual to stay in school. .

2 (3) Inform the individual of opportunities to
3 continue the individual's education in a different
4 environment, including but not limited to adult
5 education and test preparation designed to qualify the
6 individual for a high school equivalency diploma.

7 c. In addition to meeting the requirements of
8 paragraphs "a" and "b" the individual shall complete a
9 survey in a format prescribed by the department of
10 education to provide data on the individual's reasons
11 for terminating enrollment and actions taken by the
12 school to keep the individual enrolled. The school
13 district or accredited nonpublic school shall submit
14 the data from the completed surveys to the department

- 15 of education annually."
16 3. By renumbering as necessary.

DOLECHECK of Ringgold
WISE of Lee

H-1393

- 1 Amend the amendment, H-1141, to House File 416 as
2 follows:
3 1. Page 2, line 29, by inserting before the word
4 "EFFECTIVE" the following: "CONTINGENT".
5 2. Page 2, by striking lines 30 through 43 and
6 inserting the following:
7 "Implementation of this Act is contingent upon
8 enactment of appropriations specifically providing
9 funding and authorization for sufficient full-time
10 equivalent positions so that each child care provider
11 who would be subject to registration under the
12 provisions of this Act would annually receive a
13 regulatory visit from an employee of the department of
14 human services, for increased reimbursements under the
15 state child care assistance program, and for adequate
16 resources to address other needs associated with this
17 Act. The legislation making the appropriations shall
18 also include an effective date and other provisions
19 providing for the implementation of this Act."

UPMEYER of Hancock

H-1395

- 1 Amend Senate File 302, as passed by the Senate, as
2 follows:
3 1. Page 1, line 2, by striking the word and
4 figure "subparagraph (2)" and inserting the following:
5 "subparagraphs (2) and (3)".
6 2. Page 1, line 3, by striking the word "is" and
7 inserting the following: "are".
8 3. Page 1, by inserting after line 11 the
9 following:
10 "(3) One-half of the moneys remaining after the
11 appropriation in subparagraph (1) shall be credited,
12 on a quarterly basis, to the general fund of the state
13 for the purpose of funding the endow Iowa tax credit
14 provided in section 15E.305."
15 4. Title page, by striking lines 1 and 2 and
16 inserting the following: "An Act relating to the
17 disbursement of certain gambling revenues for purposes

18 of regional tourism marketing and endow Iowa tax
19 credits."

DANDEKAR of Linn
HOFFMAN of Cherokee
T. OLSON of Linn
KRESSIG of Black Hawk

H-1396

1 Amend House File 754 as follows:
2 1. Page 1, by inserting after line 18 the
3 following:
4 "Sec. ____ Section 8A.322, Code 2007, is amended
5 by adding the following new subsection:
6 NEW SUBSECTION. 4. The authorities responsible
7 for the various areas of the state capitol and its
8 grounds shall develop rules that prohibit a person
9 from using a cigarette or a tobacco product, as these
10 terms are defined in section 453A.1, at any time at
11 any of the following locations:
12 a. In the state capitol or other state facility
13 under the control of the authorities responsible for
14 the various areas of the state capitol, including any
15 facility that is owned, rented, or leased by the
16 authorities responsible for the various areas of the
17 state capitol.
18 b. On grounds that are owned, rented, or leased by
19 the authorities responsible for the various areas of
20 the state capitol, including parking lots.
21 c. At state capitol-sponsored or state
22 capitol-related indoor events that are held off state
23 capitol grounds."
24 2. Title page, by striking lines 1 through 4 and
25 inserting the following: "An Act requiring
26 authorities to prohibit the use of cigarettes and
27 tobacco products at various public places."

RANTS of Woodbury

H-1401

1 Amend House File 852 as follows:
2 1. Page 3, line 18, by inserting after the word
3 "liable" the following: ", if acting reasonably and
4 in good faith,".

HEDDENS of Story
BAUDLER of Adair

H-1402

1 Amend House File 825 as follows:

2 1. Page 1, line 14, by striking the word and
3 figure "October 25" and inserting the following:
4 "November 14".

5 2. Page 1, by inserting after line 17 the
6 following:

7 "Sec. ____ Section 441.49, unnumbered paragraph 5,
8 Code 2007, is amended to read as follows:

9 The local board of review shall reconvene in
10 special session from October 15 to November 15 for the
11 purpose of hearing the protests of affected property
12 owners or taxpayers within the jurisdiction of the
13 board whose valuation of property if adjusted pursuant
14 to the equalization order issued by the director of
15 revenue will result in a greater value than permitted
16 under section 441.21. The board of review shall
17 accept protests only during the first ~~ten~~ thirty days
18 following the date the local board of review
19 reconvenes. The board of review shall limit its
20 review to only the timely filed protests. The board
21 of review may adjust all or a part of the percentage
22 increase ordered by the director of revenue by
23 adjusting the actual value of the property under
24 protest to one hundred percent of actual value. Any
25 adjustment so determined by the board of review shall
26 not exceed the percentage increase provided for in the
27 director's equalization order. The determination of
28 the board of review on filed protests is final,
29 subject to appeal to the property assessment appeal
30 board. A final decision by the local board of review,
31 or the property assessment appeal board, if the local
32 board's decision is appealed, is subject to review by
33 the director of revenue for the purpose of determining
34 whether the board's actions substantially altered the
35 equalization order. In making the review, the
36 director has all the powers provided in chapter 421,
37 and in exercising the powers the director is not
38 subject to chapter 17A. Not later than fifteen days
39 following the adjournment of the board, the board of
40 review shall submit to the director of revenue, on
41 forms prescribed by the director, a report of all
42 actions taken by the board of review during this
43 session."

44 3. Title page, line 1, by striking the words
45 "publication of".

46 4. Title page, line 2, by inserting after the
47 word "orders" the following: "by requiring certain
48 information to be published and by extending the time

49 period for certain protests to be filed".
50 5. By renumbering as necessary.

PAULSEN of Linn

H-1403

1 Amend House File 804 as follows:

2 1. By striking page 1, line 1, through page 2,
3 line 12, and inserting the following:
4 "Section 1. Section 256.7, subsection 26, Code
5 2007, is amended by striking the subsection and
6 inserting in lieu thereof the following:
7 26. a. Adopt for grades nine through twelve, by
8 July 1, 2009, a model core curriculum pursuant to
9 section 256.9, subsection 55, core content standards
10 pursuant to section 256.9, subsection 60, and high
11 school graduation requirements which are based upon
12 the model core curriculum and core content standards.
13 School districts and accredited nonpublic schools
14 shall include, at a minimum, the core content
15 standards adopted pursuant to this subsection in any
16 set of locally developed content standards. For
17 purposes of this subsection, "core content standards"
18 includes but is not limited to all academic subject
19 content areas.

20 b. The state board shall also adopt a goal that
21 the percentage of resident students earning a
22 postsecondary certificate, diploma, or degree, as
23 compared to the school year ending June 30, 2007, will
24 double by the school year ending June 30, 2015, and
25 triple by the school year ending June 30, 2020. By
26 January 15 annually the state board shall submit a
27 report to the general assembly on the progress made
28 toward reaching these goals.

29 Sec.____. Section 256.7, Code 2007, is amended by
30 adding the following new subsections:

31 NEW SUBSECTION. 27. Adopt and apply to all early
32 childhood centers which receive state funding program
33 standards for quality early childhood education based
34 upon national standards.

35 NEW SUBSECTION. 28. Adopt rules that require
36 implementation, by school districts and accredited
37 nonpublic schools of an examination, correlated to
38 international assessments, to assess student learning
39 prior to high school graduation.

40 NEW SUBSECTION. 29. By July 1, 2010, adopt by
41 rule the model core curriculum and core content
42 standards for kindergarten through grade eight
43 developed pursuant to section 256.9, subsection 57."

44 2. Page 2, line 13, by striking the figure "27."
45 and inserting the following: "30."

- 46 3. Page 2, by striking lines 16 through 30 and
47 inserting the following: "school."
48 4. Page 2, by inserting after line 30 the
49 following:
50 "Sec. ____ Section 256.9, Code 2007, is amended by

Page 2

- 1 adding the following new subsections:
2 NEW SUBSECTION. 55. Develop a model core
3 curriculum for grades nine through twelve that, at a
4 minimum, meet the following conditions:
5 a. Includes standards for twenty-first century
6 preparedness as measured by national and international
7 assessments.
8 b. Includes, at a minimum, English, reading or
9 language arts, mathematics, science, foreign
10 languages, civics, government, economics, art,
11 history, and geography, and expands upon basic
12 competencies to achieve an understanding of academic
13 content at levels necessary for success in
14 postsecondary endeavors.
15 c. Emphasizes skills for lifelong learning,
16 including information and communication skills,
17 thinking and problem solving skills, and interpersonal
18 and self-directional skills.
19 d. Provides methods for schools to use
20 twenty-first century tools to develop learning skills,
21 specifically digital technology and communication
22 tools which access, manage, integrate, and evaluate
23 information, construct new knowledge, and enable
24 communication with others in order to participate
25 effectively in society.
26 e. Includes teaching and learning examples,
27 technological innovations, and lesson plans that
28 employ real-world examples, applications, and
29 experiences both inside and outside of school to
30 reduce the boundaries that separate students from
31 communities, employers, community members, and
32 parents.
33 f. Includes twenty-first century content, at a
34 minimum, in global awareness and financial, economic,
35 civic, and business literacy.
36 g. Is benchmarked on national and international
37 assessments and the core content standards developed
38 pursuant to subsection 57, to ensure that students'
39 knowledge and skills are internationally competitive.
40 NEW SUBSECTION. 56. Establish the data
41 collection, reporting, and feedback infrastructure
42 necessary to monitor and support improved performance
43 at state and national levels resulting from the
44 adoption of a model core curriculum, core content

45 standards, and high school graduation requirements in
46 accordance with section 256.7, subsection 26.
47 NEW SUBSECTION. 57. Develop a model core
48 curriculum and statewide core content standards for
49 kindergarten through grade eight which includes
50 twenty-first century skills. The curriculum and

Page 3

1 standards shall be developed in consultation with
2 nationally recognized education researchers and
3 institutions or associations, and education
4 stakeholders including but not limited to
5 representatives from prekindergarten through grade
6 twelve schools and school districts, community
7 colleges and other accredited postsecondary
8 institutions, and businesses. The curriculum and
9 standards developed shall include twenty-first century
10 knowledge and skills and clearly communicate
11 expectations that prepare students for career and
12 postsecondary pathways. The director shall also do
13 the following:
14 a. Identify the criteria, indicators, and methods
15 to ensure ongoing review of the requirements of this
16 subsection.
17 b. Notify the appropriate education agencies of
18 the curriculum and standards expectations developed.
19 c. Collaborate with the departments of workforce
20 development and economic development as necessary to
21 develop the twenty-first century knowledge and
22 skills-based curriculum, standards, and expectations.
23 d. Identify technical assistance and professional
24 development needs and opportunities to assist school
25 districts in adopting state core content standards and
26 implementing the model core curriculum.
27 e. Seek a federal waiver to allow Iowa to set
28 rigorous expectations without impacting state or
29 school district accountability or necessitating
30 renegotiation of Iowa's state plan under the federal
31 No Child Left Behind Act of 2001, Pub. L. No.
32 107-110.
33 NEW SUBSECTION. 58. Require each school district
34 and accredited nonpublic school to report, by June 30
35 annually, the percentage of students graduating from
36 high school in the school district or accredited
37 nonpublic school who complete the model core
38 curriculum or a more rigorous core curriculum
39 established by the school district.
40 NEW SUBSECTION. 59. Provide effective,
41 sustainable, timely, and affordable assessments for
42 school districts and accredited nonpublic schools for
43 use statewide to measure twenty-first century

44 knowledge and skills and individual student learning,
45 and to provide teachers, schools, and school districts
46 with useful information to guide professional
47 development and instructional improvement.
48 NEW SUBSECTION. 60. Develop a set of core content
49 standards."
50 5. By renumbering as necessary.

WISE of Lee
KELLEY of Black Hawk
BOAL of Polk
RAECKER of Polk

H-1404

1 Amend Senate File 131, as passed by the Senate, as
2 follows:
3 1. Page 1, line 14, by striking the word and
4 figure "October 25" and inserting the following:
5 "November 14".
6 2. Page 1, by inserting after line 17 the
7 following:
8 "Sec.____. Section 441.49, unnumbered paragraph 5,
9 Code 2007, is amended to read as follows:
10 The local board of review shall reconvene in
11 special session from October 15 to November 15 for the
12 purpose of hearing the protests of affected property
13 owners or taxpayers within the jurisdiction of the
14 board whose valuation of property if adjusted pursuant
15 to the equalization order issued by the director of
16 revenue will result in a greater value than permitted
17 under section 441.21. The board of review shall
18 accept protests only during the first ~~ten~~ thirty days
19 following the date the local board of review
20 reconvenes. The board of review shall limit its
21 review to only the timely filed protests. The board
22 of review may adjust all or a part of the percentage
23 increase ordered by the director of revenue by
24 adjusting the actual value of the property under
25 protest to one hundred percent of actual value. Any
26 adjustment so determined by the board of review shall
27 not exceed the percentage increase provided for in the
28 director's equalization order. The determination of
29 the board of review on filed protests is final,
30 subject to appeal to the property assessment appeal
31 board. A final decision by the local board of review,
32 or the property assessment appeal board, if the local
33 board's decision is appealed, is subject to review by
34 the director of revenue for the purpose of determining
35 whether the board's actions substantially altered the
36 equalization order. In making the review, the
37 director has all the powers provided in chapter 421,

38 and in exercising the powers the director is not
 39 subject to chapter 17A. Not later than fifteen days
 40 following the adjournment of the board, the board of
 41 review shall submit to the director of revenue, on
 42 forms prescribed by the director, a report of all
 43 actions taken by the board of review during this
 44 session."

45 3. Title page, line 1, by striking the words
 46 "publication of".

47 4. Title page, line 2, by inserting after the
 48 word "orders" the following: "by requiring certain
 49 information to be published and by extending the time
 50 period for certain protests to be filed".

Page 2

1 5. By renumbering as necessary.

PAULSEN of Linn

H-1405

1 Amend House File 807 as follows:

2 1. Page 7, line 15, by inserting after the word
 3 "DIVESTMENT" the following: "- REINVESTMENT".

4 2. Page 7, by inserting after line 34 the
 5 following:

6 "c. An amount equal to the proceeds resulting from
 7 the sale, redemption, divestment, or withdrawal of all
 8 publicly traded securities of companies held by the
 9 public fund pursuant to the requirements of this
 10 subsection shall be invested by the public fund in
 11 Iowa companies."

12 3. By renumbering as necessary.

VAN FOSSEN of Scott

H-1407

1 Amend the amendment, H-1188, to Senate File 413, as
 2 passed by the Senate, as follows:

3 1. Page 1, by striking lines 5 through 42 and
 4 inserting the following:

5 ""Sec.____. Section 368.7, subsection 5, Code
 6 2007, is amended to read as follows:

7 5. In the discretion of a city council, the
 8 resolution provided for in subsection 1, paragraph
 9 "d", or subsection 2 or 3, may include a provision for
 10 a transition for the imposition of city taxes against
 11 property within the annexation area as provided in
 12 section 368.11, subsection 3, paragraph "m". However,
 13 the city shall provide for such transition for the

14 imposition of city taxes against that property that is
 15 included in the territory to be annexed without the
 16 consent of the landowner.

17 Sec. ____ Section 368.11, subsection 3, paragraph
 18 m, Code 2007, is amended to read as follows:

19 m. ~~In the discretion of a city council, a~~ A
 20 provision for a transition for the imposition of city
 21 taxes against property within an annexation area. The
 22 provision shall allow for an exemption from taxation
 23 of the following percentages of assessed valuation
 24 according to the following schedule:

25 (1) For the first and second years, seventy-five
 26 percent.

27 (2) For the third and fourth years, sixty percent.

28 (3) For the fifth and sixth years, forty-five
 29 percent.

30 (4) For the seventh and eighth years, thirty
 31 percent.

32 (5) For the ninth and tenth years, fifteen
 33 percent.

34 An alternative schedule may be adopted by the city
 35 council. ~~However, an~~ An alternative schedule shall
 36 ~~not allow a greater~~ an exemption that is equivalent to
 37 or greater than that provided in this paragraph. The
 38 exemption shall be applied in the levy and collection
 39 of taxes. The provision may also allow for the
 40 partial provision of city services during the time in
 41 which the exemption from taxation is in effect. ~~If~~
 42 Except as otherwise provided in section 368.7,
 43 subsection 5, if the city council provides for a
 44 transition for the imposition of city taxes against
 45 property in an annexation area, all property owners
 46 included in the annexation area must receive the
 47 transition upon completion of the annexation.

48 ____ Page 4, by inserting after line 24 the
 49 following:

50 "Sec. ____ APPLICABILITY. The sections of this

Page 2

1 Act amending sections 368.7 and 368.11 apply to
 2 annexation applications submitted to a city council
 3 and petitions for involuntary annexation filed with
 4 the city development board on or after the effective
 5 date of this Act."

6 ____ Title page, line 1, by inserting after the
 7 words "An Act" the following: "relating to state
 8 requirements by modifying certain annexation
 9 provisions and by".

10 ____ Title page, line 3, by inserting after the
 11 word "date" the following: "and an applicability

12 date".

13 2. By renumbering as necessary.

PAULSEN of Linn

H-1409

1 Amend House File 459 as follows:

2 1. Page 1, by inserting before line 1 the
3 following:

4 "Section 1. Section 298.3, subsection 7, Code
5 2007, is amended to read as follows:

6 7. Expenditures for energy conservation, including
7 the purchase, erection, and maintenance of renewable
8 energy generation equipment."

9 2. By renumbering as necessary.

HEDDENS of Story
FORRISTALL of Pottawattamie
PALMER of Mahaska

H-1410

1 Amend House File 807 as follows:

2 1. Page 1, line 9, by inserting after the word
3 "atrocities." the following: "In addition, the
4 general assembly is concerned over the human rights
5 situations in Iran, Syria, and North Korea."

6 2. Page 1, line 14, by inserting after the word
7 "Sudan" the following: ", Iran, Syria, or North
8 Korea".

9 3. Page 1, line 17, by inserting after the word
10 "Sudan" the following: ", Iran, Syria, or North
11 Korea".

12 4. Page 1, line 18, by striking the words "that
13 country" and inserting the following: "those
14 countries".

15 5. Page 1, line 25, by inserting after the word
16 "Sudan" the following: "Iran, Syria, or North Korea".

17 6. Page 2, line 3, by inserting after the word
18 "promoted" the following: "Iran, Syria, North Korea,
19 or".

20 7. Page 2, line 9, by inserting after the word
21 "actions" the following: "related to Iran, Syria, or
22 North Korea".

23 8. Page 2, line 13, by inserting after the word
24 "Sudan" the following: ", Iran, Syria, or North
25 Korea".

26 9. Page 2, line 13, by inserting after the words
27 "government in" the following: "Iran, Syria, or North
28 Korea. In addition, it means the government in".

29 10. Page 2, line 31, by inserting after the word

- 30 "Sudan" the following: ", Iran, Syria, or North
31 Korea".
- 32 11. Page 2, line 32, by inserting after the words
33 "limited to" the following: "the populations of Iran,
34 Syria, and North Korea and".
- 35 12. Page 3, line 11, by inserting after the word
36 "Sudan" the following: "or in Iran, Syria, or North
37 Korea".
- 38 13. Page 3, line 32, by inserting after the word
39 "entity" the following: ", or a project commissioned
40 by the government of Iran, Syria, or North Korea,".
- 41 14. Page 4, line 16, by inserting after the word
42 "Sudan" the following: ", Iran, Syria, or North
43 Korea".
- 44 15. Page 4, line 17, by inserting after the word
45 "Sudan" the following: ", Iran, Syria, or North
46 Korea".
- 47 16. Page 4, lines 17 and 18, by striking the
48 words "government of Sudan-commissioned".
- 49 17. Page 4, line 18, by inserting after the word
50 "projects" the following: "commissioned by the

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- 1 government of Sudan, Iran, Syria, or North Korea".
- 2 18. Page 4, line 19, by striking the words
3 "government of Sudan-commissioned".
- 4 19. Page 4, line 20, by inserting after the word
5 "projects" the following: "commissioned by the
6 government of Sudan, Iran, Syria, or North Korea".
- 7 20. Page 4, line 22, by inserting after the word
8 "Sudan" the following: ", Iran, Syria, or North
9 Korea".
- 10 21. Page 4, line 24, by inserting after the word
11 "Sudan" the following: ", Iran, Syria, or North
12 Korea".
- 13 22. Page 4, line 27, by inserting after the word
14 "Sudan" the following: ", Iran, Syria, or North
15 Korea".
- 16 23. Page 4, line 31, by inserting after the word
17 "Sudan" the following: ", Iran, Syria, or North
18 Korea".
- 19 24. Page 4, line 35, by inserting after the word
20 "Sudan" the following: ", Iran, Syria, or North
21 Korea".
- 22 25. Page 5, line 2, by inserting after the word
23 "genocide" the following: "or in supporting the
24 government of Iran, Syria, or North Korea".
- 25 26. Page 5, line 3, by inserting after the word
26 "Sudan" the following: ", Iran, Syria, or North
27 Korea".
- 28 27. Page 5, line 5, by inserting after the word

- 29 "Sudan" the following: ", Iran, Syria, or North
 30 Korea".
 31 28. Page 5, line 11, by inserting after the words
 32 "used by" the following: "Iran, Syria, or North Korea
 33 or by".
 34 29. Page 5, line 13, by inserting after the word
 35 "Sudan" the following: ", Iran, Syria, or North
 36 Korea".
 37 30. Page 5, line 16, by inserting after the words
 38 "complicit in" the following: "the government of
 39 Iran, Syria, or North Korea, or".
 40 31. Page 5, line 17, by inserting after the word
 41 "Sudan" the following: ", Iran, Syria, or North
 42 Korea".
 43 32. Page 5, line 29, by inserting after the words
 44 "populations of" the following: "Iran, Syria, North
 45 Korea, or".
 46 33. Page 5, line 30, by inserting after the words
 47 "government of Sudan" the following: ", Iran, Syria,
 48 or North Korea".
 49 34. Page 5, line 32, by inserting after the word
 50 "Darfur" the following: "or the population of Iran,

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- 1 Syria, or North Korea".
 2 35. Page 6, line 16, by inserting after the words
 3 "operations in Sudan" the following: ", Iran, Syria,
 4 or North Korea".
 5 36. Page 7, line 6, by inserting after the words
 6 "clarify its" the following: "Iran, Syria, North
 7 Korea, or".
 8 37. Page 8, line 4, by inserting after the word
 9 "Sudan" the following: ", Iran, Syria, or North
 10 Korea".
 11 38. Page 9, line 11, by inserting after the word
 12 "Sudan" the following: ", Iran, Syria, or North
 13 Korea".
 14 39. Title page, line 2, by inserting after the
 15 word "Sudan" the following: "Iran, Syria, and North
 16 Korea".

ALONS of Sioux

H-1413

- 1 Amend House File 791 as follows:
 2 1. Page 1, line 18, by striking the figure "2007"
 3 and inserting the following: "2008".
 4 2. Page 2, by inserting after line 1 the
 5 following:
 6 "Sec. ____ PAYOR OF LAST RESORT. During the

7 period of time from the date of enactment of this Act
 8 through June 30, 2008, if a person who is twenty-one
 9 years of age or younger receives a prescription for a
 10 prosthetic device from a physician licensed under
 11 chapter 148, 150, or 150A, and does not have coverage
 12 benefits for third-party payment or prepayment for the
 13 prosthetic device, the payor of last resort for such
 14 coverage benefits shall be the medical assistance
 15 program.

16 Sec. ____ PROSTHETIC DEVICE COVERAGE STUDY. The
 17 commissioner of insurance, in collaboration with the
 18 division of vocational rehabilitation of the state
 19 department of education, shall study the issue of
 20 providing access to and health benefit coverage of
 21 medically necessary prosthetic devices and report
 22 their findings and recommendations concerning the best
 23 method to ensure that Iowans have access to medically
 24 necessary prosthetic devices to the general assembly
 25 by December 15, 2007."

26 3. Title page, line 2, by inserting after the
 27 word "devices" the following: ", providing for
 28 certain health benefit coverage by the medical
 29 assistance program, providing for a study concerning
 30 access to such devices,".

31 4. By renumbering as necessary.

JACOBS of Polk
 UPMEYER of Hancock

H-1415

1 Amend House File 611 as follows:

2 1. Page 5, by inserting after line 16 the
 3 following:

4 "This paragraph "d" shall not be construed to
 5 prohibit a school or school district from developing
 6 and making available abstinence-based or
 7 abstinence-only materials pursuant to the requirements
 8 of section 256.9, subsection 54, and from offering an
 9 abstinence-based or abstinence-only curriculum in
 10 meeting the human growth and development requirements
 11 of section 256.11."

TYMESON of Madison

H-1418

1 Amend the amendment, H-1413, to House File 791 as
 2 follows:

3 1. Page 1, line 7, by striking the words "the
 4 date of enactment of this Act" and inserting the
 5 following: "July 1, 2007".

6 2. Page 1, by inserting after line 15 the

7 following:

8 "During the period of time from July 1, 2007,
9 through June 30, 2008, if a person who is twenty-one
10 years of age or younger receives a prescription for a
11 hearing aid from a licensed audiologist and does not
12 have coverage benefits for third-party payment or
13 prepayment for the hearing aid, the payor of last
14 resort for such coverage benefits shall be the medical
15 assistance program."

JACOBS of Polk
UPMEYER of Hancock

H-1420

1 Amend House Concurrent Resolution 8 as follows:

2 1. Page 3, by inserting after line 12 the

3 following:

4 "BE IT FURTHER RESOLVED, That the federal farm bill
5 of 2007 include limitations on farm program payments;
6 and".

7 2. By renumbering as necessary.

MERTZ of Kossuth

H-1421

1 Amend House File 863 as follows:

2 1. Page 3, line 14, by striking the word "call"
3 and inserting the following: "persuasion poll or
4 political telephone solicitation".

WESSEL-KROESCHELL of Story

H-1424

1 Amend the amendment, H-1403, to House File 804 as
2 follows:

3 1. Page 1, by striking lines 31 through 34.

4 2. By renumbering as necessary.

BOAL of Polk
RAECKER of Polk

H-1426

1 Amend the amendment, H-1083, to House File 469, as
2 follows:

3 1. Page 1, by striking lines 7 through 9 and
4 inserting the following: "compliant with state and
5 local fire codes and safety codes by an".

RAECKER of Polk

H-1428

1 Amend House File 831 as follows:
 2 1. Page 28, by striking lines 8 and 9 and
 3 inserting the following: "result from the making or
 4 the use of the anatomical gift, if the gift is made in
 5 good faith."

SMITH of Marshall

H-1430

1 Amend House File 818 as follows:
 2 1. By striking page 1, line 1, through page 4,
 3 line 10, and inserting the following:
 4 "Section 1. Section 907.13, subsection 2, Code
 5 2007, is amended to read as follows:
 6 2. The defendant's plan of community service, the
 7 comments of the defendant's probation officer, and the
 8 comments of the representative of the judicial
 9 district department of correctional services
 10 responsible for the unpaid community service program,
 11 shall be submitted promptly to the court. The court
 12 shall promptly enter an order approving the plan or
 13 modifying it. Compliance with the plan of community
 14 service as approved or modified by the court shall be
 15 a condition of the defendant's probation. The court
 16 thereafter may modify the plan at any time upon the
 17 defendant's request, upon the request of the judicial
 18 district department of correctional services, or upon
 19 the court's own motion. As an option for modification
 20 of a plan, the court may allow a defendant to complete
 21 some part or all of the defendant's community service
 22 obligation through the donation of property to a
 23 ~~charitable organization other than a governmental~~
 24 ~~subdivision~~ statewide nonprofit legal aid
 25 organization. A donation of property to a ~~charitable~~
 26 ~~statewide nonprofit legal aid~~ organization offered in
 27 satisfaction of some part or all of a community
 28 service obligation under this subsection is not a
 29 deductible contribution for the purposes of federal or
 30 state income taxes.
 31 Sec. 2. Section 910.1, subsection 2, Code 2007, is
 32 amended by striking the subsection.
 33 Sec. 3. Section 910.1, subsection 4, Code 2007, is
 34 amended to read as follows:
 35 4. "Restitution" means payment of pecuniary
 36 damages to a victim in an amount and in the manner
 37 provided by the offender's plan of restitution.
 38 "Restitution" also includes fines, penalties, and
 39 surcharges, the contribution of funds to a ~~local~~
 40 ~~antierime organization which provided assistance to~~

41 law enforcement in an offender's case, a statewide
 42 nonprofit legal aid organization, the payment of crime
 43 victim compensation program reimbursements, payment of
 44 restitution to public agencies pursuant to section
 45 321J.2, subsection 9, paragraph "b", court costs
 46 including correctional fees approved pursuant to
 47 section 356.7, court-appointed attorney fees ordered
 48 pursuant to section 815.9, including the expense of a
 49 public defender, and the performance of a public
 50 service by an offender in an amount set by the court

Page 2

1 when the offender cannot reasonably pay all or part of
 2 the court costs including correctional fees approved
 3 pursuant to section 356.7, or court-appointed attorney
 4 fees ordered pursuant to section 815.9, including the
 5 expense of a public defender.

6 Sec. 4. Section 910.2, Code 2007, is amended to
 7 read as follows:

8 910.2 RESTITUTION OR COMMUNITY SERVICE TO BE
 9 ORDERED BY SENTENCING COURT.

10 In all criminal cases in which there is a plea of
 11 guilty, verdict of guilty, or special verdict upon
 12 which a judgment of conviction is rendered, the
 13 sentencing court shall order that restitution be made
 14 by each offender to the victims of the offender's
 15 criminal activities, to the clerk of court for fines,
 16 penalties, surcharges, and, to the extent that the
 17 offender is reasonably able to pay, for crime victim
 18 assistance reimbursement, restitution to public
 19 agencies pursuant to section 321J.2, subsection 9,
 20 paragraph "b", court costs including correctional fees
 21 approved pursuant to section 356.7, court-appointed
 22 attorney fees ordered pursuant to section 815.9,
 23 including the expense of a public defender, when
 24 applicable, or contribution to a ~~local antirime~~
 25 statewide nonprofit legal aid organization. However,
 26 victims shall be paid in full before fines, penalties,
 27 and surcharges, crime victim compensation program
 28 reimbursement, public agencies, court costs including
 29 correctional fees approved pursuant to section 356.7,
 30 court-appointed attorney fees ordered pursuant to
 31 section 815.9, including the expenses of a public
 32 defender, or contributions to a ~~local antirime~~
 33 statewide nonprofit legal aid organization are paid.
 34 In structuring a plan of restitution, the court shall
 35 provide for payments in the following order of
 36 priority: victim, fines, penalties, and surcharges,
 37 crime victim compensation program reimbursement,
 38 public agencies, court costs including correctional
 39 fees approved pursuant to section 356.7,

40 court-appointed attorney fees ordered pursuant to
 41 section 815.9, including the expense of a public
 42 defender, and contribution to a ~~local antierime~~
 43 statewide nonprofit legal aid organization.
 44 When the offender is not reasonably able to pay all
 45 or a part of the crime victim compensation program
 46 reimbursement, public agency restitution, court costs
 47 including correctional fees approved pursuant to
 48 section 356.7, court-appointed attorney fees ordered
 49 pursuant to section 815.9, including the expense of a
 50 public defender, or contribution to a ~~local antierime~~

Page 3

1 statewide nonprofit legal aid organization, the court
 2 may require the offender in lieu of that portion of
 3 the crime victim compensation program reimbursement,
 4 public agency restitution, court costs including
 5 correctional fees approved pursuant to section 356.7,
 6 court-appointed attorney fees ordered pursuant to
 7 section 815.9, including the expense of a public
 8 defender, or contribution to a ~~local antierime~~
 9 statewide nonprofit legal aid organization for which
 10 the offender is not reasonably able to pay, to perform
 11 a needed public service for a governmental agency or
 12 for a private nonprofit agency which provides a
 13 service to the youth, elderly, or poor of the
 14 community. When community service is ordered, the
 15 court shall set a specific number of hours of service
 16 to be performed by the offender which, for payment of
 17 court-appointed attorney fees ordered pursuant to
 18 section 815.9, including the expenses of a public
 19 defender, shall be approximately equivalent in value
 20 to those costs. The judicial district department of
 21 correctional services shall provide for the assignment
 22 of the offender to a public agency or private
 23 nonprofit agency to perform the required service.
 24 Sec. 5. Section 915.100, subsection 2, paragraph
 25 e, Code 2007, is amended to read as follows:
 26 e. Victims shall be paid in full pursuant to an
 27 order of restitution, before fines, penalties,
 28 surcharges, crime victim compensation program
 29 reimbursement, public agency reimbursement, court
 30 costs, correctional fees, court-appointed attorney
 31 fees, expenses of a public defender, or contributions
 32 to ~~local antierime organizations are paid a~~ statewide
 33 nonprofit legal aid organization."
 34 2. Title page, by striking lines 1 through 3 and
 35 inserting the following: "An Act relating to a

36 contribution to a statewide nonprofit legal aid
37 organization in a criminal proceeding."

PAULSEN of Linn

H-1431

1 Amend Senate File 361, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 7, line 15, by inserting after the word
4 "DIVESTMENT" the following: "-
REINVESTMENT".
5 2. Page 7, by inserting after line 34 the
6 following:
7 "c. An amount equal to the proceeds resulting from
8 the sale, redemption, divestment, or withdrawal of all
9 publicly traded securities of companies held by the
10 public fund pursuant to the requirements of this
11 subsection shall be invested by the public fund in
12 Iowa companies."
13 3. By renumbering as necessary.

VAN FOSSEN of Scott

H-1434

1 Amend Senate File 361, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 1, line 9, by inserting after the word
4 "atrocities." the following: "In addition, the
5 general assembly is concerned over the human rights
6 situations in Iran, Syria, and North Korea."
7 2. Page 1, line 14, by inserting after the word
8 "Sudan" the following: ", Iran, Syria, or North
9 Korea".
10 3. Page 1, line 17, by inserting after the word
11 "Sudan" the following: ", Iran, Syria, or North
12 Korea".
13 4. Page 1, line 18, by striking the words "that
14 country" and inserting the following: "those
15 countries".
16 5. Page 1, line 25, by inserting after the word
17 "Sudan" the following: "Iran, Syria, or North Korea".
18 6. Page 2, line 3, by inserting after the word
19 "promoted" the following: "Iran, Syria, North Korea,
20 or".
21 7. Page 2, line 9, by inserting after the word
22 "actions" the following: "related to Iran, Syria, or
23 North Korea".
24 8. Page 2, line 13, by inserting after the word
25 "Sudan" the following: ", Iran, Syria, or North
26 Korea".

- 27 9. Page 2, line 13, by inserting after the words
28 "government in" the following: "Iran, Syria, or North
29 Korea. In addition, it means the government in".
30 10. Page 2, line 31, by inserting after the word
31 "Sudan" the following: ", Iran, Syria, or North
32 Korea".
33 11. Page 2, line 32, by inserting after the words
34 "limited to" the following: "the populations of Iran,
35 Syria, and North Korea and".
36 12. Page 3, line 11, by inserting after the word
37 "Sudan" the following: "or in Iran, Syria, or North
38 Korea".
39 13. Page 3, line 32, by inserting after the word
40 "entity" the following: ", or a project commissioned
41 by the government of Iran, Syria, or North Korea".
42 14. Page 4, line 16, by inserting after the word
43 "Sudan" the following: ", Iran, Syria, or North
44 Korea".
45 15. Page 4, line 17, by inserting after the word
46 "Sudan" the following: ", Iran, Syria, or North
47 Korea".
48 16. Page 4, lines 17 and 18, by striking the
49 words "government of Sudan-commissioned".
50 17. Page 4, line 18, by inserting after the word

Page 2

- 1 "projects" the following: "commissioned by the
2 government of Sudan, Iran, Syria, or North Korea".
3 18. Page 4, line 19, by striking the words
4 "government of Sudan-commissioned".
5 19. Page 4, line 20, by inserting after the word
6 "projects" the following: "commissioned by the
7 government of Sudan, Iran, Syria, or North Korea".
8 20. Page 4, line 22, by inserting after the word
9 "Sudan" the following: ", Iran, Syria, or North
10 Korea".
11 21. Page 4, line 24, by inserting after the word
12 "Sudan" the following: ", Iran, Syria, or North
13 Korea".
14 22. Page 4, line 27, by inserting after the word
15 "Sudan" the following: ", Iran, Syria, or North
16 Korea".
17 23. Page 4, line 31, by inserting after the word
18 "Sudan" the following: ", Iran, Syria, or North
19 Korea".
20 24. Page 4, line 35, by inserting after the word
21 "Sudan" the following: ", Iran, Syria, or North
22 Korea".
23 25. Page 5, line 2, by inserting after the word
24 "genocide" the following: "or in supporting the
25 government of Iran, Syria, or North Korea".

- 26 26. Page 5, line 3, by inserting after the word
 27 "Sudan" the following: ", Iran, Syria, or North
 28 Korea".
- 29 27. Page 5, line 5, by inserting after the word
 30 "Sudan" the following: ", Iran, Syria, or North
 31 Korea".
- 32 28. Page 5, line 11, by inserting after the words
 33 "used by" the following: "Iran, Syria, or North Korea
 34 or by".
- 35 29. Page 5, line 13, by inserting after the word
 36 "Sudan" the following: ", Iran, Syria, or North
 37 Korea".
- 38 30. Page 5, line 16, by inserting after the words
 39 "complicit in" the following: "the government of
 40 Iran, Syria, or North Korea, or".
- 41 31. Page 5, line 17, by inserting after the word
 42 "Sudan" the following: ", Iran, Syria, or North
 43 Korea".
- 44 32. Page 5, line 29, by inserting after the words
 45 "populations of" the following: "Iran, Syria, North
 46 Korea, or".
- 47 33. Page 5, line 30, by inserting after the words
 48 "government of Sudan" the following: ", Iran, Syria,
 49 or North Korea".
- 50 34. Page 5, line 32, by inserting after the word

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- 1 "Darfur" the following: "or the population of Iran,
 2 Syria, or North Korea".
- 3 35. Page 6, line 16, by inserting after the words
 4 "operations in Sudan" the following: ", Iran, Syria,
 5 or North Korea".
- 6 36. Page 7, line 6, by inserting after the words
 7 "clarify its" the following: "Iran, Syria, North
 8 Korea, or".
- 9 37. Page 8, line 4, by inserting after the word
 10 "Sudan" the following: ", Iran, Syria, or North
 11 Korea".
- 12 38. Page 9, line 11, by inserting after the word
 13 "Sudan" the following: ", Iran, Syria, or North
 14 Korea".
- 15 39. Title page, line 2, by inserting after the
 16 word "Sudan" the following: "Iran, Syria, and North
 17 Korea".

ALONS of Sioux

H-1437

- 1 Amend House File 875 as follows:
 2 1. Page 30, by striking lines 5 through 9 and

- 3 inserting the following:
 4 " _____. If 2007 Iowa Acts, House File 716 is
 5 enacted, notwithstanding section 4.1, all of the
 6 following apply:"
 7 2. Page 30, by striking lines 18 through 20 and
 8 inserting the following: "26, and 27, Code 2007, as
 9 enacted in 2007 Iowa Acts, House File 716."
 10 3. Page 30, by striking lines 25 and 26, and
 11 inserting the following: "enacted in 2007 Iowa Acts,
 12 House File 716."
 13 4. Page 30, by striking lines 27 through 31 and
 14 inserting the following:
 15 " _____. If 2007 Iowa Acts, House File 716 is not
 16 enacted, notwithstanding section 4.8, the amendments
 17 to section 554.1201, subsections 5, 6, 14,".
 18 5. By renumbering as necessary.

SWAIM of Davis

H-1439

- 1 Amend House File 777 as follows:
 2 1. Page 1, by striking lines 1 through 33.
 3 2. Page 2, by striking lines 3 and 4.
 4 3. Page 2, by striking lines 11 and 12.
 5 4. By striking page 2, line 27, through page 3,
 6 line 8.
 7 5. By striking page 3, line 26, through page 5,
 8 line 20.
 9 6. Page 5, line 34, by striking the word
 10 "mortgagor" and inserting the following: "mortgagee".
 11 7. Page 6, line 4, by striking the word
 12 "mortgagor" and inserting the following: "mortgagee".
 13 8. Page 6, by striking lines 28 and 29 and
 14 inserting the following:
 15 "Sec. _____. Section 674.11, Code 2007, is
 16 repealed."
 17 9. Title page, line 3, by inserting after the
 18 word "estate" the following: "and change of name
 19 records".
 20 10. By renumbering as necessary.

PALMER of Mahaska

H-1440

- 1 Amend House File 804 as follows:
 2 1. Page 1, by striking lines 3 through 19 and
 3 inserting the following:
 4 "26. a. Set a goal of increasing to eighty
 5 percent the number of students graduating from all
 6 secondary schools in school districts in this state

7 who have successfully completed the core curriculum
 8 recommended by the college testing service whose
 9 college entrance examination is taken by the majority
 10 of Iowa's high school students. The state goal shall
 11 be exclusive of students who have special or
 12 alternative means for satisfying graduation
 13 requirements under individualized educational plans
 14 developed for the students. The state board shall
 15 require each school district to annually report,
 16 beginning with the 2006-2007 school year, the
 17 percentage of students graduating from high school in
 18 the school district who complete the core curriculum.
 19 The school district shall report, in the comprehensive
 20 school improvement plan submitted in accordance with
 21 subsection 21, how the district plans to increase the
 22 number of students completing the recommended core
 23 curriculum. ~~Taking into consideration the~~.
 24 2. Page 1, by striking line 22 and inserting the
 25 following: "~~school students,~~
 26 b. Adopt rules that establish a model core".

TYMESON of Madison

H-1442

1 Amend Senate File 261 as follows:
 2 1. Page 1, by striking lines 6 through 26 and
 3 inserting the following: "system serving the building
 4 inspected prior to July 1, 2017."
 5 2. Page 2, by striking lines 5 through 7 and
 6 inserting the following: "adopted by the department
 7 within a reasonable time period as determined by the
 8 department. The department shall prioritize the
 9 renovation requirements schedule. The highest
 10 priority systems for renovation shall be those that
 11 are located nearest to public lakes and high quality
 12 water resources as determined by the department. The
 13 next highest priority shall be those that are located
 14 nearest to public waters that have human sources of
 15 bacteriological or pathogen impairments as determined
 16 by the department. If moneys are not available
 17 through the on-site wastewater systems assistance fund
 18 established in section 466.9, renovations shall not be
 19 required until financial assistance through those
 20 programs are available. If the private".
 21 3. Page 2, by striking lines 31 through 34.

SANDS of Louisa

H-1443

1 Amend Senate File 62, as passed by the Senate, as
 2 follows:

3 1. Page 10, by inserting after line 7 the
 4 following:
 5 "Sec. ____ Section 279.59, Code 2007, is amended
 6 to read as follows:
 7 279.59 ACCESS-BY PROFESSIONAL EDUCATION
 8 ASSOCIATIONS.

9 1. The board of directors of a school district
 10 shall provide not-for-profit, professional education
 11 associations that offer membership to teachers or
 12 administrators equal access to teacher or
 13 administrator mailboxes for distribution of
 14 professional literature.
 15 2. Notwithstanding section 20.9, a school district
 16 may, upon a teacher's or administrator's written
 17 request, deduct from the salary or wages of the
 18 teacher or administrator an amount specified by the
 19 teacher or administrator for payment of dues or
 20 membership fees for the teacher's or administrator's
 21 membership in a not-for-profit, professional education
 22 association. If a written request is granted, all
 23 other written requests for salary or wage deductions
 24 for payment of dues or membership fees for membership
 25 in the same not-for-profit, professional education
 26 association shall also be granted. The teacher or
 27 administrator may withdraw the request for the
 28 deduction at any time by giving the school district
 29 thirty days' written notice.
 30 3. For purposes of this section, unless the
 31 context otherwise requires, "professional education
 32 association" means an association in which the
 33 majority of members are practitioners licensed in
 34 accordance with chapter 272."
 35 2. By renumbering as necessary.

TYMESON of Madison

H-1454

1 Amend House File 877 as follows:
 2 1. Page 6, by striking lines 15 through 18 and
 3 inserting the following: "256A, special education
 4 preschool programs provided under section 256B.9, and
 5 preschool voucher programs provided under chapter 28.
 6 The department shall work with school districts and
 7 local early childhood programs to ensure that
 8 preschool program funding supplements, and does not
 9 supplant, existing investments made through school
 10 ready children grant programs, other programs funded
 11 under chapter 28, and services funded by Title I of
 12 the federal".

HEATON of Henry

H-1462

1 Amend House File 845 as follows:
 2 1. Page 3, by striking lines 20 through 27 and
 3 inserting the following: "known to be flawed. If a
 4 voting machine was used, the printed ballot images
 5 produced from the internal audit log shall be the
 6 official record used in the recount."

JACOBS of Polk

H-1463

1 Amend House File 845 as follows:
 2 1. Page 10, by inserting after line 22 the
 3 following:
 4 "Sec. __. PURCHASE OF CERTAIN VOTING EQUIPMENT –
 5 APPROPRIATION. There is appropriated from the general
 6 fund of the state to the office of secretary of state
 7 for the fiscal year beginning July 1, 2007, and ending
 8 June 30, 2008, the following amount, or so much
 9 thereof as is necessary, for the purpose designated in
 10 this section:
 11 \$ 7,000,000
 12 The funds appropriated shall be utilized by the
 13 secretary of state to provide matching funds to
 14 counties required by this Act to purchase voting
 15 machine equipment capable of producing a paper record
 16 that the voter may review before the voter casts the
 17 voter's ballot. If a county utilizes a voting machine
 18 and an optical scan voting system concurrently at the
 19 same precinct, the county may apply for matching funds
 20 to purchase an electronic ballot marking device that
 21 is compatible with its optical scan voting system.
 22 The secretary of state shall adopt rules relating to
 23 the application process for counties to request
 24 matching funds.
 25 Notwithstanding section 8.33, moneys appropriated
 26 in this section that are unexpended or unobligated at
 27 the close of the fiscal year shall not revert and
 28 shall be available for the purpose designated in this
 29 section for the following fiscal year."
 30 2. Title page, line 2, by inserting after the
 31 word "systems" the following: "and making an
 32 appropriation."
 33 3. By renumbering as necessary.

JACOBS of Polk

H-1829

- 1 Amend House File 909 as follows:
- 2 1. By striking page 9, line 29, through page 10,
- 3 line 1.

TYMESON of Madison

H-1830

- 1 Amend House File 909 as follows:
- 2 1. Page 34, line 10, by striking the figure "10"
- 3 and inserting the following: "20".
- 4 2. Page 35, by striking lines 4 through 10.
- 5 3. By renumbering as necessary.

GRANZOW of Hardin
 ANDERSON of Page
 BAUDLER of Adair
 CHAMBERS of O'Brien
 DE BOEF of Keokuk
 DOLECHECK of Ringgold
 FORRISTALL of Pottawattamie
 GRASSLEY of Butler
 HEATON of Henry
 HORBACH of Tama
 JACOBS of Polk
 LUKAN of Dubuque
 L. MILLER of Scott
 PAUSEN of Linn
 RANTS of Woodbury
 RAYHONS of Hancock
 SANDS of Louisa
 SODERBERG of Plymouth
 TJEPKES of Webster
 TYMESON of Madison
 VANFOSSEN of Scott
 WIENCEK of Black Hawk
 WORTHAN of Buena Vista

ALONS of Sioux
 ARNOLD of Lucas
 BOAL of Polk
 CLUTE of Polk
 DEYOE of Story
 DRAKE of Pottawattamie
 GIPP of Winneshiek
 GREINER of Washington
 HOFFMAN of Crawford
 HUSEMAN of Cherokee
 KAUFMANN of Cedar
 MAY of Dickinson
 S. OLSON of Clinton
 RAECKER of Polk
 RASSMUSSEN of Buchanan
 ROBERTS of Carroll
 SCHICKEL of Cerro Gordo
 STRUYK of Pottawattamie
 TOMENGA of Polk
 UPMEYER of Hancock
 WATTS of Dallas
 WINDSCHITL of Harrison

H-1831

- 1 Amend the amendment, H-1822, to House File 909 as
- 2 follows:
- 3 1. Page 1, line 11, by striking the word
- 4 "association" and inserting the following: "carrier".

HEATON of Henry

H-1842

- 1 Amend House File 909 as follows:

2 1. Page 77, by striking lines 21 through 26.

GAYMAN of Scott
HEDDENS of Story

H-1843

- 1 Amend House File 909 as follows:
- 2 1. Page 97, line 31, by inserting after the word
- 3 "persons" the following: "with chronic mental
- 4 illness".
- 5 2. Page 97, line 33, by striking the word
- 6 "habilitation" and inserting the following: "such".
- 7 3. By renumbering as necessary.

HEDDENS of Story
GAYMAN of Scott

H-1847

- 1 Amend House File 909 as follows:
- 2 1. Page 79, line 34, by striking the figure
- 3 "3,125,000" and inserting the following: "2,925,000".
- 4 2. Page 80, by striking lines 20 through 23.
- 5 3. Page 81, line 19, by striking the figure
- 6 "450,000" and inserting the following: "350,000".
- 7 4. Page 81, by inserting after line 35 the
- 8 following:
- 9 "4A. ENVIRONMENTAL HAZARDS
- 10 \$ 200,000
- 11 The funds appropriated in this subsection shall be
- 12 used as additional funding for lead remediation."
- 13 5. By renumbering as necessary.

GRANZOW of Hardin

H-1848

- 1 Amend House File 909 as follows:
- 2 1. Page 19, line 8, by striking the figure
- 3 "618,696,202" and inserting the following:
- 4 "633,194,191".
- 5 2. Page 49, by inserting after line 6 the
- 6 following:
- 7 "12A. Notwithstanding any provision of this Act to
- 8 the contrary, for the fiscal period beginning July 1,
- 9 2007, the following providers and services shall be
- 10 provided reimbursement in an amount that is three
- 11 percent greater than the reimbursement amount in
- 12 effect on June 30, 2007: inpatient and outpatient
- 13 hospital services; disproportionate share hospitals,
- 14 indirect medical education and direct medical

- 15 education; home health services; physician services;
- 16 psychiatric services; family planning services; early
- 17 periodic screening, diagnosis, and treatment; dental
- 18 services; optometric services; supplies; ambulance
- 19 services; practitioner services; podiatric services;
- 20 chiropractic services; clinic services; community
- 21 mental health centers; home and community-based waiver
- 22 services; the Iowa plan for behavioral health; health
- 23 maintenance organizations; case management services;
- 24 rehabilitative treatment services; adult
- 25 rehabilitative option services; and pharmacy
- 26 dispensing fees."
- 27 3. By renumbering as necessary.

L. MILLER of Scott

H-1853

- 1 Amend the amendment, H-1850, to House File 909 as
- 2 follows:
- 3 1. Page 12, by striking lines 35 through 41.
- 4 2. By renumbering as necessary.

RANTS of Woodbury

H-1856

- 1 Amend House File 909 as follows:
- 2 1. Page 21, line 25, by inserting after the word
- 3 "activities." the following: "The department of human
- 4 services and the department of corrections may
- 5 subcontract with nonprofit organizations with
- 6 expertise in providing services to ex-offenders in
- 7 implementing the DMIE."

FORD of Polk

H-1857

- 1 Amend Senate File 341, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 3, by inserting after line 1 the
- 4 following:
- 5 "Sec. _____. Section 87.1, Code 2007, is amended by
- 6 adding the following new unnumbered paragraph:
- 7 NEW UNNUMBERED PARAGRAPH. Every employer subject
- 8 to the provisions of this chapter and chapters 85,
- 9 85A, 85B, and 86, shall be required to show proof of
- 10 United States citizenship, documentation issued by the
- 11 United States government as proof of legal presence in
- 12 the country, or other acceptable form of
- 13 identification as determined by the commissioner by

14 rule for each current employee physically present in
 15 the United States."
 16 2. By renumbering as necessary.

RANTS of Woodbury

H-1862

1 Amend House File 909 as follows:
 2 1. By striking page 45, line 28, through page 46,
 3 line 6, and inserting the following:
 4 "j. For the fiscal year beginning July 1, 2007,
 5 with the exception of area education agencies, local
 6 education agencies, infant and toddler services
 7 providers, and those providers whose rates are
 8 required to be determined pursuant to section 249A.20,
 9 noninstitutional medical assistance provider
 10 reimbursement rates shall be increased by three
 11 percent over the rates in effect on June 30, 2007.
 12 k. For the fiscal year beginning July 1, 2007, and
 13 ending June 30, 2008, all noninstitutional medical
 14 assistance health providers as specified in section
 15 249A.20 shall be reimbursed at the rate allowed under
 16 the Medicare program, subject to the medical
 17 assistance program upper payment limit."

L. MILLER of Scott

H-1863

1 Amend House File 909 as follows:
 2 1. Page 49, by inserting after line 6 the
 3 following:
 4 "12A. Notwithstanding any provision of this Act to
 5 the contrary, for the fiscal period beginning July 1,
 6 2007, the following providers and services shall be
 7 provided reimbursement in an amount that is three
 8 percent greater than the reimbursement amount in
 9 effect on June 30, 2007: inpatient and outpatient
 10 hospital services; disproportionate share hospitals,
 11 indirect medical education and direct medical
 12 education; home health services; physician services;
 13 psychiatric services; family planning services; early
 14 periodic screening, diagnosis, and treatment; dental
 15 services; optometric services; supplies; ambulance
 16 services; practitioner services; podiatric services;
 17 chiropractic services; clinic services; community
 18 mental health centers; home and community-based waiver
 19 services; the Iowa plan for behavioral health; health
 20 maintenance organizations; case management services;
 21 rehabilitative treatment services; adult
 22 rehabilitative option services; and pharmacy

23 dispensing fees."
 24 2. By renumbering as necessary.

L. MILLER of Scott

H-1868

1 Amend Senate File 588, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 15, by inserting after line 35 the
 4 following:
 5 "The state board of regents shall conduct a
 6 detailed study examining campus security protocols,
 7 processes, procedures, technologies, and prevention
 8 counseling techniques in use at each of the
 9 institutions of higher learning the board governs.
 10 The study shall also explore process, protocol, and
 11 technology improvements, as well as any other
 12 improvements which may lead to significant
 13 improvements in campus safety and security. The study
 14 shall include the effectiveness and necessity of armed
 15 campus security officers. The board shall complete
 16 the study by July 1, 2007, and shall submit its
 17 findings and recommendations in a report to the
 18 governor and the general assembly by August 1, 2007."
 19 2. Page 45, by inserting after line 18 the
 20 following:
 21 "____. The provision of this Act requiring the
 22 state board of regents to conduct a detailed study
 23 examining campus security protocols, processes and
 24 procedures, being deemed of immediate importance,
 25 takes effect upon enactment."
 26 3. By renumbering as necessary.

JACOBY of Johnson
 MASCHER of Johnson
 LENSING of Johnson
 WESSEL-KROESCHELL of Story

H-1870

1 Amend the amendment, H-1836, to Senate File 551, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 1, line 37, by striking the figure
 5 "2,000,000" and inserting the following: "1,000,000".
 6 2. Page 2, by inserting after line 24, the
 7 following:
 8 "____. a. For allocation to Iowa state
 9 university's department of agricultural and biosystems
 10 engineering to develop and implement a community-based
 11 odor assessment model for purposes of providing

12 recommendations to the general assembly concerning
 13 minimum separation distances between confinement
 14 feeding operation structures and designated lakes
 15 having at least one thousand acres of surface area and
 16 at least one urban area that is not in proximity to a
 17 river or lake:
 18 \$ 150,000
 19 b. For the development of a joint plan in
 20 cooperation with Iowa state university as part of an
 21 effort to coordinate water monitoring in this state,
 22 including by completing, updating, or supplementing
 23 existing plans as necessary, the collection of water
 24 quality data, and for publishing annual reports based
 25 on its work for use by the department and Iowa state
 26 university to provide a baseline for water quality
 27 efforts and to provide for scientific data to analyze
 28 water quality trends:
 29 \$ 850,000"

MAY of Dickinson
 UPMEYER of Hancock
 ROBERTS of Carroll

H-1871

1 Amend House File 911 as follows:
 2 1. Page 9, by inserting after line 29 the
 3 following:
 4 "____. DEPARTMENT OF VETERANS AFFAIRS
 5 For vertical infrastructure improvement projects at
 6 the Iowa veterans home:
 7 \$ 9,700,000"
 8 2. By renumbering as necessary.

TYMESON of Madison
 BAILEY of Hamilton

H-1872

1 Amend House File 911 as follows:
 2 1. Page 9, by inserting after line 29, the
 3 following:
 4 "Sec.____. DEPARTMENT OF VETERANS AFFAIRS
 5 For vertical infrastructure improvements at the
 6 Iowa veterans home:
 7 \$ 4,500,000"
 8 2. By renumbering as necessary.

TYMESON of Madison
 BAILEY of Hamilton

H-1874

1 Amend House File 911 as follows:

2 1. Page 8, by inserting after line 2 the
3 following:

4 "____. ROAD USE TAX FUND.

5 For deposit into the road use tax fund created in
6 section 312.1:

7 \$ 9,700,000"

8 2. By renumbering as necessary.

PAULSEN of Linn

H-1881

1 Amend House File 911 as follows:

2 1. Page 23, by inserting after line 14 the
3 following:

4 "Sec.____. Section 97B.49B, subsection 1,
5 paragraph e, subparagraph (1), Code 2007, is amended
6 to read as follows:

7 (1) A conservation peace officer employed under
8 section 456A.13 or as designated by a county
9 conservation board pursuant to section 350.5 or by a
10 county trails board pursuant to section 350A.5."

11 2. Page 29, by inserting after line 22 the
12 following:

13 "Sec.__. Section 306.42, subsection 2, Code
14 2007, is amended to read as follows:

15 2. The department shall transfer by quitclaim deed
16 to the county or to the city having jurisdiction over
17 a road, all of the state's legal or equitable title
18 and interest in right-of-way for the road or street
19 and may transfer any adjacent unused right-of-way or
20 land in excess of that needed as right-of-way. The
21 deed shall be executed by the director of the
22 department. However, if the department owns any
23 adjacent unused right-of-way in excess of that needed
24 as right-of-way which is located outside the
25 incorporated limits of a city and is suitable for
26 purposes specified in section 350.4, subsection 2, or
27 section 350A.4, subsection 2, the department may, at
28 the request of the county and the county conservation
29 board or the county trails board, transfer the
30 property by quitclaim deed to the county for the use
31 and benefit of the county conservation board or the
32 county trails board.

33 Sec.__. Section 306D.2, subsection 1, unnumbered
34 paragraph 1, Code 2007, is amended to read as follows:

35 The state department of transportation shall
36 prepare a statewide, long-range plan for the
37 protection, enhancement, and identification of

38 highways and secondary roads which pass through
39 unusually scenic areas of the state as identified in
40 section 306D.1. The department of natural resources,
41 department of economic development, and department of
42 cultural affairs, private organizations, county
43 conservation boards, county trails boards, city park
44 and recreation departments, and the federal agencies
45 having jurisdiction over land in the state shall be
46 encouraged to assist in preparing the plan. The plan
47 shall be coordinated with the state's open space plan
48 if a state open space plan has been approved by the
49 general assembly. The plan shall include, but is not
50 limited to, the following elements:

Page 2

1 Sec.____. Section 308A.1, unnumbered paragraph 3,
2 Code 2007, is amended to read as follows:

3 The department of natural resources is hereby
4 authorized to ~~co-operate~~ cooperate with county
5 conservation boards, county trails boards, boards of
6 supervisors, city councils, or any private
7 organizations interested in the establishment of
8 bikeways, and may consult with such groups in the
9 planning of appropriate bikeway routes and related
10 activities.

11 Sec.____. Section 314.22, subsection 3, paragraph
12 b, Code 2007, is amended by adding the following new
13 subparagraph:

14 NEW SUBPARAGRAPH. (9) One member representing
15 county trails boards.

16 Sec.____. Section 314.22, subsection 8, paragraph
17 b, Code 2007, is amended to read as follows:

18 b. The department shall coordinate and compile a
19 reconnaissance of lands to develop an inventory of
20 sites having the potential of being harvested for
21 native grass, forb, and woody plant material seed and
22 growing stock. Highway right-of-ways, parks and
23 recreation areas, converted railroad right-of-ways,
24 state board of regents' property, lands owned by
25 counties, and other types of public property shall be
26 surveyed and documented for seed source potential.
27 Sites volunteered by private organizations may also be
28 included in the inventory. Inventory information
29 shall be made available to state agencies' staffs,
30 county engineers, county conservation board directors,
31 county trails board directors, and others."

32 3. Page 29, by inserting after line 33 the
33 following:

34 "Sec.____. Section 331.321, subsection 1, Code
35 2007, is amended to read as follows:

36 1. The board shall appoint:

37 a. A veterans memorial commission in accordance
38 with sections 37.9 to 37.15, when a proposition to
39 erect a memorial building or monument has been
40 approved by the voters.

41 b. A county conservation board in accordance with
42 section 350.2, when a proposition to establish the
43 board has been approved by the voters.

44 c. A county trails board in accordance with
45 section 350A.2, when a proposition to establish the
46 board has been approved by the voters.

47 e. d. The members of the county board of health
48 in accordance with section 137.4.

49 ~~d.~~ e. One member of the convention to elect the
50 state fair board as provided in section 173.2,

Page 3

1 subsection 3.

2 e. f. A temporary board of community mental
3 health center trustees in accordance with section
4 230A.4 when the board decides to establish a community
5 mental health center, and members to fill vacancies in
6 accordance with section 230A.6.

7 ~~f.~~ g. The members of the service area advisory
8 board in accordance with section 217.43.

9 ~~g.~~ h. A county commission of veteran affairs in
10 accordance with sections 35B.3 and 35B.4.

11 ~~h.~~ i. A general assistance director in accordance
12 with section 252.26.

13 ~~i.~~ j. One or more county engineers in accordance
14 with sections 309.17 to 309.19.

15 ~~j.~~ k. A weed commissioner in accordance with
16 section 317.3.

17 ~~k.~~ l. A county medical examiner in accordance
18 with section 331.801, and the board may provide
19 facilities, deputy examiners, and other employees in
20 accordance with that section.

21 ~~l.~~ m. Two members of the county compensation
22 board in accordance with section 331.905.

23 ~~m.~~ n. Members of an airport zoning commission as
24 provided in section 329.9, if the board adopts airport
25 zoning under chapter 329.

26 ~~n.~~ o. Members of an airport commission in
27 accordance with section 330.20 if a proposition to
28 establish the commission has been approved by the
29 voters.

30 ~~o.~~ p. Two members of the civil service commission
31 for deputy sheriffs in accordance with section 341A.2
32 or 341A.3, and the board may remove the members in
33 accordance with those sections.

34 ~~p.~~ q. A temporary board of hospital trustees in
35 accordance with sections 347.9 and 347.10 if a

36 proposition to establish a county hospital has been
37 approved by the voters.

38 ~~q. r.~~ An initial board of hospital trustees in
39 accordance with section 347A.1 if a hospital is
40 established under chapter 347A.

41 ~~r. s.~~ A county zoning commission, an
42 administrative officer, and a board of adjustment in
43 accordance with sections 335.8 to 335.11, if the board
44 adopts county zoning under chapter 335.

45 ~~s. t.~~ A board of library trustees in accordance
46 with sections 336.4 and 336.5, if a proposition to
47 establish a library district has been approved by the
48 voters, or section 336.18 if a proposition to provide
49 library service by contract has been approved by the
50 voters.

Page 4

1 ~~t. u.~~ Local representatives to serve with the
2 city development board as provided in section 368.14.

3 ~~u. v.~~ Members of a city planning and zoning
4 commission and board of adjustment when a city extends
5 its zoning powers outside the city limits, in
6 accordance with section 414.23.

7 ~~v. w.~~ A list of residents eligible to serve as a
8 compensation commission in accordance with section
9 6B.4, in condemnation proceedings under chapter 6B.

10 ~~w. x.~~ Members of the county judicial magistrate
11 appointing commission in accordance with section
12 602.6503.

13 ~~x. y.~~ A member of the judicial district
14 department of corrections as provided in section
15 905.3, subsection 1, paragraph "a".

16 ~~y. z.~~ Members of a county enterprise commission
17 or joint county enterprise commission if the
18 commission is approved by the voters as provided in
19 section 331.471.

20 ~~z. aa.~~ Other officers and agencies as required by
21 state law.

22 Sec.____. Section 331.322, Code 2007, is amended
23 by adding the following new subsection:

24 NEW SUBSECTION. 4A. Provide suitable offices for
25 the meetings of the county trails board and the
26 safekeeping of its records.

27 Sec.____. Section 331.381, Code 2007, is amended
28 by adding the following new subsection:

29 NEW SUBSECTION. 3A. Proceed in response to a
30 petition to establish a county trails board in
31 accordance with section 350A.2.

32 Sec.____. Section 331.427, subsection 3, Code
33 2007, is amended to read as follows:

34 3. The board may make appropriations from the

35 general fund for general county services, including
 36 but not limited to the following:
 37 a. Expenses of a joint emergency management
 38 commission under chapter 29C.
 39 b. Development, operation, and maintenance of
 40 memorial buildings or monuments under chapter 37.
 41 c. Purchase of voting machines under chapter 52.
 42 d. Expenses incurred by the county conservation
 43 board established under chapter 350, in carrying out
 44 its powers and duties.
 45 e. Expenses incurred by the county trails board
 46 established under chapter 350A, in carrying out its
 47 powers and duties.
 48 e. f. Local health services. The county auditor
 49 shall keep a complete record of appropriations for
 50 local health services and shall issue warrants on them

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1 only on requisition of the local or district health
 2 board.
 3 f. g. Expenses relating to county fairs, as
 4 provided in chapter 174.
 5 g. h. Maintenance of a juvenile detention home
 6 under chapter 232.
 7 h. i. Relief of veterans under chapter 35B.
 8 i. j. Care and support of the poor under chapter
 9 252.
 10 j. k. Operation, maintenance, and management of a
 11 health center under chapter 346A.
 12 k. l. For the use of a nonprofit historical
 13 society organized under chapter 504, Code 1989, or
 14 current chapter 504, a city-owned historical project,
 15 or both.
 16 l. m. Services listed in section 331.424,
 17 subsection 1, and section 331.554.
 18 ~~m.~~ n. Closure and postclosure care of a sanitary
 19 disposal project under section 455B.302.
 20 Sec. _____. Section 331.441, subsection 2, paragraph
 21 c, subparagraph (2), Code 2007, is amended to read as
 22 follows:
 23 (2) Acquisition and development of land for a
 24 public museum, park, parkway, preserve, recreational
 25 trails, playground, or other recreation or
 26 conservation purpose to be managed by the county
 27 conservation board or county trails board. The board
 28 may submit a proposition under this subparagraph only
 29 upon receipt of a petition from the county
 30 conservation board or county trails board asking that
 31 bonds be issued for a specified amount.
 32 Sec. _____. **NEW SECTION.** 350A.1 PURPOSES.
 33 The purpose of this chapter is to create a county

34 trails board and to authorize counties to acquire,
35 develop, maintain, and make available to the
36 inhabitants of the county, public recreational trails,
37 and facilities related to such trails.

38 Sec. . NEW SECTION. 350A.2 PETITION – BOARD
39 MEMBERSHIP.

40 Upon a petition to the board of supervisors which
41 meets the requirements of section 331.306, the board
42 shall submit to the voters at the next general
43 election the question of whether a county trails board
44 shall be created as provided for in this chapter. If
45 at the election the majority of votes favors the
46 creation of a county trails board, the board of
47 supervisors within sixty days after the election shall
48 create a county trails board to consist of not less
49 than five bona fide residents of the county. The
50 members first appointed shall hold office for the term

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1 of one, two, three, four, and five years respectively,
2 or as indicated and fixed by the board of supervisors.
3 Thereafter, succeeding members shall be appointed for
4 a term of five years, except that vacancies occurring
5 otherwise than by expiration of term shall be filled
6 by appointment for the unexpired term. When a member
7 of the board, during the term of office, ceases to be
8 a bona fide resident of the county, the member is
9 disqualified as a member and the office becomes
10 vacant. Members of the board shall be selected and
11 appointed on the basis of their demonstrated interest
12 in recreational trails, and shall serve without
13 compensation, but may be paid their actual and
14 necessary expenses incurred in the performance of
15 their official duties. Members of the county trails
16 board may be removed for cause by the board of
17 supervisors as provided in section 331.321, subsection
18 3, if the cause is malfeasance, nonfeasance,
19 disability, or failure to participate in board
20 activities as set forth by the rules of the trails
21 board.

22 Sec. . NEW SECTION. 350A.3 MEETINGS –
23 RECORDS – ANNUAL REPORT.

24 Within thirty days after the appointment of members
25 of the board, the board shall organize by selecting
26 from its members a president and secretary and such
27 other officers as are deemed necessary, who shall hold
28 office for the calendar year in which elected and
29 until their successors are selected and qualify. A
30 simple majority of the members of the board shall
31 constitute a quorum for the transaction of business.
32 The board shall hold regular monthly meetings.

33 Special meetings may be called by the president, and
34 shall be called on the request of a majority of
35 members, as necessity may require. The county trails
36 board shall have power to adopt bylaws, to adopt and
37 use a common seal, and to enter into contracts. The
38 county board of supervisors shall provide suitable
39 offices for the meetings of the county trails board
40 and for the safekeeping of its records. Such records
41 shall be subject to public inspection at all
42 reasonable hours and under such regulations as the
43 county trails board may prescribe. The board shall
44 annually make a full and complete report to the county
45 board of supervisors of its transactions and
46 operations for the preceding year. Such report shall
47 contain a full statement of its receipts,
48 disbursements, and the program of work for the period
49 covered, and may include such recommendations as may
50 be deemed advisable.

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1 Sec. ____ NEW SECTION. 350A.4 POWERS AND DUTIES.

2 The county trails board shall have the custody,
3 control, and management of all real and personal
4 property heretofore or hereafter acquired by the
5 county for recreational trails and is authorized and
6 empowered:

7 1. To study and ascertain the county's
8 recreational trails and facilities related thereto,
9 the need for such trails and facilities, and the
10 extent to which such needs are being currently met,
11 and to prepare and adopt a coordinated plan of trails
12 and facilities to meet such needs.

13 2. To acquire in the name of the county by gift,
14 purchase, lease, agreement, exchange, or otherwise, in
15 fee or with conditions, suitable real estate within or
16 without the territorial limits of the county for
17 recreational trails or related facilities. The
18 natural resource commission, the county board of
19 supervisors, or the governing body of any city, upon
20 request of the county trails board, may transfer to
21 the county trails board for use as recreational trails
22 or related facilities, any land and buildings owned or
23 controlled by the department of natural resources or
24 the county or city and not devoted or dedicated to any
25 other inconsistent public use. In acquiring or
26 accepting land, due consideration shall be given to
27 its scenic, historic, archaeologic, recreational, or
28 other special features, and land shall not be acquired
29 or accepted unless, in the opinion of the board, it is
30 suitable or, in the case of exchange, is suitable and
31 of substantially the same value as the property

32 exchanged from the standpoint of its proposed use. An
33 exchange of property approved by the county trails
34 board and the board of supervisors is not subject to
35 section 331.361, subsection 2. The county trails
36 board shall file with the natural resource commission
37 notice of all acquisitions or exchanges of land within
38 one year.

39 3. To acquire, develop, operate, promote, and
40 maintain multipurpose recreational trails in the
41 county and to cooperate with adjoining counties in the
42 development of regional trails.

43 4. To accept in the name of the county gifts,
44 bequests, contributions, and appropriations of money,
45 and other personal property for recreational trails
46 purposes.

47 5. To employ and fix the compensation of a
48 director who shall be responsible to the county trails
49 board for carrying out the board's policies. The
50 director, subject to the approval of the board, may

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1 employ and fix the compensation of assistants and
2 employees as necessary for carrying out the provisions
3 of this chapter.

4 6. To charge and collect reasonable fees for the
5 use of recreational trails and facilities related to
6 such trails. The board shall not allow the exclusive
7 use of a trail by one or more organizations.

8 7. To operate concessions or to lease concessions
9 and to let out and rent privileges in or upon any
10 property under its control upon such terms and
11 conditions as are deemed by it to be in the public
12 interest.

13 8. To furnish suitable uniforms for the director
14 and those employees as the director may designate to
15 wear uniforms, when on official duty. The cost of the
16 uniforms shall not exceed three hundred dollars per
17 person in any year. The uniforms shall at all times
18 remain the property of the county.

19 Sec. . NEW SECTION. 350A.5 REGULATIONS -
20 PENALTY - OFFICERS.

21 The county trails board may make, alter, amend, or
22 repeal regulations for the protection, regulation, and
23 control of all recreational trails and other property
24 under its control. If the regulations affect trails
25 within any city limits, such regulations shall be
26 approved by the appropriate city council prior to
27 adoption by the county trails board. The regulations
28 shall not be contrary to, or inconsistent with, the
29 laws of this state. The regulations shall not take
30 effect until ten days after their adoption by the

31 board and after their publication as provided in
32 section 331.305 and after a copy of the regulations
33 has been posted near each gate or principal entrance
34 to the public ground to which they apply. After the
35 publication and posting, a person violating a
36 provision of the regulations which are then in effect
37 is guilty of a simple misdemeanor. The board may
38 designate the director and such employees as the
39 director may designate, as police officers who shall
40 have all the powers conferred by law on police
41 officers, peace officers, or sheriffs in the
42 enforcement of the laws of this state and the
43 apprehension of violators upon all property under the
44 board's control within and without the county. The
45 board may grant the director and those employees of
46 the board designated as police officers the authority
47 to enforce the provisions of chapters 321G, 321I,
48 461A, 462A, 481A, and 483A on land not under the
49 control of the board within the county.
50 Sec. ____ NEW SECTION. 350A.6 MONEYS -

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1 CONTRACTS - BONDS.

2 1. Upon request of the county trails board, the
3 board of supervisors shall establish a reserve account
4 for the development and construction of new
5 recreational trails, including land acquisition and
6 capital improvement projects. The board of
7 supervisors may periodically credit an amount of money
8 to the reserve account. Moneys credited to the
9 reserve account shall remain in the reserve account
10 until expended for the projects upon warrants
11 requisitioned by the county trails board. The
12 interest earned on moneys received from bequests and
13 donations in the reserve account which are invested
14 pursuant to section 12C.1 shall be credited to the
15 reserve account.

16 2. Annually, the total amount of money credited to
17 the reserve account, plus moneys appropriated for
18 recreational trails purposes from sources other than
19 the reserve account, shall not be less than the amount
20 of gifts, contributions, and bequests of money, rent,
21 licenses, fees, charges, and other revenues received
22 by the county trails board. Moneys given, bequeathed,
23 or contributed to the county trails board shall be
24 held, appropriated, and expended in accordance with
25 the instructions of the grantor.

26 3. Grants provided by the natural resource
27 commission from its county conservation board fund for
28 the purposes of creating and maintaining recreational
29 trails and facilities related to such trails shall be

30 expended solely for the purposes of carrying out the
31 provisions of this chapter.

32 4. The county auditor shall keep a complete record
33 of the appropriations and shall issue warrants on them
34 only on requisition of the county trails board. The
35 county trails board is subject to the contract letting
36 procedures in section 331.341, subsections 1, 2, and

37 4. Upon request of the county trails board, the board
38 of supervisors may issue general county purpose bonds
39 for the purposes in section 331.441, subsection 2,
40 paragraph "c", subparagraph (2), as provided in
41 chapter 331, division IV, part 3.

42 Sec. ____ NEW SECTION. 350A.7 JOINT OPERATIONS.

43 A county trails board may cooperate with the
44 federal government or the state government or any
45 department or agency thereof to carry out the purposes
46 and provisions of this chapter. A county trails board
47 may also cooperate with a private, not-for-profit
48 organization to carry out public projects and programs
49 authorized under this chapter. A county trails board
50 may join with any other county board or boards to

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1 carry out this chapter, and to that end may enter into
2 agreements with each other and may do any and all
3 things necessary or convenient to aid and cooperate in
4 carrying out this chapter. Any city, village, or
5 school district may aid and cooperate with any county
6 trails board or any combination of boards in
7 equipping, operating, and maintaining recreational
8 trails and for providing, conducting, and supervising
9 programs or activities, and may appropriate money for
10 such purposes. The natural resource commission,
11 county engineer, county agricultural agent, and other
12 county officials shall render assistance which does
13 not interfere with their regular employment. The
14 board of supervisors may be reimbursed to the credit
15 of the proper fund from county trails board funds for
16 the actual expense of operation of county-owned
17 equipment, use of county equipment operators,
18 supplies, and materials of the county, or for the
19 reasonable value for the use of county real estate
20 made available for the use of the county trails board.

21 Sec. ____ NEW SECTION. 350A.8 ADVICE AND
22 ASSISTANCE.

23 The natural resource commission and the department
24 of education shall advise with and may assist any
25 county or counties in carrying out the purposes of
26 this chapter.

27 Sec. ____ NEW SECTION. 350A.9 STATUTES
28 APPLICABLE.

29 Sections 461A.35 through 461A.57 apply to all lands
 30 under the control of a county trails board, in the
 31 same manner as if the lands were state parks or lands.
 32 As used in sections 461A.35 through 461A.57, "natural
 33 resource commission" includes a county trails board,
 34 and "director" includes a county trails board or its
 35 director, with respect to lands under the control of a
 36 county trails board. However, sections 461A.35
 37 through 461A.57 may be modified or superseded by rules
 38 adopted as provided in section 350A.5.

39 Sec. ____ Section 455A.19, subsection 1, paragraph
 40 b, subparagraph (3), Code 2007, is amended to read as
 41 follows:

42 (3) Forty percent of the allocation to the county
 43 conservation account annually shall be held in an
 44 account in the state treasury for the natural resource
 45 commission to award to counties on a competitive grant
 46 basis by a project selection committee established in
 47 this subparagraph. Local matching funds are not
 48 required for grants awarded under this subparagraph.
 49 The project planning and review committee shall be
 50 composed of two staff members of the department, and

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1 two county conservation board directors and two county
 2 trails board directors appointed by the director, and
 3 a fifth seventh member selected by a majority vote of
 4 the director's appointees. The natural resource
 5 commission, by rule, shall establish procedures for
 6 application, review, and selection of county projects
 7 submitted for funding. Upon recommendation of the
 8 project planning and review committee, the director
 9 shall award the grants.

10 Sec. ____ Section 455A.20, subsection 1,
 11 paragraphs a and e, Code 2007, are amended to read as
 12 follows:

13 a. The chairpersons of the board of supervisors,
 14 county conservation board, county trails board,
 15 commissioners of the soil and water district, and
 16 board of directors of each school district in the
 17 county. A chairperson may appoint a member of the
 18 chairperson's board or commission as the chairperson's
 19 designee on the committee. The chairperson or
 20 designee of a school district shall be a member of the
 21 county committee of the county in which a majority or
 22 the largest plurality of the district's students
 23 reside.

24 e. If a question arises as to whether a recognized
 25 county organization exists under paragraph "c" or "d",
 26 the question shall be decided by a majority vote of
 27 the members selected under paragraphs "a" and "b",

28 excluding the ~~representative~~ representatives of the
29 county conservation board and county trails board.
30 Sections 69.16 and 69.16A do not apply to appointments
31 made pursuant to this subsection.

32 Sec. ____ Section 455A.20, subsection 2, Code
33 2007, is amended to read as follows:

34 2. The duties of the county resource enhancement
35 committee are to coordinate the resource enhancement
36 program, plans, and proposed projects developed by
37 cities, county conservation board, county trails
38 board, and soil and water conservation district
39 commissioners for funding under this division. The
40 county committee shall review and comment upon all
41 projects before they are submitted for funding under
42 section 455A.19. Each county committee shall propose
43 a five-year program plan which includes a one-year
44 proposed expenditure plan and submit it to the
45 department.

46 Sec. ____ Section 456A.19, unnumbered paragraph 7,
47 Code 2007, is amended to read as follows:

48 All moneys credited to the county conservation
49 board fund shall be used to provide grants to county
50 conservation boards and county trails boards to

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1 provide funding for the purposes of chapter 350 and
2 chapter 350A. These grants are in addition to moneys
3 appropriated to the conservation boards and the trails
4 boards from the county boards of supervisors. The
5 grants shall be made to the conservation boards and
6 the trails boards based upon the needs of the boards.
7 Applications shall be made by the boards to the
8 commission.

9 Sec. ____ Section 457A.1, Code 2007, is amended to
10 read as follows:

11 457A.1 ACQUISITION BY OTHER THAN CONDEMNATION.

12 The department of natural resources, soil and water
13 conservation districts as provided in chapter 161A,
14 the historical division of the department of cultural
15 affairs, the state archaeologist appointed by the
16 state board of regents pursuant to section 263B.1, any
17 county conservation board, any county trails board,
18 and any city or agency of a city may acquire by
19 purchase, gift, contract, or other voluntary means,
20 but not by eminent domain, conservation easements in
21 land to preserve scenic beauty, wildlife habitat,
22 riparian lands, wetlands, or forests; promote outdoor
23 recreation, agriculture, soil or water conservation,
24 or open space; or otherwise conserve for the benefit
25 of the public the natural beauty, natural and cultural
26 resources, and public recreation facilities of the

27 state.

28 Sec.____. Section 461A.79, subsection 1, Code

29 2007, is amended to read as follows:

30 1. Fifty percent of the funds appropriated for
31 purposes of this section for public outdoor recreation
32 and resources shall be expended on land acquisition
33 and capital improvements in carrying out this chapter.
34 Acquisition projects, both fee-simple and
35 less-than-fee, from willing sellers, may be for
36 purposes of establishment or expansion of state parks,
37 public hunting areas, natural areas, public fishing
38 areas, water access sites, trail corridors,
39 recreational trails, and other acquisition projects
40 that are in accord with this chapter. Notwithstanding
41 the exemption provided by section 427.1, land acquired
42 under this subsection is subject to the full
43 consolidated levy of property taxes which shall be
44 paid from revenues available to be expended under this
45 subsection. Capital improvements may be either new
46 developments or rehabilitative in nature. Lake and
47 watershed restoration projects are eligible for
48 funding under this subsection. Not more than fifty
49 percent of the revenues available to be expended under
50 this subsection may be used by the commission to enter

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1 into agreements with county conservation boards,
2 county trails boards, and county boards of supervisors
3 in those counties without conservation boards or
4 county trails boards to carry out the purposes of this
5 subsection. The agreement shall not provide for the
6 payment by the commission of more than seventy-five
7 percent of the cost of the project and the agreement
8 shall specify that the county conservation board,
9 county trails board, or county board of supervisors,
10 whichever is applicable, shall provide funds for the
11 remaining cost of the project covered by the
12 agreement. Moneys available to be expended under this
13 subsection may be used for the matching of federal
14 funds.

15 Sec.____. Section 461A.80, subsection 3, Code

16 2007, is amended to read as follows:

17 3. Each county conservation board and each county
18 trails board of those counties which are located in a
19 congressional district shall nominate one person from
20 the congressional district for appointment to the
21 advisory council. The commission shall compile a list
22 of the nominations of the county conservation boards
23 and county trails boards for each congressional
24 district and shall provide this list to the governor.
25 The governor shall appoint one member from each

26 congressional district from the nominations as
27 provided. Appointments shall be made for three-year
28 terms beginning July 1 in the year of appointment. A
29 person shall not serve more than two terms. A vacancy
30 shall be filled for the unexpired term in the same
31 manner as the original appointment was made.

32 Sec.____. Section 463B.2, subsections 1 and 5,
33 Code 2007, are amended to read as follows:

34 1. A Missouri river preservation and land use
35 authority is created to engage in comprehensive
36 planning for and the development and implementation of
37 strategies designed to preserve and restore the
38 natural beauty of the land adjacent to and the water
39 of the Missouri river through state land acquisition.
40 Planning and implementation activities shall be
41 coordinated with plans and implementation activities
42 of the department of natural resources for lands owned
43 or acquired by the department. The authority shall be
44 composed of a representative from each of the county
45 conservation boards and each of the trails boards of
46 the counties which border on the Missouri river, an
47 elected official selected by the county board of
48 supervisors of each of the counties which border on
49 the Missouri river, six at-large public members, and
50 four ex officio members. The board of supervisors of

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1 the counties which border on the Missouri river shall
2 each appoint one of the at-large public members, who
3 shall possess a demonstrated interest in or knowledge
4 about natural resource conservation and protection and
5 one of whom shall also be actively engaged in the
6 business of farming. Interest or knowledge of an
7 at-large member may be demonstrated by membership in
8 an association or other organization which is involved
9 in conservation, environmental protection, or related
10 activities. The ex officio members of the authority
11 shall be composed of a representative from the natural
12 resource commission of the department of natural
13 resources, a representative from the state department
14 of transportation, a representative from the
15 department of cultural affairs, and a representative
16 from the office of attorney general. Members of the
17 authority shall serve two-year terms. Members who are
18 also members of a county conservation board, county
19 trails board, or board of supervisors shall be
20 reimbursed only for actual expenses incurred while
21 performing duties of the authority. At-large members
22 shall be reimbursed for actual expenses and shall
23 receive a per diem as specified in section 7E.6 for
24 their performance of duties for the authority.

25 5. The title to all property purchased by the
 26 authority shall be taken in the name of the state, but
 27 no land shall be acquired through condemnation
 28 proceedings and all purchases shall be from willing
 29 sellers. The authority may transfer jurisdiction over
 30 any lands the authority acquires to the department of
 31 natural resources, or may enter into agreements with
 32 the department or the appropriate county conservation
 33 board or county trials board, for the management of
 34 the lands. All lands purchased shall be for public
 35 use, and not for private commercial purposes, but the
 36 authority may permit the expenditure of private funds
 37 for the improvement of land or water adjacent to or
 38 purchased by the authority. All surveys and plats of
 39 lands purchased by the authority shall be filed in the
 40 manner provided in section 461A.22. Land purchased by
 41 the authority shall be managed and policed in the
 42 manner provided under agreements between the authority
 43 and the agency responsible for management of the
 44 property, except that, subject to the restrictions
 45 contained in chapter 455B, the authority shall not be
 46 required to obtain the prior permission of the natural
 47 resource commission when using private funds to
 48 establish land or water recreational areas, and any
 49 property purchased by the authority shall not be sold
 50 without the prior notification and consent of the

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- 1 authority."
- 2 4. By renumbering as necessary.

MAY of Dickinson

H-1883

- 1 Amend House File 911 as follows:
- 2 1. Page 8, line 4, by striking the word "grants"
- 3 and inserting the following: "reimbursement".
- 4 2. Page 8, lines 4 and 5, by striking the words
- 5 "purchase of voting machines" and inserting the
- 6 following: "purposes authorized in this subsection".
- 7 3. Page 8, by inserting after line 7 the
- 8 following:
- 9 "a. The moneys appropriated in this subsection
- 10 shall be used to reimburse counties for the cost of
- 11 complying with section 52.7, subsection 1, paragraph
- 12 "1", if enacted by 2007 Iowa Acts, Senate File 369.
- 13 The office of secretary of state shall establish, by
- 14 administrative rule, a procedure for reimbursing
- 15 counties for such costs. The rules adopted by the
- 16 office of secretary of state shall include but not be

17 limited to the following:

18 (1) That on or before May 15, 2007, the county
19 board of supervisors shall submit to the office of
20 secretary of state a resolution adopted by the board
21 declaring the method by which the county intends to
22 comply with section 52.7, subsection 1, paragraph "1",
23 2007 Iowa Acts, Senate File 369, if enacted.

24 (2) That when applying for reimbursement, a county
25 shall submit a receipt for the purchase and
26 documentation relating to any moneys received by the
27 county or deducted from the purchase price for a
28 trade-in on equipment replaced as part of the
29 transaction required to comply with section 52.7,
30 subsection 1, paragraph "1", 2007 Iowa Acts, Senate
31 File 369, if enacted.

32 b. If federal funding is received for the same or
33 similar purposes authorized in paragraph "a", of the
34 moneys appropriated in this subsection, an amount
35 equal to the federal funding received shall revert to
36 the rebuild Iowa infrastructure fund at the end of the
37 fiscal year.

38 c. A county shall not receive an amount of
39 reimbursement that exceeds the amount allotted to the
40 county by the secretary of state based on the
41 conditions in paragraph "a", subparagraphs (1) and
42 (2)."

43 4. By renumbering, redesignating, and correcting
44 internal references as necessary.

JACOBS of Polk

H-1885

1 Amend House File 911 as follows:

2 1. Page 1, by inserting before line 1 the
3 following:

4 "DIVISION
5 GENERAL FUND

6 Sec. _____. There is appropriated from the general
7 fund of the state to the secretary of state for the
8 fiscal year beginning July 1, 2007, and ending June
9 30, 2008, the following amount, or so much thereof as
10 is necessary, to be used for the purpose designated:

11 To provide reimbursement for the purposes
12 authorized in this section:

13 \$ 4,500,000

14 1. For reimbursement to counties for the cost of
15 complying with section 52.7, subsection 1, paragraph
16 "1", if enacted by 2007 Iowa Acts, Senate File 369.
17 The office of secretary of state shall establish, by
18 administrative rule, a procedure for reimbursing
19 counties for such costs. The rules adopted by the

20 office of secretary of state shall include but not be
21 limited to the following:

22 a. That on or before May 15, 2007, the county
23 board of supervisors shall submit to the office of
24 secretary of state a resolution adopted by the board
25 declaring the method by which the county intends to
26 comply with section 52.7, subsection 1, paragraph "1",
27 if enacted by 2007 Iowa Acts, Senate File 369.

28 b. That when applying for reimbursement, a county
29 shall submit a receipt for the purchase and
30 documentation relating to any moneys received by the
31 county or deducted from the purchase price for a
32 trade-in on equipment replaced as part of the
33 transaction required to comply with section 52.7,
34 subsection 1, paragraph "1", if enacted by 2007 Iowa
35 Acts, Senate File 369.

36 2. If federal funding is received for the same or
37 similar purposes authorized in subsection 1 of the
38 moneys appropriated in this section, an amount equal
39 to the federal funding received shall revert to the
40 rebuild Iowa infrastructure fund at the end of the
41 fiscal year.

42 3. A county shall not receive an amount of
43 reimbursement that exceeds the amount allotted to the
44 county by the secretary of state based on the
45 conditions in subsection 1, paragraphs "a" and "b".

46 2. Page 8, by striking lines 3 through 7.

47 3. Title page, line 2, by inserting after the
48 words "from the" the following: "general fund".

49 4. By renumbering as necessary.

RAECKER of Polk
WATTS of Dallas

H-1886

1 Amend House File 911 as follows:

2 1. Page 1, by inserting before line 1 the
3 following:

4 "DIVISION _____
5 GENERAL FUND

6 Sec. _____. There is appropriated from the general
7 fund of the state to the department of human services
8 for the fiscal year beginning July 1, 2007, and ending
9 June 30, 2008, the following amount, or so much
10 thereof as is necessary, to be used for the purpose
11 designated:

12 For the renovation and construction of certain
13 nursing facilities consistent with the provisions of
14 chapter 249K, as enacted in this Act:

15 \$ 1,000,000"

16 2. Page 5, by striking lines 5 through 9.

- 17 3. Title page, line 2, by inserting after the
- 18 word "fund," the following: "the general fund,".
- 19 4. By renumbering as necessary.

RAECKER of Polk
WATTS of Dallas

H-1887

- 1 Amend House File 911 as follows:
- 2 1. Page 1, by inserting before line 1 the
- 3 following:
- 4 "DIVISION _____
- 5 GENERAL FUND
- 6 Sec. _____. There is appropriated from the general
- 7 fund of the state to the department of transportation
- 8 for the fiscal year beginning July 1, 2007, and ending
- 9 June 30, 2008, the following amount, or so much
- 10 thereof as is necessary, to be used for the purpose
- 11 designated:
- 12 For deposit into the railroad revolving loan and
- 13 grant fund created in section 327H.20A:
- 14 \$ 2,000,000"
- 15 2. Page 9, by striking lines 17 through 24.
- 16 3. Title page, line 2, by inserting after the
- 17 words "from the" the following: "general fund,".
- 18 4. By renumbering as necessary.

RAECKER of Polk
WATTS of Dallas

H-1889

- 1 Amend House File 911 as follows:
- 2 1. Page 2, by striking lines 26 through 29 and
- 3 inserting the following:
- 4 "o. For a contribution to the American veterans
- 5 disabled for life memorial fund for funding the
- 6 construction of the American veterans disabled for
- 7 life memorial in Washington, D.C., notwithstanding
- 8 section 8.57, subsection 6, paragraph "c":
- 9 \$ 200,000"
- 10 2. By renumbering as necessary.

KAUFMANN of Cedar

H-1891

- 1 Amend House File 911 as follows:
- 2 1. Page 4, by inserting after line 9 the
- 3 following:
- 4 " _____. For the Sanford museum and planetarium in

5	Cherokee:		
6	.....	\$	5,000
7	___ For Dexter park in Dallas county:		
8	.....	\$	5,000
9	___ For the Fenelon place elevator in Dubuque:		
10	.....	\$	5,000
11	___ For the Glacier trail in Hardin county:		
12	.....	\$	5,000
13	___ For the prairie heritage center in O'Brien		
14	county:		
15	.....	\$	5,000
16	___ For the Lyon county historical society in,		
17	Rock Rapids:		
18	.....	\$	5,000
19	___ For the Dickinson county museum in Spirit		
20	Lake:		
21	.....	\$	5,000
22	___ For the Swedish American museum in		
23	Swedesburg:		
24	.....	\$	5,000
25	___ For the depot tourist and information center		
26	in Webster City:		
27	.....	\$	5,000
28	___ For the Faulkner gallery in Grinnell:		
29	.....	\$	5,000
30	___ For the ice house museum in Cedar Falls:		
31	.....	\$	5,000
32	___ For Lowe park arts and environmental center		
33	in Marion:		
34	.....	\$	5,000
35	___ For the McNider museum in Mason City:		
36	.....	\$	5,000
37	___ For the pearl button museum -- Muscatine		
38	history and industry center in Muscatine:		
39	.....	\$	5,000
40	___ For the hub city railway museum in Oelwein:		
41	.....	\$	5,000
42	___ For the Nelson pioneer farm in Oskaloosa:		
43	.....	\$	5,000
44	___ For the Alton historical museum in Alton:		
45	.....	\$	10,000
46	___ For the Figge arts museum in Davenport:		
47	.....	\$	10,000
48	___ For the Amana arts guild center in High		
49	Amana:		
50	.....	\$	10,000

Page 2

1	___ For the Plymouth county historical museum in		
2	Lemars:		
3	.....	\$	10,000

4	___.	For the Hamilton county fairgrounds in	
5		Webster City:	
6	.....		\$ 10,000
7	___.	For the nature conservancy Loess Hills	
8		project in western Iowa:	
9	.....		\$ 10,000
10	___.	For the fort Des Moines museum and education	
11		center in Des Moines:	
12	.....		\$ 25,000
13	___.	For Reiman gardens in Ames:	
14	.....		\$ 25,000
15	___.	For the Iowa great lakes maritime museum in	
16		Arnolds Park:	
17	.....		\$ 25,000
18	___.	For the national Czech and Slovak museum in	
19		Cedar Rapids:	
20	.....		\$ 25,000
21	___.	For the union Pacific railroad museum in	
22		Council Bluffs:	
23	.....		\$ 25,000
24	___.	For the German American heritage center in	
25		Davenport:	
26	.....		\$ 25,000
27	___.	For the Vesterheim Norwegian-American museum	
28		in Decorah:	
29	.....		\$ 25,000
30	___.	For the Blank park zoo in Des Moines:	
31	.....		\$ 25,000
32	___.	For the Iowa hall of pride in Des Moines:	
33	.....		\$ 25,000
34	___.	For the national Mississippi river museum and	
35		aquarium in Dubuque:	
36	.....		\$ 25,000
37	___.	For the Danish immigrant museum in Elk Horn:	
38	.....		\$ 25,000
39	___.	For the Blanden memorial art museum in Ft.	
40		Dodge:	
41	.....		\$ 25,000
42	___.	For the gold star museum in Johnston:	
43	.....		\$ 25,000
44	___.	For the mid-American transportation and	
45		aviation museum in Sioux City:	
46	.....		\$ 25,000
47	___.	For the living history farms in Urbandale:	
48	.....		\$ 25,000
49	___.	For the Sullivan brothers Iowa veterans	
50		museum in Waterloo:	

Page 3

1	.....		\$ 25,000
2	___.	For the African-American historical and	

3 cultural museum in Waterloo:
 4 \$ 25,000
 5 ____ For the Herbert Hoover presidential library
 6 in West Branch:
 7 \$ 25,000"
 8 2. By renumbering as necessary.

RAECKER of Polk
 WATTS of Dallas
 VAN FOSSEN of Scott

H-1899

1 Amend House File 911 as follows:
 2 1. Page 1, by inserting before line 1 the
 3 following:
 4 "DIVISION I
 5 GENERAL FUND
 6 Section 1. There is appropriated from the general
 7 fund of the state to the following departments and
 8 agencies for the fiscal year beginning July 1, 2007,
 9 and ending June 30, 2008, the following amounts, or so
 10 much thereof as is necessary, to be used for the
 11 purposes designated:
 12 1. DEPARTMENT OF ADMINISTRATIVE SERVICES
 13 a. For relocation and project costs directly
 14 associated with remodeling projects on the capitol
 15 complex and for facility lease payments:
 16 \$ 1,824,500
 17 b. For routine maintenance of state buildings and
 18 facilities:
 19 \$ 5,000,000
 20 c. For costs associated with the enterprise
 21 resource planning system:
 22 \$ 1,500,000
 23 d. For the purchase and installation of decorative
 24 planters on state property west of the west capitol
 25 terrace:
 26 \$ 120,000
 27 e. To provide funding and related services for
 28 capitol complex property acquisition:
 29 \$ 1,000,000
 30 f. For a feasibility study relating to renovations
 31 to the capitol complex utility tunnel system:
 32 \$ 260,000
 33 g. For costs associated with a feasibility study
 34 concerning asbestos abatement and related building
 35 renovation work at the Iowa workforce development
 36 building located at 1000 E. Grand Avenue in Des
 37 Moines:
 38 \$ 1,000,000
 39 2. DEPARTMENT OF CORRECTIONS

40 For the master planning process for the possible
 41 remodel, expansion, and demolition of buildings at the
 42 Iowa correctional institution for women; to develop,
 43 validate, and implement custody classification
 44 systems; and a research-based study of the substance
 45 abuse, sex offender, and medical and mental health
 46 treatment programs to ensure adherence to
 47 evidence-based practices:
 48 \$ 500,000
 49 3. DEPARTMENT OF CULTURAL AFFAIRS
 50 For continuation of the project recommended by the

Page 2

1 Iowa battle flag advisory committee to stabilize the
 2 condition of the battle flag collection:
 3 \$ 220,000
 4 The department is authorized an additional 1.50
 5 full-time equivalent positions for a conservation
 6 assistant and a part-time historian for work related
 7 to the stabilization and preservation of the battle
 8 flag collection.
 9 4. DEPARTMENT OF ECONOMIC DEVELOPMENT
 10 a. For infrastructure expenses to support the
 11 development and expansion of targeted industry areas
 12 of advanced manufacturing, bioscience, and information
 13 technology pursuant to 2007 Iowa Acts, House File 829,
 14 if enacted:
 15 \$ 1,750,000
 16 5. DEPARTMENT OF EDUCATION
 17 To provide resources for structural and
 18 technological improvements to local libraries and for
 19 the enrich Iowa program:
 20 \$ 1,000,000
 21 Of the amount appropriated in this subsection,
 22 \$50,000 shall be allocated equally to each library
 23 service area.
 24 6. DEPARTMENT OF NATURAL RESOURCES
 25 For implementation of lake projects that have
 26 established watershed improvement initiatives and
 27 community support in accordance with the department's
 28 annual lake restoration plan and report:
 29 \$ 8,600,000
 30 a. Of the moneys appropriated in this lettered
 31 paragraph, \$200,000 shall be used for the purposes of
 32 supporting a low head dam public hazard improvement
 33 program. The moneys shall be used to provide grants
 34 to local communities, including counties and cities,
 35 for projects approved by the department.
 36 (1) The department shall establish a grant
 37 application process and shall require each local
 38 community applying for a project grant to submit a

39 project plan for the expenditure of the moneys, and to
40 file a report with the department regarding the
41 project, as required by the department.

42 (2) The department shall only award moneys on a
43 matching basis, pursuant to which the local community
44 shall contribute a dollar for each dollar awarded by
45 the department, in order to finance a project.

46 b. For lake dredging and related improvements
47 including ongoing dam maintenance and operation on a
48 lake with public access that has the support of a
49 benefited lake district located in a county with a
50 population between 18,015 and 18,050 according to the

Page 3

1 2005 population estimate issued by the federal
2 government:

3 \$ 100,000

4 7. SECRETARY OF STATE

5 To provide reimbursement to counties for the
6 purposes authorized in this subsection:

7 \$ 4,500,000

8 a. The moneys appropriated in this subsection
9 shall be used to reimburse counties for the cost of
10 complying with section 52.7, subsection 1, paragraph
11 "1", if enacted by 2007 Iowa Acts, Senate File 369.
12 The office of secretary of state shall establish, by
13 administrative rule, a procedure for reimbursing
14 counties for such costs. The rules adopted by the
15 office of secretary of state shall include but not be
16 limited to the following:

17 (1) That on or before May 15, 2007, the county
18 board of supervisors shall submit to the office of
19 secretary of state a resolution adopted by the board
20 declaring the method by which the county intends to
21 comply with section 52.7, subsection 1, paragraph "1",
22 if enacted by 2007 Iowa Acts, Senate File 369.

23 (2) That when applying for reimbursement, a county
24 shall submit a receipt for the purchase and
25 documentation relating to any moneys received by the
26 county or deducted from the purchase price for a
27 trade-in on equipment replaced as part of the
28 transaction required to comply with section 52.7,
29 subsection 1, paragraph "1", if enacted by 2007 Iowa
30 Acts, Senate File 369.

31 b. If federal funding is received for the same or
32 similar purposes authorized in paragraph "a", of the
33 moneys appropriated in this subsection, an amount
34 equal to the federal funding received shall revert to
35 the rebuild Iowa infrastructure fund at the end of the
36 fiscal year.

37 c. A county shall not receive an amount of

38 reimbursement that exceeds the amount allotted to the
 39 county by the secretary of state based on the
 40 conditions in paragraph "a", subparagraphs (1) and
 41 (2).
 42 8. STATE BOARD OF REGENTS
 43 a. For allocation by the state board of regents to
 44 the state university of Iowa, the Iowa state
 45 university of science and technology, and the
 46 university of northern Iowa to reimburse the
 47 institutions for deficiencies in their operating funds
 48 resulting from the pledging of tuition, student fees
 49 and charges, and institutional income to finance the
 50 cost of providing academic and administrative

Page 4

1	buildings and facilities and utility services at the	
2	institutions:	
3	.....	\$ 10,329,910
4	b. For costs associated with the establishment of	
5	the Iowa institute for biomedical discovery at the	
6	state university of Iowa:	
7	.....	\$ 10,000,000
8	c. For planning, design, and construction costs	
9	associated with the construction of a new renewable	
10	fuels building at Iowa state university of science and	
11	technology:	
12	.....	\$ 5,647,000
13	9. DEPARTMENT OF TRANSPORTATION	
14	For deposit into the railroad revolving loan and	
15	grant fund created in section 327H.20A:	
16	.....	\$ 2,000,000

17 It is the intent of the general assembly that the
 18 moneys appropriated in this subsection shall be used
 19 to generate at least \$10,000,000 in vertical
 20 infrastructure capital investments."

- 21 2. Page 1, by striking lines 9 through 17.
- 22 3. Page 1, by striking lines 24 through 27.
- 23 4. Page 1, by striking lines 31 through 34.
- 24 5. Page 2, by striking lines 3 through 6.
- 25 6. Page 2, by striking lines 16 through 25.
- 26 7. Page 3, by striking lines 5 through 13.
- 27 8. Page 3, by striking lines 22 through 30.
- 28 9. Page 4, by striking lines 11 through 16.
- 29 10. By striking page 4, line 29, through page 5,
- 30 line 1.
- 31 11. By striking page 5, line 26, through page 6,
- 32 line 10.
- 33 12. Page 6, by striking lines 15 through 22.
- 34 13. Page 8, by striking lines 3 through 26.
- 35 14. Page 9, by striking lines 17 through 24.
- 36 15. Title page, line 2, by inserting after the

37 words "from the" the following: "general fund."
 38 16. By renumbering as necessary.

RAECKER of Polk
 WATTS of Dallas

H-1900

1 Amend Senate File 572, as passed by the Senate, as
 2 follows:

3 1. Page 1, line 8, by striking the figure "2009"
 4 and inserting the following: "2010".

5 2. Page 1, line 14, by striking the figure "2009"
 6 and inserting the following: "2010".

7 3. Page 1, line 17, by striking the figure "2009"
 8 and inserting the following: "2010".

9 4. Page 2, line 1, by striking the figure "2009"
 10 and inserting the following: "2010".

11 5. Page 2, line 5, by striking the figure "2009"
 12 and inserting the following: "2010".

13 6. Page 2, by inserting after line 5 the
 14 following:

15 "Sec. ____ Section 476D.2, subsection 1, paragraph
 16 c, Code 2007, is amended to read as follows:

17 c. The credit for the purchase and replacement of
 18 soy-based transformer fluid used in the transition is
 19 limited to ~~two~~ four dollars per gallon. The total
 20 number of gallons used in the transition shall not
 21 exceed ~~twenty~~ forty thousand gallons per electric
 22 utility.

23 Sec. ____ Section 476D.2, subsection 4, Code 2007,
 24 is amended to read as follows:

25 4. The total amount of soy-based transformer fluid
 26 eligible for a tax credit shall not exceed ~~sixty one~~
 27 hundred twenty thousand gallons."

28 7. Page 2, line 10, by striking the figure "2009"
 29 and inserting the following: "2010".

30 8. Page 2, line 11, by striking the figure "2009"
 31 and inserting the following: "2010".

32 9. Title page, line 1, by inserting after the
 33 word "Act" the following: "modifying and".

KELLEY of Black Hawk

H-1901

1 Amend House File 882 as follows:

2 1. Page 1, line 8, by striking the figure "2010"
 3 and inserting the following: "2009".

4 2. Page 1, line 14, by striking the figure "2010"
 5 and inserting the following: "2009".

6 3. Page 1, line 17, by striking the figure "2010"

- 7 and inserting the following: "2009".
 8 4. Page 2, line 1, by striking the figure "2010"
 9 and inserting the following: "2009".
 10 5. Page 2, line 5, by striking the figure "2010"
 11 and inserting the following: "2009".
 12 6. Page 2, by striking lines 6 through 17.
 13 7. Page 2, line 22, by striking the figure "2010"
 14 and inserting the following: "2009".
 15 8. Page 2, line 23, by striking the figure "2010"
 16 and inserting the following: "2009".
 17 9. Title page, line 1, by striking the words
 18 "modifying and".

KELLEY of Black Hawk

H-1903

- 1 Amend Senate File 551, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 20, by inserting after line 2 the
 4 following:
 5 "DIVISION _____
 6 CODE LANGUAGE – MOVEMENT AND HEALTH OF SWINE
 7 Sec. _____. Section 163.2, Code 2007, is amended by
 8 adding the following new subsections:
 9 NEW SUBSECTION. 2A. "Custody or control" means to
 10 keep an animal in an enclosed or confined location, in
 11 a manner that prevents the release or escape of the
 12 animal from the location including but not limited to
 13 keeping the animal for breeding, growing, movement, or
 14 harvesting.
 15 NEW SUBSECTION. 3A. "Estray" means not to be in
 16 the custody or control of a person.
 17 NEW SUBSECTION. 3B. "Game swine" means the same
 18 as defined in section 171.1.
 19 Sec. _____. Section 163.30, subsection 5, unnumbered
 20 paragraph 1, Code 2007, is amended to read as follows:
 21 All swine moved shall be accompanied by a
 22 certificate of veterinary inspection issued by the
 23 state of origin and prepared and signed by a
 24 veterinarian. The certificate shall show the point of
 25 origin, the point of destination, individual
 26 identification, immunization status, and, when
 27 required, any movement permit number assigned to the
 28 shipment by the department. The certificate of
 29 veterinary inspection shall state whether the swine
 30 are game swine, and shall provide any registration
 31 information as required by section 171.4. All such
 32 movement of swine shall be completed within
 33 seventy-two hours unless an extension of time for
 34 movement is granted by the department.
 35 Sec. _____. NEW SECTION. 163.32 ESTRAY SWINE.

36 A person who captures swine which is estray in
 37 another state shall not move that swine into this
 38 state.
 39 Sec.____. NEW SECTION. 163.61A PENALTY AND
 40 DISCIPLINARY ACTION FOR TAKING ESTRAY SWINE.
 41 1. A person who violates section 163.32 is guilty
 42 of an aggravated misdemeanor. A person is guilty of a
 43 separate offense for each swine which is the subject
 44 of the violation.
 45 2. Upon a person's conviction for violating
 46 section 163.32, the sentencing court may, as part of
 47 the judgment, revoke or suspend a license issued
 48 pursuant to chapter 481A or 483A for a definite period
 49 of time.
 50 Sec.____. NEW SECTION. 171.1 DEFINITIONS.

Page 2

1 As used in this chapter, unless the context
 2 otherwise requires:
 3 1. "Custody or control" means the same as defined
 4 in section 163.2.
 5 2. "Department" means the department of
 6 agriculture and land stewardship.
 7 3. "Game swine" means swine that are classified as
 8 part of the species *sus scrofa linnaeus* which may be
 9 commonly known as Russian boar or European boar of
 10 either sex.
 11 4. "Swine" means an animal belonging to the order
 12 artiodactyla, and classified as part of the family
 13 suidae.
 14 Sec.____. NEW SECTION. 171.2 RULES.
 15 The department may adopt rules pursuant to chapter
 16 17A as necessary to administer this chapter.
 17 Sec.____. NEW SECTION. 171.3 IDENTIFICATION.
 18 A person who has custody or control of game swine
 19 shall identify the game swine as required by the
 20 department. Game swine shall at least be identified
 21 with a numbered metal ear tag affixed to the game
 22 swine or other method such as installing an electronic
 23 device onto or beneath the hide of the game swine as
 24 prescribed by the department. The game swine must be
 25 identified within ten days following the person's
 26 acquisition of the game swine, including acquisition
 27 by transfer or birth.
 28 Sec.____. NEW SECTION. 171.4 GAME SWINE
 29 REGISTRATION SYSTEM.
 30 The department of agriculture and land stewardship
 31 shall establish a game swine registration system, in
 32 cooperation with the department of natural resources.
 33 1. A person who has custody or control of a game
 34 swine shall register the game swine within ten days

35 following the person's acquisition of the game swine,
36 including acquisition by transfer or birth.

37 2. The person required to register game swine as
38 provided in this section shall provide information
39 required by the department which shall at least
40 include all of the following:

41 a. The number, age, and description of the game
42 swine, including its identification number as provided
43 in section 171.3.

44 b. The location where the person maintains custody
45 or control of the game swine.

46 c. The purpose of the person in maintaining
47 custody or control of the game swine.

48 d. Whether the person has been issued a hunting
49 preserve operator's license as required in chapter
50 484B.

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1 3. The department shall to every extent feasible
2 provide for registration using the internet, including
3 programming, necessary to ensure the convenience,
4 completeness, and accuracy of the registrations.

5 Sec. . NEW SECTION. 171.5 GAME SWINE
6 REGISTRATION FEE.

7 A person required to register game swine as
8 provided in section 171.4 shall remit a registration
9 fee to the department. The amount of the registration
10 fee shall not exceed one dollar. The moneys collected
11 by the department under this section shall be retained
12 as repayment receipts by the department exclusively to
13 offset the costs of providing for registrations
14 pursuant to section 171.4.

15 Sec. . NEW SECTION. 171.6 HEALTH
16 REQUIREMENTS.

17 Game swine shall be free of an infectious or
18 contagious disease as defined in section 163.2. The
19 department shall regulate game swine as any other
20 swine for purposes of preventing, suppressing, and
21 eradicating an infectious or contagious disease
22 afflicting swine within the state.

23 Sec. . NEW SECTION. 171.7 PENALTY.

24 A person who violates section 171.3 or 171.4 is
25 subject to a civil penalty of not more than one
26 hundred dollars. Penalty moneys shall be deposited
27 into the general fund of the state.

28 Sec. . Section 484B.1, Code 2007, is amended by
29 adding the following new subsection:

30 NEW SUBSECTION. 4A. "Game swine" means the same
31 as defined in section 171.1.

32 Sec. . NEW SECTION. 484B:12A HEALTH AND
33 MOVEMENT REQUIREMENTS - GAME SWINE.

34 1. All game swine which are purchased, propagated,
 35 confined, released, or sold by a hunting preserve
 36 required to be licensed under this chapter shall be
 37 free of diseases considered significant for wildlife,
 38 poultry, or livestock. The department of agriculture
 39 and land stewardship shall provide for the regulation
 40 of game swine as any other swine for purposes of
 41 preventing, suppressing, and eradicating an infectious
 42 or contagious disease afflicting swine within the
 43 state.
 44 2. Game swine that are purchased, propagated,
 45 confined, or sold by a hunting preserve shall only be
 46 moved in accordance with rules adopted or orders
 47 issued by the department of agriculture and land
 48 stewardship.
 49 Sec.____. IDENTIFICATION AND REGISTRATION –
 50 COMPLIANCE PERIOD. Notwithstanding sections 171.3 and

Page 4

1 171.4, a person required to identify game swine and
 2 register game swine shall have until September 1,
 3 2007, to comply with those sections.
 4 Sec.____. EFFECTIVE DATE. This division of this
 5 Act, being deemed of immediate importance, takes
 6 effect upon enactment."
 7 2. Title page, line 3, by inserting after the
 8 word "protection" the following: ", and providing
 9 penalties and an effective date".
 10 3. By renumbering as necessary.

SANDS of Louisa

H-1905

1 Amend Senate File 575, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 16, line 1, by striking the figure
 4 "4,097,900" and inserting the following: "4,172,900".
 5 2. Page 16, by inserting after line 2 the
 6 following: "Of the amount appropriated in this
 7 subsection, the department shall allocate \$75,000 to
 8 increase enforcement of cigarette and tobacco laws
 9 under chapter 453A, including providing education of
 10 penalties to citizens residing in counties that border
 11 states with the greatest cigarette and tobacco product
 12 tax differential with Iowa."

SWAIM of Davis

H-1906

1 Amend Senate File 588, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 1, by striking lines 33 through 35.

4 2. Page 2, by striking line 35 and inserting the
5 following:

6 "..... \$ 2,070,76"

7 3. Page 3, line 4, by striking the figure
8 "500,000" and inserting the following: "1,570,976".

9 4. Page 45, by striking line 12 and inserting the
10 following:

11 "Sec. ____ Section 256.25 and sections 261.92
12 through 261.97, Code 2007, are repealed."

13 5. By renumbering as necessary.

CHAMBERS of O'Brien

H-1907

1 Amend Senate File 588, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 1, by striking line 35 and inserting the
4 following:

5 "..... \$ 1,570,976"

6 2. Page 2, line 28, by striking the word
7 "ASSISTANCE" and inserting the following: "FOSTER
8 CARE GRANT".

9 3. Page 2, line 29, by striking the word
10 "assistance" and inserting the following: "foster
11 care grant".

12 4. Page 2, by striking lines 32 through 35 and
13 inserting the following: "enacted by this Act:

14 \$ 500,000"

15 5. Page 3, by striking lines 1 through 14.

16 6. By striking page 33, line 26, through page 36,
17 line 9.

18 7. By renumbering as necessary.

CHAMBERS of O'Brien

H-1909

1 Amend Senate File 551, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 20, by inserting after line 2, the
4 following:

5 "DIVISION ____
6 HEALTH AND MOVEMENT OF SWINE

7 Sec. ____ Section 163.2, Code 2007, is amended by
8 adding the following new subsections:

9 NEW SUBSECTION. 2A. "Custody or control" means to

10 keep an animal in an enclosed or confined location, in
 11 a manner that prevents the release or escape of the
 12 animal from the location including but not limited to
 13 keeping the animal for breeding, growing, movement, or
 14 harvesting.

15 NEW SUBSECTION. 3A. "Estray" means not to be in
 16 the custody or control of a person.

17 NEW SUBSECTION. 3B. "Game swine" means the same
 18 as defined in section 171.1.

19 Sec.____. Section 163.30, subsection 5, unnumbered
 20 paragraph 1, Code 2007, is amended to read as follows:

21 All swine moved shall be accompanied by a
 22 certificate of veterinary inspection issued by the
 23 state of origin and prepared and signed by a
 24 veterinarian. The certificate shall show the point of
 25 origin, the point of destination, individual
 26 identification, immunization status, and, when
 27 required, any movement permit number assigned to the
 28 shipment by the department. The certificate of
 29 veterinary inspection shall state whether the swine
 30 are game swine, and shall provide any registration
 31 information as required by section 171.4. All such
 32 movement of swine shall be completed within
 33 seventy-two hours unless an extension of time for
 34 movement is granted by the department.

35 Sec.____. NEW SECTION. 163.32 ESTRAY SWINE.

36 A person who captures swine which is estray in
 37 another state shall not move that swine into this
 38 state.

39 Sec.____. NEW SECTION. 163.61A PENALTY AND
 40 DISCIPLINARY ACTION FOR TAKING ESTRAY SWINE.

41 1. A person who violates section 163.32 is guilty
 42 of an aggravated misdemeanor. A person is guilty of a
 43 separate offense for each swine which is the subject
 44 of the violation.

45 2. Upon a person's conviction for violating
 46 section 163.32, the sentencing court may, as part of
 47 the judgment, revoke or suspend a license issued
 48 pursuant to chapter 481A or 483A for a definite period
 49 of time.

50 Sec.____. NEW SECTION. 171.1 DEFINITIONS.

Page 2

1 As used in this chapter, unless the context
 2 otherwise requires:

3 1. "Custody or control" means the same as defined
 4 in section 163.2.

5 2. "Department" means the department of
 6 agriculture and land stewardship.

7 3. "Game swine" means swine that are classified as
 8 part of the species *sus scrofa linnaeus* which may be

9 commonly known as Russian boar or European boar of
10 either sex.

11 4. "Swine" means an animal belonging to the order
12 artiodactyla, and classified as part of the family
13 suidae.

14 Sec. . NEW SECTION. 171.2 RULES.

15 The department may adopt rules pursuant to chapter
16 17A as necessary to administer this chapter.

17 Sec. . NEW SECTION. 171.3 IDENTIFICATION.

18 A person who has custody or control of game swine
19 shall identify the game swine as required by the
20 department. Game swine shall at least be identified
21 with a numbered metal ear tag affixed to the game
22 swine or other method such as installing an electronic
23 device onto or beneath the hide of the game swine as
24 prescribed by the department. The game swine must be
25 identified within ten days following the person's
26 acquisition of the game swine, including acquisition
27 by transfer or birth.

28 Sec. . NEW SECTION. 171.4 GAME SWINE
29 REGISTRATION SYSTEM.

30 The department of agriculture and land stewardship
31 shall establish a game swine registration system, in
32 cooperation with the department of natural resources.

33 1. A person who has custody or control of a game
34 swine shall register the game swine within ten days
35 following the person's acquisition of the game swine,
36 including acquisition by transfer or birth.

37 2. The person required to register game swine as
38 provided in this section shall provide information
39 required by the department which shall at least
40 include all of the following:

41 a. The number, age, and description of the game
42 swine, including its identification number as provided
43 in section 171.3.

44 b. The location where the person maintains custody
45 or control of the game swine.

46 c. The purpose of the person in maintaining
47 custody or control of the game swine.

48 d. Whether the person has been issued a hunting
49 preserve operator's license as required in chapter
50 484B.

Page 3

1 3. The department shall to every extent feasible
2 provide for registration using the internet, including
3 programming, necessary to ensure the convenience,
4 completeness, and accuracy of the registrations.

5 Sec. . NEW SECTION. 171.5 GAME SWINE
6 REGISTRATION FEE.

7 A person required to register game swine as

8 provided in section 171.4 shall remit a registration
9 fee to the department. The amount of the registration
10 fee shall not exceed five dollars per head of swine.
11 The moneys collected by the department under this
12 section shall be retained as repayment receipts by the
13 department exclusively to offset the costs of
14 providing for registrations pursuant to section 171.4.
15 Sec.____. NEW SECTION. 171.6 HEALTH
16 REQUIREMENTS.

17 Game swine shall be free of an infectious or
18 contagious disease as defined in section 163.2. The
19 department shall regulate game swine as any other
20 swine for purposes of preventing, suppressing, and
21 eradicating an infectious or contagious disease
22 afflicting swine within the state.

23 Sec.____. NEW SECTION. 171.7 PENALTY:

24 A person who violates section 171.3 or 171.4 is
25 subject to a civil penalty of not more than one
26 hundred dollars. Penalty moneys shall be deposited
27 into the general fund of the state.

28 Sec.____. Section 484B.1, Code 2007, is amended by
29 adding the following new subsection:

30 NEW SUBSECTION. 4A. "Game swine" means the same
31 as defined in section 171.1.

32 Sec.____. NEW SECTION. 484B.12A HEALTH AND
33 MOVEMENT REQUIREMENTS – GAME SWINE.

34 1. All game swine which are purchased, propagated,
35 confined, released, or sold by a hunting preserve
36 required to be licensed under this chapter shall be
37 free of diseases considered significant for wildlife,
38 poultry, or livestock. The department of agriculture
39 and land stewardship shall provide for the regulation
40 of game swine as any other swine for purposes of
41 preventing, suppressing, and eradicating an infectious
42 or contagious disease afflicting swine within the
43 state.

44 2. Game swine that are purchased, propagated,
45 confined, or sold by a hunting preserve shall only be
46 moved in accordance with rules adopted or orders
47 issued by the department of agriculture and land
48 stewardship.

49 Sec.____. IDENTIFICATION AND REGISTRATION –
50 COMPLIANCE PERIOD. Notwithstanding sections 171.3 and

Page 4

1 171.4, a person required to identify game swine and
2 register game swine shall have until September 1,
3 2007, to comply with those sections.

4 Sec.____. EFFECTIVE DATE. This division of this
5 Act, being deemed of immediate importance, takes
6 effect upon enactment."

7 2. Title page, line 3, be inserting after the
8 word "protection" the following: ", and providing for
9 penalties and an effective date".

SANDS of Louisa

H-1914

1 Amend House File 893 as follows:
2 1. Page 1, line 19, by inserting after the figure
3 "2006." the following: "However, the tax amnesty
4 program shall not apply to taxpayers who participated
5 in the Iowa tax amnesty Act of 1986."

PAULSEN of Linn

H-1915

1 Amend House File 893 as follows:
2 1. Page 2, by inserting after line 16 the
3 following:
4 "____. All tax revenue collected under the tax
5 amnesty program, including all interest, shall be
6 deposited and credited to the rebuild Iowa
7 infrastructure fund."

WATTS of Dallas

H-1916

1 Amend House File 893 as follows:
2 1. Page 2, by inserting after line 16 the
3 following:
4 "____. All tax revenue collected under the tax
5 amnesty program, including all interest, shall be
6 deposited and credited to the road use tax fund."

WATTS of Dallas

H-1917

1 Amend House File 893 as follows:
2 1. Page 2, by striking lines 30 through 33 and
3 inserting the following:
4 "Sec.____. COMPREHENSIVE REPORT. The department
5 shall provide a comprehensive report of the tax
6 amnesty program by March 1, 2008. The report shall
7 include a summary of the program and the legislation
8 establishing the program, a detailed description of
9 the promotion activities related to the program, the
10 appropriation and expenditures related to program, the
11 number of applications and identity of applicants, the

12 amnesty requests and collections by the state, amnesty
13 applications and collections by county, other state
14 amnesty collections, and the collections by type of
15 tax."

VAN FOSSEN of Scott

H-1918

1 Amend House File 893 as follows:
2 1. Page 2, by inserting after line 29 the
3 following:
4 " _____. If new full-time equivalent positions are
5 hired by the department as a result of the
6 appropriation made in subsection 1 or 2, the
7 department shall eliminate such full-time equivalent
8 positions by June 30, 2008, and these full-time
9 equivalent positions are not authorized for employment
10 by the department after that date."

WATTS of Dallas

H-1919

1 Amend House File 911 as follows:
2 1. Page 8, line 2, by striking the figure
3 "900,000" and inserting the following: "3,300,000".
4 2. By renumbering as necessary.

WISE of Lee
GASKILL of Wapello

H-1920

1 Amend House File 919 as follows:
2 1. Page 1, line 4, by striking the figure "2008"
3 and inserting the following: "2012".
4 2. Page 1, line 11, by striking the figure "2008"
5 and inserting the following: "2012".

SANDS of Louisa

H-1922

1 Amend the amendment, H-1624, to Senate File 544, as
2 amended, passed, and reprinted by the Senate, as
3 follows:
4 1. By striking page 1, line 47, through page 2,
5 line 23, and inserting the following:
6 "NEW SUBSECTION. 0A. "Alternative and renewable
7 energy" means the same as in section 469.31, if
8 enacted by 2007 Iowa Acts, House File 918.

9 NEW SUBSECTION. 4A. "Renewable fuel" means the
10 same as in section 469.31, if enacted by 2007 Iowa
11 Acts, House File 918."

12 ____ Page 2, line 21, by inserting after the word
13 "sources," the following: "alternative and."

14 2. Page 2, by striking lines 24 and 25 and
15 inserting the following:

16 "____ Page 3, by striking lines 1 and 2 and
17 inserting the following: "This goal is to be
18 implemented through the development of".

19 ____ Page 3, line 4, by inserting after the word
20 "conservation" the following: "alternative and".

21 ____ Page 3, line 6, by inserting after the word
22 "and" the following: "alternative and".

23 ____ Page 3, line 13, by inserting after the word
24 "and" the following: "alternative and".

25 ____ Page 4, by striking lines 8 through 11 and
26 inserting the following: "use this data to conduct
27 energy forecasts ~~which shall be included in the~~
28 ~~biennial update required by this section.~~"

29 ____ Page 4, line 30, by inserting after the word
30 "energy" the following: "alternative and".

31 ____ Page 4, line 31, by inserting after the word
32 "Develop" the following: ", in coordination with the
33 office of energy independence, if enacted."

34 ____ Page 4, line 32, by inserting after the word
35 "and" the following: "alternative and".

36 ____ Page 4, line 34, by inserting after the word
37 "coordinate" the following: ", in coordination with
38 the office of energy independence, if enacted."

39 ____ Page 4, line 35, by inserting after the word
40 "and" the following: "alternative and".

41 ____ Page 5, line 10, by inserting after the word
42 "provide" the following: "statewide".

43 ____ Page 5, lines 11 and 12, by striking the
44 words "survey information in cities with populations
45 of over fifty thousand" and inserting the following:
46 "in cities with populations of over fifty thousand
47 survey information".

48 ____ Page 5, lines 13 and 14, by striking the
49 words "those individual cities" and inserting the
50 following: "those individual cities both metropolitan
Page 2

1 and rural areas of the state".

2 ____ Page 5, line 16, by striking the word and
3 figures "2, 3, and 15" and inserting the following:
4 "2 and 3".

5 ____ Page 5, by inserting after line 17 the
6 following:

7 "Sec. ____ Section 473.7, subsection 15, Code
8 2007, is amended to read as follows:

9 15. ~~Conduct~~ Provide support and assistance for a
 10 study on activities related to energy production and
 11 ~~use which contribute to greenhouse gas emissions and~~
 12 global climate change and the depletion of the
 13 stratospheric ozone layer.—The study shall identify
 14 the types and relative contributions of these
 15 activities in Iowa.—The department shall develop a
 16 strategy to reduce emissions from activities
 17 identified as having an adverse impact on the global
 18 climate and the stratospheric ozone layer.—The
 19 department shall submit a report containing its
 20 findings and recommendations to the governor and
 21 general assembly by January 1, 1992 conducted by the
 22 Iowa climate change advisory council, if enacted in
 23 2007 Iowa Acts, Senate File 485."

24 ____ Page 13, line 10, by inserting after the
 25 word "improvements," the following: "alternative
 26 and".

27 ____ Page 13, line 19, by inserting after the
 28 word "and" the following: "alternative and".

29 ____ Page 15, line 2, by inserting after the word
 30 "integral" the following: "alternative and".

31 3. Page 2, line 35, by striking the word
 32 "program." and inserting the following: "program."

33 Sec. ____ NEW SECTION. 476.110 TRADING OF
 34 CREDITS.

35 The board may establish or participate in a program
 36 to track, record, and verify the trading of credits
 37 for electricity generated from renewable energy
 38 sources among electric generators, utilities, and
 39 other interested entities, within this state and with
 40 similar entities in other states."

41 4. By striking page 2, line 38, through page 3,
 42 line 4.

43 5. By renumbering as necessary.

REICHERT of Muscatine

H-1930

1 Amend Senate File 580, as passed by the Senate, as
 2 follows:

3 1. Page 2, by inserting after line 16 the
 4 following:

5 "____. All tax revenue collected under the tax
 6 amnesty program, including all interest, shall be
 7 deposited and credited to the rebuild Iowa
 8 infrastructure fund."

WATTS of Dallas

H-1940

1 Amend Senate File 588, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 2, by striking line 35 and inserting the
4 following:

5 "..... \$ 1,005,000"

6 2. Page 3, line 4, by striking the figure
7 "500,000" and inserting the following: "505,000".

CHAMBERS of O'Brien

H-1945

1 Amend Senate File 588, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 14, by inserting after line 23 the
4 following:

5 "Sec. ____ DEPARTMENT OF EDUCATION – COMMUNITY
6 COLLEGE SUPPLEMENT FOR FY 2007-2008. There is
7 appropriated from the general fund of the state to the
8 department of education for the fiscal year beginning
9 July 1, 2007, and ending June 30, 2008, the following
10 amount, or so much thereof as is necessary, to be used
11 for the purposes designated:

12 For general state financial aid to merged areas as
13 defined in section 260C.2 in accordance with chapters
14 258 and 260C:

15 \$ 87,613,190

16 Funds appropriated pursuant to this section shall
17 supplement, not supplant, any other moneys
18 appropriated to the department of education for
19 general state financial aid to merged areas as defined
20 in section 260C.2 in accordance with chapters 258 and
21 260C."

22 2. Page 27, by inserting after line 15 the
23 following:

24 "Sec. ____ Section 260C.24, Code 2007, is amended
25 to read as follows:

26 260C.24 PAYMENT OF APPROPRIATIONS – PAYMENT.

27 1. For the fiscal year beginning July 1, 2008, and
28 each succeeding fiscal year, there is appropriated
29 from the general fund of the state to the department
30 of education for each fiscal year for general state
31 financial aid to merged areas as defined in section
32 260C.2 in accordance with chapter 258 and this
33 chapter, an amount which, divided on a per student
34 basis, exceeds the per student amount appropriated
35 under section 261.25, subsections 1 and 2, for the
36 previous fiscal year by one dollar.

37 2. Payment of appropriations the appropriation
38 made pursuant to subsection 1 for distribution under
39 this chapter, or of appropriations made in lieu of

40 such ~~appropriations~~ appropriation, shall be made by
41 the department of administrative services in monthly
42 installments due on or about the fifteenth of each
43 month of a budget year, and installments shall be as
44 nearly equal as possible, as determined by the
45 department of administrative services, taking into
46 consideration the relative budget and cash position of
47 the state resources."

UPMEYER of Hancock

H-1946

1 Amend Senate File 588, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 15, be inserting after line 4 the
4 following:

5 "Sec.____. LIBRARY FUNDING AND REPRESENTATION

6 STUDY. The commission of libraries shall conduct a
7 study of public library funding and public library
8 costs. The study shall include but not be limited to
9 a review of the per capita and per library user costs
10 of delivering library services by city, county, and
11 district libraries; public and private financial
12 support for city, county, and district libraries;
13 funds levied for public library financial support
14 pursuant to section 256.69 or 384.12; contracts
15 entered into by public libraries in the state pursuant
16 to section 298.7; and whether representation on
17 library boards is equitable. The commission shall
18 submit a report of its findings and recommendations to
19 the general assembly by January 15, 2008."

20 2. Page 26, by inserting after line 28 the
21 following:

22 "Sec.____. Section 256.51, subsection 1, Code
23 2007, is amended by adding the following new
24 paragraph:

25 NEW PARAGRAPH. k. Obtain from each library its
26 per person costs for providing library services. The
27 division shall submit a report of the per capita and
28 per library user costs for providing library services
29 by city, county, and district to the general assembly
30 by January 15 annually."

31 3. Page 44, by inserting after line 2 the
32 following:

33 "Sec.____. Section 392.5, Code 2007, is amended to
34 read as follows:

35 392.5 LIBRARY BOARD.

36 1. a. A city library board of trustees
37 functioning on the effective date of the city code
38 shall continue to function in the same manner until
39 altered or discontinued as provided in this section.

40 b. In order for the board to function in the same

41 manner, the city council shall retain all applicable
42 ordinances, and shall adopt as ordinances all
43 applicable state statutes repealed by 1972 Iowa Acts,
44 chapter 1088.

45 2. A library board may accept and control the
46 expenditure of all gifts, devises, and bequests to the
47 library.

48 3. a. A proposal to alter the composition, manner
49 of selection, or charge of a library board, or to
50 replace it with an alternate form of administrative

Page 2

1 agency, is subject to the approval of the voters of
2 the city.

3 b. The proposal may be submitted to the voters at
4 any city election by the city council on its own
5 motion. Upon receipt of a valid petition as defined
6 in section 362.4, requesting that a proposal be
7 submitted to the voters, the city council shall submit
8 the proposal at the next regular city election. A
9 proposal submitted to the voters must describe with
10 reasonable detail the action proposed.

11 c. If a majority of those voting approves the
12 proposal, the city may proceed as proposed.

13 d. If a majority of those voting does not approve
14 the proposal, the same or a similar proposal may not
15 be submitted to the voters of the city for at least
16 four years from the date of the election at which the
17 proposal was defeated.

18 4. If the city councils of two or more cities
19 enter into a chapter 28E agreement for purposes of
20 maintaining a free public library, the chapter 28E
21 agreement shall provide for the composition, manner of
22 selection, and charge of a library board of trustees.
23 The library board shall consist of at least one member
24 from each of the cities party to the agreement."

25 4. Title page, line 4, by inserting after the
26 word "regents," the following: "providing for related
27 matters concerning library boards of trustees,"

28 5. By renumbering as necessary.

SANDS of Louisa

H-1949

1 Amend Senate File 588, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 21, by striking line 26 and inserting the
4 following:

5 " \$ 5,435,157"

STRUYK of Pottawattamie
PETTENGILL of Benton

H-1950

1 Amend Senate File 588, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 22, by inserting after line 14 the
4 following:

5 "Sec.____. EDUCATIONAL INSTITUTION PREPAREDNESS -
6 REPORTS.

7 1. The department of education and the state board
8 of regents shall study the state of kindergarten
9 through grade twelve school district, community
10 college, and regents institution preparedness,
11 including but not limited to the prevalence and
12 frequency of faculty and student risk awareness
13 training and collaboration with law enforcement and
14 emergency service providers. The department and the
15 state board of regents shall submit their findings and
16 recommendations in a report to the legislative
17 government oversight committee by July 30, 2007.

18 2. The department of education and the state board
19 of regents shall submit recommendations for improving
20 educational institution preparedness, including but
21 not limited to security technology and infrastructure,
22 and personnel, faculty, and student training needs in
23 a report to the general assembly by December 15,
24 2007."

25 2. Page 27, by inserting after line 15 the
26 following:

27 "Sec.____. Section 260C.14, Code 2007, is amended
28 by adding the following new subsection:

29 NEW SUBSECTION. 22. Prepare and set in place a
30 campus safety plan. The plan shall be updated every
31 three years and notwithstanding chapter 22, shall be
32 considered a confidential record. Copies of the plan
33 and subsequent updates to the plan shall be submitted
34 to local law enforcement agencies and the local
35 emergency management commission. In developing and
36 implementing the plan, the directors shall do all the
37 following:

38 a. Recognize that the entire campus community,
39 including students, faculty, staff, local emergency
40 and law enforcement personnel, and neighboring areas
41 must be involved in crisis prevention.

42 b. Prepare contingency plans based on a variety of
43 possible emergencies. Include student and faculty
44 leaders who may assist in coordinating immediate
45 responses.

46 c. Develop mechanisms for communicating regularly,
47 and during emergencies, with law enforcement, faculty,
48 staff, students, returning students, and others.
49 Consider periodic open forums to answer questions and
50 clarify procedures.

Page 2

1 d. Discuss campus safety and security activities
2 and plans with parents and students during
3 orientation. Provide reminders through the
4 communications network to update staff, faculty,
5 returning students, and parents to review, update, and
6 strengthen prevention and preparedness plans.

7 e. Use crime analysis and crime mapping tools to
8 identify crime trends and issues on campus, along with
9 incident analysis to refine and improve prevention and
10 response strategies."

11 3. Page 39, by inserting after line 4 the
12 following:

13 "Sec.____. Section 262.9, Code 2007, is amended by
14 adding the following new subsection:

15 NEW SUBSECTION. 31. Require that each institution
16 under its control prepare and set in place a campus
17 safety plan. The plan shall be updated every three
18 years and notwithstanding chapter 22, shall be
19 considered a confidential record. Copies of the plan
20 and subsequent updates to the plan shall be submitted
21 by each institution to the board, local law
22 enforcement agencies, and the local emergency
23 management commission. In developing and implementing
24 the plan, each institution shall do all the following:

25 a. Recognize that the entire campus community,
26 including students, faculty, staff, local emergency
27 and law enforcement personnel, and neighboring areas
28 must be involved in crisis prevention.

29 b. Prepare contingency plans based on a variety of
30 possible emergencies. Include student and faculty
31 leaders who may assist in coordinating immediate
32 responses.

33 c. Develop mechanisms for communicating regularly,
34 and during emergencies, with law enforcement, faculty,
35 staff, students, returning students, and others.
36 Consider periodic open forums to answer questions and
37 clarify procedures.

38 d. Discuss campus safety and security activities
39 and plans with parents and students during
40 orientation. Provide reminders through the
41 communications network to update staff, faculty,
42 returning students, and parents to review, update, and
43 strengthen prevention and preparedness plans.

44 e. Use crime analysis and crime mapping tools to
45 identify crime trends and issues on campus, along with
46 incident analysis to refine and improve prevention and
47 response strategies."

48 4. Page 41, by inserting after line 30 the
49 following:

50 "Sec.____. NEW SECTION. 280.18 SCHOOL SAFETY

Page 3

1 PLANS.

2 The board of directors of each local public school
 3 district and the authorities in charge of each
 4 nonpublic school shall prepare and set in place a
 5 school safety plan. The plan shall be updated every
 6 three years and notwithstanding chapter 22, shall be
 7 considered a confidential record. Copies of the plan
 8 and subsequent updates to the plan shall be submitted
 9 to local law enforcement agencies and the local
 10 emergency management commission. In developing and
 11 implementing the plan, each board or governing
 12 authority shall do all the following:

13 a. Recognize that the entire school community,
 14 including students, faculty, staff, local emergency
 15 and law enforcement personnel, and neighboring areas
 16 must be involved in crisis prevention.

17 b. Prepare contingency plans based on a variety of
 18 possible emergencies. Include student and faculty
 19 leaders who may assist in coordinating immediate
 20 responses.

21 c. Develop mechanisms for communicating regularly,
 22 and during emergencies, with law enforcement, faculty,
 23 staff, students, returning students, and others.
 24 Consider periodic open forums to answer questions and
 25 clarify procedures.

26 d. Discuss school safety and security activities
 27 and plans with parents and students during school
 28 orientation. Provide reminders through the
 29 communications network to update staff, faculty,
 30 returning students, and parents to review, update, and
 31 strengthen prevention and preparedness plans.

32 e. Use crime analysis and crime mapping tools to
 33 identify crime trends and issues on campus, along with
 34 incident analysis to refine and improve prevention and
 35 response strategies."

36 5. Title page, line 3, by inserting after the
 37 word "education," the following: "accredited
 38 schools".

39 6. By renumbering as necessary.

CHAMBERS of O'Brien

H-1951

1 Amend Senate File 588, as amended, passed, and
 2 reprinted by the Senate, as follows:

3 1. Page 23, by inserting after line 14 the
 4 following:

5 "Sec. ____ Section 256.7, subsection 19, Code
 6 2007, is amended by adding the following new

- 7 unnumbered paragraph:
 8 NEW UNNUMBERED PARAGRAPH. However, if a school or
 9 school district uses any time from the school day,
 10 which has been established by the school or school
 11 district, for professional development for
 12 instructional staff, for weather-related purposes, or
 13 for athletic events, the school or school district
 14 shall extend the school calendar so that the time used
 15 is made up later in the school year."
 16 2. By renumbering as necessary.

TYMESON of Madison

H-1956

- 1 Amend Senate File 588, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 27, by inserting after line 15 the
 4 following:
 5 "Sec. ____ Section 4, subsection 4,
 6 paragraphs b, c, and d, Code 2007, are amended to read
 7 as follows:
 8 b. For the budget year beginning July 1, 2007,
 9 ~~twelve~~ twenty-four million dollars.
 10 c. For the budget year beginning July 1, 2008,
 11 ~~eighteen~~ thirty million dollars.
 12 d. For the budget year beginning July 1, 2009, and
 13 succeeding budget years, ~~twenty-four~~ thirty-six
 14 million dollars."
 15 2. By renumbering as necessary.

RANTS of Woodbury

H-1958

- 1 Amend Senate File 551, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 19, by inserting after line 11 the
 4 following:
 5 "DIVISION ____
 6 WATER QUALITY
 7 Sec. ____ Section 159.5, Code 2007, is amended by
 8 adding the following new subsection:
 9 NEW SUBSECTION. 15. In the administration of
 10 programs relating to water quality improvement and
 11 watershed improvements, cooperate with the department
 12 of natural resources in order to maximize the receipt
 13 of federal funds.
 14 Sec. ____ Section 455A.4, subsection 1, Code 2007,
 15 is amended by adding the following new paragraph:
 16 NEW PARAGRAPH. j. In the administration of
 17 programs relating to water quality improvement and

18 watershed improvements, cooperate with the department
19 of agriculture and land stewardship in order to
20 maximize the receipt of federal funds.

21 Sec. ____ Section 466A.2, subsection 2, paragraph
22 a, Code 2007, is amended to read as follows:

23 a. Enhancement of water quality in the state
24 through a variety of impairment-based, locally
25 directed watershed improvement grant projects.
26 Innovative water quality projects shall be encouraged.

27 Sec. ____ Section 466A.4, Code 2007, is amended by
28 adding the following new subsection:

29 NEW SUBSECTION. 1A. Public water supply utilities
30 and cities may also be eligible and apply for and
31 receive local watershed improvement grants for water
32 quality improvement projects. An applicant shall
33 coordinate with a local watershed improvement
34 committee or a soil and water conservation district
35 and shall include in the application a description of
36 existing projects and any potential impact the
37 proposed project may have on existing or planned water
38 quality improvement projects.

39 Sec. ____ 2006 Iowa Acts, chapter 1145, section 4,
40 subsection 1, unnumbered paragraph 1, is amended to
41 read as follows:

42 A watershed quality planning task force is
43 established within the department of natural resources
44 in cooperation with the Iowa department of agriculture
45 and land stewardship. By ~~June 30~~, January 1, 2008,
46 the task force shall report to the general assembly
47 its recommendations for a voluntary statewide water
48 quality program which is designed to achieve all of
49 the following goals:"

50 2. By renumbering as necessary.

D. OLSON of Boone
S. OLSON of Clinton

H-1965

1 Amend House File 929 as follows:

2 1. Page 1, by inserting before line 27 the
3 following:

4 " ____ Estray swine are declared to be a public
5 nuisance and are subject to a policy of eradication as
6 administered by the department which is the principal
7 enforcement agency charged with carrying out the
8 policy.

9 a. The department of natural resources shall
10 cooperate with the department of agriculture and land
11 stewardship in carrying out the policy. The
12 departments shall periodically consult about how to
13 most effectively contribute resources and their

14 respective expertise, and divide jurisdictional
 15 responsibility, including the assignment of
 16 investigative personnel where appropriate. However,
 17 the department of natural resources shall regulate
 18 hunting preserves under chapter 484B, and the
 19 regulation of persons taking animals under Title XI,
 20 subtitle 6.

21 b. The department of agriculture and land
 22 stewardship shall cooperate with the animal and plant
 23 health inspection service of the United States
 24 department of agriculture, and may enter into
 25 cooperative agreements with the animal and plant
 26 health inspection service in order to carry out the
 27 eradication policy."

28 2. Page 1, line 27, by inserting before the words
 29 "A person" the following:

30 "___"

31 3. Page 2, by striking lines 10 through 12, and
 32 inserting the following:

33 "___ "Game swine" means the same as defined in
 34 section 484B.1."

35 4. Page 4, line 3, by striking the word
 36 "subsection" and inserting the following:
 37 "subsections".

38 5. Page 4, by striking lines 4 and 5, and
 39 inserting the following:

40 "NEW SUBSECTION. 3A. "Estray" means not to be in
 41 the custody or control of a person.

42 NEW SUBSECTION. 4A. "Game swine" means swine that
 43 are classified as part of the species *sus scrofa*
 44 *linnaeus* which may be commonly known as Russian boar
 45 or European boar of either sex.

46 Sec. ___. Section 484B.1, subsection 6, Code 2007,
 47 is amended to read as follows:

48 6. "Livestock" means the same livestock as defined
 49 in section 717.1 other than game swine.

50 Sec. ___. Section 484B.3, Code 2007, is amended by

Page 2

1 adding the following new subsection:

2 NEW SUBSECTION: 3. The department shall regulate
 3 game swine in cooperation with the department of
 4 agriculture and land stewardship as provided in
 5 chapter 171.

6 Sec. ___. Section 484B.4, subsection 2, Code 2007,
 7 is amended by adding the following new paragraph:

8 NEW PARAGRAPH. f. The person has registered any
 9 game swine to be kept at the hunting preserve with the
 10 department of agriculture and land stewardship as
 11 provided in section 171.4.

12 Sec. ___. Section 484B.5, Code 2007, is amended to

13 read as follows:

14 484B.5 BOUNDARIES SIGNED – FENCED.

15 1. Upon receipt of a hunting preserve license, the
 16 licensee shall promptly sign the licensed property
 17 with signs prescribed by the department.

18 2. a. A licensee holding and releasing ungulates
 19 shall construct and maintain boundary fences
 20 prescribed by the department so as to enclose and
 21 contain all released ungulates and exclude all
 22 ungulates which are property of the state from
 23 becoming a part of the hunting preserve enterprise.

24 b. A person who begins to keep game swine on or
 25 after the effective date of this Act shall construct
 26 and maintain a fence in compliance with this
 27 paragraph. The fence shall be constructed of twelve
 28 gauge woven wire at least five feet high and topped
 29 with one strand of electrified wire. An additional
 30 two feet of such fencing shall be buried and angled
 31 underground toward the enclosed interior. However,
 32 upon application, the department may waive this
 33 requirement if the department determines that a fence
 34 is to be designed and constructed which provides
 35 equivalent or greater security from escape by game
 36 swine.

37 Sec. ____ . NEW SECTION. 484B.6A ESTRAY GAME
 38 SWINE.

39 A person required to be licensed pursuant to
 40 section 484B.4 shall not allow the game swine to
 41 become estray.

42 Sec. ____ . Section 484B.7, subsection 1, Code 2007,
 43 is amended to read as follows:

44 1. Each hunting preserve licensee shall keep the
 45 records and make the reports required on forms
 46 prepared and provided by the department. All records
 47 shall be open for inspection at any reasonable time by
 48 the department or its authorized agents. The
 49 department of agriculture and land stewardship may
 50 inspect records relating to game swine in order to

Page 3

1 ensure compliance with chapter 171.

2 . Sec. ____ . Section 484B.9, Code 2007, is amended to
 3 read as follows:

4 484B.9 UNGULATE TRANSPORTATION TAGS – MARKINGS.

5 The department shall prepare transportation tags
 6 suitable for use upon the carcass of ungulates
 7 described in this chapter. The tags shall be used to
 8 designate all ungulates taken by hunters upon a
 9 licensed hunting preserve. The department shall
 10 provide licensees with the tags. All ungulates taken
 11 on a licensed hunting preserve shall be tagged with a

12 numbered tag prior to being removed from the hunting
13 preserve. The For game swine, the department shall
14 provide for tags in cooperation with the department of
15 agriculture and land stewardship as provided in
16 chapter 171. A hunter shall tag the ungulate taken in
17 accordance with the rules as determined by the
18 department. The tag shall remain attached to the
19 carcass of the dead ungulate until processed for
20 consumption. The hunter shall be provided with a bill
21 of sale by the licensee. The bill of sale shall
22 remain in the possession of the hunter. Ungulate tags
23 issued to a hunting preserve are not transferable.
24 Sec. ____ Section 484B.12, Code 2007, is amended
25 to read as follows:

26 484B.12 HEALTH REQUIREMENTS – UNGULATES.

27 All ungulates which are purchased, propagated,
28 confined, released, or sold by a licensed hunting
29 preserve shall be free of diseases considered
30 significant for wildlife, poultry, or livestock. The
31 department of agriculture and land stewardship shall
32 provide for the regulation of farm deer as provided in
33 chapter 170, and for the regulation of game swine as
34 provided in chapter 171".

35 6. Page 4, by inserting after line 20, the
36 following:

37 "Sec. ____ NEW SECTION. 484B.15 CIVIL PENALTIES.

38 A person who violates section 484B.6A is subject to
39 a civil penalty of one thousand dollars. Each day
40 that a violation continues shall be considered a
41 separate offense. All civil penalties shall be
42 deposited in the general fund of the state.

43 Sec. ____ NEW SECTION. 484B.16 RESTITUTION.

44 1. A person required to be licensed pursuant to
45 section 484B.4 and who keeps game swine shall pay
46 restitution to the department of natural resources for
47 damages to the environment and wildlife caused by the
48 game swine which become estray. The amount of the
49 restitution shall also include the department's
50 administrative costs for investigating the incident.

Page 4

1 2. The department shall adopt rules providing for
2 procedures for investigations and the administrative
3 assessment of restitution amounts. The rules shall
4 establish an opportunity to appeal a departmental
5 action including by a contested case proceeding under
6 chapter 17A. A final administrative decision
7 assessing an amount of restitution may be enforced by
8 the attorney general at the request of the department.
9 3. Moneys collected by the department in
10 restitution shall be deposited into the state fish and

11 game protection fund. The moneys shall be used
 12 exclusively to support restoration or improvement of
 13 the environment and repopulation of wildlife.
 14 However, moneys collected from restitution paid for
 15 investigative costs shall be used as determined by the
 16 department."
 17 7. By renumbering as necessary.

WHITAKER of Van Buren

H-1969

1 Amend the amendment, H-1561, to Senate File 348, as
 2 passed by the Senate, as follows:
 3 1. Page 1, by inserting after line 18 the
 4 following:
 5 "___ Page 2, line 31, by striking the word
 6 "paragraph" and inserting the following:
 7 "subsection".
 8 ___ Page 2, line 33, by inserting after the word
 9 "chapter." the following: "Nothing in this paragraph
 10 shall prohibit a board of supervisors from submitting
 11 a proposition to disapprove the conduct of gambling
 12 games to the county electorate in accordance with the
 13 provisions of this subsection."
 14 2. By renumbering as necessary.

JOCHUM of Dubuque

H-1970

1 Amend the House amendment, S-3387, to Senate File
 2 49, as passed by the Senate, as follows:
 3 1. Page 1, by striking lines 5 through 17 and
 4 inserting the following:
 5 ""Sec. ___ Section 462A.12, Code 2007, is amended
 6 by adding the following new subsection:
 7 NEW SUBSECTION. 14. A person shall not operate a
 8 vessel on the waters of this state under the
 9 jurisdiction of the commission unless every person on
 10 board the vessel who is under thirteen years of age is
 11 wearing a type I, II, III, or V personal flotation
 12 device, including "float coats" that meet this
 13 definition, that is approved by the United States
 14 coast guard, while the vessel is under way. This
 15 subsection does not apply when the person under
 16 thirteen years of age is in an enclosed cabin or below
 17 deck, or is a passenger on a commercial vessel with a
 18 passenger capacity of twenty-five persons or more."
 19 ___ Page 1, by inserting after line 4 the
 20 following:
 21 "Sec. ___ WARNING CITATIONS - TWELVE-MONTH

22 PERIOD. During the twelve-month period beginning on
 23 the effective date of this section of this Act
 24 amending section 462A.12, peace officers shall issue
 25 only warning citations for violations of section
 26 462A.12, subsection 14, as enacted by this Act.
 27 Sec. ____ EFFECTIVE DATE. The section of this Act
 28 amending section 462A.12, being deemed of immediate
 29 importance, takes effect upon enactment."
 30 ____ Title page, by striking lines 1 and 2 and
 31 inserting the following: "An Act relating to certain
 32 vessels operated on state waters and providing for a
 33 penalty and an effective date.""

Senate Amendment

H-1974

1 Amend Senate File 588, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 24, line 30, by striking the word
 4 "subsection" and inserting the following:
 5 "subsections".
 6 1. Page 25, by inserting after line 14 the
 7 following:
 8 "**NEW SUBSECTION.** 28. Upon completion of a study
 9 of the range of high school equivalency diploma
 10 options available to individuals, and not later than
 11 March 3, 2008, adopt rules implementing the
 12 recommendations of the board resulting from the study
 13 findings. In conducting the study, the board shall
 14 also review and compare program application and
 15 admission to testing requirements; test preparation
 16 requirements; pretesting, practice testing, and
 17 retesting requirements, including scoring
 18 requirements; as well as the associated fees set by
 19 institutions offering high school equivalency diploma
 20 or general educational development programs, courses,
 21 and testing. The board shall submit its findings and
 22 recommendations in a report to the general assembly by
 23 January 14, 2008."
 24 2. By renumbering as necessary.

TYMESON of Madison

H-1976

1 Amend Senate File 588, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 2, by striking line 35 and inserting the
 4 following:
 5 "..... \$ 1,000,001"

6 2. Page 3, line 4, by striking the figure
7 "500,000" and inserting the following: "500,001".

RAECKER of Polk

H-1982

1 Amend House File 897 as follows:
2 1. Page 24, by inserting after line 17 the
3 following:
4 "___ Prohibit an employee of a commercial or
5 industrial company who is authorized to perform
6 electrical inspections pursuant to section 103.32 or
7 by a political subdivision, from inspecting electrical
8 installations of the commercial or industrial
9 company."
10 2. By renumbering as necessary.

VAN FOSSEN of Scott

H-1984

1 Amend House File 893 as follows:
2 1. Page 2, by inserting after line 16 the
3 following:
4 "___ All tax revenue collected under the tax
5 amnesty program, including all interest, shall be
6 deposited and credited to the senior living trust
7 fund."

HEATON of Henry
WIENCEK of Black Hawk

H-1986

1 Amend the amendment, H-1827, to Senate File 588, as
2 amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 1, by inserting after line 2 the
5 following:
6 "___ Page 15, by inserting after line 19 the
7 following:
8 "Sec. ___ STATE BOARD OF REGENTS - GEORGE
9 WASHINGTON CARVER ENDOWED CHAIR. There is
10 appropriated from the general fund of the state to the
11 state board of regents for the fiscal period beginning
12 July 1, 2007, and ending June 30, 2009, the following
13 amounts, or so much thereof as is necessary, to be
14 used for the purpose designated:
15 For purposes of recruiting and retaining
16 high-quality faculty and to support their academic
17 pursuits and endeavors through the establishment of

- 18 the George Washington Carver endowed chair at the Iowa
 19 state university of science and technology:
- | | |
|-----------------------|------------|
| 20 FY 2007-2008 | \$ 250,000 |
| 21 FY 2008-2009 | \$ 250,000 |
- 22 1. The individual selected to fill the George
 23 Washington Carver endowed chair position shall engage
 24 in research, demonstration, and education activities
 25 relating to biomanufacturing or biorefining. The
 26 purpose of the position shall include the
 27 identification, development, and improvement of one or
 28 more of the following:
- 29 a. Practices, techniques, or technology to
 30 conserve or enhance soil and water resources required
 31 for agricultural production and to maximize the
 32 production of crops for animal agriculture,
 33 biomanufacturing, or biorefining.
- 34 b. Quality management processes used in
 35 biomanufacturing including but not limited to
 36 improving efficiencies in the use of resources
 37 including feedstocks and water resources.
- 38 c. Technologies and methods which simultaneously
 39 maximize the value of crops used as feedstock in
 40 biomanufacturing products and coproducts.
- 41 d. Genetic characteristics in crops and
 42 agricultural animals which simultaneously maximize
 43 agricultural production and increase efficiencies in
 44 biomanufacturing products and coproducts.
- 45 e. Agricultural practices, biomanufacturing, and
 46 biorefining processes which enhance Iowa's natural
 47 resources while ensuring that the state is
 48 competitively viable in the production of agricultural
 49 animals, biomanufacturing, and biorefining.
- 50 2. For purposes of this section, unless the

Page 2

- 1 context otherwise requires:
- 2 a. "Biomanufacturing" means the manufacturing of
 3 products derived from processing biomass as a
 4 substitute for petroleum including but not limited to
 5 the production of renewable fuel and other high-value
 6 products and coproducts used in formulating rations
 7 fed to agricultural animals.
- 8 b. "Biorefining" means an integrated process that
 9 uses biomass as a feedstock for conversion into a
 10 range of differentiated products such as transport
 11 fuels and bulk and fine chemicals, and uses waste
 12 biomass for heat or power.
- 13 3. Moneys appropriated for purposes of the George
 14 Washington Carver endowed chair as provided by this
 15 section shall be allocated only to the extent that the
 16 state moneys are matched from other sources by the

17 Iowa state university of science and technology on a
 18 basis of a two dollar university contribution for
 19 every one dollar appropriated under this section."
 20 2. By renumbering as necessary.

REICHERT of Muscatine
 WISE of Lee
 QUIRK of Chickasaw

H-1989

1 Amend Senate File 413, as passed by the Senate, as
 2 follows:
 3 1. Page 4, by inserting after line 22 the
 4 following:
 5 "Sec. . NEW SECTION. 731.2A FREE AGENT STATUS
 6 EMPLOYEE PERMITTED.
 7 1. A person shall have the right to declare that
 8 the person is a free agent employee and such status
 9 shall relieve the requirement for a labor union,
 10 organization, or association to represent that person.
 11 2. For purposes of this section, a "free agent
 12 employee" means an employee who has signed a release
 13 declaring that the employee will not be represented by
 14 a labor union, organization, or association and that
 15 the labor union, organization, or association
 16 understands that signing the release waives any claim
 17 or right to representation by that labor union,
 18 organization, or association."
 19 2. Title page, line 1, by striking the words
 20 "relating to" and inserting the following: "and".
 21 3. Title page, line 2, by inserting after the
 22 word "public" the following: "and private sector".
 23 4. By renumbering as necessary.

WATTS of Dallas

H-1990

1 Amend Senate File 413, as passed by the Senate, as
 2 follows:
 3 1. Page 1, by inserting before line 1 the
 4 following:
 5 "Section 1. Section 20.3, Code 2007, is amended by
 6 adding the following new subsection:
 7 NEW SUBSECTION. 1A. "Bargaining unit" means only
 8 those employees in a particular class of employees who
 9 have not declared themselves a free agent employee."
 10 2. Page 1, by inserting after line 11 the
 11 following:
 12 "Sec. . Section 20.3, Code 2007, is amended by
 13 adding the following new subsection:
 14 NEW SUBSECTION. 5B. "Free agent employee" means a

15 public employee who has signed a release declaring
 16 that the employee will not be represented by an
 17 employee organization and that the employee
 18 understands that signing the release waives any claim
 19 or right to representation by that employee
 20 organization."

21 3. Page 1, by inserting after line 17 the
 22 following:

23 "Sec.____. Section 20.8, Code 2007, is amended by
 24 adding the following new subsection:

25 NEW SUBSECTION. 5. Declare themselves a free
 26 agent employee."

27 4. Page 4, by inserting after line 22 the
 28 following:

29 "Sec.____. NEW SECTION. 731.2A FREE AGENT STATUS
 30 EMPLOYEE PERMITTED.

31 1. A person shall have the right to declare that
 32 the person is a free agent employee and such status
 33 shall relieve the requirement for a labor union,
 34 organization, or association to represent that person.

35 2. For purposes of this section, a "free agent
 36 employee" means an employee who has signed a release
 37 declaring that the employee will not be represented by
 38 a labor union, organization, or association and that
 39 the labor union, organization, or association
 40 understands that signing the release waives any claim
 41 or right to representation by that labor union,
 42 organization, or association."

43 5. Title page, line 1, by striking the words
 44 "relating to" and inserting the following: "and".

45 6. Title page, line 2, by inserting after the
 46 word "public" the following: "and private sector".

47 7. By renumbering as necessary.

WATTS of Dallas

H-1991

1 Amend House Concurrent Resolution 10 as follows:

2 1. Page 2, line 3, by inserting after the word
 3 "laws," the following: "the state archivist,".

4 2. Page 2, line 9, by inserting after the word
 5 "council," the following: "the Iowa broadcasters
 6 association,".

7 3. By renumbering as necessary.

JOCHUM of Dubuque

H-1993

1 Amend Senate File 588, as amended, passed, and
 2 reprinted by the Senate, as follows:

- 3 1. Page 23, by striking lines 17 through 33 and
4 inserting the following:
5 "26. a. Set a goal of increasing to eighty
6 percent the number of students graduating from all
7 secondary schools in school districts in this state
8 who have successfully completed the core curriculum
9 recommended by the college testing service whose
10 college entrance examination is taken by the majority
11 of Iowa's high school students. The state goal shall
12 be exclusive of students who have special or
13 alternative means for satisfying graduation
14 requirements under individualized educational plans
15 developed for the students. The state board shall
16 require each school district to annually report,
17 beginning with the 2006-2007 school year, the
18 percentage of students graduating from high school in
19 the school district who complete the core curriculum.
20 The school district shall report, in the comprehensive
21 school improvement plan submitted in accordance with
22 subsection 21, how the district plans to increase the
23 number of students completing the recommended core
24 curriculum. ~~Taking into consideration the~~".
25 2. Page 24, by striking line 1 and inserting the
26 following: "~~school students,~~
27 b. Adopt rules that establish a model core".

TYMESON of Madison

H-1995

- 1 Amend House File 893 as follows:
2 1. Page 2, by inserting after line 16 the
3 following:
4 " . Five million dollars of the tax revenue
5 collected under the tax amnesty program shall be
6 deposited and credited to the veterans trust fund and
7 the remaining tax revenues, including all interest,
8 shall be deposited and credited to the senior living
9 trust fund."

WATTS of Dallas

H-1997

- 1 Amend Senate File 588, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 27, by inserting after line 15 the
4 following:
5 "Sec. . Section 259.4, subsection 3, Code 2007,
6 is amended to read as follows:
7 3. Utilize in the rehabilitation of individuals
8 with disabilities existing educational and other

9 facilities as are advisable and practicable, including
 10 public and private educational institutions, community
 11 rehabilitation programs, public or private
 12 establishments, plants, factories, and the services of
 13 individuals specially qualified for the instruction
 14 and vocational rehabilitation of individuals with
 15 disabilities. If a resident student enrolled in a
 16 community college requires interpreting or
 17 transliterating services for hearing-impaired
 18 individuals, the division shall provide the services
 19 to the student or shall reimburse the community
 20 college for the cost of providing the services."
 21 2. By renumbering as necessary.

FORRISTALL of Pottawattamie

H-2002

1 Amend Senate File 588, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 24, line 30, by striking the word
 4 "subsection" and inserting the following:
 5 "subsections".
 6 2. Page 25, by inserting after line 14 the
 7 following:
 8 **"NEW SUBSECTION. 28. a.** Adopt rules which
 9 provide, for purposes of chapter 284, that an
 10 individual who holds a practitioner's license issued
 11 under chapter 272 and who is employed in a
 12 nonadministrative position by the department of human
 13 services at the state training school, the Iowa
 14 juvenile home, or the state mental health institutes
 15 located in Cherokee and Independence shall be
 16 considered a teacher if the individual and the
 17 institution in which the individual practices meet the
 18 requirements of this chapter. If an institution and a
 19 practitioner employed by the institution are
 20 determined by the department to meet the requirements
 21 of chapter 284, the department shall annually
 22 distribute funds to the institution in the manner
 23 prescribed for school districts pursuant to section
 24 284.13.
 25 b. The area education agencies in which the
 26 institutions are located shall work with the
 27 institutions to develop a plan for meeting the
 28 requirements of chapter 284, which shall be submitted
 29 to the department of education, the department of
 30 human services, and the general assembly by January
 31 14, 2008. This paragraph is repealed July 1, 2008."
 32 3. By renumbering as necessary.

GRANZOW of Hardin

H-2003

- 1 Amend House File 789 as follows:
2 1. Page 3, by striking lines 25 and 26 and
3 inserting the following:
4 "a. Coverage for audiological services that are
5 performed by an audiologist licensed pursuant to
6 chapter 147 for children up to".

MASCHER of Johnson

H-2006

- 1 Amend the Senate amendment, H-1971, to House File
2 641, as amended, passed, and reprinted by the House,
3 as follows:
4 1. Page 1, by striking lines 5 through 10 and
5 inserting the following:
6 ""Section 1. Section 321.210A, Code 2007, is
7 amended by adding the following new subsection:
8 NEW SUBSECTION. 4. If after suspension, the
9 person enters into an installment agreement with the
10 county attorney in accordance with section 321.210B to
11 pay the fine, penalty, court cost, or surcharge, the
12 person's license shall be reinstated by the department
13 upon receipt of a report of an executed installment
14 agreement.
15 Sec. 2. NEW SECTION. 321.210B INSTALLMENT
16 AGREEMENT.
17 1. If a person's fine, penalty, surcharge, or
18 court cost is deemed delinquent as provided in section
19 602.8107, subsection 3, and the person's driver's
20 license has been suspended pursuant to section
21 321.210A, the person may execute an installment
22 agreement with the county attorney or the county
23 attorney's designee to pay the delinquent amount and
24 the fee assessed in subsection 6 in installments.
25 Prior to execution of the installment agreement, the
26 person shall provide the county attorney or the county
27 attorney's designee with a financial statement in
28 order for the parties to the agreement to determine
29 the amount of the installment payments.
30 2. The county attorney or the county attorney's
31 designee shall file the installment agreement with the
32 clerk of the district court within five days of
33 execution of the agreement.
34 3. Upon receipt of an executed installment
35 agreement and after the first installment payment, the
36 clerk of the district court shall report the receipt
37 of the executed installment agreement to the
38 department of transportation.
39 4. Upon receipt of the report from the clerk of

40 the district court and payment of the reinstatement
41 fee as provided in section 321.191, the department
42 shall immediately reinstate the driver's license of
43 the person unless the driver's license of the person
44 is otherwise suspended, revoked, denied, or barred
45 under another provision of law.

46 5. If a driver's license is reinstated upon
47 receipt of a report of an executed installment
48 agreement the driver shall provide proof of financial
49 responsibility pursuant to section 321A.17, if
50 otherwise required by law.

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1 6. The civil penalty, if assessed pursuant to
2 section 321.218A, shall be added to the amount owing
3 under the installment agreement. The clerk of the
4 district court shall transmit to the department, from
5 the first moneys collected, an amount equal to the
6 amount of any civil penalty assessed and added to the
7 installment agreement. The department shall transmit
8 the money received from the clerk of the district
9 court pursuant to this subsection to the treasurer of
10 state for deposit in the juvenile detention home fund
11 created in section 232.142.

12 7. Upon determination by the county attorney or
13 the county attorney's designee that the person is in
14 default, the county attorney or the county attorney's
15 designee shall notify the clerk of the district court.

16 8. The clerk of the district court, upon receipt
17 of a notification of a default from the county
18 attorney or the county attorney's designee, shall
19 report the default to the department of
20 transportation.

21 9. Upon receipt of a report of a default from the
22 clerk of the district court, the department shall
23 suspend the driver's license of a person as provided
24 in section 321.210A. For purposes of suspension and
25 reinstatement of the driver's license of a person in
26 default, the suspension and any subsequent
27 reinstatement shall be considered a suspension
28 pursuant to section 321.210A.

29 10. If a new fine, penalty, surcharge, or court
30 cost is imposed on a person after the person has
31 executed an installment agreement with the county
32 attorney or the county attorney's designee, and the
33 new fine, penalty, surcharge, or court cost is deemed
34 delinquent as provided in section 602.8107, subsection
35 3, and the person's driver's license has been
36 suspended pursuant to section 321.210A, the person may
37 enter into a second installment agreement with the
38 county attorney or county attorney's designee to pay

39 the delinquent amount and the fee, if assessed, in
40 subsection 6 in installments.

41 11. If an installment agreement is in default, the
42 fine, penalty, surcharge, or court cost covered under
43 the agreement shall not become part of any new
44 installment agreement.

45 12. A person is eligible to enter into five
46 installment agreements in the person's lifetime.

47 13. A person shall execute an installment
48 agreement in the county where the fine, penalty,
49 surcharge, or court cost was imposed. If the county
50 where the fine, penalty, surcharge, or court cost was

Page 3

1 imposed does not have an installment agreement
2 program, the person shall execute an installment
3 agreement in the person's county of residence. If the
4 county of residence does not have an installment
5 agreement program, the person may execute an
6 installment agreement with any county attorney or
7 county attorney's designee.

8 14. Except for the civil penalty if assessed and
9 collected pursuant to subsection 6, any amount
10 collected under the installment agreement shall be
11 distributed as provided in section 602.8107,
12 subsection 4.

13 Sec. 3. Section 321.215, subsection 1, Code 2007,
14 is amended by adding the following new paragraph:
15 NEW PARAGRAPH. f. The person's appointments with
16 the person's parole or probation officer.

17 Sec. 4. Section 321.210C, Code 2007, is amended to
18 read as follows:

19 321.210C PROBATION PERIOD.

20 1. A person whose driver's license or operating
21 privileges have been suspended, revoked, or barred
22 under this chapter for a conviction of a moving
23 traffic violation, or suspended, revoked, or barred
24 under section 321.205 or section 321.210, subsection
25 1, paragraph "e", ~~or chapter 321J~~, must satisfactorily
26 complete a twelve-month probation period beginning
27 immediately after the end of the period of suspension,
28 revocation, or bar. Upon a second conviction of a
29 moving traffic violation which occurred during the
30 probation period, the department may suspend the
31 driver's license or operating privileges for an
32 additional period equal in duration to the original
33 period of suspension, revocation, or bar, or for one
34 year, whichever is the shorter period.

35 2. A person whose driver's license or operating
36 privileges have been revoked under chapter 321J, must
37 satisfactorily complete a twelve-month probation

38 period beginning immediately after the end of the
39 period of revocation. Upon conviction of a moving
40 traffic violation which occurs during the probation
41 period, the department may revoke the driver's license
42 or operating privileges for an additional period equal
43 in duration to the original period of revocation, or
44 for one year, whichever is the shorter period.
45 3. For purposes of determining a conviction under
46 this section, the department shall not consider the
47 first two speeding violations within the probation
48 period that are ten miles per hour or less over the
49 legal speed limit in speed zones having a legal speed
50 limit between thirty-four miles per hour and fifty-six

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1 miles per hour.

2 Sec. 5. Section 321.218A, Code 2007, is amended to
3 read as follows:

4 321.218A CIVIL PENALTY – DISPOSITION –
5 REINSTATEMENT.

6 When the department suspends, revokes, or bars a
7 person's driver's license or nonresident operating
8 privilege for a conviction under this chapter, the
9 department shall assess the person a civil penalty of
10 two hundred dollars. However, for persons age
11 nineteen or under, the civil penalty assessed shall be
12 fifty dollars. The civil penalty does not apply to a
13 suspension issued for a violation of section 321.180B.
14 The money collected by the department under this
15 section shall be transmitted to the treasurer of state
16 who shall deposit the money in the juvenile detention
17 home fund created in section 232.142. A Except as
18 provided in section 321.210B, a temporary restricted
19 license shall not be issued or a driver's license or
20 nonresident operating privilege reinstated until the
21 civil penalty has been paid.

22 Sec. 6. Section 321J.20, subsection 1, unnumbered
23 paragraph 1, Code 2007, is amended to read as follows:

24 The department may, on application, issue a
25 temporary restricted license to a person whose
26 noncommercial driver's license is revoked under this
27 chapter allowing the person to drive to and from the
28 person's home and specified places at specified times
29 which can be verified by the department and which are
30 required by the person's full-time or part-time
31 employment, continuing health care or the continuing
32 health care of another who is dependent upon the
33 person, continuing education while enrolled in an
34 educational institution on a part-time or full-time
35 basis and while pursuing a course of study leading to
36 a diploma, degree, or other certification of

37 successful educational completion, substance abuse
 38 treatment, and court-ordered community service
 39 responsibilities, and appointments with the person's
 40 parole or probation officer if the person's driver's
 41 license has not been revoked previously under section
 42 321J.4, 321J.9, or 321J.12 and if any of the following
 43 apply:
 44 Sec. 7. Section 331.756, subsection 5, Code 2007,
 45 is amended to read as follows:
 46 5. a. Enforce all forfeited bonds and
 47 recognizances and prosecute all proceedings necessary
 48 for the recovery of debts, revenues, moneys, fines,
 49 penalties, restitution of court-appointed attorney
 50 fees ordered pursuant to section 815.9, including the

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1 expense of a public defender, and forfeitures accruing
 2 to the state, the county or a road district in the
 3 county, and all suits in the county against public
 4 service corporations which are brought in the name of
 5 the state. To assist in this duty, the county
 6 attorney may procure professional collection services
 7 provided by persons or organizations, including
 8 private attorneys, which are generally considered to
 9 have knowledge and special abilities which are not
 10 generally available to state or local government or
 11 may designate another county official or agency a
 12 designee to assist with collection efforts.
 13 b. If the designee is a professional collection
 14 services are procured agency, the county attorney
 15 shall file with the clerk of the district court an
 16 indication of the satisfaction of each obligation to
 17 the full extent of all moneys collected in
 18 satisfaction of that obligation, including all fees
 19 and compensation retained by the collection service
 20 designee incident to the collection and not paid into
 21 the office of the clerk.
 22 c. Before a county attorney designates another
 23 county official or agency to assist with collection of
 24 debts, revenues, moneys, fines, penalties, restitution
 25 of court-appointed attorney fees ordered pursuant to
 26 section 815.9, including the expense of a public
 27 defender, and forfeitures, the board of supervisors of
 28 the county must approve the designation.
 29 d. All fines, penalties, court costs, fees, and
 30 restitution for court-appointed attorney fees ordered
 31 pursuant to section 815.9, including the expenses of a
 32 public defender which are delinquent as defined in
 33 section 602.8107 may be collected by the county
 34 attorney or the person procured or designated by the
 35 county attorney county attorney's designee. The

36 county attorney or the county attorney's designee may
37 collect delinquent obligations under an installment
38 agreement pursuant to section 321.210B.
39 e. In order to receive a percentage of the amounts
40 collected pursuant to section 602.8107, the county
41 attorney must file annually with the clerk of the
42 district court on or before July 1 a notice of full
43 commitment to collect delinquent obligations and must
44 file on the first day of each month a list of the
45 cases in which the county attorney or the ~~person~~
46 ~~procured or designated by the county attorney~~ county
47 attorney's designee is pursuing the collection of
48 delinquent obligations. The list shall include a list
49 of cases where delinquent obligations are being
50 collected under an installment agreement pursuant to

Page 6

1 section 321.210B, and a list of cases in default which
2 are no longer being collected under an installment
3 agreement but remain delinquent. The annual notice
4 shall contain a list of procedures which will be
5 initiated by the county attorney. Amounts collected
6 by the county attorney or the ~~person procured or~~
7 ~~designated by the county attorney~~ county attorney's
8 designee shall be distributed in accordance with
9 section 602.8107.

10 f. As used in this subsection, "designee" means a
11 professional collection services agency operated by a
12 person or organization, including a private attorney,
13 that is generally considered to have knowledge and
14 special abilities not generally possessed by the
15 state, a local government, or another county official
16 or agency, or a county attorney or a county attorney's
17 designee in another county where the fine, penalty,
18 surchage, or court cost was not imposed."

19 2. Page 1, by inserting after line 23 the
20 following:
21 "____. Page 2, by inserting after line 6 the
22 following:
23 "Sec.____. Section 602.8107, subsection 6,
24 unnumbered paragraph 1, Code 2007, is amended to read
25 as follows:

26 If a county attorney does not file the notice and
27 list of cases required in section 331.756, subsection
28 5, including the list of installment agreements under
29 section 321.210B, the judicial branch may assign cases
30 to the centralized collection unit of the department
31 of revenue or its designee to collect debts owed to
32 the clerk of the district court. In addition, an
33 installment agreement in default that remains
34 delinquent may also be assigned to the centralized

35 collection unit of the department of revenue or its
 36 designee.""

37 3. Page 1, by inserting before line 24 the
 38 following:

39 "____. Page 3, by inserting before line 1 the
 40 following:

41 "Sec.____. INSTALLMENT AGREEMENT – COOPERATION.

42 It is the intent of the general assembly that the
 43 judicial branch, the department of transportation, the
 44 department of workforce development, county attorneys,
 45 and other state and local agencies cooperate in the
 46 collection of delinquent court fines, penalties,
 47 surcharges, and court costs by coordinating efforts in
 48 the collection of installment agreement payments under
 49 section 321.210B.""

50 4. Page 1, line 27, by inserting after the word

Page 7

1 "obligations" the following: "or after suspension or
 2 revocation".

R. OLSON of Polk

H-2008

1 Amend Senate File 601, as amended, passed, and
 2 reprinted by the Senate, as follows:

3 1. Page 55, by inserting after line 22, the
 4 following:

5 "Sec.____. Section 483A.8B, unnumbered paragraph
 6 1, Code 2007, is amended to read as follows:

7 A person who is a resident and who is ~~seventy~~
 8 ~~sixty-five~~ years of age or older may be issued one
 9 special senior statewide antlerless deer only crossbow
 10 deer hunting license to hunt deer during bow season as
 11 established by rule by the commission. A person who
 12 obtains a license to hunt deer under this section is
 13 not required to pay the wildlife habitat fee but shall
 14 be otherwise qualified to hunt deer in this state and
 15 shall have a resident hunting license."

16 2. By renumbering as necessary.

ALONS of Sioux
 LUKAN of Dubuque

H-2010

1 Amend House File 922 as follows:

2 1. Page 2, by striking lines 11 through 16.

3 2. By striking page 2, line 22, through page 3,

4 line 11.

5 3. By renumbering as necessary.

FORRISTALL of Pottawattamie

H-2011

1 Amend House File 922 as follows:

2 1. Page 3, lines 3 and 4, by striking the words

3 "punishment which is humiliating or frightening,".

FORRISTALL of Pottawattamie

H-2012

1 Amend Senate File 601, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 45, by inserting after line 21 the
4 following:

5 "Sec.____. Section 257.17, Code 2007, is amended
6 to read as follows:

7 257.17 AID REDUCTION FOR EARLY SCHOOL STARTS.

8 State aid payments made pursuant to section 257.16

9 for a fiscal year shall be reduced by one

10 one-hundred-eightieth for each day of that fiscal year

11 for which the school district begins school before the

12 earliest starting date specified in section 279.10,

13 subsection 1. ~~However, this section does not apply to~~

14 ~~a school district that has received approval from the~~

15 ~~director of the department of education under section~~

16 ~~279.10, subsection 4, to commence classes for~~

17 ~~regularly established elementary and secondary schools~~

18 ~~in advance of the starting date established in section~~

19 ~~279.10, subsection 1."~~

20 2. Page 46, by inserting after line 7 the

21 following:

22 "Sec.____. Section 279.10, subsection 1, Code
23 2007, is amended to read as follows:

24 1. The school year shall begin on the first day of

25 July and each regularly established elementary and

26 secondary school shall begin no sooner than a day

27 ~~during the calendar week in which the first day of~~

28 ~~September falls August 25 but no later than the first~~

29 ~~Monday in December. However, if the first day of~~

30 ~~September falls on a Sunday, school may begin on a day~~

31 ~~during the calendar week which immediately precedes~~

32 ~~the first day of September. School shall continue for~~

33 ~~at least one hundred eighty days, except as provided~~

34 ~~in subsection 3, and may be maintained during the~~

35 ~~entire calendar year. However, if the board of~~

36 ~~directors of a district extends the school calendar~~

37 ~~because inclement weather caused the district to~~

38 temporarily close school during the regular school
 39 calendar, the district may excuse a graduating senior
 40 who has met district or school requirements for
 41 graduation from attendance during the extended school
 42 calendar. A school corporation may begin employment
 43 of personnel for in-service training and development
 44 purposes before the date to begin elementary and
 45 secondary school.

46 Sec. ____ Section 279.10, subsection 4, Code 2007,
 47 is amended by striking the subsection."

48 3. By renumbering as necessary.

MAY of Dickinson

H-2013

1 Amend Senate File 601, as amended, passed, and
 2 reprinted by the Senate, as follows:

3 1. Page 52, by inserting after line 12 the
 4 following:

5 "Sec. ____ Section 321E.12, Code 2007, is amended
 6 to read as follows:

7 321E.12 REGISTRATION MUST BE CONSISTENT.

8 1. A vehicle traveling under permit shall be
 9 properly registered for the gross weight of the
 10 vehicle and load. A trip permit issued according to
 11 section 326.23 shall not be used in lieu of the
 12 registration provided for in this section. A person
 13 owning special mobile equipment may use a transport
 14 vehicle registered for the gross weight of the
 15 transport without a load. ~~Vehicles, while being used~~
 16 ~~for the transportation of buildings, except mobile~~
 17 ~~homes and factory-built structures,~~

18 2. The vehicles described in this subsection may
 19 be registered for the combined gross weight of the
 20 vehicle and load on a single-trip basis. The fee is
 21 five cents per ton exceeding the weight registered
 22 under section 321.122 per mile of travel. Fees shall
 23 not be prorated for fractions of miles. This
 24 provision does not exempt these vehicles from any
 25 other provision of this chapter. This subsection
 26 applies to the following vehicles:

27 a. ~~Vehicles, while being used for the~~
 28 ~~transportation of buildings, except mobile homes and~~
 29 ~~factory-built structures.~~

30 b. ~~Vehicles registered under section 321.122 for a~~
 31 ~~combined gross weight of at least fifty-five tons,~~
 32 ~~while being used for the transportation of any of the~~
 33 ~~following:~~

34 (1) ~~Transformers used for the bulk transfer of~~
 35 ~~electrical power.~~

36 (2) ~~Industrial backup generators.~~

37 . (3) Boilers used for bulk processing of
 38 value-added agricultural commodities, including but
 39 not limited to renewable fuels."
 40 2. By renumbering as necessary.

ALONS of Sioux

H-2014

1 Amend Senate File 588, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 15, by inserting after line 4 the
 4 following:
 5 "Sec. ____ DEPARTMENT OF EDUCATION – SCHOOL
 6 ACCREDITATION STANDARDS TASK FORCE. The director of
 7 the department of education shall convene a school
 8 accreditation standards task force to review and make
 9 recommendations to update the current school
 10 accreditation standards as specified in section
 11 256.11. The task force shall review the existing
 12 minimum accreditation standards and develop
 13 recommendations that will bring the current standards
 14 up to the standards required for the 21st century and
 15 to prepare all students to continue their education
 16 beyond grade twelve. The nine-member task force shall
 17 consist of the director of the department of education
 18 or the director's designee, the president of the state
 19 board of education or the president's designee, the
 20 executive director of the board of educational
 21 examiners or the executive director's designee, and
 22 the following members appointed by the named entity or
 23 entities:
 24 1. A member representing the Iowa school board
 25 association.
 26 2. A member representing the Iowa state education
 27 association.
 28 3. A member representing the school administrators
 29 of Iowa.
 30 4. A member representing Iowa parent teacher
 31 organizations.
 32 5. A member representing the area education
 33 agencies.
 34 6. A member representing accredited nonpublic
 35 schools.
 36 The task force shall submit its findings and
 37 recommendations in a report to the general assembly by
 38 January 15, 2009."
 39 2. Page 25, by inserting after line 14 the
 40 following:
 41 "Sec. ____ Section 256.9, Code 2007, is amended by
 42 adding the following new subsection:
 43 NEW SUBSECTION. 55. Establish and maintain a

44 process and a procedure, in cooperation with the board
45 of educational examiners, to compare a practitioner's
46 teaching assignment with the license and endorsements
47 held by the practitioner. The director may report
48 noncompliance issues identified by this process to the
49 board of educational examiners pursuant to section
50 272.15, subsection 3."

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1 3. Page 39, by inserting after line 4 the
2 following:

3 "Sec. ____ Section 272.15, Code 2007, is amended
4 to read as follows:

5 272.15 SCHOOL REPORTING REQUIREMENT REQUIREMENTS
6 - COMPLAINTS.

7 1. The board of directors of a school district or
8 area education agency, the superintendent of a school
9 district or the chief administrator of an area
10 education agency, and the authorities in charge of a
11 nonpublic school shall report to the board the
12 nonrenewal or termination, for reasons of alleged or
13 actual misconduct, of a person's contract executed
14 under sections 279.12, 279.13, 279.15 through 279.21,
15 279.23, and 279.24, and the resignation of a person
16 who holds a license, certificate, or authorization
17 issued by the board as a result of or following an
18 incident or allegation of misconduct that, if proven,
19 would constitute a violation of the rules adopted by
20 the board to implement section 272.2, subsection 14,
21 paragraph "b", subparagraph (1), when the board or
22 reporting official has a good faith belief that the
23 incident occurred or the allegation is true.
24 Information reported to the board in accordance with
25 this section is privileged and confidential, and
26 except as provided in section 272.13, is not subject
27 to discovery, subpoena, or other means of legal
28 compulsion for its release to a person other than the
29 respondent and the board and its employees and agents
30 involved in licensee discipline, and is not admissible
31 in evidence in a judicial or administrative proceeding
32 other than the proceeding involving licensee
33 discipline. The board shall review the information
34 reported to determine whether a complaint should be
35 initiated. In making that determination, the board
36 shall consider the factors enumerated in section
37 272.2, subsection 14, paragraph "a". For purposes of
38 this section, unless the context otherwise requires,
39 "misconduct" means an action disqualifying an
40 applicant for a license or causing the license of a
41 person to be revoked or suspended in accordance with
42 the rules adopted by the board to implement section

43 272.2, subsection 14, paragraph "b", subparagraph (1).
 44 2. If, in the course of performing official
 45 duties, an employee of the department becomes aware of
 46 any alleged misconduct by an individual licensed under
 47 this chapter, the employee shall report the alleged
 48 misconduct to the board of educational examiners under
 49 rules adopted pursuant to subsection 1.
 50 3. If the executive director of the board verifies

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1 through a review of official records that a teacher
 2 who holds a practitioner's license under this chapter
 3 is assigned instructional duties for which the teacher
 4 does not hold the appropriate license or endorsement,
 5 either by grade level or subject area, by a school
 6 district or accredited nonpublic school, the executive
 7 director may initiate a complaint against the teacher
 8 and the administrator responsible for the
 9 inappropriate assignment of instructional duties."

10 4. Page 39, by inserting after line 18 the
 11 following:

12 "Sec. ____ **NEW SECTION. 279.43 REPORTING**
 13 **INAPPROPRIATE TEACHING ASSIGNMENTS.**

14 An employee licensed by the board of educational
 15 examiners and holding a contract as described in
 16 section 279.13 shall disclose any occurrence of a
 17 teaching assignment for which that employee is not
 18 properly licensed to the school official responsible
 19 for determining teaching assignments. Failure of the
 20 employee to disclose this occurrence or failure of the
 21 school official responsible for determining teaching
 22 assignments to make appropriate adjustments to the
 23 employee's teaching assignment once the employee
 24 discloses the occurrence shall constitute an incident
 25 of misconduct as provided in section 272.2, subsection
 26 14, and is actionable by the board. If the school
 27 official fails to make appropriate adjustments to the
 28 teaching assignment once disclosure by the employee is
 29 made, the employee shall report this occurrence to the
 30 department or to the board for further action."

31 5. Page 41, by inserting after line 30 the
 32 following:

33 "Sec. ____ **NEW SECTION. 279.66 DISCIPLINE AND**
 34 **PERSONAL CONDUCT STANDARDS.**

35 The board of directors of a school district shall
 36 review and modify existing policies related to student
 37 discipline and student conduct that are designed to
 38 promote responsible behavior on school property and at
 39 school functions in order that the policy shall govern
 40 the conduct of students, teachers and other school
 41 personnel, and visitors; provide opportunities for

42 students to exercise self-discipline and practice
43 cooperative classroom behavior; and encourage students
44 and practitioners to model fairness, equity, and
45 respect. The policy shall specify the
46 responsibilities of students, parents and guardians,
47 and practitioners in creating an atmosphere where all
48 individuals feel a sense of respect, safety, and
49 belonging, and shall set forth the consequences for
50 unacceptable behavior. The policy shall be published

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1 in the student handbook."

WENDT of Woodbury

H-2015

1 Amend Senate File 601, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 35, by inserting after line 23 the
4 following:

5 "Sec. ____ Section 8.54, subsection 2, Code 2007,
6 is amended to read as follows:

7 2. There is created a state general fund
8 expenditure limitation for each fiscal year calculated
9 as provided in this section. An expenditure
10 limitation shall be used for ~~the portion of the budget~~
11 process commencing on the date the revenue estimating
12 conference agrees to a revenue estimate for the
13 following fiscal year in accordance with section
14 8.22A, subsection 3, and ending with the ~~governor's~~
15 ~~final approval or disapproval of the appropriations~~
16 ~~bills applicable to that fiscal year that were passed~~
17 ~~prior to July 1 of that fiscal year in a regular or~~
18 ~~extraordinary legislative session~~ close of the fiscal
19 year for which the expenditure limitation was
20 calculated. Once the fiscal year for which the
21 expenditure limitation was calculated commences, the
22 expenditure limitation for that fiscal year is not
23 subject to adjustment or readjustment except by law
24 enacted for that purpose.

25 Sec. ____ Section 8.54, Code 2007, is amended by
26 adding the following new subsections:

27 **NEW SUBSECTION.** 8. a. The requirements of this
28 subsection are only applicable under the state general
29 fund expenditure limitation for a fiscal year when the
30 adjusted revenue estimate used to establish the
31 expenditure limitation for that fiscal year represents
32 an increase of more than two percent over the adjusted
33 revenue estimate used to establish the expenditure
34 limitation for the immediately preceding fiscal year.

35 b. If an appropriation is made for a fiscal year

36 from a source other than the general fund of the state
37 for a designated purpose and in either of the two
38 fiscal years immediately preceding that fiscal year
39 the designated purpose was funded by an appropriation
40 from the general fund of the state, for the purposes
41 of the state general fund expenditure limitation, the
42 amount of the appropriation from the other source
43 shall be considered to have been transferred to and
44 appropriated from the general fund of the state and
45 shall be counted as both a new revenue causing
46 readjustment of the expenditure limitation amount and
47 as an appropriation made under the expenditure
48 limitation amount. Subject to the applicability
49 condition in paragraph "a", the requirements of this
50 subsection shall apply to either or both the initial

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1 and immediately succeeding fiscal years for which the
2 appropriation is made from the other funding source.
3 NEW SUBSECTION. 9. a. Commencing during the
4 fiscal year that begins July 1, 2008, if the adjusted
5 revenue estimate used to establish the expenditure
6 limitation for the succeeding fiscal year represents
7 an increase over the adjusted revenue estimate used to
8 establish the expenditure limitation for the fiscal
9 year in progress by a percentage amount listed in this
10 paragraph, there is appropriated from the general fund
11 of the state to the office of the treasurer of state
12 for the succeeding fiscal year, the indicated amount.
13 An appropriation made pursuant to this subsection
14 shall be counted under the state general fund
15 expenditure limitation amount for the fiscal year for
16 which the appropriation is made. The treasurer of
17 state shall distribute the appropriation as provided
18 in paragraph "b" to be used to restore funding that
19 was transferred to the general fund of the state or
20 appropriated from various funds and accounts in lieu
21 of funding from the general fund of the state. The
22 appropriation made in this paragraph shall continue on
23 an annual basis until the amounts listed in paragraph
24 "b" have all been distributed. If the amount
25 appropriated would exceed the amount remaining to be
26 distributed, the appropriation shall be reduced by the
27 excess.

28 (1) For an increase in the adjusted revenue
29 estimate of more than two percent but less than four
30 percent, the appropriation made in this paragraph "a"
31 shall be an amount equal to one-half of one percent of
32 the adjusted revenue estimate used to establish the
33 state general fund expenditure limitation for the
34 fiscal year for which the appropriation is made.

35 (2) For an increase in the adjusted revenue
36 estimate of at least four percent but less than six
37 percent, the appropriation made in this paragraph "a"
38 shall be an amount equal to one percent of the
39 adjusted revenue estimate used to establish the state
40 general fund expenditure limitation for the fiscal
41 year for which the appropriation is made.
42 (3) For an increase in the adjusted revenue
43 estimate of at least six percent but less than eight
44 percent, the appropriation made in this paragraph "a"
45 shall be an amount equal to one and one-half percent
46 of the adjusted revenue estimate used to establish the
47 state general fund expenditure limitation for the
48 fiscal year for which the appropriation is made.
49 (4) For an increase in the adjusted revenue
50 estimate of eight percent or more, the appropriation

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1 made in this paragraph "a" shall be an amount equal to
2 two percent of the adjusted revenue estimate used to
3 establish the state general fund expenditure
4 limitation for the fiscal year for which the
5 appropriation is made.
6 b. The appropriation made in paragraph "a" shall
7 be annually, if necessary, distributed as provided in
8 this paragraph "b". Unless otherwise provided by law,
9 notwithstanding section 8.33, moneys distributed in
10 accordance with this paragraph that remain
11 unencumbered or unobligated at the close of the fiscal
12 year shall not revert but shall remain available for
13 expenditure for the purposes designated until
14 expended.
15 (1) Moneys appropriated in paragraph "a" shall be
16 distributed to the funds and departments listed in
17 this subparagraph, in the order and amounts listed
18 until the full amounts listed have been distributed.
19 To the extent the appropriation for a fiscal year is
20 insufficient to fully fund an amount listed or
21 remaining, the amount of the insufficiency shall be
22 distributed from the next succeeding appropriation or
23 appropriations. When all amounts listed in this
24 subparagraph have been distributed in full, any
25 remaining amounts of the appropriation made in
26 paragraph "a" shall be distributed as provided in
27 subparagraph (2). Moneys distributed pursuant to this
28 subparagraph (1) shall be used for the purposes of the
29 fund or department to which distributed, unless a
30 purpose is stated with the amount:
31 (a) The innovations fund created in section 8.63,
32 four hundred thousand dollars.
33 (b) The state department of transportation to be

34 used for aviation hangars, three hundred sixty
35 thousand dollars, and for airport engineering studies
36 and improvement projects, three hundred forty-seven
37 thousand dollars.

38 (c) The special all-terrain vehicle fund created
39 pursuant to section 321I.8, eight hundred thousand
40 dollars.

41 (d) The victim compensation fund established in
42 section 915.94, one million dollars.

43 (e) The special snowmobile fund created pursuant
44 to section 321G.7, one million dollars.

45 (f) The revolving fund created in section
46 602.1302, for the purpose of paying jury and witness
47 fees and mileage by the judicial branch, and for
48 payment of other trial-related expenses, one million
49 dollars.

50 (g) The brucellosis and tuberculosis eradication

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1 fund created in section 165.18, one million dollars.

2 (h) The agricultural drainage well water quality
3 assistance fund created in section 460.303, one
4 million one hundred thousand dollars.

5 (i) The property tax relief fund risk pool created
6 in section 426B.5, subsection 2, three million five
7 hundred thousand dollars.

8 (j) The title guaranty fund created in section
9 16.91, two million seven hundred thousand dollars.

10 (k) The waste tire management fund created in
11 section 455D.11C, four million six hundred thousand
12 dollars.

13 (l) The groundwater protection fund established in
14 section 455E.11, five million two hundred thousand
15 dollars.

16 (m) The state department of transportation to be
17 used for recreational trails projects, five million
18 five hundred thousand dollars.

19 (n) The strategic investment fund created in
20 section 15.313, three million dollars.

21 (o) The physical infrastructure assistance fund
22 created in section 15E.175, two million five hundred
23 thousand dollars.

24 (p) The value-added agricultural products and
25 processes financial assistance fund created in section
26 15E.112, seven hundred fifty thousand dollars.

27 (q) The school infrastructure fund created in
28 section 12.82, twenty-two million dollars.

29 (2) When the amounts listed in subparagraph (1)
30 have all been distributed, any remaining amounts of
31 the appropriation made in paragraph "a" shall be
32 annually distributed to the account and funds listed

33 in this subparagraph (2) until the full amounts listed
 34 have been distributed. If the appropriation is
 35 insufficient to fully fund all amounts listed or
 36 remaining, the appropriation shall be prorated among
 37 the account and funds based upon an amount's
 38 proportion of the total amount to be distributed. The
 39 distribution of the appropriation made in paragraph
 40 "a" shall continue in succeeding fiscal years until
 41 the entire amount listed for each account or fund in
 42 this subparagraph (2) has been distributed. Moneys
 43 distributed shall be used for the purposes of the
 44 account or fund to which distributed:
 45 (a) The environment first fund created in section
 46 8.57A, sixty-nine million five hundred thousand
 47 dollars.
 48 (b) The rebuild Iowa infrastructure fund created
 49 in section 8.57, subsection 6, sixty million five
 50 hundred sixty thousand dollars.

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1 (c) The Iowa comprehensive petroleum underground
 2 storage tank fund created in section 455G.3,
 3 forty-eight million dollars.
 4 c. This subsection is repealed on July 1 following
 5 the fiscal year in which all amounts listed in
 6 paragraph "b" have been paid in full. The treasurer
 7 of state shall notify the Code editor when the amounts
 8 have been paid in full."
 9 2. Page 59, by inserting after line 4 the
 10 following:
 11 "Sec.____. EFFECTIVE AND APPLICABILITY DATES. The
 12 section of this division of this Act amending section
 13 8.54, subsection 2, and the provision of the section
 14 of this division of this Act enacting section 8.54,
 15 subsection 8, take effect July 1, 2008, and are first
 16 applicable to the state general fund expenditure
 17 limitation established for the fiscal year beginning
 18 July 1, 2009."

SANDS of Louisa

H-2016

1 Amend House File 922 as follows:
 2 1. Page 2, by inserting after line 30 the
 3 following:
 4 "Sec.____. Section 237A.13, Code 2007, is amended
 5 by adding the following new subsection:
 6 **NEW SUBSECTION. 3A.** The department's billing and
 7 payment provisions for the program shall allow
 8 providers to elect monthly billing and payment for
 9 child care provided under the program. The department
 10 shall remit payment to a provider within ten business
 11 days of receiving a bill or claim for services

12 provided. However, if the department determines that
 13 a bill has an error or omission, the department shall
 14 notify the provider of the error or omission and
 15 identify any correction needed before issuance of
 16 payment to the provider. The department shall provide
 17 the notice within five business days of receiving the
 18 billing from the provider and shall remit payment to
 19 the provider within ten business days of receiving the
 20 corrected billing."
 21 2. By renumbering as necessary.

PETERSEN of Polk

H-2017

1 Amend the amendment, H-1628, to Senate File 517, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 2, lines 38 and 39, by striking the words
 5 "Iowa energy independence office" and inserting the
 6 following: "office of energy independence".

REICHERT of Muscatine

H-2018

1 Amend the amendment, H-1954, to Senate File 588, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 1, by inserting after line 22 the
 5 following:
 6 "NEW SUBSECTION. 29. Adopt rules requiring that
 7 flags which are received or purchased after July 1,
 8 2007, for display by a school district or school in
 9 accordance with section 280.5 must be manufactured in
 10 Iowa or by a manufacturer whose employees are
 11 represented by a labor union, organization, or
 12 association."

SMITH of Marshall

H-2019

1 Amend House File 922 as follows:
 2 1. Page 4, line 5, by inserting after the word
 3 "issues." the following: "The workgroup shall also
 4 identify the number of child care centers, child
 5 development homes, and child care homes in the state
 6 as of the close of fiscal year 2007-2008 and shall
 7 project the number of child care home providers who
 8 would be required to register if the requirements of
 9 this Act were in effect for that fiscal year. In
 10 addition, the workgroup shall project the costs to

11 child care providers and families to comply with the
12 requirements of this Act."

HEATON of Henry

H-2020

1 Amend House File 922 as follows:
2 1. Page 4, line 19, by striking the figure "2008"
3 and inserting the following: "2009".
4 2. Page 4, line 27, by striking the figure "2008"
5 and inserting the following: "2009".

HEATON of Henry

H-2021

1 Amend House File 922 as follows:
2 1. Page 2, by inserting after line 30 the
3 following:
4 "Sec. ____ Section 237A.13, Code 2007, is amended
5 by adding the following new subsection:
6 NEW SUBSECTION. 3A. The department's billing and
7 payment provisions for the program shall allow
8 providers to elect either biweekly or monthly billing;
9 and payment for child care provided under the program.
10 The department shall remit payment to a provider
11 within ten business days of receiving a bill or claim
12 for services provided. However, if the department
13 determines that a bill has an error or omission, the
14 department shall notify the provider of the error or
15 omission and identify any correction needed before
16 issuance of payment to the provider. The department
17 shall provide the notice within five business days of
18 receiving the billing from the provider and shall
19 remit payment to the provider within ten business days
20 of receiving the corrected billing."
21 2. By renumbering as necessary.

HEATON of Henry

H-2022

1 Amend Senate File 488, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 1, by striking lines 2 through 9 and
4 inserting the following: "amended by striking the
5 subsection."
6 2. Title page, line 1, by striking the words
7 "assessments for" and inserting the following: "the".

T. TAYLOR of Linn

H-2023

1 Amend the amendment, H-1954, to Senate File 588, as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, line 11, by inserting after the word
5 "allegiance" the following: "and the black national
6 anthem".

7 2. Page 1, line 13, by inserting after the word
8 "allegiance" the following: "and the black national
9 anthem".

10 3. Page 1, line 17, by inserting after the word
11 "allegiance" the following: "or the black national
12 anthem".

BERRY of Black Hawk

H-2024

1 Amend House File 922 as follows:

2 1. Page 4, line 17, by inserting before the word
3 "EFFECTIVE" the following: "CONTINGENT".

4 2. Page 4, by striking lines 18 through 28 and
5 inserting the following:

6 "Implementation of this Act is contingent upon
7 enactment of appropriations specifically providing
8 funding and authorization for sufficient full-time
9 equivalent positions so that each child care provider
10 who would be subject to registration under the
11 provisions of this Act would annually receive a
12 regulatory visit from an employee of the department of
13 human services, for increased reimbursements under the
14 state child care assistance program, and for adequate
15 resources to address other needs associated with this
16 Act. The legislation making the appropriations shall
17 also include an effective date and other provisions
18 providing for the implementation of this Act."

UPMEYER of Hancock

H-2025

1 Amend Senate File 601, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. By striking page 85, line 33, through page 96,
4 line 31, and inserting the following:

5 "Sec. ____ Section 137C.6, Code 2007, is amended
6 to read as follows:

7 137C.6 AUTHORITY TO ENFORCE.

8 1. The director shall regulate, license, and
9 inspect hotels and enforce the Iowa hotel sanitation
10 code in Iowa. Municipal corporations shall not

11 regulate, license, inspect, or collect license fees
12 from hotels except as provided for in the Iowa hotel
13 sanitation code.

14 2. If a municipal corporation wants its local
15 board of health to license, inspect, and otherwise
16 enforce the Iowa hotel sanitation code within its
17 jurisdiction, the municipal corporation may enter into
18 an agreement to do so with the director. The director
19 may enter into the agreement if the director finds
20 that the local board of health has adequate resources
21 to perform the required functions. A municipal
22 corporation may only enter into an agreement to
23 enforce the Iowa hotel sanitation code if it also
24 agrees to enforce the ~~Iowa food code~~ rules setting
25 minimum standards to protect consumers from foodborne
26 illness adopted pursuant to section ~~137F.3~~ 137F.2.

27 3. A local board of health that is responsible for
28 enforcing the Iowa hotel sanitation code within its
29 jurisdiction pursuant to an agreement, shall make an
30 annual report to the director providing the following
31 information:

32 1. a. The total number of hotel licenses granted
33 or renewed during the year.

34 2. b. The number of hotel licenses granted or
35 renewed during the year broken down into the following
36 categories:

37 a. (1) Hotels containing fifteen guest rooms or
38 less.

39 b. (2) Hotels containing more than fifteen but
40 less than thirty-one guest rooms.

41 c. (3) Hotels containing more than thirty but
42 less than seventy-six guest rooms.

43 d. (4) Hotels containing more than seventy-five
44 but less than one hundred fifty guest rooms.

45 e. (5) Hotels containing one hundred fifty or
46 more guest rooms.

47 3. c. The amount of money collected in license
48 fees during the year.

49 4. d. Other information the director requests.

50 4. The director shall monitor local boards of

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1 health to determine if they are enforcing the Iowa
2 hotel sanitation code within their respective
3 jurisdictions. If the director determines that the
4 Iowa hotel sanitation code is enforced by a local
5 board of health, such enforcement shall be accepted in
6 lieu of enforcement by the department in that
7 jurisdiction. If the director determines that the
8 Iowa hotel sanitation code is not enforced by a local
9 board of health, the director may rescind the

10 agreement after reasonable notice and an opportunity
 11 for a hearing. If the agreement is rescinded, the
 12 director shall assume responsibility for enforcement
 13 in the jurisdiction involved.

14 Sec. ____ Section 137C.9, Code 2007, is amended to
 15 read as follows:

16 137C.9 LICENSE FEES.

17 1. Either the department or the municipal
 18 corporation shall collect the following annual license
 19 fees through June 30, 2008:

20 ~~1. a.~~ For a hotel containing fifteen guest rooms
 21 or less, ~~twenty~~ thirty dollars.

22 ~~2. b.~~ For a hotel containing more than fifteen
 23 but less than thirty-one guest rooms, ~~thirty~~
 24 ~~forty-five~~ dollars.

25 ~~3. c.~~ For a hotel containing more than thirty but
 26 less than seventy-six guest rooms, ~~forty~~ sixty
 27 dollars.

28 ~~4. d.~~ For a hotel containing more than
 29 seventy-five but less than one hundred fifty guest
 30 rooms, ~~fifty~~ seventy-five dollars.

31 ~~5. e.~~ For a hotel containing one hundred fifty or
 32 more guest rooms, ~~seventy-five~~ one hundred ten
 33 dollars.

34 2. Either the department or the municipal
 35 corporation shall collect the following annual license
 36 fees beginning July 1, 2008:

37 a. For a hotel containing fifteen guest rooms or
 38 less, ~~forty~~ dollars.

39 b. For a hotel containing more than fifteen but
 40 less than thirty-one guest rooms, ~~sixty~~ dollars.

41 c. For a hotel containing more than thirty but
 42 less than seventy-six guest rooms, ~~eighty~~ dollars.

43 d. For a hotel containing more than seventy-five
 44 but less than one hundred fifty guest rooms, ~~one~~
 45 ~~hundred~~ dollars.

46 e. For a hotel containing one hundred fifty or
 47 more guest rooms, ~~one hundred fifty~~ dollars.

48 3. Fees collected by the department shall be
 49 deposited in the general fund of the state. Fees
 50 collected by a municipal corporation shall be retained

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1 by it and for its use.

2 Sec. ____ Section 137D.2, subsection 1, Code 2007,
 3 is amended to read as follows:

4 1. A person shall not open or operate a home food
 5 establishment until a license has been obtained from
 6 the department of inspections and appeals. The
 7 department shall collect a fee of ~~twenty-five~~
 8 thirty-five dollars for a license through June 30,

9 2008, and a fee of fifty dollars for a license
10 beginning July 1, 2008. After collection, the fees
11 shall be deposited in the general fund of the state.
12 A license shall expire one year from date of issue. A
13 license is renewable.

14 Sec. ____ Section 137F.1, subsection 7, Code 2007,
15 is amended by striking the subsection.

16 Sec. ____ Section 137F.1, subsection 8, unnumbered
17 paragraph 1, Code 2007, is amended to read as follows:

18 "Food establishment" means an operation that
19 stores, prepares, packages, serves, vends, or
20 otherwise provides food for human consumption and
21 includes a food service operation in a salvage or
22 distressed food operation, school, summer camp,
23 residential service substance abuse treatment
24 facility, halfway house substance abuse treatment
25 facility, correctional facility operated by the
26 department of corrections, the state training school,
27 or the Iowa juvenile home. "Food establishment" does
28 not include the following:

29 Sec. ____ Section 137F.2, Code 2007, is amended by
30 striking the section and inserting in lieu thereof the
31 following:

32 137F.2 ADOPTION BY RULE.

33 The department shall, in accordance with chapter
34 17A, adopt rules setting minimum standards for
35 entities covered under this chapter to protect
36 consumers from foodborne illness. In so doing, the
37 department may adopt by reference, with or without
38 amendment, the United States food and drug
39 administration food code, which shall be specified by
40 title and edition, date of publication, or similar
41 information. The rules and standards shall be
42 formulated in consultation with municipal corporations
43 under agreement with the department, affected state
44 agencies, and industry, professional, and consumer
45 groups.

46 Sec. ____ Section 137F.3, Code 2007, is amended to
47 read as follows:

48 137F.3 AUTHORITY TO ENFORCE.

49 1. The director shall regulate, license, and
50 inspect food establishments and food processing plants

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1 and enforce this chapter pursuant to rules adopted by
2 the department in accordance with chapter 17A.
3 Municipal corporations shall not regulate, license,
4 inspect, or collect license fees from food
5 establishments and food processing plants, except as
6 provided in this section.

7 2. A municipal corporation may enter into an

8 agreement with the director to provide that the
9 municipal corporation shall license, inspect, and
10 otherwise enforce this chapter within its
11 jurisdiction. The director may enter into the
12 agreement if the director finds that the municipal
13 corporation has adequate resources to perform the
14 required functions. A municipal corporation may only
15 enter into an agreement to enforce the Iowa food code
16 rules setting minimum standards to protect consumers
17 from foodborne illness adopted pursuant to this
18 section 137F.2 if it also agrees to enforce the Iowa
19 hotel sanitation code pursuant to section 137C.6.
20 However, the department shall license and inspect all
21 food processing plants which manufacture, package, or
22 label food products. A municipal corporation may
23 license and inspect, as authorized by this section,
24 food processing plants whose operations are limited to
25 the storage of food products.
26 3. If the director enters into an agreement with a
27 municipal corporation as provided by this section, the
28 director shall provide that the inspection practices
29 of a municipal corporation are spot-checked on a
30 regular basis.
31 4. A municipal corporation that is responsible for
32 enforcing this chapter within its jurisdiction
33 pursuant to an agreement shall make an annual report
34 to the director providing the following information:
35 1. a. The total number of licenses granted or
36 renewed by the municipal corporation under this
37 chapter during the year.
38 2. b. The number of licenses granted or renewed
39 by the municipal corporation under this chapter during
40 the year in each of the following categories:
41 a. (1) Food establishments.
42 b. (2) Food processing plants.
43 c. (3) Mobile food units and pushcarts.
44 d. (4) Temporary food establishments.
45 e. (5) Vending machines.
46 3. c. The amount of money collected in license
47 fees during the year.
48 d. The amount expended to conduct activity
49 required under the agreement submitted on a form
50 prescribed by the department.

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1 4. e. Other information the director requests.
2 5. The director shall monitor municipal
3 corporations which have entered into an agreement
4 pursuant to this section to determine if they are
5 enforcing this chapter within their respective
6 jurisdictions. If the director determines that this

7 chapter is not enforced by a municipal corporation,
8 the director may rescind the agreement after
9 reasonable notice and an opportunity for a hearing.
10 If the agreement is rescinded, the director shall
11 assume responsibility for enforcement in the
12 jurisdiction involved.

13 6. Inspection staff of a municipal corporation
14 that has entered into an agreement with the department
15 shall be required to be standardized by the department
16 on the current adopted food code in accordance with
17 the United States food and drug administration
18 standards to ensure consistency in application of the
19 food code. Failure to comply may result in the
20 department rescinding the agreement after reasonable
21 notice and an opportunity for a hearing.

22 Sec. ____ Section 137F.3A, Code 2007, is amended
23 to read as follows:

24 137F.3A MUNICIPAL CORPORATION INSPECTIONS –
25 CONTINGENT APPROPRIATION.

26 1. If a municipal corporation operating pursuant
27 to a chapter 28E agreement with the department of
28 inspections and appeals to enforce this chapter and
29 chapters 137C and 137D either fails to renew the
30 agreement effective after ~~July~~ April 1, 2005, but
31 ~~before July 1, 2007, or discontinues prior to July 1,~~
32 ~~2007 after April 1, 2007,~~ enforcement activities in
33 one or more jurisdictions during the agreement time
34 frame, or the department of inspections and appeals
35 cancels an agreement ~~prior to July 1, after April 1,~~
36 ~~2007,~~ due to noncompliance with the terms of the
37 agreement, the department of inspections and appeals
38 may employ additional full-time equivalent positions
39 ~~for the fiscal years ending prior to July 1, 2007,~~ to
40 enforce the provisions of the chapters, with the
41 approval of the department of management. Before
42 approval is given, the director of the department of
43 management shall determine that the expenses exceed
44 the funds budgeted by the general assembly for food
45 inspections to the department of inspections and
46 appeals. The department of inspections and appeals
47 may hire no more than one full-time equivalent
48 position for each six hundred inspections required
49 pursuant to this chapter and chapters 137C and 137D.
50 2. Notwithstanding chapter 137D, and sections

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1 137C.9 and 137F.6, if the conditions described in this
2 section are met, fees imposed pursuant to that chapter
3 and those sections shall be retained by and are
4 appropriated to the department of inspections and
5 appeals for the each fiscal years ending prior to Jly

6 ~~1, 2007, year or until such time as the general~~
 7 ~~assembly appropriates funds~~ to provide for salaries,
 8 support, maintenance, and miscellaneous purposes
 9 associated with the additional inspections.
 10 ~~3. This section is repealed July 1, 2007.~~
 11 Sec. _____. Section 137F.6, Code 2007, is amended to
 12 read as follows:

13 137F.6 LICENSE – REINSPECTION – PLAN REVIEW
 14 FEES.

15 1. The regulatory authority shall collect the
 16 following annual license fees through June 30, 2008:

17 ~~1. a.~~ For a mobile food unit or pushcart, ~~twenty~~
 18 sixty dollars.

19 ~~2. b.~~ For a temporary food establishment per
 20 fixed location, ~~twenty-five~~ thirty-five dollars.

21 ~~3. c.~~ For a vending machine, twenty dollars for
 22 the first machine and five dollars for each additional
 23 machine.

24 ~~4. d.~~ For a food establishment which prepares or
 25 serves food for individual portion service intended
 26 for consumption on-the-premises, the annual license
 27 fee shall correspond to the annual gross food and
 28 beverage sales of the food establishment, as follows:

29 ~~a. (1)~~ Annual gross sales of under fifty thousand
 30 dollars, ~~fifty~~ seventy-five dollars.

31 ~~b. (2)~~ Annual gross sales of at least fifty
 32 thousand dollars but less than one hundred thousand
 33 dollars, ~~eighty-five~~ one hundred twenty-five dollars.

34 ~~c. (3)~~ Annual gross sales of at least one hundred
 35 thousand dollars but less than two hundred fifty
 36 thousand dollars, ~~one hundred seventy-five~~ two hundred
 37 sixty dollars.

38 ~~d. (4)~~ Annual gross sales of two hundred fifty
 39 thousand dollars but less than five hundred thousand
 40 dollars, ~~two~~ three hundred dollars.

41 ~~e. (5)~~ Annual gross sales of five hundred,
 42 thousand dollars or more, ~~two hundred twenty-five~~
 43 three hundred thirty-five dollars.

44 ~~5. e.~~ For a food establishment which sells food
 45 or food products to consumer customers intended for
 46 preparation or consumption off-the-premises, the
 47 annual license fee shall correspond to the annual
 48 gross food and beverage sales of the food
 49 establishment, as follows:

50 ~~a. (1)~~ Annual gross sales of under ten thousand

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1 dollars, ~~thirty~~ forty-five dollars.

2 ~~b. (2)~~ Annual gross sales of at least ten
 3 thousand dollars but less than two hundred fifty
 4 thousand dollars, ~~seventy-five~~ one hundred ten

5 dollars.

6 e. (3) Annual gross sales of at least two hundred
7 fifty thousand dollars but less than five hundred
8 thousand dollars, ~~one hundred fifteen~~ one hundred
9 seventy dollars.

10 d. (4) Annual gross sales of at least five
11 hundred thousand dollars but less than seven hundred
12 fifty thousand dollars, ~~one hundred fifty two~~ hundred
13 twenty-five dollars.

14 e. (5) Annual gross sales of seven hundred fifty
15 thousand dollars or more, ~~two hundred twenty five~~
16 three hundred thirty-five dollars.

17 f. For a food processing plant, the annual
18 license fee shall correspond to the annual gross food
19 and beverage sales of the food processing plant, as
20 follows:

21 a. (1) Annual gross sales of under fifty thousand
22 dollars, ~~fifty~~ seventy-five dollars.

23 b. (2) Annual gross sales of at least fifty
24 thousand dollars but less than two hundred fifty
25 thousand dollars, one hundred fifty dollars.

26 e. (3) Annual gross sales of at least two hundred
27 fifty thousand dollars but less than five hundred
28 thousand dollars, ~~one hundred fifty two~~ hundred
29 twenty-five dollars.

30 d. (4) Annual gross sales of five hundred
31 thousand dollars or more, ~~two hundred fifty three~~
32 hundred seventy-five dollars.

33 g. For a farmers market where potentially
34 hazardous food is sold or distributed, one seasonal
35 license fee of one hundred dollars for each vendor on
36 a countywide basis.

37 h. A food establishment covered by subsections 4
38 ~~and 5 paragraphs "d" and "e"~~ shall be assessed license
39 fees not to exceed seventy-five percent of the total
40 fees applicable under both subsections paragraphs.

41 i. Upon transfer of ownership of an existing food
42 establishment or food processing plant subject to a
43 license fee under paragraph "d", "e", or "f", the new
44 owner shall pay the last license fee amount paid by
45 the previous owner for the first year of licensure.
46 In subsequent years, the licensee shall pay the fee
47 specified for the licensee's annual gross sales.

48 j. A new applicant subject to a license fee under
49 paragraph "d", "e", or "f" shall pay the license fee
50 based on projected gross sales under each of the

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1 applicable paragraphs for the first year of licensure.
2 In subsequent years, the licensee shall pay the fee
3 specified for the licensee's annual gross sales.

4 k. For a food establishment or food processing
5 plant that is being remodeled or newly constructed and
6 that is subject to a license fee under paragraph "d",
7 "e", or "f", the applicant shall pay, in addition to
8 any other fees assessed under this chapter, a plan
9 review fee of up to two hundred fifty dollars, as
10 determined by the regulatory authority.

11 l. For a food establishment or food processing
12 plant that is being remodeled and that is subject to a
13 license fee under paragraph "d", "e", or "f", the
14 licensee shall pay, in addition to any other fees
15 assessed under this chapter, a plan review fee of up
16 to two hundred fifty dollars, as determined by the
17 regulatory authority.

18 m. If a routine inspection or a complaint
19 investigation of a food establishment or food
20 processing plant subject to a license fee under
21 paragraph "d", "e", or "f" reveals the presence of one
22 or more critical violations and requires one or more
23 physical reinspections, a reinspection fee equal to
24 fifty dollars shall be assessed for each reinspection.
25 Failure to pay the reinspection fee shall subject a
26 food establishment or food processing plant to
27 suspension or revocation of the food establishment's
28 or food processing plant's license pursuant to section
29 137F.7 and to the penalty provisions of section
30 137F.17.

31 2. The regulatory authority shall collect the
32 following annual license fees beginning July 1, 2008:

33 a. For a mobile food unit or pushcart, one hundred
34 dollars.

35 b. For a temporary food establishment per fixed
36 location, fifty dollars.

37 c. For a vending machine, twenty dollars for the
38 first machine and five dollars for each additional
39 machine.

40 d. For a food establishment which prepares or
41 serves food for individual portion service intended
42 for consumption on-the-premises, the annual license
43 fee shall correspond to the annual gross food and
44 beverage sales of the food establishment, as follows:

45 (1) Annual gross sales of under fifty thousand
46 dollars, one hundred dollars.

47 (2) Annual gross sales of at least fifty thousand
48 dollars but less than one hundred thousand dollars,
49 one hundred seventy dollars.

50 (3) Annual gross sales of at least one hundred

1 thousand dollars but less than two hundred fifty
2 thousand dollars, three hundred fifty dollars.

3 (4) Annual gross sales of two hundred fifty
4 thousand dollars but less than five hundred thousand
5 dollars, four hundred dollars.

6 (5) Annual gross sales of five hundred thousand
7 dollars or more, four hundred fifty dollars.

8 e. For a food establishment which sells food or
9 food products to consumer customers intended for
10 preparation or consumption off-the-premises, the
11 annual license fee shall correspond to the annual
12 gross food and beverage sales of the food
13 establishment, as follows:

14 (1) Annual gross sales of under ten thousand
15 dollars, sixty dollars.

16 (2) Annual gross sales of at least ten thousand
17 dollars but less than two hundred fifty thousand
18 dollars, one hundred fifty dollars.

19 (3) Annual gross sales of at least two hundred
20 fifty thousand dollars but less than five hundred
21 thousand dollars, two hundred thirty dollars.

22 (4) Annual gross sales of at least five hundred
23 thousand dollars but less than seven hundred fifty
24 thousand dollars, three hundred dollars.

25 (5) Annual gross sales of seven hundred fifty
26 thousand dollars or more, four hundred fifty dollars.

27 f. For a food processing plant, the annual license
28 fee shall correspond to the annual gross food and
29 beverage sales of the food processing plant, as
30 follows:

31 (1) Annual gross sales of under fifty thousand
32 dollars, one hundred dollars.

33 (2) Annual gross sales of at least fifty thousand
34 dollars but less than two hundred fifty thousand
35 dollars, two hundred dollars.

36 (3) Annual gross sales of at least two hundred
37 fifty thousand dollars but less than five hundred
38 thousand dollars, three hundred dollars.

39 (4) Annual gross sales of five hundred thousand
40 dollars or more, five hundred dollars.

41 g. For a farmers market where potentially
42 hazardous food is sold or distributed, one seasonal
43 license fee of one hundred dollars for each vendor on
44 a countywide basis.

45 h. A food establishment, at one location address
46 and with the same owner, covered by paragraphs "d" and
47 "e" shall be assessed license fees not to exceed
48 seventy-five percent of the total fees applicable
49 under both paragraphs. A food establishment, at one
50 location address and with the same owner, covered by

2 applicable license fee in each category of those
3 paragraphs. If a food establishment under this
4 paragraph meets the requirements under subsection 6
5 for an additional discount, the establishment shall be
6 entitled to only one fifty-dollar discount to be
7 applied to the combined cost of both license fees.

8 i. Upon transfer of ownership of an existing food
9 establishment or food processing plant subject to a
10 license fee under paragraph "d", "e", or "f", the new
11 owner shall pay the last license fee amount paid by
12 the previous owner for the first year of licensure.
13 In subsequent years, the licensee shall pay the fee
14 specified for the licensee's annual gross sales.

15 j. A new applicant subject to a license fee under
16 paragraph "d", "e", or "f" shall pay the license fee
17 based on projected gross sales under each of the
18 applicable paragraphs for the first year of licensure.
19 In subsequent years, the licensee shall pay the fee
20 specified for the licensee's annual gross sales.

21 k. For a food establishment or food processing
22 plant that is being remodeled or newly constructed and
23 that is subject to a license fee under paragraph "d",
24 "e", or "f", the applicant shall pay, in addition to
25 any other fees assessed under this chapter, a plan
26 review fee of up to two hundred fifty dollars, as
27 determined by the regulatory authority.

28 l. For a food establishment or food processing
29 plant that is being remodeled and that is subject to a
30 license fee under paragraph "d", "e", or "f", the
31 licensee shall pay, in addition to any other fees
32 assessed under this chapter, a plan review fee of up
33 to two hundred fifty dollars, as determined by the
34 regulatory authority.

35 m. If a routine inspection or a complaint
36 investigation of a food establishment or food
37 processing plant subject to a license fee under
38 paragraph "d", "e", or "f" reveals the presence of one
39 or more critical violations and requires one or more
40 physical reinspections, a reinspection fee equal to
41 fifty dollars shall be assessed for each reinspection.
42 Failure to pay the reinspection fee shall subject a
43 food establishment or food processing plant to
44 suspension or revocation of the food establishment's
45 or food processing plant's license pursuant to section
46 137F.7 and to the penalty provisions of section
47 137F.17.

48 3. All fees imposed pursuant to this chapter shall
49 be increased annually, except as provided in this
50 chapter, in an amount equal to the consumer price

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1 index for all urban consumers for the immediately
2 preceding calendar year, as published in the federal
3 register by the United States department of labor's
4 bureau of labor statistics. If the amount is less
5 than ten dollars, no increase shall occur until the
6 cumulative effect of the consumer price index is equal
7 to or greater than ten dollars. The increase shall be
8 rounded to the nearest whole dollar.

9 4. Fees collected by the department shall be
10 deposited in the general fund of the state. Fees
11 collected by a municipal corporation shall be retained
12 by the municipal corporation for regulation of food
13 establishments and food processing plants licensed
14 under this chapter.

15 5. Each vending machine licensed under this
16 chapter shall bear a readily visible identification
17 tag or decal provided by the licensee, containing the
18 licensee's business address and phone number, and a
19 company license number assigned by the regulatory
20 authority.

21 6. If an establishment licensed under subsection
22 1, paragraph "d" or paragraph "e", has a person in
23 charge with an active certified food protection
24 manager certificate from a program approved by the
25 conference on food protection for the entire previous
26 twelve-month period and has been issued no critical
27 violations during the previous twelve-month period,
28 the establishment's license fee for the current
29 renewal period shall be reduced by fifty dollars,
30 except as provided in subsection 2, paragraph "h".

31 Sec. ____ Section 137F.10, Code 2007, is amended
32 to read as follows:

33 137F.10 REGULAR INSPECTIONS.

34 The appropriate regulatory authority shall provide
35 for the inspection of each food establishment and food
36 processing plant in this state in accordance with this
37 chapter and with rules adopted pursuant to this
38 chapter in accordance with chapter 17A. A regulatory
39 authority may enter a food establishment or food
40 processing plant at any reasonable hour to conduct an
41 inspection. The manager or person in charge of the
42 food establishment or food processing plant shall
43 afford free access to every part of the premises and
44 render all aid and assistance necessary to enable the
45 regulatory authority to make a thorough and complete
46 inspection. As part of the inspection process, the
47 regulatory authority shall provide an explanation of
48 the violation or violations cited and provide guidance
49 regarding correction and elimination of the violation
50 or violations.

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1 Sec. ____ NEW SECTION. 137F.20 INFORMAL
 2 CONFERENCE OF DISPUTED CRITICAL VIOLATION.

3 1. If an establishment licensed under this chapter
 4 wants to dispute a critical violation issued by a
 5 regulatory authority resulting from a routine
 6 inspection, reinspection or a complaint, the
 7 establishment shall file a written notice with the
 8 department within ten working days of the critical
 9 violation being issued.

10 2. If a critical violation is disputed, the
 11 director shall assign a representative of the
 12 department, other than the inspector upon whose
 13 inspection the disputed critical violation is based,
 14 to hold an informal conference with the establishment
 15 within ten working days after receipt of request made
 16 under this section. At the conclusion of the
 17 conference the representative may affirm, or modify or
 18 dismiss the critical violation. In the latter case,
 19 the representative shall state in writing the specific
 20 reasons for the modification or dismissal and
 21 immediately transmit copies of the statement to the
 22 applicable regulatory authority and to the
 23 establishment. If the disputed critical violation is
 24 affirmed or modified, it shall within five working
 25 days after the informal conference, or after receipt
 26 of the written explanation of the representative,
 27 whichever is later, bring the critical violation into
 28 compliance.

29 Sec. ____ Section 196.3, Code 2007, is amended to
 30 read as follows:

31 196.3 EGG HANDLER'S LICENSE AND FEE.

32 1. Every egg handler shall obtain an annual
 33 license from the department. The fee for the license
 34 shall be determined on the basis of the total number
 35 of eggs purchased or handled during the preceding
 36 month of April in each calendar year as follows:

37 1. a. Less than one hundred twenty-five	
38 cases	\$ 15.00
39	<u>30.00</u>
40 2. b. One hundred twenty-five cases or	
41 more but less than two hundred fifty	
42 cases	\$ 35.00
43	<u>70.00</u>
44 3. c. Two hundred fifty cases or more but	
45 less than one thousand cases	\$ 50.00
46	<u>100.00</u>
47 4. d. One thousand cases or more but less	
48 than five thousand cases	\$100.00
49	<u>200.00</u>
50 5. e. Five thousand cases or more but less	

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1	than ten thousand cases	\$175.00
2		<u>350.00</u>
3	6. f. Ten thousand cases or more	\$25.00
4		<u>500.00</u>

5 2. The license shall expire one year after its
 6 date of issue. For the purpose of determining fees, a
 7 case shall be thirty dozen eggs. All fees collected
 8 shall be remitted to the treasurer of state for
 9 deposit in the general fund of the state.

10 3. If an egg handler is not operating during the
 11 month of April, the department shall estimate the
 12 volume of eggs purchased or handled, or both, and may
 13 revise the fee based on three months of operation.

14 Sec.____. Section 331.756, subsection 32, Code
 15 2007, is amended to read as follows:

16 32. Assist the department of inspections and
 17 appeals in the enforcement of the ~~Iowa food code rules~~
 18 setting minimum standards to protect consumers from
 19 foodborne illness adopted pursuant to section 137F.2
 20 and the Iowa hotel sanitation code, as provided in
 21 sections 137F.19 and 137C.30.

22 Sec.____. FOOD CODE APPLICABILITY – TEMPORARY
 23 PROVISIONS. Pending the adoption of rules pursuant to
 24 section 137F.2, as amended by this Act, the 1997
 25 edition of the United States food and drug
 26 administration food code, with the amendments or
 27 exceptions thereto in effect prior to the effective
 28 date of this Act, shall continue in effect.

29 Sec.____. EFFECTIVE DATE.

30 1. The section of this division of this Act
 31 amending section 137F.3A, being deemed of immediate
 32 importance, takes effect upon enactment.

33 2. The section of this division of this Act
 34 amending section 196.3, takes effect July 1, 2008.

35 3. Section 137F.6, subsection 3, as enacted in
 36 this division of this Act providing for fees to be
 37 adjusted annually based on the consumer price index
 38 shall be effective for determining fees for fiscal
 39 years beginning on or after July 1, 2009.

41 4. Section 137F.6, subsection 6, as enacted in
 42 this division of this Act providing for a discount for
 43 having a certified food manager and no critical
 violations takes effect July 1, 2008."

JOCHUM of Dubuque
 REACKER of Polk

H-2026

1 Amend the amendment, H-1954, to Senate File 588, as

2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, by striking lines 11 through 17 and
5 inserting the following: "cause the pledge of
6 allegiance to be recited, and America the beautiful or
7 the star spangled banner to be recited or sung, at the
8 beginning of each school day. However, if a student
9 has a musical instrument, the student may play America
10 the beautiful or the star spangled banner on the
11 instrument in lieu of reciting or singing those songs.
12 Persons reciting the pledge of allegiance and reciting
13 or singing America the beautiful or the star spangled
14 banner shall stand holding their hand over their
15 heart, though a student playing America the beautiful
16 or the star spangled banner shall be exempt from this
17 requirement. A student shall not be compelled,
18 against the student's objections or those of the
19 student's parent or guardian, to recite the pledge of
20 allegiance or to recite or sing America the beautiful
21 or the star spangled banner, but shall be required
22 to".

R. OLSON of Polk

H-2027

1 Amend the amendment, H-1951, to Senate File 588, as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, line 12, by inserting after the word
5 "purposes," the following: "for reciting, singing, or
6 playing on an instrument America the beautiful or the
7 star spangled banner,".

8 2. Page 1, line 15, by inserting after the word
9 "year." the following: "Notwithstanding this
10 unnumbered paragraph, if a student receives credit in
11 a music class for reciting, singing, or playing on an
12 instrument America the beautiful or the star spangled
13 banner, the student shall not be required to make up
14 the time used for the time credited."

R. OLSON of Polk

H-2028

1 Amend Senate File 580, as passed by the Senate, as
2 follows:

3 1. Page 2, by striking lines 20 through 29.

4 2. Title page, line 1, by striking the words "
5 making appropriations,".

RAECKER of Polk

H-2029

- 1 Amend House Concurrent Resolution 10 as follows:
- 2 1. Page 2, line 3, by inserting after the word
- 3 "laws," the following: "the state archivist,"
- 4 2. Page 2, line 9, by inserting after the word
- 5 "council," the following: "the Iowa broadcasters
- 6 association, the department of administrative
- 7 services' information technology enterprise,".
- 8 3. By renumbering as necessary.

JOCHUM of Dubuque

H-2031

- 1 Amend Senate File 601, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 24, by inserting after line 35 the
- 4 following:
- 5 "Sec. ____ MAINSTREET PROGRAM. There is
- 6 appropriated from the general fund of the state to the
- 7 department of economic development for the fiscal year
- 8 beginning July 1, 2007, and ending June 30, 2008, the
- 9 following amount, or so much thereof as is necessary,
- 10 to be used for the purposes designated:
- 11 For the mainstreet program, including salaries,
- 12 support, maintenance, and miscellaneous purposes:
- 13 \$500,000"

GRANZOW of Hardin
 MAY of Dickinson
 DOLECHECK of Ringgold
 LUKAN of Dubuque
 DEYOE of Story
 HEATON of Henry
 DE BOEF of Keokuk
 BAUDLER of Adair
 JACOBS of Polk

SODERBERG of Plymouth
 SANDS of Louisa
 WORTHAN of Buena Vista
 WINDSCHITL of Harrison
 KAUFMANN of Cedar
 GRASSLEY of Butler
 PAULSEN of Linn
 HUSEMAN of Cherokee

H-2032

- 1 Amend Senate File 601, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 21, by inserting after line 20 the
- 4 following:
- 5 "Sec. ____ LABOR MANAGEMENT COMMITTEES. There is
- 6 appropriated from the general fund of the state to the
- 7 department of workforce development for the fiscal year
- 8 beginning July 1, 2007, and ending June 30, 2008, the
- 9 following amount, or so much thereof as is necessary,
- 10 to be used for the purposes designated:
- 11 For grants to area labor management committees

12 which promote workforce development and retention, and
 13 which serve to maintain a labor relations environment
 14 conducive to the retention, attraction, and growth of
 15 targeted industries, provided that the committees
 16 match the funds in cash from sources other than the
 17 state:

18 \$ 100,000"

JOCHUM of Dubuque

H-2033

1 Amend Senate File 601, as amended, passed, and
 2 reprinted by the Senate, as follows:

3 1. By striking page 45, line 24, through page 46,
 4 line 7, and inserting the following:

5 272.27 STUDENT TEACHING AND OTHER EDUCATIONAL
 6 EXPERIENCES.

7 If the rules adopted by the board of educational
 8 examiners for issuance of any type or class of license
 9 require an applicant to complete work in student
 10 teaching, ~~an accredited college or university located~~
 11 ~~within the state of Iowa and states conterminous with~~
 12 ~~Iowa may offer a program or programs of teacher~~
 13 ~~education approved by the director of the department~~
 14 ~~of education or the appropriate authority in states~~
 15 ~~conterminous with Iowa by entering prestudent teaching~~
 16 ~~experiences, field experiences, practicums, clinicals,~~
 17 ~~or internships, an institution with a practitioner~~
 18 ~~preparation program approved by the state board of~~
 19 ~~education under section 256.7, subsection 3, shall~~
 20 ~~enter into a written contract with any accredited~~
 21 ~~school district or private, accredited nonpublic~~
 22 ~~school, preschool registered or licensed by the~~
 23 ~~department of human services, or area education agency~~
 24 ~~in Iowa under terms and conditions as agreed upon by~~
 25 ~~the contracting parties. The terms and conditions of~~
 26 ~~a written contract entered into with a preschool~~
 27 ~~pursuant to this section shall provide that a student~~
 28 ~~teacher be under the direct supervision of an~~
 29 ~~appropriately licensed cooperating teacher who is~~
 30 ~~employed to teach at the preschool. Students actually~~
 31 ~~teaching or engaged in preservice licensure activities~~
 32 ~~in a school district under the terms of such a~~
 33 ~~contract are entitled to the same protection, under~~
 34 ~~section 670.8, as is afforded by that section to~~
 35 ~~officers and employees of the school district, during~~
 36 ~~the time they are so assigned."~~

37 2. By renumbering as necessary.

H-2034

1 Amend Senate File 580 as follows:

2 1. Page 2, by inserting after line 16 the
3 following:

4 "____. In promoting and marketing the tax amnesty
5 program, the director shall collaborate with the Iowa
6 Lottery in the use of television and radio
7 advertising."

RAECKER of Polk
VAN FOSSEN of Scott

H-2035

1 Amend Senate File 601, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 39, by inserting after line 23 the
4 following:

5 "Sec.____. NEW SECTION. 91F.1 UNAUTHORIZED
6 ALIENS - EMPLOYER PROHIBITION.

7 An employer shall not knowingly employ as an
8 employee an unauthorized alien. For purposes of this
9 section, "knowingly employ as an employee an
10 unauthorized alien" includes cases in which an
11 employer actually knows a person is an unauthorized
12 alien and cases in which any person exercising
13 reasonable care should know from facts and
14 circumstances that a person is an unauthorized alien.

15 Sec.____. NEW SECTION. 91F.2 PENALTIES.

16 1. An employer who violates section 91F.1 is
17 subject to a civil penalty of up to one thousand
18 dollars for each violation.

19 2. An employer who, through repeated violation of
20 section 91F.1, demonstrates a pattern of employing
21 unauthorized aliens may be ordered to pay punitive
22 damages.

23 Sec.____. NEW SECTION. 91F.3 UNAUTHORIZED ALIEN
24 EMPLOYER PROSECUTION FUND.

25 1. An unauthorized alien employer prosecution fund
26 is created as a separate fund in the state treasury to
27 be administered by the attorney general. Moneys
28 credited to the fund shall include civil penalties
29 assessed and punitive damages awarded under section
30 91F.2.

31 2. For each year not more than fifty thousand
32 dollars is appropriated from the fund to the
33 department of justice to be used for the investigation
34 and prosecution of employers hiring unauthorized
35 aliens, including reimbursement of expenses incurred
36 by county, municipal, and other local government
37 agencies cooperating with the attorney general in the

38 investigation and prosecution of the hiring of
 39 unauthorized aliens.
 40 3. Notwithstanding section 8.33, moneys credited
 41 to the fund shall not revert to any other fund.
 42 Notwithstanding section 12C.7, interest or earnings on
 43 moneys in the fund shall be credited to the fund."
 44 2. By renumbering as necessary.

RANTS of Woodbury

H-2036

1 Amend Senate File 601, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 35, by inserting after line 23 the
 4 following:
 5 "Sec. ____ Section 8A.311, subsection 5, Code
 6 2007, is amended to read as follows:
 7 5. The director may enter into a cooperative
 8 procurement agreement with another governmental entity
 9 relating to the procurement of goods or services,
 10 whether the goods or services are for the use of the
 11 department or other governmental entities. The
 12 cooperative procurement agreement shall clearly
 13 specify the purpose of the agreement and the method by
 14 which that purpose will be accomplished. Any power
 15 exercised under the agreement shall not exceed the
 16 power granted to any party to the agreement. The
 17 director shall develop and maintain a statewide
 18 database of city and county procurement contacts."

KRESSIG of Black Hawk

H-2047

1 Amend Senate File 601, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 55, by inserting after line 22 the
 4 following:
 5 "Sec. ____ NEW SECTION. 657.11A ANIMAL FEEDING
 6 OPERATIONS – DEFENSE TO NUISANCE ACTIONS.
 7 This section applies to a claim as part of any
 8 cause of action involving real estate where an animal
 9 feeding operation, as defined in section 459.101, is
 10 constructed.
 11 1. The claim must allege that the defendant is
 12 liable for damages based on an activity originating on
 13 the real estate in which the defendant holds a legal
 14 or equitable interest and which if proven would be any
 15 of the following:
 16 a. A public or private nuisance under statute
 17 including this chapter or principles of common law.

18 b. Trespass or interfere with the comfortable use
 19 and enjoyment of life or property under statute
 20 including this chapter or principles of common law.
 21 c. An injury to health or damages to property
 22 caused by airborne emissions of odor or particulate or
 23 nonparticulate matter under statute or principles of
 24 common law.

25 2. a. If an activity originating on real estate
 26 in which the defendant holds a legal or equitable
 27 interest occurred earlier than the consenting action
 28 imputed to the plaintiff, the defendant shall have an
 29 absolute defense to the claim as provided in this
 30 section. A consenting action imputed to the plaintiff
 31 means any of the following:

32 (1) The plaintiff's purchasing of real estate
 33 where the damages would have otherwise accrued.
 34 (2) The plaintiff's construction of a structure
 35 which is part of a residence, business, agricultural
 36 operation, religious institution, or public use area
 37 on real estate where the damages would have otherwise
 38 accrued.

39 b. If a defendant cannot prove that a consenting
 40 action is imputed to the plaintiff, this section shall
 41 not provide a defendant a defense to the claim as
 42 provided in this section. The defendant shall have
 43 the burden of proving that the claim cannot be brought
 44 or by proving a defense supported by clear and
 45 convincing evidence."

46 2. By renumbering as necessary.

WHITAKER of Van Buren

H-2048

1 Amend Senate File 601, as amended, passed, and
 2 reprinted by the Senate, as follows:

3 1. Page 55, by striking lines 23 through 30.

4 2. Page 56, by striking lines 13 through 19.

5 3. By striking page 56, line 26, through page 57,
 6 line 6.

7 4. Page 59, by inserting after line 10 the
 8 following:

9 "DIVISION _____
 10 REGULATION OF ESTRAY AND GAME SWINE
 11 Sec. ____ Section 163.2, Code 2007, is amended by
 12 adding the following new subsections:

13 **NEW SUBSECTION.** 2A. "Custody or control" means to
 14 keep an animal in an enclosed or confined location, in
 15 a manner that prevents the release or escape of the
 16 animal from the location including but not limited to
 17 keeping the animal for breeding, growing, movement, or
 18 harvesting.

19 NEW SUBSECTION. 3A. "Estray" means not to be in
20 the custody or control of a person.

21 NEW SUBSECTION. 3B. "Game swine" means the same
22 as defined in section 171.1.

23 Sec.____. Section 163.30, subsection 5, unnumbered
24 paragraph 1, Code 2007, is amended to read as follows:

25 All swine moved shall be accompanied by a
26 certificate of veterinary inspection issued by the
27 state of origin and prepared and signed by a
28 veterinarian. The certificate shall show the point of
29 origin, the point of destination, individual
30 identification, immunization status, and, when
31 required, any movement permit number assigned to the
32 shipment by the department. The certificate of
33 veterinary inspection shall state whether the swine
34 are game swine, and shall provide any registration
35 information as required by section 171.4. All such
36 movement of swine shall be completed within
37 seventy-two hours unless an extension of time for
38 movement is granted by the department.

39 Sec.____. NEW SECTION. 163.32 ESTRAY SWINE.

40 1. Estray swine are declared to be a public
41 nuisance and are subject to a policy of eradication as
42 administered by the department which is the principal
43 enforcement agency charged with carrying out the
44 policy.

45 a. The department of natural resources shall
46 cooperate with the department of agriculture and land
47 stewardship in carrying out the policy. The
48 departments shall periodically consult about how to
49 most effectively contribute resources and their
50 respective expertise, and divide jurisdictional

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1 responsibility, including the assignment of
2 investigative personnel where appropriate. However,
3 the department of natural resources shall regulate
4 hunting preserves under chapter 484B, and the
5 regulation of persons taking animals under Title XI,
6 subtitle 6.

7 b. The department of agriculture and land
8 stewardship shall cooperate with the animal and plant
9 health inspection service of the United States
10 department of agriculture, and may enter into
11 cooperative agreements with the animal and plant
12 health inspection service in order to carry out the
13 eradication policy.

14 2. A person who captures swine which is estray in
15 another state shall not move that swine into this
16 state.

17 Sec.____. NEW SECTION. 163.61A PENALTY AND

18 DISCIPLINARY ACTION FOR TAKING ESTRAY SWINE.

19 1. A person who violates section 163.32 is guilty
20 of an aggravated misdemeanor. A person is guilty of a
21 separate offense for each swine which is the subject
22 of the violation.

23 2. Upon a person's conviction for violating
24 section 163.32, the sentencing court may, as part of
25 the judgment, revoke or suspend a license issued
26 pursuant to chapter 481A or 483A for a definite period
27 of time.

28 Sec. . NEW SECTION. 171.1 DEFINITIONS.

29 As used in this chapter, unless the context
30 otherwise requires:

31 1. "Custody or control" means the same as defined
32 in section 163.2.

33 2. "Department" means the department of
34 agriculture and land stewardship.

35 3. "Game swine" means the same as defined in
36 section 484B.1.

37 4. "Swine" means an animal belonging to the order
38 artiodactyla, and classified as part of the family
39 suidae.

40 Sec. . NEW SECTION. 171.2 RULES.

41 The department may adopt rules pursuant to chapter
42 17A as necessary to administer this chapter.

43 Sec. . NEW SECTION. 171.3 IDENTIFICATION.

44 A person who has custody or control of game swine
45 shall identify the game swine as required by the
46 department. Game swine shall at least be identified
47 with a numbered metal ear tag affixed to the game
48 swine or other method such as installing an electronic
49 device onto or beneath the hide of the game swine as
50 prescribed by the department. The game swine must be

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1 identified within ten days following the person's
2 acquisition of the game swine, including acquisition
3 by transfer or birth.

4 Sec. . NEW SECTION. 171.4 GAME SWINE
5 REGISTRATION SYSTEM.

6 The department of agriculture and land stewardship
7 shall establish a game swine registration system, in
8 cooperation with the department of natural resources.

9 1. A person who has custody or control of a game
10 swine shall register the game swine within ten days
11 following the person's acquisition of the game swine,
12 including acquisition by transfer or birth.

13 2. The person required to register game swine as
14 provided in this section shall provide information
15 required by the department which shall at least
16 include all of the following:

17 a. The number, age, and description of the game
18 swine, including its identification number as provided
19 in section 171.3.

20 b. The location where the person maintains custody
21 or control of the game swine.

22 c. The purpose of the person in maintaining
23 custody or control of the game swine.

24 d. Whether the person has been issued a hunting
25 preserve operator's license as required in chapter
26 484B.

27 3. The department shall to every extent feasible
28 provide for registration using the internet, including
29 programming, necessary to ensure the convenience,
30 completeness, and accuracy of the registrations.

31 Sec. ____ NEW SECTION. 171.5 GAME SWINE
32 REGISTRATION FEE.

33 A person required to register game swine as
34 provided in section 171.4 shall remit a registration
35 fee to the department. The amount of the registration
36 fee shall not exceed five dollars per head of swine.

37 The moneys collected by the department under this
38 section shall be retained as repayment receipts by the
39 department exclusively to offset the costs of
40 providing for registrations pursuant to section 171.4.

41 Sec. ____ NEW SECTION. 171.6 HEALTH
42 REQUIREMENTS.

43 Game swine shall be free of an infectious or
44 contagious disease as defined in section 163.2. The
45 department shall regulate game swine as any other
46 swine for purposes of preventing, suppressing, and
47 eradicating an infectious or contagious disease
48 afflicting swine within the state.

49 Sec. ____ NEW SECTION. 171.7 PENALTY.

50 A person who violates section 171.3 or 171.4 is

Page 4

1 subject to a civil penalty of not more than one
2 hundred dollars. Penalty moneys shall be deposited
3 into the general fund of the state.

4 Sec. ____ Section 484B.1, Code 2007, is amended by
5 adding the following new subsections:

6 NEW SUBSECTION. 3A. "Estray" means not to be in
7 the custody or control of a person.

8 NEW SUBSECTION. 4A. "Game swine" means swine that
9 are classified as part of the species *sus scrofa*
10 *linnaeus* which may be commonly known as Russian boar
11 or European boar of either sex.

12 Sec. ____ Section 484B.1, subsection 6, Code 2007,
13 is amended to read as follows:

14 6. "Livestock" means ~~the same~~ livestock as defined
15 in section 717.1 other than game swine.

16 Sec.____. Section 484B.3, Code 2007, is amended by
 17 adding the following new subsection:
 18 NEW SUBSECTION. 3. The department shall regulate
 19 game swine in cooperation with the department of
 20 agriculture and land stewardship as provided in
 21 chapter 171.

22 Sec.____. Section 484B.4, subsection 2, Code 2007,
 23 is amended by adding the following new paragraph:
 24 NEW PARAGRAPH. f. The person has registered any
 25 game swine to be kept at the hunting preserve with the
 26 department of agriculture and land stewardship as
 27 provided in section 171.4.

28 Sec.____. Section 484B.5, Code 2007, is amended to
 29 read as follows:

30 484B.5 BOUNDARIES SIGNED – FENCED.

31 1. Upon receipt of a hunting preserve license, the
 32 licensee shall promptly sign the licensed property
 33 with signs prescribed by the department.

34 2. a. A licensee holding and releasing ungulates
 35 shall construct and maintain boundary fences
 36 prescribed by the department so as to enclose and
 37 contain all released ungulates and exclude all
 38 ungulates which are property of the state from
 39 becoming a part of the hunting preserve enterprise.

40 b. A person who begins to keep game swine on or
 41 after the effective date of this Act shall construct
 42 and maintain a fence in compliance with this
 43 paragraph. The fence shall be constructed of twelve
 44 gauge woven wire at least five feet high and topped
 45 with one strand of electrified wire. An additional
 46 two feet of such fencing shall be buried and angled
 47 underground toward the enclosed interior. However,
 48 upon application, the department may waive this
 49 requirement if the department determines that a fence
 50 is to be designed and constructed which provides

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1 equivalent or greater security from escape by game
 2 swine.

3 Sec.____. NEW SECTION. 484B.6A ESTRAY GAME
 4 SWINE.

5 A person required to be licensed pursuant to
 6 section 484B.4 shall not allow the game swine to
 7 become estray.

8 Sec.____. Section 484B.7, subsection 1, Code 2007,
 9 is amended to read as follows:

10 1. Each hunting preserve licensee shall keep the
 11 records and make the reports required on forms
 12 prepared and provided by the department. All records
 13 shall be open for inspection at any reasonable time by
 14 the department or its authorized agents. The

15 department of agriculture and land stewardship may
16 inspect records relating to game swine in order to
17 ensure compliance with chapter 171.

18 Sec.____. Section 484B.9, Code 2007, is amended to
19 read as follows:

20 484B.9 UNGULATE TRANSPORTATION TAGS – MARKINGS.

21 The department shall prepare transportation tags
22 suitable for use upon the carcass of ungulates
23 described in this chapter. The tags shall be used to
24 designate all ungulates taken by hunters upon a
25 licensed hunting preserve. The department shall
26 provide licensees with the tags. All ungulates taken
27 on a licensed hunting preserve shall be tagged with a
28 numbered tag prior to being removed from the hunting
29 preserve. The For game swine, the department shall
30 provide for tags in cooperation with the department of
31 agriculture and land stewardship as provided in
32 chapter 171. A hunter shall tag the ungulate taken in
33 accordance with the rules as determined by the
34 department. The tag shall remain attached to the
35 carcass of the dead ungulate until processed for
36 consumption. The hunter shall be provided with a bill
37 of sale by the licensee. The bill of sale shall
38 remain in the possession of the hunter. Ungulate tags
39 issued to a hunting preserve are not transferable.

40 Sec.____. Section 484B.12, Code 2007, is amended
41 to read as follows:

42 484B.12 HEALTH REQUIREMENTS – UNGULATES.

43 All ungulates which are purchased, propagated,
44 confined, released, or sold by a licensed hunting
45 preserve shall be free of diseases considered
46 significant for wildlife, poultry, or livestock. The
47 department of agriculture and land stewardship shall
48 provide for the regulation of farm deer as provided in
49 chapter 170, and for the regulation of game swine as
50 provided in chapter 171.

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1 Sec.____. NEW SECTION. 484B.12A HEALTH AND
2 MOVEMENT REQUIREMENTS – GAME SWINE.

3 1. All game swine which are purchased, propagated,
4 confined, released, or sold by a hunting preserve
5 required to be licensed under this chapter shall be
6 free of diseases considered significant for wildlife,
7 poultry, or livestock. The department of agriculture
8 and land stewardship shall provide for the regulation
9 of game swine as any other swine for purposes of
10 preventing, suppressing, and eradicating an infectious
11 or contagious disease afflicting swine within the
12 state.

13 2. Game swine that are purchased, propagated,

14 confined, or sold by a hunting preserve shall only be
15 moved in accordance with rules adopted or orders
16 issued by the department of agriculture and land
17 stewardship.

18 Sec. ____ NEW SECTION. 484B.15 CIVIL PENALTIES.

19 A person who violates section 484B.6A is subject to
20 a civil penalty of one thousand dollars. Each day
21 that a violation continues shall be considered a
22 separate offense. All civil penalties shall be
23 deposited in the general fund of the state.

24 Sec. ____ NEW SECTION. 484B.16 RESTITUTION.

25 1. A person required to be licensed pursuant to
26 section 484B.4 and who keeps game swine shall pay
27 restitution to the department of natural resources for
28 damages to the environment and wildlife caused by the
29 game swine which become estray. The amount of the
30 restitution shall also include the department's
31 administrative costs for investigating the incident.

32 2. The department shall adopt rules providing for
33 procedures for investigations and the administrative
34 assessment of restitution amounts. The rules shall
35 establish an opportunity to appeal a departmental
36 action including by a contested case proceeding under
37 chapter 17A. A final administrative decision
38 assessing an amount of restitution may be enforced by
39 the attorney general at the request of the department.

40 3. Moneys collected by the department in
41 restitution shall be deposited into the state fish and
42 game protection fund. The moneys shall be used
43 exclusively to support restoration or improvement of
44 the environment and repopulation of wildlife.
45 However, moneys collected from restitution paid for
46 investigative costs shall be used as determined by the
47 department.

48 Sec. ____ IDENTIFICATION AND REGISTRATION -
49 COMPLIANCE PERIOD. Notwithstanding sections 171.3 and
50 171.4, a person required to identify game swine and

Page 7

1 register game swine shall have until September 1,
2 2007, to comply with those sections.

3 Sec. ____ EFFECTIVE DATE. This division of this
4 Act, being deemed of immediate importance, takes
5 effect upon enactment."

6 5. By renumbering as necessary.

WHITAKER of Van Buren

H-2049

1 Amend Senate File 601, as amended, passed, and

2 reprinted by the Senate, as follows:

3 1. Page 26, by inserting after line 2 the
4 following:

5 "Sec.____. HIGHWAY 20 SEGMENT – CONSTRUCTION.

6 There is appropriated from the general fund of the
7 state to the department of transportation for the
8 fiscal year beginning July 1, 2007, and ending June
9 30, 2008, the following amount, or so much thereof as
10 is necessary, to be used for the purposes designated:

11 For costs to complete construction of the segment
12 of U.S. highway 20 between the city of Mooreland and
13 Iowa highway 4 as a four-lane highway:

14 \$ 11,000,000"

15 2. By renumbering as necessary.

WORTHAN of Buena Vista

H-2050

1 Amend Senate File 601, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 55, by inserting after line 8 the
4 following:

5 "Sec.____. NEW SECTION. 455C.18 BEVERAGE
6 CONTAINER TASK FORCE.

7 1. The department shall convene a task force with
8 one representative from each of the following:

- 9 a. The Iowa grocery industry association.
- 10 b. Redemption centers of Iowa.
- 11 c. Iowa wholesale beer distributors association.
- 12 d. The Iowa society of solid waste operations.
- 13 e. Iowa soft drink association.
- 14 f. The Iowa recycling association.
- 15 g. The Iowa environmental council.
- 16 h. The petroleum marketers and convenience stores
17 of Iowa.
- 18 i. The Iowa chapter of the sierra club.

19 2. The chairperson and ranking member of the
20 standing committee on environmental protection in the
21 house of representatives and the chairperson and
22 ranking member of the standing committee on natural
23 resources and environment in the senate shall serve as
24 ex officio, nonvoting members of the task force.

25 3. The task force shall study and consider all of
26 the following:

- 27 a. Methods to increase the beverage container
28 redemption rate.
- 29 b. Methods to increase the profitability of
30 redemption centers.
- 31 c. The efficiency and costs associated with
32 mandated, statewide, curbside recycling of empty
33 beverage containers.

- 34 d. Methods to provide greater efficiencies in the
 35 current beverage container redemption system.
 36 4. By January 1, 2010, the department shall submit
 37 to the governor and the general assembly a final
 38 report of the task force which shall include
 39 recommendations of the task force. The department
 40 shall also make the final report publicly available on
 41 the internet.
 42 5. This section is repealed June 30, 2010."
 43 2. By renumbering as necessary.

WESSEL-KROESCHELL of Story

H-2051

- 1 Amend the amendment, H-1635, to Senate File 514, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 3, by striking lines 14 and 15 and
 5 inserting the following:
 6 "a. Coverage for audiological services that are
 7 performed by an audiologist licensed pursuant to
 8 chapter 147 for".

MASCHER of Johnson

H-2053

- 1 Amend Senate File 601, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 46, by inserting after line 7 the
 4 following:
 5 "Sec. ____ Section 279.13, subsection 1, paragraph
 6 b, if enacted by 2007 Iowa Acts, Senate File 277,
 7 section 11, is amended to read as follows:
 8 b. (1) Prior to entering into an initial contract
 9 with a teacher who holds a license other than an
 10 initial license issued by the board of educational
 11 examiners under chapter 272, the school district shall
 12 either request the division of criminal investigation
 13 of the department of public safety to conduct a
 14 background investigation of the applicant or request a
 15 qualified background screening company accredited by
 16 the national association of professional background
 17 check screeners to conduct a background check on the
 18 applicant. The
 19 (2) If the school district submits a request to
 20 the division of public safety pursuant to subparagraph
 21 (1), the school district shall require the teacher to
 22 submit a completed fingerprint packet, which shall be
 23 used to facilitate a national criminal history check.
 24 The school district shall submit the packet to the

25 division of criminal investigation of the department
 26 of public safety which shall conduct a thorough
 27 background investigation of the teacher. The
 28 superintendent of a school district or the
 29 superintendent's designee shall have access to and
 30 shall review the sex offender registry information
 31 under section 692A.13, the central registry for child
 32 abuse information established under section 235A.14,
 33 and the central registry for dependent adult abuse
 34 information established under section 235B.5 for
 35 information regarding applicants for employment as a
 36 teacher.

37 (3) If the school district submits a request to a
 38 qualified background screening company pursuant to
 39 subparagraph (1), the background check shall include a
 40 national criminal history check, a review of the sex
 41 offender registry information under section 692A.13,
 42 the central registry for child abuse information
 43 established under section 235A.14 as the
 44 superintendent's designee under section 235A.15, and
 45 the central registry for dependent adult abuse
 46 information established under section 235B.5 as the
 47 superintendent's designee under section 235B.6 for
 48 information regarding applicants for employment as a
 49 teacher.

50 (4) The school district may charge the teacher a

Page 2

1 fee for the background investigation, which shall not
 2 exceed the fee charged by the division of criminal
 3 investigation for conducting the background
 4 investigation."

WINCKLER of Scott

H-2054

1 Amend Senate File 601, as amended, passed, and
 2 reprinted by the Senate, as follows:

3 1. Page 39, by inserting after line 17 the
 4 following:

5 "Sec.____. Section 87.1, Code 2007, is amended by
 6 adding the following new unnumbered paragraph:

7 NEW UNNUMBERED PARAGRAPH. Every employer subject
 8 to the provisions of this chapter and chapters 85,
 9 85A, 85B, and 86, shall be required to show proof of
 10 United States citizenship, documentation issued by the
 11 United States government as proof of legal presence in
 12 the country, or other acceptable form of
 13 identification as determined by the commissioner by
 14 rule for each current employee physically present in

- 15 the United States."
- 16 2. By renumbering as necessary.

RANTS of Woodbury

H-2055

- 1 Amend Senate File 601, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 47, by inserting after line 12 the
- 4 following:
- 5 "Sec. ____ Section 298.3, subsection 9, Code 2007,
- 6 is amended to read as follows:
- 7 9. Purchase of transportation equipment for
- 8 transporting students, including transportation
- 9 replacement parts and renovations exceeding five
- 10 hundred dollars. Expenditures for the purchase of
- 11 transportation replacement parts are allowed under
- 12 this subsection only if a school district has
- 13 submitted a plan to be in compliance with the fire
- 14 safety standards in response to an inspection
- 15 performed by the state fire marshal or the local fire
- 16 department pursuant to section 100.31."

HEDDENS of Story
 FREVERT of Palo Alto

H-2058

- 1 Amend Senate File 601, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 53, by inserting after line 6 the
- 4 following:
- 5 "Sec. ____ Section 422.12, Code 2007, is amended
- 6 by adding the following new subsection:
- 7 NEW SUBSECTION. 2A. a. A volunteer fire fighter
- 8 and volunteer emergency medical services personnel
- 9 credit equal to the amount specified in paragraph "b"
- 10 to compensate the taxpayer for the voluntary services.
- 11 b. The amount of the credit is equal to two
- 12 hundred fifty dollars.
- 13 However, if the taxpayer is not a volunteer fire
- 14 fighter or volunteer emergency medical services
- 15 personnel for the entire tax year, the amount of the
- 16 dollar credit shall be prorated and the amount of
- 17 credit shall equal the maximum amount of credit for
- 18 the tax year, divided by twelve, multiplied by the
- 19 number of months in the tax year the taxpayer was a
- 20 volunteer. The credit shall be rounded to the nearest
- 21 five dollars. If the taxpayer is a volunteer during
- 22 any part of a month, the taxpayer shall be considered
- 23 a volunteer for the entire month. If the taxpayer is
- 24 a volunteer fire fighter and a volunteer emergency

25 medical services personnel during the same month, a
 26 credit may be claimed for only one volunteer position
 27 for that month.

28 c. The taxpayer is required to have a written
 29 statement from the fire chief or other appropriate
 30 supervisor verifying that the taxpayer was a volunteer
 31 fire fighter who has met the minimum training
 32 standards or volunteer emergency medical services
 33 personnel for the months for which the credit under
 34 this subsection is claimed.

35 d. For purposes of this subsection:

36 (1) "Emergency medical services personnel" means
 37 an emergency medical care provider, as defined in
 38 section 147A.1, who is certified as a first responder
 39 pursuant to chapter 147A and who has served for at
 40 least one year.

41 (2) "Volunteer fire fighter" means a volunteer
 42 fire fighter as defined in section 85.61, who is
 43 certified as a first responder pursuant to chapter
 44 147A, who has served for at least one year, and who
 45 has met the minimum training standards established by
 46 the fire service training bureau pursuant to chapter
 47 100B."

48 2. Page 59, by inserting after line 4 the
 49 following:

50 "Sec.____. EFFECTIVE AND APPLICABILITY DATES. The

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1 section of this division of this Act enacting section
 2 422.12, subsection 2A, being deemed of immediate
 3 importance, takes effect upon enactment and applies
 4 retroactively to January 1, 2007, for tax years
 5 beginning on or after that date."

LUKAN of Dubuque

H-2059

1 Amend the amendment, H-2025, to Senate File 601, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:

4 1. Page 11, by inserting after line 50 the
 5 following:

6 "Sec.____. NEW SECTION. 137F.11A POSTING OF
 7 INSPECTION REPORTS.

8 An establishment inspected under this chapter shall
 9 post the most recent routine inspection report, along
 10 with any current complaint or reinspection reports, in
 11 a location at the establishment that is readily
 12 visible to the public."

FORD of Polk

H-2060

1 Amend the amendment, H-2050, to Senate File 601, as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, by striking line 5 and inserting the
5 following:

6 ""Sec.____. Section 455C.2, subsection 2, Code
7 2007, is amended to read as follows:

8 2. In addition to the refund value provided in
9 subsection 1 of this section, a dealer, or person
10 operating a an unapproved redemption center who
11 redeems empty beverage containers or a dealer agent
12 shall be reimbursed by the distributor required to
13 accept the empty beverage containers an amount which
14 is one cent per container. A person operating an
15 approved redemption center who redeems empty beverage
16 containers shall be reimbursed by the distributor
17 required to accept the empty beverage containers an
18 amount which is one and one-half cents per container.
19 A dealer, dealer agent, or person operating a
20 redemption center may compact empty metal beverage
21 containers with the approval of the distributor
22 required to accept the containers.

23 Sec.____. Section 455C.6, subsection 3, Code 2007,
24 is amended to read as follows:

25 3. The department shall approve a redemption
26 center if it finds that the redemption center will
27 provide a convenient, safe, and accessible service to
28 consumers for the return of empty beverage containers
29 and if the redemption center provides a safe working
30 environment for employees. The order of the
31 department approving a redemption center shall state
32 the dealers to be served by the redemption center and
33 the kind and brand names of empty beverage containers
34 which the redemption center must accept. The order
35 may contain such other provisions to insure that the
36 redemption center will provide a convenient service to
37 the public as the director may determine.

38 Sec.____. NEW SECTION. 455C.18 BEVERAGE".

39 2. By renumbering as necessary.

THOMAS of Clayton

H-2061

1 Amend House File 931 as follows:

2 1. By striking everything after the enacting
3 clause and inserting the following:

4 "Section 1. Section 441.21, Code 2007, is amended
5 by adding the following new subsection:

6 NEW SUBSECTION. 5A. a. For valuations

7 established as of January 1, 2008, the percentage of
8 actual value as equalized by the director of revenue
9 pursuant to section 441.49 at which commercial and
10 industrial property shall be assessed is ninety-eight
11 percent.

12 b. For valuations established as of January 1,
13 2009, the percentage of actual value as equalized by
14 the director of revenue pursuant to section 441.49 at
15 which commercial and industrial property shall be
16 assessed is ninety-five percent.

17 c. For valuations established as of January 1,
18 2010, the percentage of actual value as equalized by
19 the director of revenue pursuant to section 441.49 at
20 which commercial and industrial property shall be
21 assessed is ninety percent.

22 d. For valuations established as of January 1,
23 2011, and each year thereafter, the percentage of
24 actual value as equalized by the director of revenue
25 pursuant to section 441.49 at which commercial and
26 industrial property shall be assessed is eighty-five
27 percent.

28 e. Local governments shall be reimbursed by the
29 state for a period of ten years beginning with the
30 fiscal year beginning July 1, 2009, in an amount
31 corresponding to the reduction in property tax
32 revenues as a result of the operation of this
33 subsection, and in no case shall a reimbursement be
34 provided as a result of a reduction in property tax
35 revenues due to operation of subsection 5. However,
36 beginning with the fiscal year beginning July 1, 2011,
37 the reimbursement to be paid by the state to each
38 taxing jurisdiction shall be reduced by an amount
39 equal to fifty percent of the property tax revenues
40 collected in that taxing jurisdiction due to new
41 construction of commercial and industrial property."

42 2. Title page, by striking lines 2 through 6 and
43 inserting the following: "reducing assessments on
44 commercial and industrial property and providing state
45 reimbursement."

46 3. By renumbering as necessary.

ALONS of Sioux

H-2063

1 Amend Senate File 601, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 47, by inserting after line 12 the
4 following:

5 "Sec. ____ Section 296.7, subsection 3, Code 2007,
6 is amended to read as follows:

7 3. A Except as provided in section 298.4, a school

8 district, providing an insurance program as described
 9 in subsection 2, shall not contract indebtedness and
 10 issue general obligation bonds or enter into insurance
 11 agreements obligating the school district to make
 12 payments beyond its current budget year for that
 13 employee benefit plan. A school district may,
 14 however, apply to the school budget review committee
 15 for relief if necessitated by the expenses in the
 16 school district's insurance program as described in
 17 subsection 2.

18 Sec. ____ Section 298.4, Code 2007, is amended by
 19 adding the following new subsection:

20 **NEW SUBSECTION. 6.** To pay the cost of employee
 21 health benefits. For the purposes of this subsection,
 22 employee health benefits means costs for hospital and
 23 surgical, medical expense, major medical, dental, or
 24 prescription drug benefits. In authorizing a levy
 25 pursuant to this subsection, the board may, and upon
 26 the written request of not less than one hundred
 27 eligible electors or thirty percent of the number of
 28 eligible electors voting at the last regular school
 29 election, whichever is greater, shall direct the
 30 county commissioner of elections to provide for
 31 submitting the proposition of utilizing the management
 32 levy for employee health benefits in the notice of the
 33 regular school election. The proposition is adopted
 34 if a majority of those voting on the proposition at
 35 the election approves it. The district management
 36 levy may, in the board's discretion, be utilized to
 37 fund all, or a portion, of the district's employee
 38 health benefit costs. Authorization to levy pursuant
 39 to this subsection shall be in the board's discretion
 40 and shall not be subject to or imposed by arbitrator
 41 decision."

FREVERT of Palo Alto

H-2064

1 Amend Senate File 601, as amended, passed, and
 2 reprinted by the Senate, as follows:

3 1. Page 53, by inserting after line 6 the
 4 following:

5 "Sec. ____ **NEW SECTION. 422.11T BIODIESEL**
 6 **BLEND FUEL TAX CREDIT FOR CONSUMERS.**

7 1. As used in this section, unless the context
 8 otherwise requires:

- 9 a. "Biodiesel blended fuel" and "retail dealer"
- 10 mean the same as defined in section 214A.1.
- 11 b. "Purchase" means to purchase on a retail basis.
- 12 c. "Tax credit" means a biodiesel blended fuel tax
- 13 credit for consumers as provided in this section.

14 2. The taxes imposed under this division, less the
15 credits allowed under sections 422.12 and 422.12B,
16 shall be reduced by the amount of the biodiesel
17 blended fuel tax credit for consumers for each tax
18 year that the taxpayer is eligible to claim a tax
19 credit under this subsection.

20 a. In order to be eligible, all of the following
21 must apply:

22 (1) The taxpayer is a consumer who purchases
23 biodiesel blended fuel from a retail dealer in the tax
24 year in which the tax credit is claimed.

25 (2) The consumer does not resell the biodiesel
26 blended fuel.

27 (3) The consumer complies with requirements of the
28 department established to administer this section.

29 b. The tax credit shall apply to biodiesel blended
30 fuel formulated with a minimum percentage of two
31 percent by volume of biodiesel, if the formulation
32 meets the standards provided in section 214A.2.

33 3. The amount of the tax credit is seven cents
34 multiplied by the total number of gallons of biodiesel
35 blended fuel purchased by the consumer during the
36 consumer's tax year.

37 4. Any credit in excess of the consumer's tax
38 liability shall be refunded. In lieu of claiming a
39 refund, the consumer may elect to have the overpayment
40 shown on the consumer's final, completed return
41 credited to the tax liability for the following tax
42 year.

43 5. An individual may claim the tax credit allowed
44 a partnership, limited liability company, S
45 corporation, estate, or trust electing to have the
46 income taxed directly to the individual. The amount
47 claimed by the individual shall be based upon the pro
48 rata share of the individual's earnings of the
49 partnership, limited liability company, S corporation,
50 estate, or trust.

Page 2

1 Sec. ____ Section 422.33, Code 2007, is amended by
2 adding the following new subsection:

3 **NEW SUBSECTION.** 11D. The taxes imposed under this
4 division shall be reduced by a biodiesel blended fuel
5 tax credit for consumers for each tax year that the
6 taxpayer is eligible to claim the tax credit under
7 this subsection.

8 a. The taxpayer may claim the biodiesel blended
9 fuel tax for consumers credit according to the same
10 requirements, for the same amount, and calculated in
11 the same manner, as provided for the biodiesel blended
12 fuel tax credit for consumers pursuant to section

13 422.11T.
 14 b. Any biodiesel blended fuel tax credit for
 15 consumers which is in excess of the taxpayer's tax
 16 liability shall be refunded or may be shown on the
 17 taxpayer's final, completed return credited to the tax
 18 liability for the following tax year in the same
 19 manner as provided in section 422.11T."
 20 2. Page 59, by inserting after line 4 the
 21 following:
 22 Sec. __. EFFECTIVE AND APPLICABILITY DATES. The
 23 sections of this division of this Act enacting section
 24 422.11T and section 422.33, subsection 11D, take
 25 effect January 1, 2008, and apply to tax years
 26 beginning on or after that date."

ALONS of Sioux
 WORTHAN of Buena Vista
 KAUFMANN of Cedar
 DEYOE of Story

H-2065

1 Amend House File 922 as follows:
 2 1. Page 1, by striking lines 25 through 27 and
 3 inserting the following:
 4 "(1) An individual providing child care in a
 5 private residence to children who reside in the
 6 private residence."
 7 2. Page 1, by striking lines 28 and 29 and
 8 inserting the following:
 9 "(2) A relative providing care to children who are
 10 all related to the relative."

ROBERTS of Carroll

H-2066

1 Amend House File 933 as follows:
 2 1. By striking page 1, line 1, through page 2,
 3 line 25.
 4 2. Title page, by striking lines 1 through 3 and
 5 inserting the following: "An Act expanding the powers
 6 of".
 7 3. By renumbering as necessary.

LENSING of Johnson

H-2067

1 Amend Senate File 601, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 58, line 1, by inserting after the figure

4 "122." the following:

5 "EDUCATION TASK FORCES.

6 1. STRATEGIC EDUCATION GOALS TASK FORCE.

7 a. The department of education, the state board of
8 regents, and the Iowa association of community college
9 presidents, shall convene a task force to develop and
10 coordinate strategic goals by which the kindergarten
11 through grade twelve, community college, and
12 university systems shall improve the coordination and
13 communication between the systems to provide positive
14 transitions between systems, raise expectations for
15 student achievement, create greater learning
16 opportunities for students in all geographic areas of
17 the state, create professional development
18 opportunities for educators across the systems, and
19 share data for continuous improvement of the systems.
20 The task force shall also develop recommendations on
21 appropriate policy and reform actions to be taken by
22 the general assembly and affected state and local
23 education agencies, including, to the degree possible,
24 timelines for implementation of the proposals.

25 b. The task force shall consist, at a minimum, of
26 representatives from school districts, community
27 colleges, institutions of higher learning governed by
28 the state board of regents, accredited private
29 institutions, and business and industry.

30 c. The task force shall select a chairperson from
31 among its members. The department of education and
32 the state board of regents shall provide staff
33 support. The department of education shall convene
34 the initial meeting no later than July 30, 2007.
35 Subsequent meetings shall be held at least quarterly
36 and at the request of the chairperson. The task force
37 shall submit its findings and recommendations in a
38 report to the governor and the general assembly by
39 January 15, 2009.

40 2."

41 2. Page 59, line 3, by inserting after the word
42 "study" the following: "task force and a strategic
43 education goals task force".

STAED of Linn
MAY of Dickinson

H-2069

1 Amend Senate File 601, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 40, by inserting after line 3 the
4 following:

5 "Sec. ____ Section 135.105D, subsection 1A, as
6 enacted by 2007 Iowa Acts, House File 158, section 2,

7 is amended by adding the following new paragraph:
 8 NEW PARAGRAPH. d. Notwithstanding any other
 9 provision to the contrary, nothing in this section
 10 shall subject a parent, guardian, or legal custodian
 11 of a child of compulsory attendance age to any
 12 penalties under chapter 299."

HEDDENS of Story
 FORD of Polk
 MASCHER of Johnson

H-2070

1 Amend Senate File 578, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 3, by striking lines 27 through 29 and
 4 inserting the following: "APPROPRIATION. There is
 5 appropriated from the general fund of the state to
 6 the".

KAUFMANN of Cedar

H-2071

1 Amend the amendment, H-2025, to Senate File 601, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 3, by inserting after line 1 the
 5 following:
 6 "Sec. ____ Section 137C.28, Code 2007, is amended
 7 to read as follows:
 8 137C.28 PENALTY.
 9 1. A person who violates a provision of the Iowa
 10 ~~hotel sanitation code this chapter or rules adopted~~
 11 pursuant to this chapter shall be guilty of a simple
 12 misdemeanor and subject to a civil penalty of one
 13 hundred dollars for each violation. Each day upon
 14 which a violation occurs constitutes a separate
 15 violation.
 16 2. A person who is issued a violation as a result
 17 of an inspection, a reinspection or a complaint
 18 inspection shall be subject to a civil penalty ranging
 19 from fifty dollars to one thousand dollars for each
 20 violation based on criteria established by rule of the
 21 department.
 22 3. A penalty may be issued by either the
 23 department or by a municipal corporation under
 24 agreement with the department pursuant to section
 25 137C.6.
 26 4. Penalties collected by the department shall be
 27 deposited in the general fund of the state. Penalties
 28 collected by a municipal corporation shall be retained

29 by the municipal corporation for use in regulation of
30 entities licensed under this chapter."

31 2. Page 3, by inserting after line 13 the
32 following:

33 "Sec. ____ Section 137D.3, Code 2007, is amended
34 to read as follows:

35 137D.3 PENALTY.

36 1. A person who violates a provision of this
37 chapter, ~~including a standard adopted by departmental~~
38 ~~rule, or rules adopted pursuant to this chapter~~
39 relating to home food establishments or prepared foods
40 created in a home food establishment, is guilty of a
41 simple misdemeanor and subject to a civil penalty of
42 one hundred dollars for each violation. Each day that
43 the violation continues constitutes a separate
44 offense.

45 2. A person who is issued a violation as a result
46 of an inspection, a reinspection, or a complaint
47 inspection shall be subject to a civil penalty ranging
48 from fifty dollars to five hundred dollars for each
49 violation based on criteria established by rule of the
50 department.

Page 2

1 3. A penalty may be issued by either the
2 department or by a municipal corporation under
3 agreement with the department.

4 4. Penalties collected by the department shall be
5 deposited in the general fund of the state. Penalties
6 collected by a municipal corporation shall be retained
7 by the municipal corporation for use in regulation of
8 entities licensed under this chapter."

9 3. Page 11, by inserting after line 50 the
10 following:

11 "Sec. ____ Section 137F.17, Code 2007, is amended
12 to read as follows:

13 137F.17 PENALTY.

14 1. A person who violates this chapter or rules
15 adopted pursuant to this chapter shall be subject to a
16 civil penalty of one hundred dollars for each
17 violation. Each day upon which a violation occurs
18 constitutes a separate violation.

19 2. A person who is issued a violation as a result
20 of an inspection, a reinspection, or a complaint
21 inspection that is considered a critical or swing
22 violation shall be subject to a civil penalty ranging
23 between fifty dollars and one thousand dollars for
24 each violation based on criteria established by rule
25 of the department.

26 3. A penalty may be issued by either the
27 department or by a municipal corporation under

28 agreement with the department pursuant to section
 29 137F.3.
 30 4. Penalties collected by the department shall be
 31 deposited in the general fund of the state. Penalties
 32 collected by a municipal corporation shall be retained
 33 by the municipal corporation for use in regulation of
 34 entities licensed under this chapter."

FORD of Polk

H-2072

1 Amend Senate File 601, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 37, by inserting after line 19 the
 4 following:
 5 "Sec. ____ Section 12B.10, subsection 4, paragraph
 6 a, Code 2007, is amended by adding the following new
 7 subparagraph:
 8 NEW SUBPARAGRAPH. (9) Obligations of the Iowa
 9 finance authority issued pursuant to chapter 16,
 10 bearing interest at market rates, provided that at the
 11 time of purchase the Iowa finance authority has an
 12 issuer credit rating within the two highest
 13 classifications or the obligations to be purchased are
 14 rated within the two highest classifications, as
 15 established by at least one of the standard rating
 16 services approved by the superintendent of banking by
 17 rule adopted pursuant to chapter 17A."

THOMAS of Clayton
 HUNTER of Polk

H-2073

1 Amend Senate File 601, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 54, by inserting after line 13 the
 4 following:
 5 "Sec. ____ Section 423B.7, subsection 4, Code
 6 2007, is amended to read as follows:
 7 4. a. Twenty-five Except as provided in paragraph
 8 "b", twenty-five percent of each county's account
 9 shall be remitted based on the sum of property tax
 10 dollars levied by the board of supervisors if the tax
 11 was imposed in the unincorporated areas and each city
 12 in the county where the tax was imposed during the
 13 three-year period beginning July 1, 1982, and ending
 14 June 30, 1985, as follows:
 15 a. (1) To the board of supervisors a pro rata
 16 share based upon the percentage of the total property
 17 tax dollars levied by the board of supervisors during

18 the above three-year period.

19 b. (2) To each city council where the tax was
20 imposed a pro rata share based upon the percentage of
21 property tax dollars levied by the city during the
22 above three-year period of the above total property
23 tax dollars levied by the board of supervisors and
24 each city where the tax was imposed during the above
25 three-year period.

26 b. In the case of a county where the tax is not
27 imposed in any area of the county on June 30, 2007,
28 and subsequently is imposed in an area of the county
29 on or after July 1, 2007, twenty-five percent of each
30 county's account shall be remitted based on the sum of
31 property tax dollars levied by the board of
32 supervisors if the tax was imposed in the
33 unincorporated areas and each city in the county where
34 the tax was imposed during the fiscal year ending
35 after the most recent certified federal decennial
36 census as follows:

37 (1) To the board of supervisors a pro rata share
38 based upon the percentage of the total property tax
39 dollars levied by the board of supervisors during the
40 above fiscal year.

41 (2) To each city council where the tax was imposed
42 a pro rata share based upon the percentage of property
43 tax dollars levied by the city during the above fiscal
44 year of the above total property tax dollars levied by
45 the board of supervisors and each city where the tax
46 was imposed during the above fiscal year."

WATTS of Dallas
BOAL of Polk
RAECKER of Polk
JACOBS of Polk
TOMENGA of Polk

H-2074

1 Amend Senate File 601, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 4, by striking line 1 and inserting the
4 following:

5 "..... \$ 99,254,781"

6 2. Page 4, by striking line 10 and inserting the
7 following:

8 "..... \$ 23,204,000"

GASKILL of Wapello

H-2079

1 Amend Senate File 590, as passed by the Senate, as
2 follows:

3 1. Page 1, by inserting before line 1 the
4 following:
5 "Section 1. NEW SECTION. 422.11T TEACHER EXPENSE
6 CREDIT.

7 The taxes imposed under this division, less the
8 credits allowed under sections 422.12 and 422.12B,
9 shall be reduced by a teacher expense credit equal to
10 the first two hundred fifty dollars of the cost
11 incurred to purchase supplies by the taxpayer to
12 assist the taxpayer in teaching at an elementary or
13 secondary school situated in Iowa, which school is
14 accredited under section 256.11. To qualify for the
15 credit, the costs must be nonreimbursable from any
16 source. If the cost incurred has been deducted in
17 computing federal adjusted gross income, the amount of
18 such deduction shall be added in determining net
19 income under section 422.7. Any credit in excess of
20 the tax liability is nonrefundable.

21 As used in this section, "supplies" includes but is
22 not limited to paper supplies, bulletin boards, books,
23 maps, charts, computer software but not hardware, and
24 other items directly used by the taxpayer as a
25 teacher. The cost incurred to purchase supplies for
26 which a tax credit may be received under this section
27 shall not be used by a school district to supplement
28 its costs of instructional materials."

29 2. Title page, line 1, by inserting after the
30 words "relating to" the following: "a teacher expense
31 income tax credit and to".

TYMESON of Madison

H-2082

1 Amend Senate File 348, as passed by the Senate, as
2 follows:

3 1. Page 1, by inserting before line 1 the
4 following:

5 "Section 1. Section 99D.11, subsection 6,
6 paragraph b, Code 2007, is amended to read as follows:

7 b. (1) The commission may authorize the licensee
8 to simultaneously telecast within the racetrack
9 enclosure, for the purpose of pari-mutuel wagering, a
10 horse or dog race licensed by the racing authority of
11 another state. It is the responsibility of each
12 licensee to obtain the consent of appropriate racing
13 officials in other states as required by the federal
14 Interstate Horseracing Act of 1978, 15 U.S.C. }
15 3001-3007, to televise races for the purpose of
16 conducting pari-mutuel wagering.

17 (2) A licensee may also obtain the permission of a
18 person licensed by the commission to conduct horse or

19 dog races in this state to televise races conducted by
20 that person for the purpose of conducting pari-mutuel
21 racing. However, arrangements made by a licensee to
22 televise any race for the purpose of conducting
23 pari-mutuel wagering are subject to the approval of
24 the commission, and the commission shall select the
25 races to be televised. The races selected by the
26 commission shall be the same for all licensees
27 approved by the commission to televise races for the
28 purpose of conducting pari-mutuel wagering. The
29 commission shall not authorize the simultaneous
30 telecast or televising of and a licensee shall not
31 simultaneously telecast or televise any horse or dog
32 race for the purpose of conducting pari-mutuel
33 wagering unless the simultaneous telecast or
34 televising is done at the racetrack of a licensee that
35 schedules no less than sixty performances of nine live
36 races each day of the season or is done for an entity
37 licensed in another state to conduct pari-mutuel
38 wagering that accepts wagers only within states in
39 which it is licensed or authorized to accept wagers.
40 (3) For purposes of the taxes imposed under this
41 chapter, races televised by a licensee for purposes of
42 pari-mutuel wagering shall be treated as if the races
43 were held at the racetrack of the licensee.
44 Notwithstanding any contrary provision in this
45 chapter, the commission may allow a licensee to adopt
46 the same deductions as those of the pari-mutuel
47 racetrack from which the races are being
48 simultaneously telecast.
49 Sec. 2. Section 99F.6, subsection 4, paragraph a,
50 Code 2007, is amended to read as follows:

Page 2

1 a. Before a license is granted, the division of
2 criminal investigation of the department of public
3 safety shall conduct a thorough background
4 investigation of the applicant for a license to
5 operate a gambling game operation on an excursion
6 gambling boat. The applicant shall provide
7 information on a form as required by the division of
8 criminal investigation. A qualified sponsoring
9 organization licensed to operate gambling games under
10 this chapter shall distribute the receipts of all
11 gambling games, less reasonable expenses, charges,
12 taxes, fees, and deductions allowed under this
13 chapter, as winnings to players or participants or
14 shall distribute the receipts for educational, civic,
15 public, charitable, patriotic, or religious uses as
16 defined in section 99B.7, subsection 3, paragraph "b".
17 However, a licensee to conduct gambling games under

17 facility to fund a project approved to receive vision
18 Iowa funds as of July 1, 2004.

19 Sec. 3. Section 99F.6, subsection 4, Code 2007, is
20 amended by adding the following new paragraph:

21 NEW PARAGRAPH. c. (1) The commission shall
22 authorize the licensee of a pari-mutuel horse
23 racetrack located in Polk county to conduct gambling
24 games as provided in section 99F.4A if the licensee
25 conducts, during a calendar year, a live horse racing
26 meet including both thoroughbred horses and quarter
27 horses during a combined total of not less than ninety
28 performance days and a live horse racing meet for
29 standardbred horses of not less than seventeen
30 performance days. In conducting the live horse racing
31 meet for thoroughbred horses and quarter horses, the
32 licensee shall conduct no less than seven hundred
33 sixty live racing performances for no less than ninety
34 performance days for thoroughbred horses, and no less
35 than one hundred ninety-two live horse racing
36 performances for no less than forty-six performance
37 days for quarter horses. In conducting the live horse
38 racing meet for standardbred horses, the licensee
39 shall conduct no less than one hundred fifty-three
40 live racing performances for no less than seventeen
41 performance days. However, the number of live races
42 shall be subject to availability of horses and
43 competitive field sizes and a live race shall not be
44 conducted if there are fewer than five betting
45 interests for that race at the time entries are
46 closed.

47 (2) For agreements subject to commission approval
48 concerning purses for horse racing beginning on or
49 after January 1, 2008, and ending before January 1,
50 2021, the agreements shall provide that total annual

Page 4

1 purses for all horse racing shall be no less than
2 eleven percent of the first two hundred million
3 dollars of net receipts, and six percent of net
4 receipts above two hundred million dollars. In
5 addition, for agreements concerning horse racing
6 between the licensee operating the horse racetrack in
7 Polk county and representatives of standardbred horse
8 owners, the agreement shall include a supplemental
9 amount for standardbred horse races held at county
10 fair racetracks in the state in an amount not less
11 than one million two hundred thousand dollars and the
12 supplemental amount shall not be included in
13 determining the total annual purses for all horse
14 racing that is required to be paid as provided by this
15 paragraph "c". Any agreement that is subject to

16 commission approval concerning horse racing beginning
 17 on or after January 1, 2008, and ending before January
 18 1, 2021, including but not limited to provisions
 19 governing horse purses and the purses or amounts for
 20 each applicable horse breed, and racing schedules,
 21 shall be jointly submitted to the commission for
 22 approval. All parties negotiating an agreement
 23 subject to commission approval, as well as the
 24 commission, shall consider that the purpose of
 25 building the horse racetrack was to facilitate the
 26 development and promotion of Iowa thoroughbred,
 27 quarter horse, and standardbred horses in this state
 28 and shall negotiate and make decisions in accordance
 29 with that purpose. For purposes of this subparagraph,
 30 "net receipts" means the annual adjusted gross
 31 receipts from all gambling games."

32 2. Page 3, by striking lines 14 through 17 and
 33 inserting the following:

34 "Sec. ____ EFFECTIVE DATE – RETROACTIVE
 35 APPLICABILITY.

36 1. The sections of this Act amending section
 37 99F.6, subsection 4, take effect January 1, 2008.

38 2. The section of this Act amending section 99F.7,
 39 subsection 11, being deemed of immediate importance,
 40 takes effect upon enactment and is retroactively
 41 applicable to elections occurring on and after January
 42 1, 1994."

43 3. Title page, by striking lines 1 and 2 and
 44 inserting the following: "An Act concerning horses
 45 and horse racing, by providing for pari-mutuel
 46 wagering, minimum racing days and horse racing
 47 agreements among representatives of horse breeds,
 48 county gambling elections, including effective date
 49 and retroactive applicability provisions."

50 4. By renumbering as necessary.

QUIRK of Chickasaw
 DE BOEF of Keokuk
 D. OLSON of Boone

MERTZ of Kossuth
 SANDS of Louisa
 GREINER of Washington

H-2084

1 Amend Senate File 601, as amended, passed, and
 2 reprinted by the Senate, as follows:

3 1. Page 46, by inserting after line 7 the
 4 following:

5 "Sec. ____ NEW SECTION. 279.65 SCHOOL PROPERTY
 6 USE POLICY.

7 The board of directors of a school district shall
 8 adopt, implement, and enforce, for the district and
 9 for attendance centers within the district, a school
 10 property use policy for the personal use of

11 school-owned property, including but not limited to
 12 school-owned technology. The policy shall establish
 13 both what is appropriate and what is inappropriate use
 14 of school property."

15 2. By renumbering as necessary.

TYMESON of Madison

H-2085

1 Amend the amendment, H-2050, to Senate File 601, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:

4 1. Page 1, by inserting after line 18 the
 5 following:

6 "j. The Iowa retail federation."

T. OLSON of Linn

H-2086

1 Amend the Senate amendment, H-1701, to House File
 2 844, as passed by the House, as follows:

3 1. Page 1, by inserting after line 4 the
 4 following:

5 "Section 1. Section 39A.2, Code 2007, is amended
 6 by adding the following new subsection:

7 NEW SUBSECTION. 2. If the voter's designee is a
 8 person acting as an actual or implied agent of a
 9 political party, candidate, or committee, as defined
 10 by chapter 68A, and such designee fails for any reason
 11 to return a completed absentee ballot, the designee
 12 commits election misconduct in the first degree.

13 Sec. 2. Section 39A.2, subsection 2, Code 2007, is
 14 amended to read as follows:

15 ~~2.~~ 3. Election misconduct in the first degree is
 16 a class "D" felony, except for a violation of
 17 subsection 2 which is a class "C" felony."

18 2. Page 3, line 26, by inserting after the word
 19 "ballots" the following: "and a penalty".

20 3. By renumbering, redesignating, and correcting
 21 internal references as necessary.

JACOBS of Polk

H-2087

1 Amend the Senate amendment, H-1701, to House File
 2 844, as passed by the House, as follows:

3 1. Page 2, line 31, by inserting before the word
 4 "If" the following: "However, if the voter's designee"
 5 is a person acting as an actual or implied agent of a

6 political party, candidate, or committee, as defined
7 in chapter 68A, the designee shall not mail the
8 voter's ballot, but shall personally deliver the
9 voter's ballot to the commissioner's office."

JACOBS of Polk

H-2089

1 Amend the Senate amendment, H-1701, to House File
2 844, as passed by the House, as follows:
3 1. Page 3, line 19, by striking the word
4 "subsection." and inserting the following:
5 "subsection and inserting in lieu thereof the
6 following:
7 5. A voter's designee must be a resident of Iowa
8 when acting as a designee under this section."
9 2. By renumbering as necessary.

JACOBS of Polk

H-2090

1 Amend the Senate amendment, H-1701, to House File
2 844, as passed by the House, as follows:
3 1. Page 3, line 19, by striking the word
4 "subsection." and inserting the following:
5 "subsection and inserting in lieu thereof the
6 following:
7 5. A voter's designee must be a registered voter
8 in this state when acting as a designee under this
9 section."
10 2. By renumbering as necessary.

JACOBS of Polk

H-2091

1 Amend the Senate amendment, H-1701, to House File
2 844, as passed by the House, as follows:
3 1. Page 1, by inserting after line 4 the
4 following:
5 "Section 1. Section 39A.2, Code 2007, is amended
6 by adding the following new subsection:
7 NEW SUBSECTION. 1A. If the voter's designee is a
8 person acting as an actual or implied agent of a
9 political party, candidate, or committee, as defined
10 by chapter 68A, and such designee fails for any reason
11 to return a completed absentee ballot, the designee
12 commits election misconduct in the first degree."
13 2. Page 3, line 26, by inserting after the word

- 14 "ballots" the following: "and a penalty".
 15 3. By renumbering as necessary.

JACOBS of Polk

H-2092

- 1 Amend the Senate amendment, H-1701, to House File
 2 844, as passed by the House, as follows:
 3 1. Page 3, by striking lines 4 through 6.
 4 2. Page 3, by striking line 19 and inserting the
 5 following: "is amended to read as follows:
 6 5. A voter's designee shall be an immediate family
 7 member of the voter. For purposes of this section
 8 subsection, "immediate family member" means the
 9 spouse, adult child or stepchild, adult grandchild,
 10 parent or stepparent, grandparent, or adult sibling of
 11 the voter."

JACOBS of Polk

H-2093

- 1 Amend the Senate amendment, H-1701, to House File
 2 844, as passed by the House, as follows:
 3 1. Page 3, line 19, by striking the word
 4 "subsection." And inserting the following:
 5 "subsection and inserting in lieu thereof the
 6 following:
 7 5. If a voter's designee is a person acting as an
 8 actual or implied agent of a political party,
 9 candidate, or committee, as defined by chapter 68A,
 10 the designee shall submit to the county commissioner
 11 of elections by five p.m. on the day following the
 12 election a listing of the names of persons whose
 13 ballots were delivered or mailed by the designee to
 14 the commissioner's office. The list of names shall
 15 only be delivered to the commissioner's office by the
 16 voter's designee who retrieved the ballots. The sheet
 17 containing the list of names shall also include space
 18 for the name and signature of the voter's designee who
 19 retrieved the ballots.""
 20 2. By renumbering as necessary.

JACOBS of Polk

H-2094

- 1 Amend the Senate amendment, H-1701, to House File
 2 844, as passed by the House, as follows:
 3 1. Page 3, line 19, by striking the word
 4 "subsection." and inserting the following:
 5 "subsection and inserting in lieu thereof the

6 following:

- 7 5. A voter's designee must be a person who is
- 8 personally known to the voter when acting as a
- 9 designee under this section."
- 10 2. By renumbering as necessary.

JACOBS of Polk

H-2095

1 Amend the Senate amendment, H-1701, to House File
2 844, as passed by the House, as follows:

3 1. Page 1, by inserting after line 4 the
4 following:

5 "Section 1. Section 39A.2, Code 2007, is amended
6 by adding the following new subsection:

7 NEW SUBSECTION. 2. If the voter's designee is a
8 person acting as an actual or implied agent of a
9 political party, candidate, or committee, as defined
10 by chapter 68A, and such designee fails for any reason
11 to return a completed absentee ballot, the designee
12 commits election misconduct in the first degree.

13 Sec. . Section 39A.2, subsection 2, Code 2007,
14 is amended to read as follows:

15 ~~2. 3.~~ Election misconduct in the first degree is
16 a class "D" felony, except for a violation of
17 subsection 2 which is a class "B" felony."

18 2. Page 3, line 26, by inserting after the word
19 "ballots" the following: "and a penalty".

20 3. By renumbering, redesignating, and correcting
21 internal references as necessary.

JACOBS of Polk

H-2096

1 Amend the Senate amendment, H-1701, to House File
2 844, as passed by the House, as follows:

3 1. Page 2, by inserting after line 8 the
4 following:

5 "Sec. . Section 53.9, Code 2007, is amended to
6 read as follows:

7 53.9 PROHIBITED PERSONS.

8 No person required to file reports under chapter
9 68A, and no person acting as an actual or implied
10 agent for a person required to file reports under
11 chapter 68A, shall receive absentee ballots on behalf
12 of voters. ~~This prohibition does not apply to section~~
13 ~~53.17."~~

14 2. By renumbering as necessary.

JACOBS of Polk

H-2097

- 1 Amend the Senate amendment, H-1701, to House File
2 844, as passed by the House, as follows:
3 1. Page 1, by inserting after line 4 the
4 following:
5 "Section 1. Section 39A.2, subsection 2, Code
6 2007, is amended to read as follows:
7 2. Election misconduct in the first degree is a
8 class "D" felony. However, if the person committing
9 election misconduct in the first degree is a voter's
10 designee who was acting as an actual or implied agent
11 of a political party, candidate, or committee, as
12 defined by chapter 68A, the fine for violation of this
13 section shall be not less than ten thousand dollars."
14 2. Page 3, line 26, by inserting after the word
15 "ballots" the following: "and a penalty".
16 3. By renumbering as necessary.

JACOBS of Polk

H-2098

- 1 Amend the Senate amendment, H-1701, to House File
2 844, as passed by the House, as follows:
3 1. Page 1, by inserting after line 26 the
4 following:
5 "Sec. _____. Section 39A.4, subsection 2, Code 2007,
6 is amended to read as follows:
7 2. Election misconduct in the third degree is a
8 serious misdemeanor. However, if a person who commits
9 a violation of subsection 1, paragraph "c",
10 subparagraph (12), is a voter's designee who was
11 acting as an actual or implied agent of a political
12 party, candidate, or committee, as defined by chapter
13 68A, the fine for a violation of this section shall be
14 not less than ten thousand dollars."
15 2. Page 3, line 26, by inserting after the word
16 "ballots" the following: "and a penalty".
17 3. By renumbering as necessary.

JACOBS of Polk

H-2099

- 1 Amend the Senate amendment, H-1701, to House File
2 844, as passed by the House, as follows:
3 1. Page 1, by striking lines 37 and 38 and
4 inserting the following: "voter that the voter's
5 designee shall complete a receipt when retrieving the
6 ballot".
7 2. Page 2, line 44, by striking the words ", upon

8 request of the voter,".

9 3. Page 3, by inserting after line 17 the
10 following:

11 "____. A photocopy of the photographic
12 identification presented by the voter's designee to
13 the voter pursuant to subsection 5."

14 4. Page 3, line 19, by striking the word
15 "subsection." and inserting the following:
16 "subsection and inserting in lieu thereof the
17 following:

18 5. A person acting as a voter's designee shall
19 present photographic identification to the voter when
20 retrieving the voter's completed absentee ballot.""

21 5. By renumbering as necessary.

JACOBS of Polk

H-2101

1 Amend the Senate amendment, H-1701, to House File
2 844, as passed by the House, as follows:

3 1. Page 1, by inserting after line 26 the
4 following:

5 "Sec. ____ Section 49.37, Code 2007, is amended by
6 adding the following new subsection:

7 NEW SUBSECTION. 4. Any ballot upon which appears
8 the names of candidates for an elective state office
9 or for the general assembly shall contain for each of
10 those offices an additional line equivalent to the
11 lines on which the candidates' names appear and placed
12 at the end of the row or column containing the names
13 of the candidates for that office. Each such
14 additional line shall contain a voting target whereby
15 the voter may express the voter's choice of that line
16 in the same manner as the voter would choose a
17 candidate, and the line shall read "None of These
18 Candidates".

19 For purposes of this subsection, "elective state
20 office" means the offices of governor and lieutenant
21 governor, secretary of state, auditor of state,
22 treasurer of state, secretary of agriculture, and
23 attorney general.

24 Sec. ____ Section 50.45, Code 2007, is amended to
25 read as follows:

26 50.45 CANVASS PUBLIC - RESULT DETERMINED.

27 All canvasses of tally lists shall be public, and
28 the persons having the greatest number of votes shall
29 be declared elected, except that if the choice "None
30 of These Candidates" receives a simple majority of the
31 total votes cast for that office, no person shall be
32 declared elected, and the governor shall order a
33 special election and issue a proclamation pursuant to

34 section 39.6. The special election shall be conducted
 35 in the manner provided for in section 69.21.
 36 **PARAGRAPH DIVIDED.** When a public measure has been
 37 submitted to the electors, the proposition shall be
 38 declared to have been adopted if the vote cast in
 39 favor of the question is greater than fifty percent of
 40 the total vote cast in favor and against the question,
 41 unless laws pertaining specifically to the public
 42 measure election establish a higher percentage of a
 43 favorable vote. All ballots cast and not counted as a
 44 vote in favor or against the proposition shall not be
 45 used in computing the total vote cast in favor and
 46 against the proposition.
 47 Sec. __. Section 50.46, Code 2007, is amended to
 48 read as follows:
 49 50.46 SPECIAL ELECTIONS – CANVASS AND
 50 CERTIFICATE.

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1 When a special election has been held to fill a
 2 vacancy, pursuant to section 69.14, or when a special
 3 Uelection has been held pursuant to section 69.21, the
 4 board of county canvassers shall meet at one o'clock
 5 ~~in the afternoon of p.m. on~~ the second day after the
 6 election, and canvass the votes cast at the election.
 7 The commissioner, as soon as the canvass is completed,
 8 shall transmit to the state commissioner an abstract
 9 of the votes so canvassed, and the state board, within
 10 five days after receiving such abstracts, shall
 11 canvass the tally lists. A certificate of election
 12 shall be issued by the county or state board of
 13 canvassers, as in other cases. All the provisions
 14 regulating elections, obtaining tally lists, and
 15 canvass of votes at general elections, except as to
 16 time, shall apply to special elections."
 17 2. Page 3, by inserting after line 19 the
 18 following:
 19 " __. Page 6, by inserting after line 25 the
 20 following:
 21 "Sec. __. **NEW SECTION.** 69.21 SPECIAL ELECTION
 22 – GENERAL ASSEMBLY AND ELECTIVE STATE OFFICES.
 23 1. A special election ordered pursuant to section
 24 50.45 shall be held not less than forty-two and not
 25 more than fifty days following the date the governor
 26 ordered the special election.
 27 2. a. A political party that had a candidate on
 28 the general election ballot for the office for which a
 29 special election has been ordered may nominate another
 30 candidate for the office in the manner provided for in
 31 section 43.78, subsection 1.
 32 b. Nominations for all other candidates may be

33 made as follows:

34 (1) For an elective state office, by nomination
35 petition signed by not less than one thousand eligible
36 electors of the state.

37 (2) For senator in the general assembly, by
38 nomination petition signed by not less than one
39 hundred eligible electors of the senate district.

40 (3) For representative in the general assembly, by
41 nomination petition signed by not less than fifty
42 eligible electors of the representative district.

43 c. A candidate whose name was on the general
44 election ballot for the office for which a special
45 election has been ordered is disqualified from
46 nomination in the special election.

47 3. Nomination petitions must be filed in the
48 office of the state commissioner of elections not
49 later than five p.m. on the twenty-fifth day before
50 the special election. Each nomination petition must

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1 be accompanied by an affidavit executed by the
2 candidate in the same form as that provided in section
3 43.18, section 44.3, subsection 2, or section 45.3,
4 whichever is applicable.

5 4. A candidate nominated for an office to be
6 filled at the special election may withdraw as a
7 nominee for that office on or before, but not later
8 than, the fifteenth day before the date of the special
9 election by notifying the state commissioner of
10 elections in writing.

11 If a person who has filed nomination papers with
12 the state commissioner as a candidate in the special
13 election dies or withdraws on or before the fifteenth
14 day before the special election, the appropriate
15 convention of that person's political party may
16 designate one additional special election candidate
17 for the nomination that person was seeking, if the
18 designation is submitted to the state commissioner in
19 writing no later than five p.m. on the twelfth day
20 before the date of the special election.

21 5. Objections to the eligibility of a candidate in
22 the special election must be filed pursuant to section
23 43.24 not less than nineteen days before the date of
24 the special election.

25 6. The state commissioner of elections shall
26 certify to the commissioner of each county at the
27 earliest practicable time, and under separate party
28 headings, the name of each person nominated, the
29 office to which the person is nominated, and the order
30 in which the tickets of the several political parties
31 shall appear on the official ballot.

32 7. The ballots provided for the special election
 33 shall not contain the designation "None of These
 34 Candidates".
 35 8. The votes cast in the special election shall be
 36 canvassed and a certificate of election issued in the
 37 manner provided for in section 50.46. The
 38 candidate-elect shall be sworn into office immediately
 39 following the issuance of the certificate of election
 40 by the state commissioner of elections.
 41 Sec.____. IMPLEMENTATION OF ACT. Section 25B.2,
 42 subsection 3, shall not apply to this Act."
 43 3. By renumbering as necessary.

JACOBS of Polk

H-2102

1 Amend the Senate amendment, H-1701, to House File
 2 844, as passed by the House, as follows:
 3 1. Page 1, by inserting after line 26 the
 4 following:
 5 "Sec.____. Section 39A.4, subsection 2, Code 2007,
 6 is amended to read as follows:
 7 2. Election misconduct in the third degree is a
 8 serious misdemeanor. However, if a person who commits
 9 a violation of subsection 1, paragraph "c",
 10 subparagraph (12), is a voter's designee who was
 11 acting as an actual or implied agent of a political
 12 party, candidate, or committee, as defined by chapter
 13 68A, a violation of this section shall be considered
 14 election misconduct in the second degree."
 15 2. Page 3, line 26, by inserting after the word
 16 "ballots" the following: "and increasing a penalty".

JACOBS of Polk

H-2103

1 Amend the Senate amendment, H-1701, to House File
 2 844, as passed by the House, as follows:
 3 1. Page 1, by inserting after line 26 the
 4 following:
 5 "Sec.____. Section 39A.4, subsection 2, Code 2007,
 6 is amended to read as follows:
 7 2. Election misconduct in the third degree is a
 8 serious misdemeanor. However, if a person who commits
 9 a violation of subsection 1, paragraph "c",
 10 subparagraph (12), is a voter's designee who was
 11 acting as an actual or implied agent of a political
 12 party, candidate, or committee, as defined by chapter
 13 68A, a violation of this section shall be considered
 14 election misconduct in the first degree."

15 2. Page 3, line 26, by inserting after the word
16 "ballots" the following: "and increasing a penalty".

JACOBS of Polk

H-2104

1 Amend the Senate amendment, H-1701, to House File
2 844, as passed by the House, as follows:

3 1. Page 3, by inserting after line 19 the
4 following:

5 "____. Page 6, by inserting after line 25 the
6 following:

7 "Sec.____. NEW SECTION. 68A.401A ELECTRONIC
8 FILING.

9 Reports filed with the board pursuant to the
10 requirements of section 68A.401 shall be filed in an
11 electronic format if a candidate or committee accepts
12 contributions in excess of twenty thousand dollars in
13 the aggregate, makes expenditures in excess of twenty
14 thousand dollars in the aggregate, or incurs
15 indebtedness in excess of twenty thousand dollars in
16 the aggregate. The board shall establish a system to
17 verify the identity of the person filing the report.

18 Sec.____. Section 68A.403, subsection 1, Code
19 2007, is amended to read as follows:

20 1. A Unless filed in an electronic format
21 according to section 68A.401A, a report or statement
22 required to be filed under this chapter shall be
23 signed by the person filing the report.

24 Sec.____. Section 68A.603, Code 2007, is amended
25 to read as follows:

26 68A.603 RULES PROMULGATED.

27 The ethics and campaign disclosure board shall
28 administer the provisions of sections 68A.601 through
29 ~~68A.609, 68A.602, and 68A.604~~ through 68A.610 and
30 shall promulgate all necessary rules in accordance
31 with chapter 17A.

32 Sec.____. NEW SECTION. 68A.610 CHECKOFF -
33 INCOME TAX - VOTER - OWNED IOWA CLEAN ELECTIONS.

34 A person whose state income tax liability for any
35 taxable year is five dollars or more may direct that
36 five dollars of that liability be paid over to the
37 voter-owned Iowa clean elections fund, as established
38 in section 68A.823, when submitting the person's state
39 income tax return to the department of revenue. In
40 the case of a joint return of husband and wife having
41 a state income tax liability of ten dollars or more,
42 each spouse may direct that five dollars be paid to
43 the fund. The director of revenue shall provide space
44 for the voter-owned Iowa clean elections fund income
45 tax checkoff on the income tax form. An explanation

46 shall be included which clearly states that this
47 checkoff does not constitute an additional tax
48 liability. The action taken by a person for the
49 checkoff is irrevocable.
50 Sec. ____ NEW SECTION. 68A.801 DEFINITIONS.

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1 For the purposes of this subchapter:
2 1. "Allowable contribution" means a qualifying
3 contribution or a seed money contribution.
4 2. "Board" means the Iowa ethics and campaign
5 disclosure board established under section 68B.32.
6 3. "Clean election qualifying period" means the
7 period during which candidates are permitted to
8 collect qualifying contributions in order to qualify
9 for clean money campaign funding. The period begins
10 ninety days before the beginning of the primary
11 election campaign period and ends thirty days before
12 the beginning of the primary election campaign period.
13 4. "Coordination" means a payment made for a
14 communication or anything of value that is for the
15 purpose of influencing the outcome of an election and
16 that is made by a person according to at least one of
17 the following:
18 a. In cooperation, consultation, or concert with,
19 at the request or suggestion of, or pursuant to, a
20 particular understanding with a candidate, a
21 candidate's committee, or an agent acting on behalf of
22 a candidate or candidate's committee.
23 b. For the dissemination, distribution, or
24 republication, in whole or in part, of any broadcast
25 or any written, graphic, or other form of campaign
26 material prepared by a candidate, a candidate's
27 committee, or an agent of a candidate or candidate's
28 committee.
29 c. Based on specific information about the
30 candidate's plans, projects, or needs provided to the
31 person making the payment by the candidate or the
32 candidate's agent who provides the information with a
33 view toward having the payment made.
34 d. If, in the same election cycle in which the
35 payment is made, the person making the payment is
36 serving or has served as a member, employee,
37 fundraiser, or agent of the candidate or candidate's
38 committee in an executive or policymaking position.
39 e. If the person making the payment has served in
40 any formal policy or advisory position with the
41 candidate's campaign or has participated in strategic
42 or policymaking discussions with the candidate's
43 campaign relating to the candidate's pursuit of
44 nomination for election, or election, to office, in

45 the same election cycle as the election cycle in which
46 the payment is made.

47 f. If the person making the payment retains the
48 professional services of an individual or person who,
49 in a nonministerial capacity, has provided or is
50 providing campaign-related services in the same

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1 election cycle to a candidate who is pursuing the same
2 nomination or election as any of the candidates to
3 whom the communication refers. For purposes of this
4 section, "professional services" includes services in
5 support of a candidate's pursuit of nomination for
6 election or election to office such as polling, media
7 advice, direct mail, fundraising, or campaign research
8 services.

9 5. "Electioneering communication" means any
10 communication that refers to a clearly identified
11 candidate for elected public office, if the
12 communication has the effect of encouraging or
13 discouraging a vote for the candidate, regardless of
14 whether the communication expressly advocates a vote
15 for or against the candidate.

16 6. "Excess expenditure amount" means the amount of
17 money spent or obligated to be spent by a
18 nonparticipating candidate in excess of the clean
19 money amount available to a participating candidate
20 running for the same office.

21 7. "Express advocacy" means the same as defined in
22 section 68A.102.

23 8. "General election campaign period" means the
24 period beginning the day after the primary election
25 and ending on the day of the general election.

26 9. "Independent candidate" means a candidate who
27 does not represent a political party that has been
28 granted ballot status and that holds a primary
29 election to choose its nominee for the general
30 election.

31 10. "Independent expenditure" means an expenditure
32 made by a person or group of persons other than a
33 candidate or candidate's committee that meets both of
34 the following conditions:

35 a. The expenditure is made for a communication
36 that contains express advocacy.

37 b. The expenditure is made without the
38 participation or cooperation of and without
39 coordination with a candidate or a candidate's
40 committee.

41 11. "Nonparticipating candidate" means a candidate
42 who is on the ballot but has chosen not to apply for
43 clean election campaign funding, or a candidate who is

44 on the ballot and has applied for but has not
45 satisfied the requirements for receiving clean
46 election campaign funding.
47 12. "Participating candidate" means a candidate
48 who qualifies for clean election campaign funding.
49 Such candidates are eligible to receive clean election
50 campaign funding during primary or general election

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1 campaign periods.

2 13. "Party candidate" means a candidate who
3 represents a political party as defined by section
4 43.2.

5 14. "Primary election campaign period" means the
6 period beginning ninety days before the primary
7 election and ending on the day of the primary
8 election.

9 15. "Qualifying contribution" means a contribution
10 of five dollars that is received during the designated
11 clean election qualifying period by a candidate
12 seeking to become eligible for clean election campaign
13 funding and that is acknowledged by a written receipt
14 identifying the contributor. However, if the annual
15 median household income of a legislative district is
16 at or below one hundred percent of the most recent
17 federal poverty guideline based on United States
18 census bureau data, the qualifying contribution is one
19 dollar.

20 16. "Seed money contribution" means a contribution
21 of no more than one hundred dollars made by an
22 individual adult during the seed money period, but
23 specifically excludes all of the following:

24 a. Payments by a membership organization for the
25 costs of communications to its members.

26 b. Payments by a membership organization for the
27 purpose of facilitating the making of qualifying
28 contributions.

29 c. The cash value of volunteer activity, including
30 the payment of incidental expenses of volunteers.

31 17. "Seed money period" means the period beginning
32 the day following the previous general election for
33 that office and ending on the last day of the clean
34 election qualifying period. This is the exploratory
35 period during which candidates who wish to become
36 eligible for clean election campaign funding for the
37 next elections are permitted to raise and spend a
38 limited amount of private seed money, from
39 contributions of up to one hundred dollars per
40 individual, for the purpose of determining whether to
41 become a candidate and fulfilling the clean election
42 eligibility requirements.

43 Sec. ____ NEW SECTION. 68A.802 ELIGIBILITY FOR
44 PARTY CANDIDATES.

- 45 1. A party candidate qualifies as a participating
46 candidate for the primary election campaign period if
47 the candidate does both of the following:
48 a. The candidate files a declaration with the
49 board that the candidate has complied and will comply
50 with all of the requirements of this subchapter,

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- 1 including the requirement that during the seed money
2 period and the clean election qualifying period the
3 candidate not accept or spend private contributions
4 from any source other than seed money contributions
5 and clean election qualifying contributions, unless
6 the provisions of section 68A.804 apply.
7 b. The candidate meets both of the following
8 qualifying contribution requirements before the close
9 of the clean election qualifying period:
10 (1) A party candidate must collect both qualifying
11 contributions and signatures as follows:
12 (a) For the office of governor, from five hundred
13 registered voters in each congressional district.
14 (b) For statewide office other than governor, from
15 two hundred fifty registered voters in each
16 congressional district.
17 (c) For the Iowa senate, from two hundred
18 registered voters in the senate candidate's electoral
19 district.
20 (d) For the Iowa house of representatives, from
21 one hundred registered voters in the house candidate's
22 electoral district.
23 (2) Each qualifying contribution must meet all
24 requirements of this section.
25 2. Contributors shall be registered voters who
26 reside within the candidate's electoral district and
27 who are therefore eligible to vote for that candidate.
28 3. Qualifying contributions shall be:
29 a. Made in cash, check, money order, or credit or
30 debit card.
31 b. Gathered by the candidate personally or by
32 volunteers who do not receive compensation.
33 c. Acknowledged by a receipt to the contributor,
34 with a copy to be kept by the candidate and a third
35 copy to be submitted to the board. The receipt shall
36 include a signed statement that the contributor
37 understands that the purpose of the contribution is to
38 help the candidate qualify for campaign funding and
39 that the contribution is made without coercion or
40 reimbursement. The receipt shall include the
41 contributor's signature, printed name, home address,

42 and telephone number, and the name of the candidate on
 43 whose behalf the contribution is made.
 44 d. Turned over to the board for deposit in the
 45 voter-owned Iowa clean elections fund established
 46 under section 68A.823, with the signed and completed
 47 receipt, according to a schedule and procedure to be
 48 determined by the board. A contribution submitted as
 49 a qualifying contribution that does not include the
 50 signed and completed receipt shall not be counted as a

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1 qualifying contribution.

2 4. A party candidate qualifies as a participating
 3 candidate for the general election campaign period
 4 when the candidate does both of the following:

5 a. The candidate has met all of the applicable
 6 requirements of this subchapter and filed a
 7 declaration with the board that the candidate has
 8 fulfilled and will fulfill all of the requirements of
 9 a participating candidate as stated in this
 10 subchapter.

11 b. As a participating candidate during the primary
 12 election campaign period, the candidate had the
 13 highest number of votes of the candidates contesting
 14 the primary election from the candidate's respective
 15 party and won the party's nomination.

16 Sec. ____ NEW SECTION. 68A.803 ELIGIBILITY FOR
 17 INDEPENDENT CANDIDATES.

18 1. An independent candidate qualifies as a
 19 participating candidate for the primary election
 20 campaign period if the candidate does both of the
 21 following:

22 a. The candidate files a declaration with the
 23 board that the candidate has complied and will comply
 24 with all of the requirements of this subchapter,
 25 including the requirement that during the seed money
 26 period and the clean election qualifying period the
 27 candidate not accept or spend private contributions
 28 from any source other than seed money contributions
 29 and clean election qualifying contributions, unless
 30 the provisions of section 68A.804 apply.

31 b. The candidate meets the following qualifying
 32 contribution requirements before the close of the
 33 clean election qualifying period:

34 (1) An independent candidate shall collect the
 35 same number of qualifying contributions as required of
 36 a party candidate for the same office under section
 37 68A.802.

38 (2) Each qualifying contribution must meet all
 39 requirements of this section.

40 2. Contributors shall be registered voters who

- 41 reside within the candidate's electoral district and
- 42 who are therefore eligible to vote for that candidate.
- 43 3. Qualifying contributions shall be:
- 44 a. Made in cash, check, money order, or credit or
- 45 debit card.
- 46 b. Gathered by the candidate personally or by
- 47 volunteers who do not receive compensation.
- 48 c. Acknowledged by a receipt to the contributor,
- 49 with a copy to be kept by the candidate and a third
- 50 copy to be submitted to the board. The receipt shall

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1 include a signed statement that the contributor
 2 understands that the purpose of the contribution is to
 3 help the candidate qualify for clean election campaign
 4 funding and that the contribution is made without
 5 coercion or reimbursement. The receipt shall include
 6 the contributor's signature, printed name, home
 7 address, and telephone number, and the name of the
 8 candidate on whose behalf the contribution is made.

9 d. Turned over to the board for deposit in the
 10 voter-owned Iowa clean elections fund established
 11 under section 68A.823, with the signed and completed
 12 receipt, according to a schedule and procedure to be
 13 determined by the board. A contribution submitted as
 14 a qualifying contribution that does not include the
 15 signed and completed receipt shall not be counted as a
 16 qualifying contribution.

17 4. An independent candidate qualifies as a
 18 participating candidate for the general election
 19 campaign period when the candidate does both of the
 20 following:

21 a. If, prior to the primary election, the
 22 candidate has met all of the applicable requirements
 23 of this subchapter and filed a declaration with the
 24 board that the candidate has fulfilled and will
 25 fulfill all of the requirements of a participating
 26 candidate as stated in this subchapter.

27 b. If, during the primary election campaign
 28 period, the candidate has fulfilled all the
 29 requirements of a participating candidate as stated in
 30 this subchapter.

31 Sec. ____ . **NEW SECTION. 68A.804 TRANSITION RULE**
 32 **FOR CURRENT ELECTION CYCLE.**

33 During the election cycle in effect on the date of
 34 enactment of this subchapter, a candidate may be
 35 certified as a participating candidate,
 36 notwithstanding the acceptance of contributions or
 37 making of expenditures from private funds before the
 38 date of enactment that would, absent this section,
 39 disqualify the candidate as a participating candidate,

40 provided that any private funds accepted but not
41 expended before the date of enactment of this
42 subchapter shall either be returned to the contributor
43 or submitted to the board for deposit in the
44 voter-owned Iowa clean elections fund established
45 under section 68A.823.
46 Sec. ____ NEW SECTION. 68A.805 CONTINUING
47 OBLIGATION TO COMPLY.
48 A participating candidate who accepts any benefits
49 under section 68A.813 during the primary election
50 campaign period shall comply with all the requirements

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1 of this subchapter through any remaining time during
2 the primary election campaign period as well as
3 through the general election campaign period whether
4 or not the candidate continues to accept benefits.
5 Sec. ____ NEW SECTION. 68A.806 CONTRIBUTIONS AND
6 EXPENDITURES.
7 1. During the primary and general election
8 campaign periods, a participating candidate who has
9 voluntarily agreed to participate in clean election
10 campaign financing shall not accept private
11 contributions from any source other than the
12 candidate's political party as specified in section
13 68A.808.
14 2. A person shall not make a contribution in
15 violation of section 68A.502. A participating
16 candidate who receives a qualifying contribution or a
17 seed money contribution that is not from the person
18 listed on the receipt as required by this subchapter
19 shall pay to the board for deposit in the voter-owned
20 Iowa clean elections fund established under section
21 68A.823 the entire amount of such contribution.
22 3. The board shall issue each participating
23 candidate a card known as the "clean election campaign
24 debit card", and a line of debit entitling the
25 candidate to draw clean election campaign funds to pay
26 for all campaign costs and expenses up to the amount
27 of funding the candidate has received. A
28 participating candidate shall not pay campaign costs
29 by cash, check, money order, loan, or by any other
30 financial means other than debit card. During the
31 primary and general election campaign periods, a
32 participating candidate shall pay by means of the
33 board's clean election campaign debit card.
34 4. Eligible candidates shall furnish complete
35 campaign records, including all records of seed money
36 contributions and qualifying contributions, to the
37 board at regular filing times, or on request by the
38 board. Candidates shall cooperate with any audit or

39 examination conducted or ordered by the board.
 40 Sec.____. **NEW SECTION. 68A.807 NONPARTICIPATING**
 41 **CANDIDATES – CONTRIBUTION LIMITS.**
 42 Nonparticipating candidates shall be subject to the
 43 following contribution limits:
 44 1. Candidates for statewide office:
 45 a. One thousand dollars in the aggregate per
 46 individual contribution.
 47 b. Five thousand dollars in the aggregate per
 48 political committee contribution.
 49 2. Candidates for the Iowa senate and house of
 50 representatives:

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1 a. Five hundred dollars in the aggregate per
 2 individual contribution.
 3 b. One thousand dollars in the aggregate per
 4 political committee contribution.
 5 Sec.____. **NEW SECTION. 68A.808 POLITICAL PARTY**
 6 **CONTRIBUTIONS AND EXPENDITURES.**
 7 1. Participating candidates may accept monetary or
 8 in-kind contributions from political parties provided
 9 that the aggregate amount of such contributions from
 10 all political party committees combined does not
 11 exceed the equivalent of five percent of the clean
 12 election financing amount for that office.
 13 2. In-kind contributions made during a general
 14 election campaign period on behalf of a group of the
 15 party's candidates shall not be considered a
 16 prohibited party contribution or count against the
 17 five percent limit established in subsection 1 if such
 18 group includes at least fifty-one percent of the
 19 candidates whose names will appear on the general
 20 election ballot in the political subdivision
 21 represented by the party committee making such in-kind
 22 contributions.
 23 3. Contributions made to, and expenditures made
 24 by, political parties during primary and general
 25 campaign periods shall be reported to the board on the
 26 same basis as contributions and expenditures made to
 27 or by candidates.
 28 4. This section and this subchapter shall not
 29 prevent political party funds from being used for any
 30 of the following:
 31 a. General operating expenses of the party.
 32 b. Conventions.
 33 c. Nominating and endorsing candidates.
 34 d. Identifying, researching, and developing the
 35 party's positions on issues.
 36 e. Party platform activities.
 37 f. Noncandidate-specific voter registration.

- 38 g. Noncandidate-specific get-out-the-vote drives.
 39 h. Travel expenses for noncandidate party leaders
 40 and staff.
 41 i. Other noncandidate-specific party-building
 42 activities, as defined by rule of the board.
 43 j. Employing a staff person to provide election
 44 services to two or more candidates.
 45 Sec.____. NEW SECTION. 68A.809 USE OF PERSONAL
 46 FUNDS.
 47 1. Personal funds contributed as seed money by a
 48 candidate seeking to become eligible as a
 49 participating candidate or by the candidate's spouse
 50 shall not exceed one hundred dollars per contributor.

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- 1 2. Personal funds shall not be used to meet the
 2 qualifying contribution requirement except for one
 3 five-dollar contribution from the candidate and one
 4 five-dollar contribution from the candidate's spouse.
 5 Sec.____. NEW SECTION. 68A.810 SEED MONEY.
 6 1. The only private contributions a candidate
 7 seeking to become eligible for clean election campaign
 8 funding shall accept, other than qualifying
 9 contributions, are seed money contributions
 10 contributed by individual adults prior to the end of
 11 the clean election qualifying period.
 12 2. A seed money contribution shall not exceed one
 13 hundred dollars, and the aggregate amount of seed
 14 money contributions accepted by a candidate seeking to
 15 become eligible for clean money campaign funding shall
 16 not exceed the relevant limit, as follows:
 17 a. Twenty-five thousand dollars for a candidate
 18 team running for governor and lieutenant governor.
 19 b. Fifteen thousand dollars for a candidate
 20 running for statewide office other than governor or
 21 lieutenant governor. -
 22 c. Two thousand dollars for a candidate running
 23 for the Iowa senate.
 24 d. One thousand dollars for a candidate running
 25 for the Iowa house of representatives.
 26 3. Receipts for seed money contributions shall
 27 include the contributor's signature, printed name,
 28 street address and zip code, telephone number,
 29 occupation, and name of employer. Contributions shall
 30 not be accepted if the required disclosure information
 31 is not received.
 32 4. Seed money shall be spent only during the clean
 33 election qualifying period. Seed money shall not be
 34 spent during the primary or general election campaign
 35 periods.
 36 5. Within forty-eight hours after the close of the

37 clean election qualifying period, candidates seeking
 38 to become eligible for clean election campaign funding
 39 shall do both of the following:

- 40 a. Fully disclose all seed money contributions and
- 41 expenditures to the board.
- 42 b. Turn over to the board for deposit in the
- 43 voter-owned Iowa clean elections fund any seed money
- 44 the candidate has raised during the designated seed
- 45 money period that exceeds the aggregate seed money
- 46 limit.

47 Sec. . NEW SECTION. 68A.811 PARTICIPATION IN
 48 DEBATES.

- 49 1. Participating candidates in contested races
- 50 shall participate in all of the following:

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- 1 a. For the offices of governor and lieutenant
- 2 governor:

- 3 (1) One one-hour debate during a contested primary
- 4 election.
- 5 (2) Two one-hour debates during a contested
- 6 general election.

- 7 b. For all other offices:
- 8 (1) One one-hour debate during a contested primary
- 9 election.
- 10 (2) One one-hour debate during a contested general
- 11 election.

- 12 2. Nonparticipating candidates for the same office
- 13 whose names will appear on the ballot shall be invited
- 14 to join the debates.

15 Sec. . NEW SECTION. 68A.812 CERTIFICATION.

- 16 1: No more than five days after a candidate
- 17 applies for clean election campaign funding benefits,
- 18 the board shall certify that the candidate is or is
- 19 not eligible.

- 20 2. Eligibility can be revoked if the candidate
- 21 violates the requirements of this subchapter, in which
- 22 case all clean election campaign funds shall be
- 23 repaid.

- 24 3. The candidate's request for certification shall
- 25 be signed by the candidate and the treasurer of the
- 26 candidate's committee under penalty of perjury.

- 27 4. The board's determination is final except that
- 28 it is subject to examination and audit by an outside
- 29 agency according to rule and to prompt judicial review
- 30 according to rule and chapter 17A.

31 Sec. . NEW SECTION. 68A.813 BENEFITS PROVIDED
 32 TO CANDIDATES ELIGIBLE TO RECEIVE CLEAN ELECTION
 33 CAMPAIGN FUNDING.

- 34 1. Candidates who qualify for clean election
- 35 campaign funding for primary and general elections

36 shall receive all of the following:

37 a. Clean election campaign funding from the board
38 for each election, the amount of which is specified in
39 section 68A.815. This funding may be used to finance
40 any and all campaign expenses during the particular
41 campaign period for which it was received.

42 b. Additional clean election campaign funding to
43 match any excess expenditure amount spent by a
44 nonparticipating candidate, as specified in section
45 68A.817.

46 c. Additional clean election campaign funding to
47 match any independent expenditure made in opposition
48 to their candidacies or on behalf of their opponents'
49 candidacies, as specified in section 68A.819.

50 d. Additional clean election funding to match any

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1 electioneering communication expenditure, as specified
2 in section 68A.820.

3 2. The maximum aggregate amount of additional
4 funding a participating candidate shall receive to
5 match independent expenditures and the excess
6 expenditures of nonparticipating candidates shall be
7 two hundred percent of the full amount of clean
8 election campaign funding allocated to a participating
9 candidate for a particular primary or general election
10 campaign period.

11 Sec. ____ NEW SECTION. 68A.814 SCHEDULE OF CLEAN
12 ELECTION CAMPAIGN FUNDING PAYMENTS.

13 1. An eligible candidate shall receive clean
14 election campaign funding for the primary election
15 campaign period on the date on which the board
16 certifies the candidate as a participating candidate.
17 This certification shall take place no later than five
18 days after the candidate has submitted the required
19 number of qualifying contributions and a declaration
20 stating that the candidate has complied with all other
21 requirements for eligibility as a participating
22 candidate, but no earlier than the beginning of the
23 primary election campaign period.

24 2. An eligible candidate shall receive clean
25 election campaign funding for the general election
26 campaign period within forty-eight hours after
27 certification of the primary election results.

28 Sec. ____ NEW SECTION. 68A.815 DETERMINATION OF
29 CLEAN ELECTION CAMPAIGN FUNDING AMOUNTS.

30 1. a. For party candidates, the amount of clean
31 election campaign funding for a contested primary
32 election is as follows:

33 (1) Seven hundred fifty thousand dollars for a
34 candidate team running for governor and lieutenant

35 governor.

36 (2) Seventy-five thousand dollars for a candidate
 37 for statewide office other than governor and
 38 lieutenant governor.

39 (3) Twenty-two thousand five hundred dollars for a
 40 candidate running for the Iowa senate.

41 (4) Fifteen thousand dollars for a candidate
 42 running for the Iowa house of representatives.

43 b. The clean election campaign funding amount for
 44 an eligible party candidate in an uncontested primary
 45 election is twenty-five percent of the amount provided
 46 in a contested primary election.

47 c. In a contested general election, if an eligible
 48 party candidate or all of the candidates of the
 49 candidate's party combined received at least twenty
 50 percent of the total number of votes cast for all

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1 candidates seeking that office in the most recent
 2 primary election or in the previous general election,
 3 the candidate shall receive the full amount of clean
 4 election campaign funding for the general election, as
 5 follows:

6 (1) Three million dollars for a candidate team
 7 running for governor and lieutenant governor.

8 (2) Two hundred thousand dollars for a candidate
 9 for statewide office other than governor and
 10 lieutenant governor.

11 (3) Forty thousand dollars for a candidate running
 12 for the Iowa senate.

13 (4) Thirty thousand dollars for a candidate
 14 running for the Iowa house of representatives.

15 d. The clean election campaign funding amount for
 16 an eligible party candidate in an uncontested general
 17 election is ten percent of the amount provided in a
 18 contested general election for the same office.

19 2. a. For eligible independent candidates, the
 20 clean election campaign funding amount for the primary
 21 election campaign period is twenty-five percent of the
 22 amount of clean election funding received by a party
 23 candidate in a contested primary election for the same
 24 office.

25 b. The clean election campaign funding amount for
 26 an eligible independent candidate in the general
 27 election is the same as the full amount received by a
 28 party candidate in the general election for the same
 29 office.

30 c. After the first cycle of clean election fund
 31 elections, the board shall modify all clean election
 32 campaign funding amounts based on the percentage
 33 increase in the consumer price index, for all urban

34 consumers, United States city average, as published in
35 the federal register by the United States department
36 of labor, bureau of labor statistics, that reflects
37 the percentage increase in the consumer price index
38 for the twelve-month period ending December 31 of the
39 previous year.

40 Sec. ____ NEW SECTION. 68A.816 EXPENDITURES MADE
41 WITH CLEAN ELECTION CAMPAIGN FUNDS.

42 1. The clean election campaign funding received by
43 a participating candidate shall be used only for the
44 purpose of defraying that candidate's campaign-related
45 expenses during the particular election campaign
46 period for which the clean election campaign funding
47 was received.

48 2. Payments shall not be used for the following:

- 49 a. Payments that are in violation of the law.
50 b. Payments that repay any personal, family, or

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1 business loans, expenditures, or debts.

2 Sec. ____ NEW SECTION. 68A.817 DISCLOSURE OF
3 EXCESS SPENDING BY NONPARTICIPATING CANDIDATES.

4 1. If a nonparticipating candidate's total
5 expenditures exceed the amount of clean election
6 campaign funding allocated to the candidate's clean
7 election opponent, the candidate shall declare to the
8 board within forty-eight hours every excess
9 expenditure amount that, in the aggregate, is more
10 than one thousand dollars.

11 2. During the last twenty days before the end of
12 the relevant campaign period, a nonparticipating
13 candidate shall declare to the board each excess
14 expenditure amount over five hundred dollars within
15 twenty-four hours of when the expenditure is made or
16 obligated to be made.

17 3. The board may make its own determination as to
18 whether excess expenditures have been made by
19 nonparticipating candidates.

20 4. Upon receiving an excess expenditure
21 declaration, the board shall immediately release
22 additional clean election campaign funding to the
23 opposing participating candidate or candidates equal
24 to the excess expenditure amount the nonparticipating
25 candidate has spent or intends to spend, subject to
26 the limit set forth in section 68A.813.

27 Sec. ____ NEW SECTION. 68A.818 CAMPAIGN
28 ADVERTISEMENTS.

29 All broadcast and print advertisements placed by
30 candidates or candidate's committees shall include a
31 clear written or spoken statement indicating that the
32 candidate has approved of the contents of the

33 advertisement.

34 Sec. . NEW SECTION. 68A.819 DISCLOSURE OF
 35 INDEPENDENT EXPENDITURES – ADDITIONAL CLEAN ELECTION
 36 CAMPAIGN FUNDING.

37 1. Any person or group of persons who makes or
 38 obligates to make an independent expenditure during a
 39 primary or general election campaign period which, in
 40 the aggregate, exceeds one thousand dollars, shall
 41 report each expenditure within forty-eight hours to
 42 the board.

43 2. The report to the board shall include a
 44 statement, under penalty of perjury, by the person or
 45 persons making the independent expenditure identifying
 46 the candidate whom the independent expenditure is
 47 intended to help elect or defeat and affirming that
 48 the expenditure is totally independent and involves no
 49 coordination with a candidate or a political party.

50 a. An individual or organization may file a

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1 complaint with the board if the candidate or the
 2 organization believes that the statement according to
 3 this subsection is false.

4 b. A hearing on a complaint under this subsection
 5 shall be held within three business days of filing and
 6 a decision issued within seven days of filing.

7 3. Any person or group of persons who makes or
 8 obligates to make an independent expenditure during
 9 the last twenty days before the end of the relevant
 10 campaign period which, in the aggregate, exceeds five
 11 hundred dollars, shall report each expenditure within
 12 twenty-four hours to the board.

13 4. Upon receiving a report that an independent
 14 expenditure has been made or obligated to be made, the
 15 board shall immediately release additional clean
 16 election funding, equal in amount to the cost of the
 17 independent expenditure, to all participating
 18 candidates whom the independent expenditure is
 19 intended to oppose or defeat provided that the maximum
 20 aggregate amount of additional funding a participating
 21 candidate shall receive to match independent
 22 expenditures and the excess expenditures of
 23 nonparticipating candidates is no more than two
 24 hundred percent of the full amount of clean election
 25 funding allocated to a participating candidate in that
 26 election.

27 Sec. . NEW SECTION. 68A.820 DEFINITION AND
 28 DISCLOSURE OF ELECTIONEERING COMMUNICATIONS –
 29 ADDITIONAL CLEAN ELECTION CAMPAIGN FUNDING.

30 1. A person who makes or obligates to make a
 31 disbursement to purchase an electioneering

32 communication shall file a report with the board not
33 later than forty-eight hours after making or
34 obligating to make the disbursement, containing the
35 following information:
36 a. The amount of the disbursement.
37 b. The name and address of the person making the
38 disbursement.
39 c. The purpose of the electioneering
40 communication.
41 2. Upon receiving a report that an electioneering
42 communication has been made or obligated to be made,
43 and upon determination that the electioneering
44 communication can reasonably be interpreted as having
45 the effect of promoting the defeat of a participating
46 candidate or the election of that candidate's
47 opponent, the board shall immediately release to that
48 candidate additional clean election funding, equal in
49 amount to the cost of the electioneering
50 communication.

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1 Sec. ____ NEW SECTION. 68A.821 VOTER INFORMATION
2 PROGRAM.

3 1. The board shall establish and administer a
4 nonpartisan voter information program, including an
5 advisory council consisting of representatives of
6 nonprofit organizations, political parties, the media,
7 and interested citizens.

8 2. The voter information program advisory council
9 may establish a voter information program for the
10 purpose of providing voters with election-related
11 information and fostering political dialogue and
12 debate.

13 3. The voter information program advisory council
14 shall organize the publication and distribution of a
15 voter information guide that includes important
16 information about the following issues:

17 a. Candidates appearing on the ballot, including
18 biographical material submitted by the candidates.

19 b. Whether candidates are funding their campaigns
20 with public money or private money.

21 c. Policy statements by the candidates or their
22 political parties on issues designated by the council
23 and other issues.

24 d. Candidates' voting records.

25 Sec. ____ NEW SECTION. 68A.822 DEBATES.

26 1. A nonpartisan organization that is involved in
27 providing information to the public concerning
28 elections, or a nonpartisan organization that has been
29 involved in education and the advocacy of open, clean
30 election and campaign laws for at least five years,

31 may host and sponsor voter-owned Iowa clean election
 32 candidate debates in contested primary and general
 33 elections.

34 2. All participating candidates shall participate
 35 in the debates and all nonparticipating candidates for
 36 the same office whose names will appear on the ballot
 37 shall be invited to join the debates.

38 Sec. ____ NEW SECTION. 68A.823 VOTER-OWNED IOWA
 39 CLEAN ELECTIONS FUND (VOICE) – NATURE AND PURPOSES.

40 1. An voter-owned Iowa clean elections fund is
 41 established as a separate fund within the office of
 42 the state treasurer, under the control of the board,
 43 for the following purposes:

44 a. Providing public financing for the election
 45 campaigns of certified participating candidates during
 46 primary election and general election campaign
 47 periods.

48 b. Paying for the administrative and enforcement
 49 costs of the board in relation to this subchapter.

50 2. The fund shall consist of moneys received

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1 according to section 68A.824. Notwithstanding section
 2 8.33, unencumbered or unobligated moneys and any
 3 interest earned on moneys in the fund on June 30 of
 4 any fiscal year shall not revert to the general fund
 5 of the state but shall remain in the fund and be
 6 available for expenditure in subsequent years.

7 Sec. ____ NEW SECTION. 68A.824 FUNDING.

8 In addition to any moneys appropriated by the
 9 general assembly to the voter-owned Iowa clean
 10 elections fund established in section 68A.823, the
 11 following moneys shall be deposited in the fund:

12 1. The qualifying contributions required of
 13 candidates seeking to become certified as
 14 participating candidates according to section 68A.802
 15 or 68A.803 and candidates' excess qualifying
 16 contributions.

17 2. Moneys deposited with the fund pursuant to
 18 section 68A.610 or section 556.18.

19 3. The excess seed money contributions of
 20 candidates seeking to become certified as
 21 participating candidates.

22 4. Moneys distributed to any participating
 23 candidate who does not remain a candidate until the
 24 primary or general election for which they were
 25 distributed.

26 5. Civil penalties levied by the board against
 27 candidates for violations of this subchapter.

28 6. Voluntary donations made directly to the fund.

29 7. Moneys from unclaimed or abandoned property in

30 the state's custody pursuant to chapter 556.
 31 8. Any other sources of revenue designated by the
 32 general assembly.
 33 Sec.____. NEW SECTION. 68A.825 POWERS AND
 34 PROCEDURES.
 35 The board shall have the following powers and
 36 procedures, in addition to those granted in this
 37 chapter and chapter 68B, when administering this
 38 subchapter:
 39 1. After every primary and general election, the
 40 board may conduct random audits and investigations to
 41 ensure compliance with this subchapter.
 42 2. The subjects of audits and investigations shall
 43 be selected on the basis of impartial criteria
 44 established by a vote of at least four members of the
 45 board.
 46 3. The board may investigate anonymous complaints.
 47 4. The identity of a complainant may be kept
 48 confidential if the complainant states in the
 49 complaint that revealing the identity of the
 50 complainant could reasonably result in disciplinary

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1 action or loss of employment.
 2 5. The board may seek injunctions when all of the
 3 following conditions are met:
 4 a. There is a substantial likelihood that a
 5 violation of this subchapter is occurring or is about
 6 to occur.
 7 b. The failure to act expeditiously will result in
 8 irreparable harm to a party affected by the violation
 9 or potential violation.
 10 c. Expeditious action will not cause undue harm or
 11 prejudice to the interests of others.
 12 d. The public interest would be best served by the
 13 issuance of an injunction.
 14 6. The board may levy civil penalties for
 15 violations of this subchapter. Civil penalties shall
 16 be deposited in the voter-owned Iowa clean elections
 17 fund.
 18 7. The board shall refer criminal violations to
 19 the county attorney or attorney general for
 20 prosecution.
 21 8. The board may participate fully in any actions
 22 filed under this section.
 23 9. The board shall adopt rules pursuant to chapter
 24 17A as necessary to administer this subchapter.
 25 Sec.____. NEW SECTION. 68A.826 CIVIL ACTIONS.
 26 1. A citizen who believes a candidate has violated
 27 this subchapter may pursue a civil action in a court
 28 of relevant jurisdiction, provided that both of the

29 following are true:

30 a. The citizen has previously filed a complaint
31 regarding the same alleged violation with the board.

32 b. The board has failed to make a determination
33 within thirty days of the filing of the complaint.

34 2. A complainant who prevails in a civil action
35 charging a violation of this subchapter shall be
36 entitled to receive reasonable attorney fees and court
37 costs from the defendant.

38 3. If a court in which a civil action has been
39 filed under subsection 1 finds that the complaint in
40 that action was made frivolously or without cause, the
41 court may require the complainant to pay the costs of
42 the board, the court, and the defendant parties.

43 Sec. NEW SECTION. 68A.827 BOARD REPORTS.

44 1. The board shall report to the general assembly
45 after each election cycle.

46 2. The report shall include a detailed summary of
47 all seed money contributions, qualifying
48 contributions, and campaign funding benefits received,
49 and expenditures made, by all participating
50 candidates. The report shall also include a summary

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1 and evaluation of the board's activities and
2 recommendations relating to the implementation,
3 administration, and enforcement of this subchapter.

4 Sec. NEW SECTION. 68A.828 REPAYMENTS OF
5 EXCESS EXPENDITURES.

6 1. If a participating candidate spends or
7 obligates to spend more than the clean election
8 funding the candidate receives, and if such is
9 determined not to be an amount that had or could have
10 been expected to have a significant impact on the
11 outcome of the election, the candidate shall
12 personally repay to the voter-owned Iowa clean
13 elections fund an amount equal to the excess.

14 2. If a participating candidate spends or
15 obligates to spend more than the clean election
16 campaign funding the candidate receives, and if such
17 is determined to be an amount that had or could have
18 been expected to have a significant impact on the
19 outcome of the election, the candidate shall
20 personally repay to the voter-owned Iowa clean
21 elections fund an amount equal to five times the value
22 of the excess.

23 Sec. NEW SECTION. 68A.829 PENALTIES.

24 1. A candidate shall not knowingly accept more
25 benefits than those to which the candidate is
26 entitled, spend more than the amount of clean election
27 campaign funding received, or misuse such campaign

28 funding benefits or clean election campaign funding.
 29 2. If a violation of subsection 1 was intentional
 30 and involved an amount that had or could have been
 31 expected to have a significant impact on the outcome
 32 of the election, the candidate commits an aggravated
 33 misdemeanor.
 34 3. If it is determined that the violation of
 35 subsection 1 was intentional and involved an amount
 36 that had or could have been expected to have a
 37 significant impact on the outcome of the election, and
 38 if, in the judgment of the board, the violation is
 39 believed to have contributed to the violator winning
 40 the election, the board may recommend to the
 41 appropriate authority that proceedings be commenced to
 42 remove the violator from office or to impeach the
 43 violator if applicable.
 44 4. A person shall not provide false information to
 45 the board or conceal or withhold information from the
 46 board. A violation of this subsection is an
 47 aggravated misdemeanor.
 48 5. Each city council, school board, and county
 49 board of supervisors shall have the authority to adopt
 50 and fund a voter-owned Iowa clean elections fund,

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1 consistent with this section, for local government
 2 elections.
 3 Sec.____. Section 422.7, Code 2007, is amended by
 4 adding the following new subsection:
 5 **NEW SUBSECTION. 50.** Subtract, to the extent not
 6 otherwise excluded, up to two hundred dollars of the
 7 amount contributed to the voter-owned Iowa clean
 8 elections fund pursuant to section 68A.824, subsection
 9 6.
 10 Sec.____. Section 422.12E, unnumbered paragraph 1,
 11 Code 2007, is amended to read as follows:
 12 For tax years beginning on or after January 1,
 13 2004, there shall be allowed no more than four income
 14 tax return checkoffs on each income tax return. When
 15 the same four income tax return checkoffs have been
 16 provided on the income tax return for two consecutive
 17 years, the two checkoffs for which the least amount
 18 has been contributed, in the aggregate for the first
 19 tax year and through March 15 of the second tax year,
 20 are repealed. This section does not apply to the
 21 income tax return ~~checkoff~~ checkoffs provided in
 22 section sections 68A.601 and 68A.610.
 23 Sec.____. **NEW SECTION. 422.12K INCOME TAX**
 24 **CHECKOFF FOR VOTER-OWNED IOWA CLEAN ELECTIONS FUND.**
 25 A person who files an individual or a joint income
 26 tax return with the department of revenue under

27 section 422.13 may designate a contribution to the
 28 voter-owned Iowa clean elections fund authorized
 29 pursuant to section 68A.610.
 30 Sec. ____ Section 556.18, subsections 2 and 3,
 31 Code 2007, are amended to read as follows:
 32 2. Before making any deposit to the credit of the
 33 general funds, the state treasurer may deduct:
 34 a. Any costs in connection with sale of abandoned
 35 property.
 36 b. Any costs of mailing and publication in
 37 connection with any abandoned property.
 38 c. Reasonable service charges.
 39 d. Any costs in connection with information on
 40 outstanding state warrants addressed pursuant to
 41 section 556.2C.
 42 e. Ten million dollars to be deposited in the
 43 voter-owned Iowa clean elections fund established in
 44 section 68A.823.
 45 3. The treasurer of state shall annually credit
 46 all moneys received under section 556.4 to the general
 47 fund of the state. Moneys credited to the general
 48 fund of the state pursuant to this subsection are
 49 subject to the requirements of subsections 1 and 2 and
 50 section 8.60. However, if the amount collected under

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1 subsection 2, paragraph "e", does not equal ten
 2 million dollars, the treasurer of state shall annually
 3 pay over an amount received under section 556.4 as
 4 necessary to bring the amount deposited with the
 5 voter-owned Iowa clean elections fund to ten million
 6 dollars.
 7 Sec. ____ SEVERABILITY. The provisions of this
 8 Act are severable as provided in section 4.12.
 9 Sec. ____ EFFECTIVE DATES.
 10 1. The sections of this Act enacting sections
 11 68A.610 and 422.12K and amending sections 422.7 and
 12 556.18 are effective January 1, 2008.
 13 2. The remaining sections of this Act amending
 14 chapter 68A take effect November 3, 2010.
 15 Sec. ____ IMPLEMENTATION OF ACT. Section 25B.2,
 16 subsection 3, shall not apply to this Act."
 17 2. Page 3, line 26, by inserting after the word
 18 "ballots" the following: "and providing for
 19 voter-owned Iowa clean elections, including an income
 20 tax checkoff and exemption, penalties, and effective
 21 dates".

H-2105

1 Amend Senate File 601, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 52, by inserting after line 33 the
4 following:

5 "Sec. ____ Section 422.11S, subsection 1, Code
6 2007, is amended to read as follows:

7 1. The taxes imposed under this division less the
8 credits allowed under sections 422.12 and 422.12B
9 shall be reduced by a school tuition organization and
10 school foundation tax credit equal to sixty-five
11 percent of the amount of the voluntary cash
12 contributions made by the taxpayer during the tax year
13 to a school tuition organization or public school
14 foundation, subject to the total dollar value of the
15 organization's or foundation's tax credit certificates
16 as computed in subsection 7. The tax credit shall be
17 claimed by use of a tax credit certificate as provided
18 in subsection 6.

19 Sec. ____ Section 422.11S, subsection 5, Code
20 2007, is amended by adding the following new
21 paragraph:

22 NEW PARAGRAPH. aa. "Public school foundation"
23 means a charitable organization in this state that is
24 exempt from federal taxation under section 501(c)(3)
25 of the Internal Revenue Code and that does all of the
26 following:

27 (1) Allocates at least ninety percent of its
28 annual revenue in tuition grants for children to allow
29 them to attend a qualified school, as defined in
30 paragraph "b", subparagraph (2), of their parents'
31 choice:

32 (2) Only awards tuition grants to children who
33 reside in Iowa.

34 (3) Provides tuition grants to students without
35 limiting availability to only students of one school.

36 (4) Only provides tuition grants to eligible
37 students.

38 (5) Prepares an annual reviewed financial
39 statement certified by a public accounting firm.

40 Sec. ____ Section 422.11S, subsection 5, paragraph
41 b, Code 2007, is amended to read as follows:

42 b. "Qualified school" means a either of the
43 following:

44 (1) A nonpublic elementary or secondary school in
45 this state which is accredited under section 256.11
46 and adheres to the provisions of the federal Civil
47 Rights Act of 1964 and chapter 216.

48 (2) A public school where at least forty-eight
49 percent of the students qualify for free and reduced
50 price meals under the federal National School Lunch

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1 Act and the federal Child Nutrition Act of 1966, 42
2 U.S.C. § 1751-1785.

3 Sec. ____ Section 422.11S, subsection 5, paragraph
4 c, subparagraph (1), Code 2007, is amended to read as
5 follows:

6 (1) Allocates at least ninety percent of its
7 annual revenue in tuition grants for children to allow
8 them to attend a qualified school, as defined in
9 paragraph "b", subparagraph (1), of their parents'
10 choice.

11 Sec. ____ Section 422.11S, subsection 6, Code
12 2007, is amended to read as follows:

13 6. a. In order for the taxpayer to claim the
14 school tuition organization and school foundation tax
15 credit under subsection 1, a tax credit certificate
16 issued by the school tuition organization or the
17 public school foundation to which the contribution was
18 made shall be attached to the person's tax return.
19 The tax credit certificate shall contain the
20 taxpayer's name, address, tax identification number,
21 the amount of the contribution, the amount of the
22 credit, and other information required by the
23 department.

24 b. The department shall authorize a school tuition
25 organization or the public school foundation to issue
26 tax credit certificates for contributions made to the
27 school tuition organization or the public school
28 foundation. The aggregate amount of tax credit
29 certificates that the department shall authorize for a
30 school tuition organization or the public school
31 foundation for a tax year shall be determined for that
32 organization or foundation pursuant to subsection 7.
33 However, a school tuition organization shall not be
34 authorized to issue tax credit certificates unless the
35 organization is controlled by a board of directors
36 consisting of seven members. The names and addresses
37 of the members shall be provided to the department and
38 shall be made available by the department to the
39 public, notwithstanding any state confidentiality
40 restrictions.

41 c. Pursuant to rules of the department, a school
42 tuition organization or the public school foundation
43 shall initially register with the department. The
44 organization's or foundation's registration shall
45 include proof of section 501(c)(3) status and provide
46 a list of the schools the school tuition organization
47 or the public school foundation serves. Once the
48 school tuition organization or the public school
49 foundation has registered, it is not required to
50 subsequently register unless the schools it serves

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1 changes.

2 d. Each school that is served by a school tuition
3 organization or public school foundation shall submit
4 a participation form annually to the department by
5 October 15 providing the following information:

6 (1) Certified enrollment as of the third Friday of
7 September.

8 (2) The school tuition organization or public
9 school foundation that represents the school. A
10 school shall only be represented by one school tuition
11 organization or public school foundation.

12 Sec.____. Section 422.11S, subsection 7, paragraph
13 a, subparagraph (1), Code 2007, is amended to read as
14 follows:

15 (1) "Certified enrollment" means the enrollment at
16 schools served by school tuition organizations or
17 public school foundations as indicated by
18 participation forms provided to the department each
19 October."

20 2. Page 53, by inserting after line 6 the
21 following:

22 "Sec.____. Section 422.11S, subsection 7,
23 paragraph b, Code 2007, is amended to read as follows:

24 b. Each year by November 15, the department shall
25 authorize school tuition organizations and public
26 school foundations to issue tax credit certificates
27 for the following tax year. ~~However, for the tax year~~
28 ~~beginning in the 2006 calendar year only, the~~
29 ~~department, by September 1, 2006, shall authorize~~
30 ~~school tuition organizations to issue tax credit~~
31 ~~certificates for the 2006 calendar tax year. For the~~
32 ~~tax year beginning in the 2006 calendar year only,~~
33 ~~each school served by a school tuition organization~~
34 ~~shall submit a participation form to the department by~~
35 ~~August 1, 2006, providing the certified enrollment as~~
36 ~~of the third Friday of September 2005, along with the~~
37 ~~school tuition organization that represents the~~
38 ~~school. Tax credit certificates available for issue~~
39 ~~by each school tuition organization and public school~~
40 ~~foundation shall be determined in the following~~
41 manner:

42 (1) Total the certified enrollment of each
43 participating qualified school to arrive at the total
44 participating certified enrollment.

45 (2) Determine the per student tax credit available
46 by dividing the total approved tax credits by the
47 total participating certified enrollment.

48 (3) Multiply the per student tax credit by the
49 total participating certified enrollment of each
50 school tuition organization and each public school

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1 foundation.
 2 Sec.____. Section 422.11S, subsection 8,
 3 unnumbered paragraph 1, Code 2007, are amended to read
 4 as follows:
 5 A school tuition organization or public school
 6 foundation that receives a voluntary cash contribution
 7 pursuant to this section shall report to the
 8 department, on a form prescribed by the department, by
 9 January 12 of each tax year all of the following
 10 information:
 11 Sec.____. Section 422.11S, subsection 8,
 12 paragraphs a and e, Code 2007, are amended to read as
 13 follows:
 14 a. The name and address of the members and the
 15 chairperson of the governing board of the school
 16 tuition organization or public school foundation.
 17 e. The name and address of each represented school
 18 at which tuition grants are currently being utilized,
 19 detailing the number of tuition grant students and the
 20 total dollar value of grants being utilized at each
 21 school served by the school tuition organization or
 22 public school foundation."
 23 3. By renumbering as necessary.

WESSEL-KROESCHELL of Story

H-2106

1 Amend Senate File 601, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 87, by inserting after line 35 the
 4 following:
 5 "Sec.____. Section 137C.28, Code 2007, is amended
 6 to read as follows:
 7 137C.28 PENALTY.
 8 1. A person who violates a provision of ~~the Iowa~~
 9 ~~hotel sanitation code~~ this chapter or rules adopted
 10 pursuant to this chapter shall be guilty of a simple
 11 misdemeanor and subject to a civil penalty of one
 12 hundred dollars for each violation. Each day upon
 13 which a violation occurs constitutes a separate
 14 violation.
 15 2. A person who is issued a violation as a result
 16 of an inspection, a reinspection or a complaint
 17 inspection shall be subject to a civil penalty ranging
 18 from fifty dollars to one thousand dollars for each
 19 violation based on criteria established by rule of the
 20 department.
 21 3. A penalty may be issued by either the
 22 department or by a municipal corporation under

23 agreement with the department pursuant to section
 24 137C.6.
 25 4. Penalties collected by the department shall be
 26 deposited in the general fund of the state. Penalties
 27 collected by a municipal corporation shall be retained
 28 by the municipal corporation for use in regulation of
 29 entities licensed under this chapter."
 30 2. Page 88, by inserting after line 10 the
 31 following:
 32 "Sec. ____ Section 137D.3, Code 2007, is amended
 33 to read as follows:
 34 137D.3 PENALTY.
 35 1. A person who violates a provision of this
 36 ~~chapter, including a standard adopted by departmental~~
 37 ~~rule, or rules adopted pursuant to this chapter~~
 38 relating to home food establishments or prepared foods
 39 created in a home food establishment, is guilty of a
 40 simple misdemeanor and subject to a civil penalty of
 41 one hundred dollars for each violation. Each day that
 42 the violation continues constitutes a separate
 43 offense.
 44 2. A person who is issued a violation as a result
 45 of an inspection, a reinspection, or a complaint
 46 inspection shall be subject to a civil penalty ranging
 47 from fifty dollars to five hundred dollars for each
 48 violation based on criteria established by rule of the
 49 department.
 50 3. A penalty may be issued by either the

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1 department or by a municipal corporation under
 2 agreement with the department.
 3 4. Penalties collected by the department shall be
 4 deposited in the general fund of the state. Penalties
 5 collected by a municipal corporation shall be retained
 6 by the municipal corporation for use in regulation of
 7 entities licensed under this chapter."
 8 3. Page 94, by striking lines 3 through 15 and
 9 inserting the following:
 10 "A food establishment covered by subsections 4 and
 11 5 shall be assessed license fees not to exceed
 12 seventy five percent of the total fees applicable
 13 under both subsections."
 14 4. Page 95, by inserting after line 14 the
 15 following:
 16 "Sec. ____ Section 137F.17, Code 2007, is amended
 17 to read as follows:
 18 137F.17 PENALTY.
 19 1. A person who violates this chapter or rules
 20 adopted pursuant to this chapter shall be subject to a
 21 civil penalty of one hundred dollars for each

22 violation. Each day upon which a violation occurs
23 constitutes a separate violation.

24 2. A person who is issued a violation as a result
25 of an inspection, a reinspection, or a complaint
26 inspection that is considered a critical or swing
27 violation shall be subject to a civil penalty ranging
28 between fifty dollars and one thousand dollars for
29 each violation based on criteria established by rule
30 of the department.

31 3. A penalty may be issued by either the
32 department or by a municipal corporation under
33 agreement with the department pursuant to section
34 137F.3.

35 4. Penalties collected by the department shall be
36 deposited in the general fund of the state. Penalties
37 collected by a municipal corporation shall be retained
38 by the municipal corporation for use in regulation of
39 entities licensed under this chapter."

FORD of Polk

H-2107

1 Amend House File 922 as follows:

2 1. Page 3, by striking lines 14 through 31 and
3 inserting the following:

4 "1. The legislative council is requested to
5 authorize a workgroup to address implementation of the
6 child care registration changes made in this Act and
7 the issues identified in this section. If
8 established, the workgroup should engage participation
9 by representatives of the departments of human
10 services, education, human rights, and public health
11 and the state child care advisory council. The
12 workgroup should complete its deliberations in
13 December 2007 to report to the governor and general
14 assembly for consideration during the 2008 legislative
15 session."

MASCHER of Johnson

H-2108

1 Amend Senate File 601, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 21, by inserting after line 20 the
4 following:

5 "Sec. ____ FOOD INSPECTIONS. There is
6 appropriated from the general fund of the state to the
7 department of inspections and appeals for the fiscal
8 year beginning July 1, 2007, and ending June 30, 2008,
9 the following amount, or so much thereof as is

10 necessary, to be used for the purposes designated:

11 To conduct food inspections at public and private

12 schools and correctional institutions:

13 \$ 500,000"

KAUFMANN of Cedar
ANDERSON of Page

H-2109

1 Amend Senate File 601, as amended, passed, and

2 reprinted by the Senate, as follows:

3 1. Page 44, by inserting after line 26 the

4 following:

5 "Sec. ____ **NEW SECTION. 216A.139 SEX OFFENDER**

6 **TREATMENT AND SUPERVISION TASK FORCE.**

7 1. The division shall establish and maintain a
8 task force to study and make recommendations for
9 treating and supervising sex offenders in correctional
10 institutions, community-based correctional programs,
11 and in the community.

12 2. Members of the task force shall include members
13 of the general assembly selected by the legislative
14 council and representatives of the following:

15 a. One representative from the state department of
16 transportation.

17 b. One representative of the Iowa civil liberties
18 union.

19 c. One representative of the department of human
20 services.

21 d. One representative of the department of public
22 safety.

23 e. One representative of the Iowa state sheriffs'
24 and deputies' association.

25 f. One representative of the Iowa county attorneys
26 association.

27 g. One representative of the department of
28 corrections.

29 h. One representative of the board of parole.

30 i. One representative of a judicial district
31 department of correctional services.

32 j. One representative of the department of
33 justice.

34 k. One representative of the state public
35 defender.

36 l. One representative of the Iowa coalition
37 against sexual assault.

38 m. One representative of the judicial branch.

39 3. The task force shall study the following:

40 a. The effectiveness of electronically monitoring
41 sex offenders.

42 b. The effects and costs of sex offender

43 sentencing laws including the special sentence in
 44 chapter 903B.
 45 c. Risk assessment models created for sex
 46 offenders.
 47 d. Determining the best treatment programs
 48 available for sex offenders and the efforts of Iowa
 49 and other states to implement treatment programs.
 50 e. The efforts of Iowa and other states to prevent

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1 sex-related crimes and child sexual abuse.
 2 f. Any other issues the task force deems necessary
 3 including but not limited to computer and internet
 4 sex-related crimes, the investigation of sex-related
 5 crimes, sex offender case management, best practices
 6 for sex offender supervision, the sex offender
 7 registry, and the effectiveness of safety zones.
 8 4. During the 2007 interim and periodically
 9 thereafter the task force shall study and make
 10 specific recommendations for licensure or
 11 certification standards of sex offender treatment
 12 programs. The specific recommendations shall be part
 13 of any report submitted pursuant to subsection 6.
 14 5. In addition, during the 2007 interim the task
 15 force shall study the federal Adam Walsh Child
 16 Protection and Safety Act of 2006 and compare the Act
 17 with Iowa's sex offender registry laws, and make
 18 recommendations part of any report submitted pursuant
 19 to subsection 6.
 20 6. Beginning on January 15, 2008, and every year
 21 thereafter by January 15, the task force shall report
 22 to the governor and the general assembly the issues
 23 studied, actions taken, and task force
 24 recommendations."
 25 2. Page 59, by inserting after line 4 the
 26 following:
 27 "Sec. ____ 2005 Iowa Acts, chapter 158, section
 28 52, is amended by striking the section."

SWAIM of Davis

H-2113

1 Amend the Senate amendment, H-1701, to House File
 2 844, as passed by the House, as follows:
 3 1. Page 1, by inserting before line 27 the
 4 following:
 5 "Sec. ____ Section 53.8, subsection 1, Code 2007,
 6 is amended to read as follows:
 7 1. a. Upon receipt of an application for an
 8 absentee ballot and immediately after the absentee

9 ballots are printed, the commissioner shall mail an
 10 absentee ballot to the applicant within twenty-four
 11 hours, except as otherwise provided in subsection 3.
 12 The absentee ballot shall be enclosed in an unsealed
 13 envelope bearing a serial number and affidavit. The
 14 absentee ballot and unsealed envelope shall be
 15 enclosed in or with a return carrier envelope marked
 16 postage paid which bears the same serial number as the
 17 unsealed envelope. The return carrier envelope shall
 18 also contain spaces for the printed name and signature
 19 of the voter's designee should the voter designate a
 20 person to return the completed absentee ballot. The
 21 absentee ballot, unsealed envelope, and carrier
 22 envelope shall be enclosed in a third envelope to be
 23 sent to the registered voter. If the ballot cannot be
 24 folded so that all of the votes cast on the ballot
 25 will be hidden, the commissioner shall also enclose a
 26 secrecy envelope with the absentee ballot."

27 2. Page 3, by inserting before line 20 the
 28 following:

29 "____. Page 6, by inserting before line 26 the
 30 following:

31 "Sec.____. APPLICABILITY. The section of this Act
 32 amending section 53.8, subsection 1, applies to return
 33 carrier envelopes purchased on or after July 1,
 34 2007.""

35 3. Page 3, line 26, by inserting after the word
 36 "ballots" the following: "and for the Act's
 37 applicability".

38 4. By renumbering as necessary.

JACOBS of Polk

H-2116

1 Amend Senate File 601, as amended, passed, and
 2 reprinted by the Senate, as follows:

3 1. Page 55, by inserting after line 8, the
 4 following:

5 "Sec.____. Section 459.310, Code 2007, is amended
 6 by adding the following new subsection:

7 NEW SUBSECTION. 6. A confinement feeding
 8 operation structure shall not be constructed or
 9 expanded within the following separation distance from
 10 a geographic location which is identified as an Iowa
 11 great place as provided in section 303.3C, 10,560
 12 feet."

13 2. By renumbering as necessary.

WHITAKER of Van Buren

H-2117

1 Amend the amendment, H-2108, to Senate File 601, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 1, line 11, by striking the words "and
 5 private".

KAUFMANN of Cedar

H-2118

1 Amend the amendment, H-2048, to Senate File 601, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. By striking page 1, line 1, through page 7,
 5 line 6, and inserting the following:
 6 "Amend Senate File 601, as amended, passed, and
 7 reprinted by the Senate, as follows:
 8 ____ Page 55, by striking lines 23 through 30.
 9 ____ Page 56, by striking lines 13 through 19.
 10 ____ By striking page 56, line 26, through page
 11 57, line 6.
 12 ____ Page 59, by inserting after line 10 the
 13 following:

"DIVISION

REGULATION OF ESTRAY AND GAME SWINE

14 Sec. ____ Section 163.2, Code 2007, is amended by
 15 adding the following new subsections:
 16 NEW SUBSECTION. 2A. "Custody or control" means to
 17 keep an animal in an enclosed or confined location, in
 18 a manner that prevents the release or escape of the
 19 animal from the location including but not limited to
 20 keeping the animal for breeding, growing, movement, or
 21 harvesting.
 22 NEW SUBSECTION. 3A. "Estray" means not to be in
 23 the custody or control of a person.
 24 NEW SUBSECTION. 3B. "Game swine" means the same
 25 as defined in section 171.1.
 26 Sec. ____ Section 163.30, subsection 5, unnumbered
 27 paragraph 1, Code 2007, is amended to read as follows:
 28 All swine moved shall be accompanied by a
 29 certificate of veterinary inspection issued by the
 30 state of origin and prepared and signed by a
 31 veterinarian. The certificate shall show the point of
 32 origin, the point of destination, individual
 33 identification, immunization status, and, when
 34 required, any movement permit number assigned to the
 35 shipment by the department. The certificate of
 36 veterinary inspection shall state whether the swine
 37 are game swine, and shall provide any registration
 38 information as required by section 171.4. All such

41 movement of swine shall be completed within
 42 seventy-two hours unless an extension of time for
 43 movement is granted by the department.
 44 Sec. ____ NEW SECTION. 163.32 ESTRAY SWINE.
 45 1. Estray swine are declared to be a public
 46 nuisance and are subject to a policy of eradication as
 47 administered by the department which is the principal
 48 enforcement agency charged with carrying out the
 49 policy.
 50 a. The department of natural resources shall

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1 cooperate with the department of agriculture and land
 2 stewardship in carrying out the policy. The
 3 departments shall periodically consult about how to
 4 most effectively contribute resources and their
 5 respective expertise, and divide jurisdictional
 6 responsibility, including the assignment of
 7 investigative personnel where appropriate. However,
 8 the department of natural resources shall regulate
 9 hunting preserves under chapter 484B, and the
 10 regulation of persons taking animals under Title XI,
 11 subtitle 6.
 12 b. The department of agriculture and land
 13 stewardship shall cooperate with the animal and plant
 14 health inspection service of the United States
 15 department of agriculture, and may enter into
 16 cooperative agreements with the animal and plant
 17 health inspection service in order to carry out the
 18 eradication policy.
 19 2. A person who captures swine which is estray in
 20 another state shall not move that swine into this
 21 state.
 22 Sec. ____ NEW SECTION. 163.61A PENALTY AND
 23 DISCIPLINARY ACTION FOR TAKING ESTRAY SWINE.
 24 1. A person who violates section 163.32 is guilty
 25 of an aggravated misdemeanor. A person is guilty of a
 26 separate offense for each swine which is the subject
 27 of the violation.
 28 2. Upon a person's conviction for violating
 29 section 163.32, the sentencing court may, as part of
 30 the judgment, revoke or suspend a license issued
 31 pursuant to chapter 481A or 483A for a definite period
 32 of time.
 33 Sec. ____ NEW SECTION. 171.1 DEFINITIONS.
 34 As used in this chapter, unless the context
 35 otherwise requires:
 36 1. "Custody or control" means the same as defined
 37 in section 163.2.
 38 2. "Department" means the department of
 39 agriculture and land stewardship.

40 3. "Game swine" means the same as defined in
 41 section 484B.1.
 42 4. "Swine" means an animal belonging to the order
 43 artiodactyla, and classified as part of the family
 44 suidae.
 45 Sec.____. NEW SECTION. 171.2 RULES.
 46 The department may adopt rules pursuant to chapter
 47 17A as necessary to administer this chapter.
 48 Sec.____. NEW SECTION. 171.3 IDENTIFICATION.
 49 A person who has custody or control of game swine.
 50 shall identify the game swine as required by the

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1 department. Game swine shall at least be identified
 2 with a numbered metal ear tag affixed to the game
 3 swine or other method such as installing an electronic
 4 device onto or beneath the hide of the game swine as
 5 prescribed by the department. The game swine must be
 6 identified within ten days following the person's
 7 acquisition of the game swine, including acquisition
 8 by transfer or birth.

9 Sec.____. NEW SECTION. 171.4 GAME SWINE
 10 REGISTRATION SYSTEM.

11 The department of agriculture and land stewardship
 12 shall establish a game swine registration system, in
 13 cooperation with the department of natural resources.

14 1. A person who has custody or control of a game
 15 swine shall register the game swine within ten days
 16 following the person's acquisition of the game swine,
 17 including acquisition by transfer or birth.

18 2. The person required to register game swine as
 19 provided in this section shall provide information
 20 required by the department which shall at least
 21 include all of the following:

22 a. The number, age, and description of the game
 23 swine, including its identification number as provided
 24 in section 171.3.

25 b. The location where the person maintains custody
 26 or control of the game swine.

27 c. The purpose of the person in maintaining
 28 custody or control of the game swine.

29 d. Whether the person has been issued a hunting
 30 preserve operator's license as required in chapter
 31 484B.

32 3. The department shall to every extent feasible
 33 provide for registration using the internet, including
 34 programming, necessary to ensure the convenience,
 35 completeness, and accuracy of the registrations.

36 Sec.____. NEW SECTION. 171.5 GAME SWINE
 37 REGISTRATION FEE.

38 A person required to register game swine as

39 provided in section 171.4 shall remit a registration
 40 fee to the department. The amount of the registration
 41 fee shall not exceed five dollars per head of swine.
 42 The moneys collected by the department under this
 43 section shall be retained as repayment receipts by the
 44 department exclusively to offset the costs of
 45 providing for registrations pursuant to section 171.4.
 46 Sec.____. NEW SECTION. 171.6 HEALTH
 47 REQUIREMENTS.
 48 Game swine shall be free of an infectious or
 49 contagious disease as defined in section 163.2. The
 50 department shall regulate game swine as any other

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1 swine for purposes of preventing, suppressing, and
 2 eradicating an infectious or contagious disease
 3 afflicting swine within the state.
 4 Sec.____. NEW SECTION. 171.7 PENALTY.
 5 A person who violates section 171.3 or 171.4 is
 6 subject to a civil penalty of not more than one
 7 hundred dollars. Penalty moneys shall be deposited
 8 into the general fund of the state.
 9 Sec.____. Section 484B.1, Code 2007, is amended by
 10 adding the following new subsections:
 11 NEW SUBSECTION. 3A. "Estray" means not to be in
 12 the custody or control of a person.
 13 NEW SUBSECTION. 4A. "Game swine" means swine that
 14 are classified as part of the species *sus scrofa*
 15 *linnaeus* which may be commonly known as Russian boar
 16 or European boar, as well as Eurasian wild boar or
 17 Eurasian-domestic stock hybrids, of either sex.
 18 Sec.____. Section 484B.1, subsection 6, Code 2007,
 19 is amended to read as follows:
 20 6. "Livestock" means ~~the same livestock~~ as defined
 21 in section 717.1 other than game swine.
 22 Sec.____. Section 484B.3, Code 2007, is amended by
 23 adding the following new subsection:
 24 NEW SUBSECTION. 3. The department shall regulate
 25 game swine in cooperation with the department of
 26 agriculture and land stewardship as provided in
 27 chapter 171.
 28 Sec.____. Section 484B.4, subsection 2, Code 2007,
 29 is amended by adding the following new paragraph:
 30 NEW PARAGRAPH. f. The person has registered any
 31 game swine to be kept at the hunting preserve with the
 32 department of agriculture and land stewardship as
 33 provided in section 171.4.
 34 Sec.____. Section 484B.5, Code 2007, is amended to
 35 read as follows:
 36 484B.5 BOUNDARIES SIGNED – FENCED.
 37 1. Upon receipt of a hunting preserve license, the

38 licensee shall promptly sign the licensed property
 39 with signs prescribed by the department.
 40 2. a. A licensee holding and releasing ungulates
 41 shall construct and maintain boundary fences
 42 prescribed by the department so as to enclose and
 43 contain all released ungulates and exclude all
 44 ungulates which are property of the state from
 45 becoming a part of the hunting preserve enterprise.
 46 b. A person who begins to keep game swine on or
 47 after the effective date of this Act shall construct
 48 and maintain a fence in compliance with this
 49 paragraph. The fence shall be constructed of twelve
 50 gauge woven wire at least five feet high and topped

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1 with one strand of electrified wire. An additional
 2 two feet of such fencing shall be buried and angled
 3 underground toward the enclosed interior. However,
 4 upon application, the department may waive this
 5 requirement if the department determines that a fence
 6 is to be designed and constructed which provides
 7 equivalent or greater security from escape by game
 8 swine.

9 Sec. ____ **NEW SECTION. 484B.6A ESTRAY GAME**
 10 **SWINE.**

11 A person required to be licensed pursuant to
 12 section 484B.4 shall not allow the game swine to
 13 become estray.

14 Sec. ____ Section 484B.7, subsection 1, Code 2007,
 15 is amended to read as follows:

16 1. Each hunting preserve licensee shall keep the
 17 records and make the reports required on forms
 18 prepared and provided by the department. All records
 19 shall be open for inspection at any reasonable time by
 20 the department or its authorized agents. The
 21 department of agriculture and land stewardship may
 22 inspect records relating to game swine in order to
 23 ensure compliance with chapter 171.

24 Sec. ____ Section 484B.9, Code 2007, is amended to
 25 read as follows:

26 **484B.9 UNGULATE TRANSPORTATION TAGS – MARKINGS.**

27 The department shall prepare transportation tags
 28 suitable for use upon the carcass of ungulates
 29 described in this chapter. The tags shall be used to
 30 designate all ungulates taken by hunters upon a
 31 licensed hunting preserve. The department shall
 32 provide licensees with the tags. All ungulates taken
 33 on a licensed hunting preserve shall be tagged with a
 34 numbered tag prior to being removed from the hunting
 35 preserve. The For game swine, the department shall
 36 provide for tags in cooperation with the department of

37 agriculture and land stewardship as provided in
 38 chapter 171. A hunter shall tag the ungulate taken in
 39 accordance with the rules as determined by the
 40 department. The tag shall remain attached to the
 41 carcass of the dead ungulate until processed for
 42 consumption. The hunter shall be provided with a bill
 43 of sale by the licensee. The bill of sale shall
 44 remain in the possession of the hunter. Ungulate tags
 45 issued to a hunting preserve are not transferable.
 46 Sec.____. Section 484B.12, Code 2007, is amended
 47 to read as follows:
 48 484B.12 HEALTH REQUIREMENTS – UNGULATES.
 49 All ungulates which are purchased, propagated,
 50 confined, released, or sold by a licensed hunting

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1 preserve shall be free of diseases considered
 2 significant for wildlife, poultry, or livestock. The
 3 department of agriculture and land stewardship shall
 4 provide for the regulation of farm deer as provided in
 5 chapter 170, and for the regulation of game swine as
 6 provided in chapter 171.
 7 Sec.____. NEW SECTION. 484B.12A HEALTH AND
 8 MOVEMENT REQUIREMENTS – GAME SWINE.
 9 1. All game swine which are purchased, propagated,
 10 confined, released, or sold by a hunting preserve
 11 required to be licensed under this chapter shall be
 12 free of diseases considered significant for wildlife,
 13 poultry, or livestock. The department of agriculture
 14 and land stewardship shall provide for the regulation
 15 of game swine as any other swine for purposes of
 16 preventing, suppressing, and eradicating an infectious
 17 or contagious disease afflicting swine within the
 18 state.
 19 2. Game swine that are purchased, propagated,
 20 confined, or sold by a hunting preserve shall only be
 21 moved in accordance with rules adopted or orders
 22 issued by the department of agriculture and land
 23 stewardship.
 24 Sec.____. NEW SECTION. 484B.15 CIVIL PENALTIES.
 25 A person who violates section 484B.6A is subject to
 26 a civil penalty of one thousand dollars. Each day
 27 that a violation continues shall be considered a
 28 separate offense. All civil penalties shall be
 29 deposited in the general fund of the state.
 30 Sec.____. NEW SECTION. 484B.16 RESTITUTION.
 31 1. A person required to be licensed pursuant to
 32 section 484B.4 and who keeps game swine shall pay
 33 restitution to the department of natural resources for
 34 damages to the environment and wildlife caused by the
 35 game swine which become estray. The amount of the

36 restitution shall also include the department's
 37 administrative costs for investigating the incident.
 38 2. The department shall adopt rules providing for
 39 procedures for investigations and the administrative
 40 assessment of restitution amounts. The rules shall
 41 establish an opportunity to appeal a departmental
 42 action including by a contested case proceeding under
 43 chapter 17A. A final administrative decision
 44 assessing an amount of restitution may be enforced by
 45 the attorney general at the request of the department.
 46 3. Moneys collected by the department in
 47 restitution shall be deposited into the state fish and
 48 game protection fund. The moneys shall be used
 49 exclusively to support restoration or improvement of
 50 the environment and repopulation of wildlife.

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1 However, moneys collected from restitution paid for
 2 investigative costs shall be used as determined by the
 3 department.
 4 Sec.____. IDENTIFICATION AND REGISTRATION —
 5 COMPLIANCE PERIOD. Notwithstanding sections 171.3 and
 6 171.4, a person required to identify game swine and
 7 register game swine shall have until September 1,
 8 2007, to comply with those sections.
 9 Sec.____. EFFECTIVE DATE. This division of this
 10 Act, being deemed of immediate importance, takes
 11 effect upon enactment."
 12 2. By renumbering as necessary.

WHITAKER of Van Buren

H-2121

1 Amend Senate File 601, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 1, by inserting after line 23 the
 4 following:
 5 "Sec.____. APPROPRIATIONS REDUCED. The amounts
 6 appropriated from the general fund of the state in
 7 enactments made for the fiscal year beginning July 1,
 8 2007, and ending June 30, 2008, and in standing
 9 limited and unlimited appropriations from the general
 10 fund of the state for the fiscal year beginning July
 11 1, 2007, and ending June 30, 2008, are each reduced by
 12 \$10. For an appropriation that is reduced or limited
 13 to a specific amount in this division, the
 14 appropriation reduction required pursuant to this
 15 section shall be applied to the final appropriation
 16 amount. For an appropriation that is allocated for
 17 various purposes, the reduction shall be prorated

- 18 among the various purposes based upon the allocations'
 19 relative proportion of the amount appropriated."
 20 2. By renumbering as necessary.

BAILEY of Hamilton
 D. OLSON of Boone
 HUSER of Polk

QUIRK of Chickasaw
 SCHUELLER of Jackson
 PETTENGILL of Benton

H-2122

- 1 Amend Senate File 601, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 52, by inserting after line 12 the
 4 following:
 5 "Sec. ____ Section 321M.9, subsection 1, Code
 6 2007, is amended to read as follows:
 7 1. FEES TO COUNTIES. Notwithstanding any other
 8 provision in the Code to the contrary, the county
 9 treasurer of any county authorized to issue driver's
 10 licenses under this chapter shall retain for deposit
 11 in the county general fund seven dollars of fees
 12 received pursuant to chapter 321 for each issuance or
 13 renewal of driver's licenses and nonoperator's
 14 identification cards, but shall not retain any moneys
 15 for the issuance of any persons with disabilities
 16 identification devices. The county treasurer shall
 17 remit the balance of fees to the department.
 18 Sec. ____ Section 321M.9, Code 2007, is amended by
 19 adding the following new subsection:
 20 NEW SUBSECTION. 5. ADMINISTRATIVE FEE.
 21 Notwithstanding any other provision, the county
 22 treasurer of a county authorized to issue driver's
 23 licenses under this chapter may charge an
 24 administrative fee of not more than three dollars for
 25 the issuance of a driver's license or nonoperator's
 26 identification card. This amount shall be added to
 27 the total amount of the fee, including any applicable
 28 surcharges, due pursuant to chapter 321. Moneys
 29 collected from administrative fees under this
 30 subsection shall be deposited in the county general
 31 fund.
 32 Sec. ____ Section 331.557A, Code 2007, is amended
 33 by adding the following new subsection:
 34 NEW SUBSECTION. 3A. If authorized by the board,
 35 collect an administrative fee for the issuance of a
 36 driver's license or nonoperator's identification card,
 37 to be retained by the county for deposit in the county
 38 general fund."
 39 2. By renumbering as necessary.

H-2123

1 Amend the Senate amendment, H-2114, to House File
2 911, as amended, passed, and reprinted by the House,
3 as follows:

4 1. Page 3, by inserting after line 3 the
5 following:

6 "____. Page 10, by inserting after line 14 the
7 following:

8 "Of the amount appropriated in this lettered
9 paragraph, \$60,000 shall be allocated for general
10 infrastructure improvements for the Crawford county
11 trail.""

12 2. By renumbering as necessary.

HOFFMAN of Crawford

H-2125

1 Amend Senate File 601, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 39, by striking lines 18 through 23 and
4 inserting the following:

5 "Sec. ____ NEW SECTION. 90B.1 TITLE.

6 This chapter shall be known and may be cited as the
7 "Unarmed Combat Fighting Regulation Act".

8 Sec. ____ NEW SECTION. 90B.2 DEFINITIONS -
9 APPLICABILITY.

10 As used in this chapter, unless the context
11 otherwise requires:

12 1. "Commissioner" means the state commissioner of
13 athletics, who is also the labor commissioner
14 appointed pursuant to section 91.2, or the labor
15 commissioner's designee.

16 2. "Official" means a person who is employed as a
17 referee, judge, timekeeper, or physician for an event.

18 3. "Participant" means a person involved in an
19 unarmed combat fighting event and includes unarmed
20 combat fighters, seconds, managers, and event
21 personnel.

22 4. "Promoter" means a person or business that does
23 at least one of the following:

24 a. Organizes, holds, advertises, or otherwise
25 conducts an unarmed combat fighting event.

26 b. Charges admission for the viewing of a
27 professional unarmed combat fighting event received
28 through a closed-circuit, pay-per-view, or similarly
29 distributed signal.

30 5. "Unarmed combat fighting" means mixed martial
31 arts fighting, extreme fighting, shootfighting, or any
32 other fighting, in which the unarmed combat fighters
33 are permitted to use a combination of combative

34 contact techniques, including punches, kicks, chokes,
35 joint locks, and other maneuvers.

36 This chapter does not apply to the training of
37 unarmed combat fighters.

38 Sec.____. NEW SECTION. 90B.3 COMPETITION
39 REGULATIONS.

40 An unarmed combat fighting event may be allowed if
41 all of the following apply:

42 1. The unarmed combat fighters pass a physical
43 examination prior to the unarmed combat fighting
44 event.

45 2. The licensed promoter and unarmed combat
46 fighters are not under suspension by any other state
47 or sporting regulatory organization.

48 3. The unarmed combat fighting event is held under
49 rules or restrictions that protect the safety of the
50 unarmed combat fighters.

Page 2

1 4. The unarmed combat fighting event is held under
2 the direction and control of an adult referee in the
3 ring who has at least one year of experience in
4 refereeing an event involving a combination of
5 combative techniques and who has passed a physical
6 examination by a licensed physician, including an eye
7 exam, within two years prior to the event.

8 5. The unarmed combat fighting event is held under
9 the medical supervision of a physician licensed
10 pursuant to chapter 148 or 150A who is present at the
11 event.

12 6. The unarmed combat fighting event is held in a
13 manner that will promote maximum safety of the
14 participants and spectators to the extent feasible.

15 Sec.____. NEW SECTION. 90B.4 LICENSE.

16 1. A person shall not act as a promoter as defined
17 in section 90B.2, subsection 4, paragraph "a", without
18 first obtaining a license for each unarmed combat
19 fighting event from the commissioner. This subsection
20 shall not apply to a promoter as defined in section
21 90B.2, subsection 4, paragraph "b", to a person
22 distributing a closed-circuit, pay-per-view, or
23 similarly distributed signal to a person acting as a
24 promoter as defined in section 90B.2, subsection 4,
25 paragraph "b", or to a person viewing the signal in a
26 private residence.

27 2. The license application shall be in the form
28 prescribed by the commissioner and shall contain
29 information that is substantially complete and
30 accurate. Any change in the information provided in
31 the application shall be reported promptly to the
32 commissioner.

- 33 3. a. The application shall be submitted no later
34 than thirty days prior to the intended date of the
35 unarmed combat fighting event. The commissioner shall
36 inform the promoter within seven days after the
37 application is submitted whether or not the
38 commissioner will grant a license for the event.
- 39 b. If a license is not granted, the commissioner
40 shall notify the applicant of the reason or reasons
41 for the denial. If the denial of the license is due
42 to the lack of available state officials to attend the
43 unarmed combat fighting event, the commission shall
44 suggest alternative dates for the unarmed combat
45 fighting event.
- 46 4. Each application for a license shall be
47 accompanied by a surety or cash bond in the sum of
48 five thousand dollars, payable to the state of Iowa,
49 which shall be conditioned upon the payment of the tax
50 and any penalties imposed pursuant to this chapter.

Page 3

- 1 5. Each application for an unarmed combat fighting
2 license presented by a promoter shall be accompanied
3 by a license fee to be set by rule, not to exceed two
4 thousand dollars. Fees collected under this
5 subsection shall be paid into the general fund of the
6 state and are appropriated to the labor commissioner
7 to be used for expenses related to the regulation of
8 unarmed combat fighting in the state.
- 9 Sec. ____. NEW SECTION. 90B.5 UNARMED COMBAT
10 FIGHTER PERMIT.
- 11 1. Each unarmed combat fighter residing or
12 planning to fight in Iowa shall apply to the
13 commissioner for a permit. The permit application
14 shall be in the form prescribed by the commissioner.
15 The permit application shall be submitted no later
16 than fourteen days prior to the intended date of the
17 unarmed combat fighter event.
- 18 2. The commissioner shall establish by rule a
19 permit fee not to exceed one hundred fifty dollars for
20 any unarmed combat fighter seeking to participate in
21 an unarmed combat fighting event held in Iowa. Fees
22 collected under this subsection shall be paid into the
23 general fund of the state and are appropriated to the
24 labor commissioner to be used and distributed for
25 expenses related to the regulation of unarmed combat
26 fighting in the state.
- 27 3. The permit application information required by
28 the commissioner shall include but is not limited to
29 the following:
- 30 a. The unarmed combat fighter's name and address.
31 b. The unarmed combat fighter's gender.

- 32 c. The unarmed combat fighter's date of birth.
 33 d. The unarmed combat fighter's social security
 34 number or, if a foreign unarmed combat fighter, any
 35 similar citizen identification number or professional
 36 unarmed combat fighter number from the country of
 37 residence of the unarmed combat fighter.
 38 e. If an unarmed combat fighter applying to the
 39 commissioner for a permit pursuant to this section has
 40 been assigned a personal identification number by a
 41 professional unarmed combat fighter registry certified
 42 by an unarmed combat fighter association or
 43 commission, the unarmed combat fighter shall submit to
 44 the commissioner the identification number assigned to
 45 the unarmed combat fighter by the registry.
 46 f. Two copies of a recent photograph of the
 47 unarmed combat fighter.
 48 g. An official government-issued photo
 49 identification containing the unarmed combat fighter's
 50 photograph and social security number or similar

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- 1 foreign identification number.
 2 4. The commissioner shall issue a permit to an
 3 unarmed combat fighter pursuant to this section. The
 4 permit shall contain a recent photograph, the unarmed
 5 combat fighter's social security number or similar
 6 foreign identification number, and a personal
 7 identification number assigned to the unarmed combat
 8 fighter if the unarmed combat fighter submitted such a
 9 number to the commissioner in accordance with
 10 subsection 3, paragraph "e".
 11 5. A permit issued pursuant to this section shall
 12 be valid for one year from the date of issue.
 13 Sec. ____ NEW SECTION. 90B.6 EVENT PROMOTER
 14 RESPONSIBILITY.
 15 A licensed promoter, as defined in section 90B.2,
 16 subsection 4, paragraph "a", shall be responsible for
 17 the conduct of all participants at an unarmed combat
 18 fighting event. The commissioner may reprimand,
 19 suspend, deny, or revoke the participation of any
 20 promoter, official, or participant for violations of
 21 rules adopted by the commissioner. Rulings or
 22 decisions of a licensed promoter or an official are
 23 not decisions of the commissioner and are not subject
 24 to procedures under chapter 17A. The commissioner may
 25 take action based upon the rulings or decisions of a
 26 licensed promoter or an official. This section shall
 27 not apply to a promoter as defined in section 90B.2,
 28 subsection 4, paragraph "b".
 29 Sec. ____ NEW SECTION. 90B.7 EMERGENCY LICENSE
 30 SUSPENSIONS.

- 31 1. Notwithstanding the procedural requirements of
 32 chapter 17A, the commissioner may orally suspend a
 33 license, permit, or participation immediately if the
 34 commissioner determines that any of the following have
 35 occurred:
- 36 a. A license or permit was fraudulently or
 37 deceptively obtained.
 - 38 b. The holder of a license or permit fails at any
 39 time to meet the qualifications for issuance.
 - 40 c. A licensed promoter allows an unarmed combat
 41 fighter who has failed to pass a pre-event physical
 42 examination to participate in the unarmed combat
 43 fighting event.
 - 44 d. A licensed promoter allows an unarmed combat
 45 fighter without a permit to participate in an unarmed
 46 combat fighting event.
 - 47 e. A licensed promoter allows a person whose
 48 license, permit, or authority, issued pursuant to this
 49 chapter, is under suspension to participate in an
 50 unarmed combat fighting event.

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- 1 f. A licensed promoter or unarmed combat fighter
 2 is under suspension by any other state or sporting
 3 regulatory organization.
 - 4 g. A licensed promoter or unarmed combat fighter
 5 is under suspension in any state.
 - 6 h. A licensed promoter, unarmed combat fighter, or
 7 participant is in violation of rules adopted pursuant
 8 to section 90B.9.
- 9 2. A written notice of a suspension issued
 10 pursuant to this section shall be given to the person
 11 suspended within seven days of the emergency
 12 suspension. The provisions of chapter 17A shall apply
 13 once the written notice is given.
- 14 Sec. NEW SECTION. 90B.8 SUSPENSIONS,
 15 DENIALS, AND REVOCATIONS.
- 16 1. The commissioner may suspend, deny, revoke,
 17 annul, or withdraw a license, permit, or authority to
 18 participate in an unarmed combat fighting event if any
 19 of the following occur:
 - 20 a. Any of the reasons enumerated in section 90B.7.
 - 21 b. Failure to pay fees and penalties due pursuant
 22 to sections 90B.4, 90B.5, 90B.11, and 90B.12.
- 23 2. The provisions of chapter 17A shall apply to
 24 actions under this section.
- 25 Sec. NEW SECTION. 90B.9 RULES.
- 26 1. The commissioner shall adopt rules, pursuant to
 27 chapter 17A, that the commissioner determines are
 28 reasonably necessary to administer and enforce this
 29 chapter.

30 2. The commissioner may adopt the rules of a
31 recognized national or world unarmed combat fighting
32 organization that sanctions fighting using a
33 combination of combative techniques to regulate events
34 in this state if the organization's rules provide
35 protection to the unarmed combat fighters
36 participating in the events which is equal to or
37 greater than the protections provided by this chapter
38 or by rules adopted pursuant to this chapter.

39 Sec. ____ NEW SECTION. 90B.10 REQUIRED
40 CONDITIONS FOR UNARMED COMBAT FIGHTING EVENTS.

41 An unarmed combat fighter shall not take part in an
42 unarmed combat fighting event unless the unarmed
43 combat fighter has been issued a permit pursuant to
44 section 90B.5 prior to the event. The unarmed combat
45 fighter shall pass a rigorous physical examination to
46 determine the unarmed combat fighter's fitness to
47 engage in any such event within twenty-four hours of
48 the start of the event. The examination shall be
49 conducted by a licensed practicing physician
50 designated or authorized by the commissioner.

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1 Sec. ____ NEW SECTION. 90B.11 WRITTEN REPORT
2 FILED - TAX DUE - PENALTY.

3 1. A licensed promoter shall, within twenty days
4 after an unarmed combat fighting event, furnish to the
5 commissioner a written report stating the number of
6 tickets sold, the gross amount of admission proceeds
7 of the unarmed combat fighting event, and other
8 matters the commissioner may prescribe by rule. The
9 value of complimentary tickets in excess of five
10 percent of the number of tickets sold shall be
11 included in the gross admission receipts. Within
12 twenty days of the event, the licensed promoter shall
13 pay to the treasurer of state a tax of five percent of
14 its total gross receipts, after deducting state sales
15 tax, from the sale of tickets of admission to the
16 unarmed combat fighting event. Fees collected under
17 this subsection shall be paid into the general fund of
18 the state and are appropriated to the labor
19 commissioner to be used and distributed for expenses
20 related to the regulation of unarmed combat fighting
21 in the state.

22 2. If the licensed promoter fails to make a timely
23 report within the time prescribed, or if the report is
24 unsatisfactory to the commissioner, the commissioner
25 may examine or cause to be examined the books and
26 records of the licensed promoter, and subpoena and
27 examine under oath witnesses, for the purpose of
28 determining the total amount of the gross admission

29 receipts for any unarmed combat fighting event and the
30 amount of tax due pursuant to the provisions of this
31 chapter. The commissioner may, as the result of such
32 examination, fix and determine the tax, and may also
33 assess the licensed promoter the reasonable cost of
34 conducting the examination. If a licensed promoter
35 defaults in the payment of any tax due or the costs
36 incurred in making such examination, the licensed
37 promoter shall forfeit to the state the sum of five
38 thousand dollars, which may be recovered by the
39 attorney general pursuant to the bond required under
40 section 90B.4, subsection 4.

41 Sec.____. NEW SECTION. 90B.12 LICENSE PENALTY.

42 A person who acts as a promoter without first
43 obtaining a license commits a serious misdemeanor. In
44 addition to criminal penalties, a licensed promoter
45 shall be liable to the state for the taxes, costs, and
46 penalties pursuant to section 90B.11."

47 2. Page 58, by inserting after line 23 the
48 following:

49 "Sec.____. ADMINISTRATIVE RULES – TRANSITION
50 PROVISION. Any rule, regulation, form, order, or

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1 directive promulgated by the commissioner and in
2 effect on the effective date of the sections of this
3 division of this Act enacting chapter 90B shall
4 continue in full force and effect until amended,
5 repealed, or supplemented by affirmative action of the
6 commissioner under the duties and powers of the
7 sections of this division of this Act enacting chapter
8 90B.

9 Sec.____. UNARMED COMBAT REPORT. The commissioner
10 shall submit a report to the members of the general
11 assembly by January 1, 2009, about the commissioner's
12 ability to effectively regulate unarmed combat
13 fighting in the state under chapter 90B as enacted in
14 this division of this Act and shall include
15 information about the amateur and professional unarmed
16 combat fighting events regulated.

17 Sec.____. EFFECTIVE DATE PROVISIONS.

18 1. Except as provided in subsection 2, the
19 sections of this division of this Act enacting chapter
20 90B take effect September 1, 2007.

21 2. For the purpose of accepting license and permit
22 applications, the sections of this division of this
23 Act enacting sections 90B.4 and 90B.5 take effect
24 August 1, 2007."

25 3. By renumbering as necessary.

H-2127

- 1 Amend Senate File 601, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 57, by inserting after line 35 the
 4 following:
 5 "Sec.____. ENERGY-EFFICIENT STUDY. The office of
 6 energy independence, if enacted by the Eighty-second
 7 General Assembly, 2007 Session, shall in cooperation
 8 with the department of public safety and the
 9 department of natural resources and in consultation
 10 with industry stakeholders conduct a study of green
 11 building and energy-efficient standards. The study
 12 shall be completed by January 1, 2008, and shall
 13 include the following:
 14 1. Definition of green building standards,
 15 including building design, construction, maintenance
 16 techniques, building materials, and equipment
 17 promoting energy efficiency, energy conservation,
 18 utilization of renewable energy, and technology which
 19 can be applied to the construction and maintenance of
 20 new structures or rehabilitation of existing
 21 structures.
 22 2. Development of performance objectives for green
 23 buildings.
 24 3. Development of green building energy-efficient
 25 design standards and the scope of their application,
 26 and integration of energy-efficient design standards
 27 into the state building code adopted pursuant to
 28 chapter 103A and local building regulations.
 29 4. Development of training materials for building
 30 code officials in energy-efficient design standards."

REICHERT of Muscatine

H-2128

- 1 Amend Senate File 601, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 55, by inserting after line 22 the
 4 following:
 5 "Sec.____. Section 476C.3, subsection 3, Code
 6 2007, is amended to read as follows:
 7 3. A facility that is not operational within
 8 ~~thirty~~ eighteen months after issuance of an approval
 9 for the facility by the board shall cease to be an
 10 eligible renewable energy facility. However, a ~~wind~~
 11 ~~energy conversion~~ facility that is approved as
 12 eligible under this section but is not operational
 13 within eighteen months due to the unavailability of
 14 necessary equipment shall be granted an ~~additional~~
 15 ~~twelve months~~ extension until December 31, 2008, to

16 become operational. A facility that is granted and
 17 thereafter loses approval may reapply to the board for
 18 a new determination.

19 Sec. _____. Section 476C.5, Code 2007, is amended to
 20 read as follows:

21 476C.5 CERTIFICATE ISSUANCE PERIOD.

22 A producer or purchaser of renewable energy may
 23 receive renewable energy tax credit certificates for a
 24 ten-year period for each eligible renewable energy
 25 facility under this chapter. The ten-year period for
 26 issuance of the tax credit certificates begins with
 27 the date the purchaser of renewable energy first
 28 purchases electricity, hydrogen fuel, methane gas or
 29 other biogas used to generate electricity, or heat for
 30 commercial purposes from the eligible renewable energy
 31 facility for which a tax credit is issued under this
 32 chapter. However, the ten-year period for issuance of
 33 the tax credit certificate for a wind energy
 34 conversion facility begins when the wind energy
 35 conversion facility is operational. Renewable energy
 36 tax credit certificates shall not be issued for
 37 renewable energy purchased after December 31, 2021."

38 2. By renumbering as necessary.

REICHERT of Muscatine
 MAY of Dickinson
 D. OLSON of Boone
 DAVITT of Warren

H-2129

1 Amend Senate File 601, as amended, passed, and
 2 reprinted by the Senate, as follows:

3 1. Page 10, line 12, by inserting after the word
 4 "positions:" the following: "administrator of the
 5 state racing and gaming commission of the department
 6 of inspections and appeals,".

7 2. By striking page 16, line 32, through page 17,
 8 line 31.

QUIRK of Chickasaw

H-2130

1 Amend Senate File 601, as amended, passed, and
 2 reprinted by the Senate, as follows:

3 1. Page 30, by striking lines 18 through 20 and
 4 inserting the following: "~~Notwithstanding the~~
 5 ~~allocation requirements in subsection 5, the board may~~
 6 ~~make a multiyear commitment to an applicant of up to~~
 7 ~~four million dollars in any one fiscal year."~~

WATTS of Dallas

H-2131

- 1 Amend Senate File 601, as amended, passed, and
 2 reprinted by the Senate, as follows:
- 3 1. Page 30, line 7, by striking the word "seven"
 4 and inserting the following: "~~seven~~ five".
- 5 2. Page 30, line 9, by striking the word "seven"
 6 and inserting the following: "~~seven~~ five".
- 7 3. Page 30, line 11, by striking the word "seven"
 8 and inserting the following: "~~seven~~ five".
- 9 4. Page 30, line 13, by striking the word "seven"
 10 and inserting the following: "five".
- 11 5. Page 30, line 15, by striking the word "seven"
 12 and inserting the following: "five".
- 13 6. Page 30, line 17, by striking the word "seven"
 14 and inserting the following: "five".

WATTS of Dallas

H-2136

- 1 Amend the amendment, H-2029, to House Concurrent
 2 Resolution 10, as follows:
- 3 1. Page 1, line 6, by inserting after the word
 4 "association," the following: "the Iowa broadcast
 5 news association,".

KUHN of Floyd

H-2140

- 1 Amend Senate File 488, as amended, passed, and
 2 reprinted by the Senate, as follows:
- 3 1. Page 1, by inserting before line 1 the
 4 following:
- 5 "Section 1. Section 412.1, Code 2007, is amended
 6 to read as follows:
- 7 412.1 AUTHORITY TO ESTABLISH SYSTEM.
- 8 The council, board of waterworks trustees, or other
 9 board or commission, whichever is authorized by law to
 10 manage and operate any municipally owned waterworks
 11 system, or other municipally owned and operated public
 12 utility, may establish a pension and annuity
 13 retirement system for the employees of any such
 14 waterworks system, or other municipally owned and
 15 operated public utility. However, if a council, board
 16 of waterworks trustees or other board or commission
 17 has established a pension and annuity retirement
 18 system for its employees pursuant to this section
 19 which is in operation as of January 1, 2007, the
 20 council, board of waterworks, or other board or
 21 commission shall not dissolve the pension system and

- 22 shall continue to offer the pension system to its
 23 employees."
 24 2. Page 1, by striking lines 2 through 9 and
 25 inserting the following: "amended by striking the
 26 subsection.
 27 Sec.____. EFFECTIVE DATE – RETROACTIVE
 28 APPLICABILITY. This Act, being deemed of immediate
 29 importance, takes effect upon enactment and is
 30 retroactively applicable to January 1, 2007, and is
 31 applicable on and after that date."
 32 3. Title page, line 1, by striking the words
 33 "assessments for funding of".
 34 4. Title page, line 2, by inserting after the
 35 word "systems" the following: "and including an
 36 effective date and retroactive applicability
 37 provision".
 38 5. By renumbering as necessary.

T. TAYLOR of Linn

H-2141

1 Amend the amendment, H-2139, to Senate File 601, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:

4 1. By striking page 4, line 47, through page 5,
 5 line 10, and inserting the following:
 6 "Sec.____. 2007 Iowa Acts, House File 874, section
 7 1, subsection 1, paragraph b, unnumbered paragraph 1,
 8 if enacted, is amended to read as follows:

9 For the payment of utility costs:
 10 \$ 3,822,105
 11 3,787,105

12 Sec.____. 2007 Iowa Acts, House File 874, section
 13 9, subsection 2, if enacted, is amended to read as
 14 follows:

15 2. TERRACE HILL QUARTERS

16 For salaries, support, maintenance, and
 17 miscellaneous purposes for the governor's quarters at
 18 Terrace Hill, and for not more than the following
 19 full-time equivalent positions:

20 \$ 466,310
 21 401,310
 22 FTEs 10.00""

HUNTER of Polk

RESOLUTIONS ADOPTED

Resolutions adopted during the Eighty-second General Assembly,
2007 Session, not otherwise printed in the House Journal.

1 House Concurrent Resolution 4
2 By Smith
3 (Companion To LSB 1686SS By Ragan)
4 A concurrent resolution calling upon Iowans to observe
5 Iowa Family Development and Self-Sufficiency Week.
6 *Whereas*, the Iowa Family Development and
7 Self-Sufficiency (FaDSS) program began in 1989,
8 following passage of legislation in 1988 to assist
9 low-income families participating in the Family
10 Investment Program (FIP) to achieve self-sufficiency;
11 and
12 *Whereas*, more than 40,000 Iowans have participated
13 in FaDSS and received developmental services to
14 improve their lives; and
15 *Whereas*, the families enrolled in FaDSS are
16 supported in overcoming multiple barriers that would
17 otherwise perpetuate poverty and the success of
18 parents in the program has improved their lives and
19 the lives of their children; and
20 *Whereas*, for each dollar appropriated to FaDSS in
21 FY 2005-2006, \$1.39 was returned to the state in the
22 form of wages and savings to FIP; and
23 *Whereas*, the average monthly income for the
24 families enrolled in FaDSS in FY 2004-2005 increased
25 by more than 45 percent from the average prior to
26 enrollment; and
27 *Whereas*, more than 75 percent of the families who
28 completed FaDSS in FY 2004-2005 were able to avoid
29 reenrolling in FIP one year later; and
30 *Whereas*, the causes and conditions of poverty are

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1 complex and all citizens of Iowa benefit if the state
2 can successfully reduce the number of families living
3 in poverty; *Now Therefore*,
4 *Be It Resolved By The House Of Representatives, The*
5 *Senate Concurring*, That the General Assembly calls
6 upon Iowans to observe Iowa Family Development and
7 Self-Sufficiency Week, January 15 through 21, 2007,
8 with appropriate programs, ceremonies, and activities.

HCR 4 filed January 10, 2007; adopted January 16, 2007.

1 House Concurrent Resolution 9
2 By McCarthy and Rants

3 A concurrent resolution relating to Pioneer Lawmakers.

4 *Whereas*, The Eighty-second General Assembly is
5 advised of a meeting of the Pioneer Lawmakers
6 Association to be held on Wednesday, April 11, 2007;
7 and

8 *Whereas*, The Pioneer Lawmakers request the
9 opportunity to meet formally with the General
10 Assembly; *Now, Therefore*

11 *Be It Resolved By The House Of Representatives The*
12 *Senate Concurring*, That the General Assembly meet in
13 joint session in the House Chamber on Wednesday, April
14 11, 2007, at 2:00 p.m. and that the Pioneer Lawmakers
15 be invited to attend and present a program on that
16 occasion, and that the Speaker of the House of
17 Representatives and the President of the Senate be
18 designated to deliver the invitation to them.

HCR 9 filed April 9, 2007; House adopted April 9, 2007.

1 House Resolution 6

2 By Shomshor, Drake, Forristall,
3 Anderson, Struyk, and Windschitl

4 A resolution honoring Iowa Western Community College's
5 women's volleyball team for winning the Division I
6 National Junior College Athletic Association
7 volleyball tournament.

8 *Whereas*, the Iowa Western Community College women's
9 volleyball team took the name and embodies the spirit
10 of the Reivers, those bold Scot raiders long
11 celebrated in ballad and myth; and

12 *Whereas*, at the National Junior College Athletic
13 Association volleyball tournament in West Plains,
14 Missouri, the Reivers captured the 2006 national
15 championship title, besting number one ranked Western
16 Nebraska; and

17 *Whereas*, that victory gave the Reivers a phenomenal
18 season of 60 wins and four losses, with all 60 wins
19 coming in sweeps; and

20 *Whereas*, the championship brought special
21 recognition to a number of team members, with
22 sophomore Luciana Rapach being named the tournament's
23 most valuable player, freshmen Juliana Paz and Rachel
24 Green named to the all-tournament team, and Coach
25 Terry Gamble named coach of the year by the American
26 Volleyball Coaches Association; and

27 *Whereas*, Juliana Paz also shattered all of the Iowa
28 Western kill records in 2006, finishing with 1,017 for
29 the season, and was recognized by the National Junior
30 College Athletic Association as an All-American and by

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1 the American Volleyball Coaches Association as "The
2 Player of the Year"; *Now Therefore,*
3 *Be It Resolved By The House Of Representatives,*
4 That the House of Representatives honors the members
5 of the Iowa Western Community College women's
6 volleyball team: Jaclyn Carnago, Rachel Green, Julia
7 Kenealy, Alicia Runge, Kelli Fiedler, Michaela
8 McElroy, Luciana Rapach, Stephanie Svoboda, Brianne
9 Tapley, Alyssa Reich, Kerley Becker, Gabby
10 Pfannenstiel, Cindy Blatt, Juliana Paz, Coach Terry
11 Gamble, and Assistant Coach Becky Verespej for
12 capturing the championship in the 2006 National Junior
13 College Athletic Association volleyball tournament.

HR 6 filed January 25, 2007; House adopted January 25, 2007.

1 House Resolution 7
2 By McCarthy and Rants
3 A resolution to commemorate the twentieth anniversary
4 of the World Food Prize.
5 *Whereas,* Dr. Norman E. Borlaug, winner of the Nobel
6 Peace Prize in 1970 for his work in world agriculture,
7 envisioned a prize that would honor those who have
8 made significant and measurable contributions to
9 improving the world's food supply; and
10 *Whereas,* that dream became a reality in 1986 with
11 the creation of the World Food Prize, now celebrating
12 its twentieth anniversary; and
13 *Whereas,* the prize is the foremost international
14 award for achievements that significantly increase the
15 quality, quantity, or availability of food in the
16 world; and
17 *Whereas,* in two decades the World Food Prize has
18 honored outstanding individuals throughout the world,
19 from Bangladesh, Brazil, China, Cuba, Denmark, India,
20 Mexico, Sierra Leone, Switzerland, the United Kingdom,
21 the United States, and the United Nations; and
22 *Whereas,* in 1990, Des Moines businessman,
23 philanthropist, and visionary John Ruan assumed
24 sponsorship of the prize and established the World
25 Food Prize Foundation to ensure its future, and now
26 his son, John Ruan III, has succeeded his father as
27 chairman of the World Food Prize; and
28 *Whereas,* the World Food Prize Laureate Award
29 Ceremony has in recent years been held in the
30 magnificent nineteenth century Iowa State Capitol in a

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1 ceremony that rivals that of the Nobel Prize; *Now*
2 *Therefore,*
3 *Be It Resolved By The House Of Representatives,*
4 That the House of Representatives celebrates the
5 twentieth anniversary of the World Food Prize and
6 applauds Dr. Norman E. Borlaug for his vision and
7 dedication in making the World Food Prize a reality,
8 as well as John Ruan and John Ruan III for their
9 philanthropy and ongoing efforts in making the prize a
10 truly major world event.

HR 7 filed January 29, 2007; House adopted January 29, 2007.

1 House Resolution 10
2 By Ford, Berry, Abdul-Samad, McCarthy,
3 H. Miller, Hunter, T. Taylor, Jochum,
4 Smith, Wise, Foege, D. Taylor, Cohoon,
5 Murphy, Whitaker, Mertz, Reichert,
6 Gaskill, Lykam, Dandekar, Wendt, Bell,
7 Bukta, Frevert, Heddens, Pettengill,
8 Kressig, Lensing, Winkler, Staed,
9 Mascher, Reasoner, Bailey, Palmer,
10 Huser, Davitt, D. Olson, Oldson,
11 Jacoby, Schueller, T. Olson, Wenthe,
12 Kelley, Quirk, Petersen, Shomshor,
13 Gayman, Swaim, Kuhn, Paulsen, Struyk,
14 Raecker, Anderson, and Rants
15 A resolution honoring the National Bar Association
16 for over eight decades of service to the cause of
17 civil rights and equal justice for all.
18 *Whereas,* the State of Iowa played an important role
19 in the early civil rights movement when, in 1925, the
20 National Bar Association was organized in Des Moines,
21 Iowa; and
22 *Whereas,* the founding members of the National Bar
23 Association were James B. Morris, attorney, editor and
24 publisher of the Iowa Bystander; Gertrude Durden Rush,
25 first African-American woman attorney in Iowa; Samuel
26 J. Brown, first African-American Phi Beta Kappa
27 inductee and first African-American graduate of the
28 University of Iowa Law School, attorney and founder of
29 the Des Moines branch of the National Association for
30 the Advancement of Colored People; Charles P. Howard,

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1 attorney and founder of the National Negro Publishers
2 Association; and George H. Woodson, first
3 African-American attorney to practice in Iowa, first

4 African-American nominated as a candidate for state
5 representative to the Iowa General Assembly, and the
6 National Bar Association's first president; and

7 *Whereas*, at that time 120 African-American
8 attorneys were members of the organization, at a time
9 when there were fewer than 1,000 African-American
10 attorneys in the nation; and

11 *Whereas*, from those early years the National Bar
12 Association has grown to 84 affiliate chapters in the
13 United States, with affiliates in several countries,
14 representing a professional network of over 40,000
15 lawyers, judges, educators, and law students; and

16 *Whereas*, the credo of the National Bar Association
17 is to advance the science of jurisprudence; improve
18 the administration of justice; preserve the
19 independence of the judiciary and to uphold the honor
20 and integrity of the legal profession; to promote
21 professional and social intercourse among the members
22 of the American and the international bars; to promote
23 legislation that will improve the economic condition
24 of all American citizens, regardless of race, sex or
25 creed in their efforts to secure a free and
26 untrammled use of the franchise guaranteed by the
27 Constitution of the United States; and to protect the
28 civil and political rights of the citizens and
29 residents of the United States; and

30 *Whereas*, the National Bar Association is the

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1 nation's oldest and largest national association
2 representing African-American lawyers and jurists; and
3 *Whereas*, for over 80 years the National Bar
4 Association has led the fight in defense of the rights
5 of African-Americans and poor people everywhere,
6 supporting civil rights, the pro bono legal movement,
7 providing legal assistance to needy individuals, and
8 supporting equal opportunity and voting rights; and

9 *Whereas*, in August 2006, Mr. Linnes Finney, Jr. was
10 inaugurated as the 64th President of the National Bar
11 Association, capping a distinguished legal career as a
12 litigator, arbitrator, and public speaker; and

13 *Whereas*, Mr. Finney, Jr., together with Drake
14 University Law School Dean David Walker, will on
15 February 1, 2007, bestow to the Drake University Law
16 School the papers of the National Bar Association, for
17 archival and research purposes; *Now Therefore*,

18 *Be It Resolved By The House Of Representatives*,
19 That the House of Representatives honors the National
20 Bar Association for its commitment to the cause of
21 civil rights and equal justice and for over eight
22 decades of tireless work for African-Americans, the

23 poor, and the disenfranchised in this country and
24 around the world.

HR 10 filed February 1, 2007; House adopted February 1, 2007.

1 House Resolution 11
2 By Rants, Greiner, Van Fossen, Upmeyer, and Alons
3 A resolution to recognize and honor Representative Dolores
4 Mertz on her appointment as National Chairman of the
5 Board of Directors of the American Legislative Exchange
6 Council.
7 *Whereas*, in 1973 the American Legislative Exchange
8 Council (ALEC) was created as a nonpartisan membership
9 association supporting limited government, free
10 markets, federalism, and individual freedom; and
11 *Whereas*, over more than 25 years ALEC-sponsored
12 task forces have developed policy covering virtually
13 every responsibility of state government; and
14 *Whereas*, a long-time member of ALEC, Representative
15 Dolores Mertz has shown her leadership and guidance by
16 bringing significant health and welfare reform issues
17 to ALEC as its Health and Human Services Task Force
18 Chair; and
19 *Whereas*, in 1999 Representative Mertz was first
20 elected as a member of the Board of Directors of ALEC
21 and later served as first Vice Chairman; and
22 *Whereas*, Representative Mertz has now been
23 appointed the National Chairman of the Board of
24 Directors of the American Legislative Exchange
25 Council; *Now Therefore*,
26 *Be It Resolved By The House Of Representatives*,
27 That the House of Representatives congratulates and
28 honors one of its own, Dolores Mertz, for her years of
29 service with the American Legislative Exchange Council
30 and for her well-deserved appointment as chairman of

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1 that organization.

HR 11 filed February 1, 2007; House adopted February 19, 2007.

1 House Resolution 13
2 By McCarthy and Rants
3 A resolution designating February 6, 2007, as Iowa Insurance
4 Day.
5 *Whereas*, the Iowa insurance industry, through its
6 employees and agents, has contributed significantly to
7 the economic growth and strength of this state and our
8 nation; and

9 *Whereas*, Iowans benefit greatly from the financial
10 protections provided by the Iowa insurance industry
11 through the provision of mechanisms to insure the
12 health, life, property, and retirement income of
13 Iowans; and
14 *Whereas*, 208 insurance companies are headquartered
15 in Iowa, including 63 property and casualty companies,
16 25 life insurance companies, eight health insurance
17 companies, and over 100 state and county mutual
18 insurance companies; and
19 *Whereas*, more than 42,000 Iowans work in Iowa's
20 insurance industry, with the Iowa insurance industry's
21 employment growth rate increasing 3.5 percent faster
22 than the employment growth rate in the rest of the
23 state for the past 18 years; and
24 *Whereas*, over 30,000 agents and brokers represent
25 the Iowa insurance industry in every county of the
26 state; and
27 *Whereas*, the yearly Iowa insurance industry payroll
28 for its Iowa employees exceeds \$2 billion, which
29 accounts for 5.5 percent of the total private sector
30 payroll in Iowa; and

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1 *Whereas*, Iowa's insurance industry currently
2 accounts for 5 percent of the gross state product,
3 with more than \$5.5 billion in annual economic
4 activity in Iowa; *Now Therefore*,
5 *Be It Resolved By The House Of Representatives*,
6 That the Iowa House of Representatives designates the
7 day of February 6, 2007, as Iowa Insurance Day and
8 invites the citizens of Iowa to discover and honor the
9 important economic contributions made by the Iowa
10 insurance industry.

HR 13 filed February 5, 2007; House adopted February 6, 2007.

1 House Resolution 14
2 By May, Bailey, Quirk, Chambers,
3 Tymeson, Alons, and Kaufmann
4 A resolution supporting the Fisher House Foundation in
5 its efforts to assist families of injured military
6 members and veterans.
7 *Whereas*, Fisher Houses are homes built and donated
8 by the Fisher House Foundation to provide a temporary
9 residence for families of patients receiving medical
10 care at major military and veterans administration
11 (VA) medical centers; and
12 *Whereas*, there are currently 35 Fisher Houses
13 located on 18 military installations and eight VA

14 medical centers; and
15 *Whereas*, since the inception of the program in
16 1990, Fisher Houses have provided more than 2 million
17 days of lodging to more than 100,000 families of
18 injured military members and veterans; and
19 *Whereas*, the Fisher House Foundation is a
20 not-for-profit organization that relies upon private
21 and public support to construct and maintain Fisher
22 Houses; *Now Therefore*,
23 *Be It Resolved By The House Of Representatives*,
24 That the House of Representatives expresses its
25 support for the work done by the Fisher House
26 Foundation in providing needed assistance to families
27 of injured military members and veterans and urges all
28 Iowans to support the foundation.

HR 14 filed February 6, 2007; House adopted February 13, 2007.

1 House Resolution 15
2 By Smith
3 A resolution honoring the contributions made by
4 Stephen J. Frese in researching and writing about the
5 history of Iowa and its people.
6 *Whereas*, on June 16, 2006, Stephen J. Frese
7 received the National History Day David Van Tassel
8 Founders Award for his historical paper entitled,
9 "From Emancipation to Equality: Alexander Clark's
10 Stand for Civil Rights in Iowa"; and
11 *Whereas*, by writing about Alexander Clark, Stephen
12 J. Frese has recorded and preserved the contribution
13 of this great Iowan, who served as the first
14 Ambassador to Liberia; and
15 *Whereas*, Stephen J. Frese received the award while
16 a junior attending Marshalltown High School and was
17 selected over 2,000 nationwide high school applicants
18 in this competition; and
19 *Whereas*, Stephen J. Frese received this award as
20 the culmination of his five-year effort in the
21 National History Day Program, after previously
22 receiving one silver and four gold medals; and
23 *Whereas*, Stephen J. Frese has always focused his
24 historical writings on the history of Iowa and often
25 on little-known Iowa history; and
26 *Whereas*, Stephen J. Frese has contributed articles
27 to publications including History Teacher Journal,
28 Iowa Heritage Illustrated, and History Channel
29 Magazine; *Now Therefore*,
30 *Be It Resolved By The House Of Representatives*,

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- 1 That the House of Representatives congratulates
- 2 Stephen J. Frese on receiving the National History Day
- 3 David Van Tassel Founders Award and honors this young
- 4 Iowan, in whom this state takes great pride, and
- 5 expresses that honor and pride with the passage of
- 6 this resolution.

HR 15 filed February 6, 2007; House adopted February 8, 2007.

- 1 House Resolution 18
- 2 By Tymeson and Smith
- 3 A resolution honoring the memory of John Wayne on the
- 4 100th anniversary of his birth.
- 5 *Whereas*, Marion Robert Morrison was born May 26,
- 6 1907, in Winterset, Iowa; and
- 7 *Whereas*, while a student at the University of
- 8 Southern California, cowboy actor Tom Mix got young
- 9 Marion a summer job as a prop man at a film studio,
- 10 where he began acting in a few bit parts under the
- 11 name "John Wayne"; and
- 12 *Whereas*, over the next 50 years John Wayne became a
- 13 cinematic legend, starring in 152 movies; and
- 14 *Whereas*, more than a movie star, John Wayne
- 15 typified the best in American character, a quiet man
- 16 of strength, without guile, greed, or bluster; and
- 17 *Whereas*, John Wayne can best be summed up in the
- 18 words of former President Jimmy Carter, who said: "In
- 19 an age of few heroes, he was the genuine article.";
- 20 and
- 21 *Whereas*, in 1979, in recognition of his
- 22 "distinguished career as an actor and his service to
- 23 the nation", John Wayne was awarded the Congressional
- 24 Gold Medal, joining such luminaries as George
- 25 Washington, Charles Lindbergh, and Jonas Salk; and
- 26 *Whereas*, the legacy of John Wayne remains, through
- 27 the good works of the John Wayne Cancer Foundation and
- 28 Cancer Institute; and
- 29 *Whereas*, the city of Winterset, Iowa, will hold a
- 30 gala centennial May 25 through May 27, 2007; *Now*

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- 1 *Therefore*,
- 2 *Be It Resolved By The House Of Representatives*,
- 3 That the House of Representatives honors the memory of
- 4 this great American and encourages all Iowans to
- 5 participate in the Winterset celebrations.

HR 18 filed February 9, 2007; House adopted April 23, 2007.

1 House Resolution 21

2 By Ford, Berry, Abdul-Samad, and H. Miller

3 A resolution designating February 2007 as Black History
4 Month.5 *Whereas*, Black History Month in the United States
6 dates back to 1926, based upon the efforts of Dr.7 Carter G. Woodson, a Harvard-educated scholar
8 descended from slave parents; and9 *Whereas*, Black History Month is traditionally
10 observed in February of each year; and11 *Whereas*, Black History Month is designated to
12 recognize and pay tribute to many African-Americans
13 long neglected by society and the history books; and14 *Whereas*, Black History Month aims to bridge the gap
15 created by American history's failure to accurately
16 acknowledge, portray, and record the contributions of
17 Blacks in society; and18 *Whereas*, Black History Month acknowledges the
19 achievements of Blacks in the military, the arts,
20 civil rights, education, entertainment, history, law,
21 literature, medicine, music, politics, science,
22 sports, and other areas; and23 *Whereas*, the African-American population in Iowa
24 has grown from 1.4 percent of the state population in
25 1980 to 2.3 percent in 2004, and is projected to grow
26 to 3.5 percent of the state population by 2030; and27 *Whereas*, African-Americans in Iowa are increasingly
28 assuming leadership roles in law, medicine,

29 government, education, the arts, and other areas; and

30 *Whereas*, four African-Americans are currently

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1 serving in the House of Representatives, the largest
2 number of African-Americans ever in the House; *Now*
3 *Therefore*,4 *Be It Resolved By The House Of Representatives*,5 That the House of Representatives designates February
6 2007 as Black History Month and encourages schools,

7 community leaders, religious leaders, and all Iowans

8 to take this opportunity to discover the history of

9 African-Americans in Iowa, from George Washington

10 Carver to James B. Morris to Simon Estes, and to learn

11 about the contributions African-Americans continue to

12 make to Iowa's economic and cultural well-being.

HR 21 filed February 15, 2007; House adopted February 15, 2007.

1 House Resolution 22

2 By Winckler

3 A resolution designating March 2007 as Iowa Women's

4 History Month.

5 *Whereas*, Iowa women of every race, class, and
6 ethnic background have made historic contributions to
7 the growth and strength of our state and nation in
8 countless recorded and unrecorded ways, including
9 through the struggle for women's rights; and

10 *Whereas*, Iowa women have played and continue to
11 play a critical economic, cultural, and social role by
12 constituting a significant portion of the labor force
13 working inside and outside the home despite being
14 underpaid; and

15 *Whereas*, Iowa women were particularly important in
16 the establishment of early charitable, philanthropic,
17 and cultural institutions in our state and nation; and

18 *Whereas*, Iowa women and men ratified the amendment
19 to the Iowa Constitution, declaring that "All men and
20 women are, by nature, free and equal, and have certain
21 inalienable rights"; and

22 *Whereas*, Iowa women have been leaders in the
23 abolitionist movement, the emancipation movement, the
24 industrial labor movement, the civil rights movement,
25 the peace movement, and the women's suffrage movement,
26 which created a more fair and just society for all;
27 and

28 *Whereas*, despite these contributions, and those of
29 women throughout the world, the role of women has been
30 consistently overlooked and undervalued, in the

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1 literature, teaching, and study of history; *Now*

2 *Therefore*,

3 *Be It Resolved By The House Of Representatives*,

4 That the House of Representatives designates the month
5 of March 2007 as Iowa Women's History Month and
6 invites the citizens of Iowa to continue to uncover,
7 recognize, and honor the roles women have played
8 throughout history.

HR 22 filed February 15, 2007; House adopted April 11, 2007.

1 House Resolution 25

2 By Raecker, Abdul-Samad, Alons,

3 Anderson, Arnold, Bailey, Baudler, Bell, Berry,

4 Boal, Bukta, Chambers, Clute, Cohoon, Dandekar,

5 Davitt, De Boef, Deyoe, Dolecheck, Drake, Foege,

6 Ford, Forristall, Frevert, Gaskill, Gayman, Gipp,

7 Granzow, Grassley, Greiner, Heaton, Heddens,

8 Hoffman, Horbach, Hunter, Huseman, Huser, Jacobs,

9 Jacoby, Jochum, Kaufmann, Kelley, Kressig, Kuhn,

10 Lensing, Lukan, Lykam, Mascher, May, McCarthy,

11 Mertz, H. Miller, L. Miller, Murphy, Oldson,
12 D. Olson, R. Olson, S. Olson, T. Olson, Palmer,
13 Paulsen, Petersen, Pettengill, Quirk, Rants,
14 Rasmussen, Rayhons, Reasoner, Reichert, Roberts,
15 Sands, Schickel, Schueller, Shomshor, Smith,
16 Soderberg, Staed, Struyk, Swaim, D. Taylor,
17 T. Taylor, Thomas, Tjepkes, Tomenga, Tymeson,
18 Upmeyer, Van Engelenhoven, Van Fossen, Watts,
19 Wendt, Wenthe, Wessel-Kroeschell, Whitaker,
20 Whitead, Wiencek, Winckler, Windschitl, Wise,
21 Worthan, and Zirkelbach
22 A resolution honoring the life and accomplishments of
23 Gerald Rudolph Ford, thirty-eighth President of the United
24 States of America.
25 *Whereas*, Gerald Rudolph Ford was born on July 14,
26 1913, and grew to manhood in Grand Rapids, Michigan,
27 where he was a star on the state champion South High
28 School Trojans football team; and
29 *Whereas*, Mr. Ford first entered politics in 1931,
30 losing a race for president of his senior high school .

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1 class on the Progressive ticket, but would not lose
2 another election until 45 years later; and
3 *Whereas*, Mr. Ford went on to win a scholarship to
4 the University of Michigan at Ann Arbor, where he
5 worked as a dishwasher to help pay for his room and
6 board; and
7 *Whereas*, Mr. Ford later attended Yale Law School
8 and earned an LL.B. degree in 1941; and
9 *Whereas*, Mr. Ford joined the United States Naval
10 Reserves in 1942 and served his country honorably
11 during World War II; and
12 *Whereas*, in 1948, Mr. Ford easily won his first
13 term in the United States House of Representatives and
14 never received less than 60 percent of the vote during
15 a quarter-century as the Representative from
16 Michigan's Fifth District; and
17 *Whereas*, Mr. Ford served with great distinction in
18 Congress, in particular through his service on the
19 Defense Appropriations Subcommittee and as a member of
20 the Warren Commission, which investigated the
21 assassination of President John F. Kennedy; and
22 *Whereas*, in 1965, Mr. Ford was selected as Minority
23 Leader of the House of Representatives, a position he
24 held for eight years; and
25 *Whereas*, in December 1973, Mr. Ford was appointed
26 Vice President of the United States and a scant eight
27 months later was sworn in as President of the United
28 States on August 9, 1974; and
29 *Whereas*, in the two-and-one-half years of his

30 presidency, Mr. Ford presided over the end of the

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1 American involvement in Vietnam, helped mediate a
2 cease-fire agreement between Israel and Egypt, signed
3 the Helsinki human rights convention with the Soviet
4 Union and traveled to Vladivostok in the Soviet Far
5 East to sign an arms limitation agreement with the
6 Soviet president, and sent the Marines to free the
7 crew of the Mayaguez, a merchant ship seized by North
8 Korea; and

9 *Whereas*, perhaps the greatest service to the
10 American people by President Ford was ably summed up
11 in the words of President George W. Bush:

12 "For a nation that needed healing, and for an
13 office that needed a calm and steady hand, Gerald Ford
14 came along when we needed him most. During his time
15 in office, the American people came to know President
16 Ford as a man of complete integrity who led our
17 country with common sense and kind instincts."; and

18 *Whereas*, Mr. Ford was the archetype of the best in
19 public life, an example of modesty, civility, and
20 dedication that others should seek to follow; and

21 *Whereas*, after a life filled with accomplishment
22 and dedicated public service, Gerald Rudolph Ford died
23 at the age of 93; *Now Therefore*,

24 *Be It Resolved By The House Of Representatives*,
25 That the members of the House of Representatives note
26 with sorrow the passing of President Gerald Rudolph
27 Ford, and express their deep appreciation for
28 President Ford's outstanding and important service to
29 this nation; and

30 *Be It Further Resolved*, That the House of

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1 Representatives directs the Chief Clerk of the House
2 of Representatives to deliver a copy of this
3 resolution to the House of Representatives of the
4 United States Congress and to former First Lady Betty
5 Ford.

HR 25 filed February 21, 2007; House adopted February 22, 2007.

1 House Resolution 31
2 By Lykam, Abdul-Samad, Alons, Anderson, Arnold,
3 Bailey, Baudler, Bell, Berry, Boal, Bukta,
4 Chambers, Clute, Cohoon, Dandekar, Davitt,
5 De Boef, Deyoe, Dolecheck, Drake, Foege,
6 Ford, Forristall, Frevert, Gaskill, Gayman,

7 Gipp, Granzow, Grassley, Greiner, Heaton,
8 Heddens, Hoffman, Horbach, Hunter, Huseman,
9 Huser, Jacobs, Jacoby, Jochum, Kaufmann,
10 Kelley, Kressig, Kuhn, Lensing, Lukan,
11 Mascher, May, Mertz, H. Miller,
12 L. Miller, Oldson, D. Olson, R. Olson,
13 S. Olson, T. Olson, Palmer, Paulsen,
14 Petersen, Pettengill, Quirk, Raecker, Rants,
15 Rasmussen, Rayhons, Reasoner, Reichert,
16 Roberts, Sands, Schickel, Schueller,
17 Shomshor, Smith, Soderberg, Staed, Struyk,
18 Swaim, D. Taylor, T. Taylor, Thomas, Tjepkes,
19 Tomenga, Tymeson, Upmeyer, Van Engelenhoven,
20 Van Fossen, Watts, Wendt, Wenthe,
21 Wessel-Kroeschell, Whitaker, Whitead,
22 Wienczek, Winckler, Windschitl, Wise, and Worthan
23 A resolution honoring Iowan Eugene Ely, a pioneer in
24 Naval aviation.
25 *Whereas*, Eugene Ely was a pioneer of Naval aviation
26 in the early twentieth century; and
27 *Whereas*, Mr. Ely was born in Iowa County, Iowa, on
28 October 21, 1886, and moved to Davenport, Iowa, at
29 nine years of age; and
30 *Whereas*, on November 14, 1910, he was the first

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1 aviator to successfully launch from a Navy ship, the
2 U.S.S. Birmingham, at Hampton Roads, Virginia; and
3 *Whereas*, on January 18, 1911, Mr. Ely was the first
4 aviator to successfully land on a Navy ship, the
5 U.S.S. Pennsylvania, near San Francisco Bay, off the
6 coast of California; and
7 *Whereas*, Eugene Ely was killed during an expedition
8 flight in Macon, Georgia, at the age of 25 on October
9 19, 1911, and is buried one-half mile from his
10 birthplace in Iowa County; and
11 *Whereas*, on February 16, 1933, President Herbert
12 Hoover posthumously presented him with the
13 Distinguished Flying Cross in honor of his feats; and
14 *Whereas*, the United States Post Office issued a
15 commemorative plaque to the city of Williamsburg,
16 Iowa, which was prepared by the Naval Air Station of
17 Norfolk, VA; and
18 *Whereas*, the 100th Anniversary of his first launch
19 and his first landing will be November 14, 2010, and
20 January 18, 2011, respectively; and
21 *Whereas*, Eugene Ely is worthy of having the next
22 aircraft carrier named after him by naming the
23 aircraft carrier "Eugene Ely" and a commemorative
24 stamp should be issued by the United States Postal
25 Service; *Now Therefore*,

26 *Be It Resolved By The House Of Representatives,*
 27 That the House of Representatives urges the United
 28 States Department of Defense to name the next aircraft
 29 carrier the "Eugene Ely" and requests the United
 30 States Postal Service to issue a commemorative stamp

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1 in honor of Mr. Ely; and
 2 *Be It Further Resolved,* That the Chief Clerk of the
 3 House of Representatives is directed to deliver a
 4 suitable copy of this Resolution to the United States
 5 Secretary of Defense and the Postmaster General of the
 6 United States.

HR 31 filed March 22, 2007; House adopted March 27, 2007.

1 House Resolution 32
 2 By Kuhn
 3 A resolution commemorating the life and service of
 4 Command Sergeant Major Galen Kittleson of Toeterville,
 5 Iowa.
 6 *Whereas,* Iowa and the nation lost a remarkable man
 7 on May 4, 2006, with the passing of Command Sergeant
 8 Major Galen Kittleson; and
 9 *Whereas,* Command Sergeant Major Kittleson is
 10 remembered as a warrior, a liberator, and a patriot;
 11 and
 12 *Whereas,* Command Sergeant Major Kittleson's
 13 military service spanned four decades and active
 14 participation in World War II, Korea, and Vietnam; and
 15 *Whereas,* Command Sergeant Major Kittleson was the
 16 only person to serve as an Alamo Scout in World War II
 17 and later as a Green Beret; and
 18 *Whereas,* Command Sergeant Major Kittleson received
 19 three Silver Stars, three Bronze Stars, and the Purple
 20 Heart; and
 21 *Whereas,* Command Sergeant Major Kittleson helped
 22 free 511 prisoners who were on the Bataan Death March
 23 in the Philippines during World War II; and
 24 *Whereas,* Command Sergeant Major Kittleson formed
 25 the Boy Scout troop the Alamo Scouts of St. Ansgar,
 26 Iowa, in 1982, naming the unit after the group that
 27 was the forerunner to the U.S. Army Special Forces;
 28 and
 29 *Whereas,* unlike the old barracks ballad where "old
 30 soldiers never die, they just fade away", the life,

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1 exploits, and service of Command Sergeant Major

2 Kittleson will be remembered for generations to come;
3 and
4 *Whereas*, the life of Command Sergeant Major
5 Kittleson can be summed up in the words of his son who
6 said: "A poor farmer's son from Iowa, Kittleson
7 traveled far from his roots, finding courage and
8 faith. And in doing so he earned the love of his
9 family and the respect and gratitude of a nation.";
10 and
11 *Whereas*, Command Sergeant Major Kittleson was the
12 subject of Charles W. Sasser's book, "Raider"; *Now*
13 *Therefore*,
14 *Be It Resolved By The House Of Representatives*,
15 That the House of Representatives notes with sorrow
16 the passing of Command Sergeant Major Galen Kittleson
17 and honors his decades of dedicated service to his
18 community, his country, and his family.

HR 32 filed March 27, 2007; House adopted April 24, 2007.

1 House Resolution 34
2 By McCarthy and Rants
3 A resolution to thank the men and women who worked so
4 long and so hard to restore electricity to Iowans
5 throughout the state.
6 *Whereas*, between February 24 and March 2, 2007, one
7 of the worst winter storms in recent memory came to
8 Iowa with a vengeance; a sudden ice storm left over
9 260,000 Iowans without power, followed by a blizzard
10 bringing 18 inches of snow in some areas and howling
11 winds that piled drifts four to six feet deep; and
12 *Whereas*, the wind and ice combined to seriously
13 damage Iowa's electrical grid; and
14 *Whereas*, the toll was staggering: 250 miles of
15 transmission lines down or damaged, 1,000 distribution
16 lines damaged, and thousands of utility poles and
17 structures destroyed; and
18 *Whereas*, against this looming disaster the men and
19 women of Iowa's investor-owned utility companies,
20 rural electric cooperatives, and municipal utility
21 providers and those of other states came forward by
22 the thousands, along with members of the Iowa National
23 Guard, the Homeland Security and Emergency Management
24 Division of the Department of Public Defense, and the
25 American Red Cross; and
26 *Whereas*, working around-the-clock in daunting
27 weather conditions, where white-outs, ice, high winds,
28 and closed roads hampered every effort, these
29 dedicated crews had largely restored service by early
30 March and averted a crisis; *Now Therefore*,

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1 *Be It Resolved By The House Of Representatives,*
 2 That the House of Representatives, with great respect,
 3 conveys its thanks to those men and women from Iowa,
 4 the Midwest, and other states who came forward and
 5 took charge in a time of crisis, and through their
 6 tireless efforts brought light, heat, and comfort back
 7 to hundreds of thousands of Iowans.

HR 34 filed March 28, 2007; House adopted March 28, 2007.

1 House Resolution 35
 2 By Alons, Abdul-Samad, Anderson, Arnold,
 3 Baudler, Bell, Berry, Boal, Bukta, Chambers,
 4 Clute, Cohoon, Dandekar, Davitt, De Boef,
 5 Deyoe, Dolecheck, Drake, Foege, Ford, Forristall,
 6 Frevert, Gaskill, Gayman, Gipp, Granzow,
 7 Grassley, Greiner, Heaton, Heddens, Hoffman,
 8 Horbach, Hunter, Jacobs, Jacoby, Jochum,
 9 Kaufmann, Kelley, Kressig, Kuhn, Lensing,
 10 Lukan, Lykam, Mascher, May, McCarthy, Mertz,
 11 H. Miller, L. Miller, Murphy, Oldson, D. Olson,
 12 R. Olson, S. Olson, T. Olson, Palmer, Paulsen,
 13 Petersen, Quirk, Raecker, Rants, Rasmussen,
 14 Rayhons, Reasoner, Reichert, Roberts, Sands,
 15 Schickel, Schueller, Shomshor, Smith, Soderberg,
 16 Staed, Struyk, Swaim, D. Taylor, T. Taylor,
 17 Thomas, Tjepkes, Tomenga, Tymeson, Upmeyer,
 18 Van Engelenhoven, Van Fossen, Watts, Wendt,
 19 Wenthe, Wessel-Kroeschell, Whitaker, Whitead,
 20 Wienczek, Winckler, Windschitl, Wise, Worthan,
 21 Pettengill, Bailey, Huseman, and Huser
 22 A resolution to honor the service of the 185th Air
 23 Refueling Wing of the Iowa Air National Guard.
 24 *Whereas*, the Iowa Air National Guard located in
 25 America's heartland at Sioux Gateway Airport in Sioux
 26 City, Iowa, houses the 185th Air Refueling Wing, which
 27 was originally established in December 1946 as the
 28 174th Fighter Squadron and later the 185th Fighter
 29 Wing; and
 30 *Whereas*, in 2003, the 185th Fighter Wing was

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1 redesignated the 185th Air Refueling Wing, flying
 2 KC-135E refueling tankers; and
 3 *Whereas*, after a half century of dedicated service
 4 and numerous citations and commendations, the 185th
 5 has once again been recognized for its outstanding
 6 performance; and

7 *Whereas*, the 185th has recently earned a rating of
8 "excellent" in its first major operational readiness
9 inspection since it converted from a fighter wing to a
10 tanker unit; and

11 *Whereas*, in January 2007, the 185th sent three
12 KC-135 tanker jets, five crews, and about 200 other
13 members of the guard to join forces with the 186th Air
14 Refueling Wing from Meridian, Mississippi; and

15 *Whereas*, in the inspection conducted at Gulfport,
16 Mississippi, Colonel John Almind, team chief for the
17 Inspector General Team stated: "The 185th ARW team
18 exhibited extraordinary leadership during an
19 exceptionally difficult time-compressed scenario,
20 successfully recovering the base from simulated
21 attacks, while continuing to generate and fly missions
22 . . . It was obvious that the 185th Air Refueling Wing
23 thoroughly prepared for this mission."; and

24 *Whereas*, grades were given in four major areas:
25 initial response, employment, mission support, and
26 ability to survive and operate; those grades were then
27 rolled into the overall grade of excellent the 185th
28 received; *Now Therefore*,

29 *Be It Resolved By The House Of Representatives*,
30 That the House of Representatives, on behalf of all

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1 Iowans, congratulates the men and women of the 185th
2 Air Refueling Wing of the Iowa Air National Guard and
3 their commander Colonel John Janson for 50 years of
4 dedicated service and honors them for their
5 outstanding efforts in achieving a rating of
6 "excellent" in the Wing's recent operational readiness
7 inspection.

HR 35 filed March 29, 2007; House adopted April 3, 2007.

1 House Resolution 36

2 By Alons, Abdul-Samad, Anderson, Arnold,
3 Baudler, Bell, Berry, Boal, Bukta, Chambers,
4 Clute, Cohoon, Dandekar, Davitt, De Boef,
5 Deyoe, Dolecheck, Drake, Foege, Ford, Forristall,
6 Frevert, Gaskill, Gayman, Gipp, Granzow,
7 Grassley, Greiner, Heaton, Heddens, Hoffman,
8 Horbach, Hunter, Jacobs, Jacoby, Jochum,
9 Kaufmann, Kelley, Kressig, Kuhn, Lensing,
10 Lukan, Lykam, Mascher, May, McCarthy, Mertz,
11 H. Miller, L. Miller, Murphy, Oldson, D. Olson,
12 R. Olson, S. Olson, T. Olson, Palmer, Paulsen,
13 Petersen, Quirk, Raecker, Rants, Rasmussen,
14 Rayhons, Reasoner, Reichert, Roberts, Sands,

15 Schickel, Schueller, Shomshor, Smith, Soderberg,
16 Staed, Struyk, Swaim, D. Taylor, T. Taylor,
17 Thomas, Tjepkes, Tomenga, Tymeson, Upmeyer,
18 Van Engelenhoven, Van Fossen, Watts, Wendt,
19 Wenthe, Wessel-Kroeschell, Whitaker, Whitead,
20 Wiencek, Winckler, Windschitl, Wise, Worthan,
21 Pettengill, Bailey, Huseman, and Huser
22 A resolution honoring the 132nd Fighter Wing of the
23 Iowa Air National Guard.
24 *Whereas*, the 132nd Fighter Wing of the Iowa Air
25 National Guard, stationed in Des Moines, Iowa,
26 distinguished itself by exceptionally meritorious
27 service during the period from September 1, 2004, to
28 August 31, 2006; and
29 *Whereas*, during this period the 132nd Fighter Wing
30 earned superlative ratings on its operational

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1 readiness inspection from the Air Combat Command
2 Inspector General Team, with seventy-three percent of
3 the graded areas rated either outstanding or
4 excellent, resulting in an overall rating of
5 excellent, the best of any Air National Guard or Air
6 Force Reserve fighter unit during the past six years;
7 and
8 *Whereas*, 378 members of the Wing voluntarily
9 deployed for both aviation and expeditionary combat
10 support duties, and all of the tasked missions were
11 flown, providing invaluable support to coalition
12 ground forces; and
13 *Whereas*, members of all of the Wing's mission
14 support organizations have continued to supply
15 critical expertise in diverse disciplines in support
16 of the Global War on Terrorism; and
17 *Whereas*, the Wing accomplished an Air National
18 Guard first when it was selected as the 2006 Red Flag
19 core unit – its superior performance was heralded by
20 the Red Flag staff as "setting a new standard" for
21 future units; and
22 *Whereas*, in recognition of its ongoing dedication
23 to duty and its service to America, the 132nd Fighter
24 Wing has been awarded the United States Air Force
25 Outstanding Unit Award; and
26 *Whereas*, this award, created in 1954, is a
27 decoration of the United States Air Force awarded to
28 any command of the United States Air Force, including
29 a Reserve and Air National Guard command, which
30 performs exceptionally meritorious service,

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1 accomplishes specific acts of outstanding achievement,
 2 excels in combat operations against an armed enemy of
 3 the United States, or conducts with distinction
 4 military operations involving conflict with, or
 5 exposure to, a hostile action by any opposing foreign
 6 force; *Now Therefore,*
 7 *Be It Resolved By The House Of Representatives,*
 8 That the House of Representatives honors the men and
 9 women of the 132nd Fighter Wing of the Iowa Air
 10 National Guard on receiving the Outstanding Unit Award
 11 for their dedicated service to Iowa and the nation.

HR 36 filed March 29, 2007; House adopted April 3, 2007.

House Resolution 37

2 By Alons, Abdul-Samad, Anderson, Arnold,
 3 Baudler, Bell, Berry, Boal, Bukta, Chambers,
 4 Clute, Cohoon, Dandekar, Davitt, De Boef,
 5 Deyoe, Dolecheck, Drake, Foege, Ford, Forristall,
 6 Frevert, Gaskill, Gayman, Gipp, Granzow,
 7 Grassley, Greiner, Heaton, Heddens, Hoffman,
 8 Horbach, Hunter, Jacobs, Jacoby, Jochum,
 9 Kaufmann, Kelley, Kressig, Kuhn, Lensing,
 10 Lukan, Lykam, Mascher, May, McCarthy, Mertz,
 11 H. Miller, L. Miller, Murphy, Oldson, D. Olson,
 12 R. Olson, S. Olson, T. Olson, Palmer, Paulsen,
 13 Petersen, Quirk, Raecker, Rants, Rasmussen,
 14 Rayhons, Reasoner, Reichert, Roberts, Sands,
 15 Schickel, Schueller, Shomshor, Smith, Soderberg,
 16 Staed, Struyk, Swaim, D. Taylor, T. Taylor,
 17 Thomas, Tjepkes, Tomenga, Tymeson, Upmeyer,
 18 Van Engelenhoven, Van Fossen, Watts, Wendt,
 19 Wenthe, Wessel-Kroeschell, Whitaker, Whitead,
 20 Wienczek, Winckler, Windschitl, Wise, Worthan,
 21 Pettengill, Bailey, Huseman, and Huser
 22 A resolution honoring the 133rd Test Squadron of the
 23 Iowa Air National Guard for its ongoing role in the
 24 Global War on Terror.
 25 *Whereas,* the 133rd Test Squadron of the Iowa Air
 26 National Guard stationed in Fort Dodge, Iowa, is the
 27 only command and control test squadron in the United
 28 States Air Force; and
 29 *Whereas,* the 133rd is chartered with ensuring that
 30 all air force and joint military systems are being

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1 thoroughly tested prior to being delivered to the
 2 war-fighters as system upgrades and modernization of

3 command and control systems; and
4 *Whereas*, the 133rd consists of 32 full-time
5 technicians and 100 traditional guardsmen for a total
6 132 personnel; and
7 *Whereas*, since the tragedy of 9/11, unit personnel
8 have volunteered to complete 2,100 man-days in support
9 of various deployments related to the Global War on
10 Terror; and
11 *Whereas*, services provided by the 133rd include:
12 providing specialized hands-on training for newly
13 designed command and control centers around the world
14 ensuring maximum user ease and proficiency in waging
15 the Global War on Terror; providing data link support
16 for newly developed NORAD systems ensuring the
17 exchange of data between the United States and our
18 Canadian allies is correct; successful development and
19 implementation of the battlefield universal gateway
20 equipment in North Africa and nonorganic radar access
21 in Iraq and Afghanistan, allowing all coalition ground
22 troops to interface with each other and airborne
23 assets; preventing any instances of fratricide; and
24 solving complex radar data sharing problems which
25 resulted in a safe, secure, and successful G8 Summit
26 in 2004 allowing world leaders to discuss current
27 worldwide problems and solutions free from the threat
28 of terrorism; and
29 *Whereas*, in 2006 alone the 133rd conducted 20 test
30 or training events totaling 1,545 man-days and won the

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1 State Air Family Readiness Group of the Year Award,
2 members of the unit won the State Air Family Readiness
3 Individual of the Year Award and the Senior Master
4 Sergeant Exceptional Promotion Program, and the unit
5 had a unit compliance inspection with a 96 percent
6 compliance rate; *Now Therefore*,
7 *Be It Resolved By The House Of Representatives*,
8 That the House of Representatives honors the members
9 of the 133rd Test Squadron of the Iowa Air National
10 Guard for their ongoing commitment to excellence and
11 thanks them for their service to America and the world
12 in the continuing Global War on Terror.

HR 37 filed April 2, 2007; House adopted April 3, 2007.

1 House Resolution 40
2 By Winckler
3 A resolution to recognize and honor Charlotte
4 Nelson upon her retirement as the executive director
5 of the Iowa Commission on the Status of Women after

6 22 years of service.

7 *Whereas*, since February 1985, Charlotte Nelson has
8 been appointed by Governor Branstad and Governor
9 Vilsack, with confirmation by the Senate, for five
10 different terms; and

11 *Whereas*, Charlotte Nelson went from running a
12 stand-alone agency to working with six different
13 directors in the Department of Human Rights; and

14 *Whereas*, Charlotte Nelson has worked with six
15 different Commission chairs and a total of 61 citizen
16 commissioners and 19 ex officio commissioners from the
17 General Assembly along with 33 staff members and 32
18 student interns; and

19 *Whereas*, Charlotte Nelson has submitted 21 annual
20 reports and numerous publications regarding sexism or
21 discrimination against women, beginning with printed
22 copies and evolving to an extensive website; and

23 *Whereas*, Charlotte Nelson arranged the induction of
24 84 members into the Iowa Women's Hall of Fame and
25 further celebrated the contributions of women with 22
26 years sponsoring the Write Women Back Into History
27 Essay Contest for Iowa students; *Now Therefore*,

28 *Be It Resolved By The House Of Representatives*,
29 That the House of Representatives thanks Charlotte
30 Nelson for her dedication and commitment to Iowa women

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1 and for her role in promoting full participation by
2 women in the economic, political, and social life of
3 the state.

HR 40 filed April 4, 2007; House adopted April 11, 2007.

1 House Resolution 43

2 By Berry, Abdul-Samad, Alons, Anderson, Arnold,
3 Bailey, Baudler, Bell, Boal, Bukta, Chambers, Clute,
4 Cohoon, Dandekar, Davitt, De Boef, Deyoe, Dolecheck,
5 Drake, Foege, Ford, Forristall, Frevert, Gaskill,
6 Gayman, Gipp, Granzow, Grassley, Greiner, Heaton,
7 Heddens, Hoffman, Horbach, Hunter, Huseman, Huser,
8 Jacobs, Jacoby, Jochum, Kaufmann, Kelley, Kressig,
9 Kuhn, Lensing, Lukan, Lykam, Mascher, Lay, McCarthy,
10 Mertz, H. Miller, L. Miller, Murphy, Oldson,
11 D. Olson, R. Olson, S. Olson, T. Olson, Palmer,
12 Paulsen, Petersen, Pettengill, Quirk, Raecker, Rants,
13 Rasmussen, Rayhons, Reasoner, Reichert, Roberts,
14 Sands, Schickel, Schueller, Shomshor, Smith,
15 Soderberg, Staed, Struyk, Swaim, D. Taylor, T. Taylor,
16 Thomas, Tjepkes, Tomenga, Tymeson, Upmeyer,
17 Van Engelenhoven, Van Fossen, Watts, Wendt, Wenthe,

18 Wessel-Kroeschell, Whitaker, Whitead, Wiencek,
 19 Winckler, Windschitl, Wise, and Worthan
 20 A resolution to honor the life and work of George
 21 Washington Carver.
 22 *Whereas*, it is appropriate that the members of this
 23 legislative body should honor those Iowans who
 24 performed with uncommon devotion and enthusiasm during
 25 their years of public service; and
 26 *Whereas*, the life and work of George Washington
 27 Carver is both an American success story and an Iowa
 28 success story; and
 29 *Whereas*, in 1890 Mr. Carver enrolled at Simpson
 30 College, in Indianola, Iowa, intending to study piano

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1 and art; and
 2 *Whereas*, in 1891 he transferred to Iowa State
 3 College of Agriculture and Mechanic Arts (Iowa State
 4 University) in Ames, Iowa, graduating in 1894; and
 5 *Whereas*, Mr. Carver then joined the faculty at Iowa
 6 State College of Agriculture and Mechanic Arts (Iowa
 7 State University), earning a master of agriculture
 8 degree in 1896; and
 9 *Whereas*, in the following year Booker T. Washington
 10 invited Mr. Carver to teach at the Tuskegee Institute,
 11 which was founded in 1881 by Mr. Washington to provide
 12 a college education for African-Americans; and
 13 *Whereas*, Mr. Carver served as the Director of
 14 Agriculture at the Tuskegee Institute, and served on
 15 the faculty until his death in 1943; and
 16 *Whereas*, during his tenure at the Tuskegee
 17 Institute, Mr. Carver developed his crop-rotation
 18 method, which revolutionized southern agriculture, and
 19 invented over three hundred uses for peanuts, hundreds
 20 more uses for soybeans, pecans, and sweet potatoes,
 21 and many other inventions; and
 22 *Whereas*, on April 16, 2007, the Fourth Annual
 23 Hoover-Wallace Dinner will celebrate the humanitarian
 24 heritage of George Washington Carver; and
 25 *Whereas*, to further honor his life, work, and
 26 heritage, the George Washington Carver Endowed Chair
 27 will be established at Iowa State University of
 28 Science and Technology; and
 29 *Whereas*, the best testament to Mr. Carver's life is
 30 on his tombstone, which reads "He could have added

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1 fortune to fame, but caring for neither, he found
 2 happiness and honor in being helpful to the world";
 3 *Now Therefore*,

4 *Be It Resolved By The House Of Representatives,*
5 That the House of Representatives honors the life, the
6 work, and the spirit of George Washington Carver and
7 urges all Iowans to learn from this great man the
8 lessons of education, dedication, and public service.

HR 43 filed April 11, 2007; House adopted April 16, 2007.

1 House Resolution 44
2 By Kaufmann and Jacoby
3 A resolution to acknowledge and commend the Herbert
4 Hoover Presidential Library Association for
5 establishing the Uncommon Public Service Award
6 to annually recognize the service of members
7 of the Iowa General Assembly.
8 *Whereas*, Herbert Hoover was a humble son of Iowa
9 who served as the 31st President of the United States
10 and devoted 50 years of his life to the service of
11 humanity in 57 nations; and
12 *Whereas*, Herbert Hoover served his country as a
13 leader in peace and war, through prosperity and
14 hardship; and
15 *Whereas*, Herbert Hoover was both tireless and
16 selfless in advancing the concepts of volunteerism and
17 public service; and
18 *Whereas*, the Herbert Hoover Presidential Library
19 Association was established to advance a general
20 appreciation for the values and ideas of Herbert
21 Hoover; and
22 *Whereas*, the Herbert Hoover Presidential Library
23 Association has designated the Uncommon Public Service
24 Award to annually recognize members of the Iowa
25 General Assembly who exemplify Herbert Hoover's
26 humanitarian efforts and demonstrated uncommon service
27 and commitment to the people of Iowa; and
28 *Whereas*, members of the Iowa General Assembly who
29 receive the Uncommon Public Service Award will become
30 honorary members of the Herbert Hoover Presidential

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1 Library Association for one year and have their names
2 included on the "Wall of Uncommon Iowans" in the
3 Herbert Hoover Presidential Library Museum in West
4 Branch; *Now Therefore*,
5 *Be It Resolved By The House Of Representatives,*
6 That the House of Representatives acknowledges and
7 commends the Herbert Hoover Presidential Library
8 Association for establishing the Uncommon Public
9 Service Award to annually recognize the service of
10 members of the Iowa General Assembly.

HR 44 filed April 12, 2007; House adopted April 16, 2007.

1 House Resolution 45

2 By Upmeyer, D. Taylor, Wessel-Kroeschell,
3 Palmer, Smith, Bell, Van Fossen, H. Miller,
4 Jacoby, Whitead, Gaskill, Quirk, Whitaker,
5 Swaim, Dandekar, Wise, Rayhons,
6 Paulsen, Bukta, T. Taylor, Oldson, Greiner,
7 L. Miller, Tymeson, Boal, Mertz, Lukan,
8 Alons, Worthan, De Boef, Deyoe, T. Olson,
9 Granzow, Dolecheck, Roberts, Watts, Huseman,
10 Windschitl, Chambers, Drake, Clute,
11 Hoffman, And Struyk

12 A resolution honoring the activities and commitment of
13 the Patriot Guard Riders.

14 *Whereas*, the Patriot Guard Riders are a diverse
15 organization of motorcycle riders and enthusiasts from
16 across the nation united by an unwavering respect for
17 members of the armed forces who risk their lives for
18 the freedom and security of this nation; and

19 *Whereas*, the primary mission of the Patriot Guard
20 Riders is to attend funeral services of members of the
21 armed forces as invited guests of the members'
22 families both as a show of respect and to shield the
23 mourning family and their friends from interruptions

24 created by any protestor or group of protestors; and
25 *Whereas*, the shielding of family and friends from
26 protestors is accomplished through strictly legal and
27 nonviolent means; and

28 *Whereas*, the Patriot Guard Riders also attend
29 funeral services for law enforcement personnel and
30 fire fighters to pay tribute to their contribution and

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1 sacrifice; and

2 *Whereas*, the additional activities of the Patriot
3 Guard Riders include attending or conducting welcome
4 home and send-off ceremonies for both individual
5 soldiers and reserve or national guard units, and
6 distribution of Patriot Guard Rider flags to armed
7 forces units as a show of support and to increase
8 morale; and

9 *Whereas*, Patriot Guard Riders are also active in
10 visiting and supporting wounded soldiers and
11 remembering and honoring elderly veterans; *Now*
12 *Therefore*,

13 *Be It Resolved By The House Of Representatives*,
14 That the respect and patriotism exhibited by the
15 Patriot Guard Riders in honoring killed or wounded
16 armed forces, law enforcement, and fire protection

17 personnel, and in increasing the morale of individual
 18 armed forces members and units and supporting the
 19 families and communities coping with their deployment,
 20 is officially recognized and commended by the members
 21 of the House of Representatives.

HR 45 filed April 16, 2007; House adopted April 26, 2007.

1 House Resolution 47

2 By Mascher, Abdul-Samad, Alons, Anderson,
 3 Arnold, Bailey, Baudler, Bell, Berry, Boal,
 4 Bukta, Chambers, Clute, Cohoon, Dandekar,
 5 Davitt, De Boef, Deyoe, Dolecheck, Drake,
 6 Foege, Ford, Forristall, Frevert, Gaskill,
 7 Gayman, Gipp, Granzow, Grassley, Greiner,
 8 Heaton, Heddens, Hoffman, Horbach, Hunter,
 9 Huseman, Jacobs, Jacoby, Jochum, Kaufmann,
 10 Kelley, Kressig, Kuhn, Lensing, Lukan,
 11 Lykam, May, Mccarthy, Mertz, H. Miller,
 12 L. Miller, Murphy, Oldson, D. Olson, R. Olson,
 13 S. Olson, T. Olson, Palmer, Paulsen, Petersen,
 14 Pettengill, Quirk, Raecker, Rants, Rasmussen,
 15 Rayhons, Reasoner, Reichert, Roberts, Sands,
 16 Schickel, Schueller, Shomshor, Smith,
 17 Soderberg, Staed, Struyk, Swaim, D. Taylor,
 18 T. Taylor, Thomas, Tjepkes, Tomenga,
 19 Tymeson, Upmeyer, Van Engelenhoven,
 20 Van Fossen, Watts, Wendt, Wenthe,
 21 Wessel-Kroeschell, Whitaker, Whitead,
 22 Wienczek, Winckler, Windschitl, Wise,
 23 Worthan, And Zirkelbach

24 A resolution to honor professional golfer and Iowa's
 25 own Zach Johnson on winning the 2007 Masters golf
 26 tournament.
 27 *Whereas*, since 1934 the Masters Tournament, held
 28 annually at Augusta National Golf Club in Augusta,
 29 Georgia, has been one of golf's four premier
 30 tournaments; and

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1 *Whereas*, in 2007, the green jacket, the coveted
 2 symbol of a Masters Tournament victory, has gone to
 3 Iowa-born and raised Zach Johnson, who is the first
 4 Iowan to win the Masters golf tournament; and
 5 *Whereas*, Mr. Johnson won the Masters, his second
 6 victory on the Professional Golfers Association (PGA)
 7 tour, by taking control with three birdies on Augusta
 8 National's back nine, winning with a 1-over-par 289
 9 score; and
 10 *Whereas*, Mr. Johnson grew up in Cedar Rapids,

11 taking up the game of golf at the age of 10, learning
 12 and perfecting his game at Regis High School in Cedar
 13 Rapids and then Drake University in Des Moines; and
 14 *Whereas*, in 1998, Mr. Johnson graduated from Drake
 15 University and took a bold step by turning
 16 professional; and
 17 *Whereas*, in 2003, according to PGA biographical
 18 information, Mr. Johnson earned Nationwide Tour Player
 19 of the Year honors after making the cut in 19 of 20
 20 tournament events, including the last 17 and finishing
 21 first on the final list of money earners; and
 22 *Whereas*, in 2004, Mr. Johnson had an incredible
 23 rookie season, becoming just the second player in PGA
 24 tour history to surpass \$2 million in earnings in his
 25 first season, making 24 of 30 cuts and picking up his
 26 first tour win in just his 13th career tournament; and
 27 *Whereas*, in the next two years, Mr. Johnson built
 28 on his growing record; in 2005 he placed third at the
 29 Ford Championship at Doral and in 2006 he posted
 30 runner-up finishes at the BellSouth Classic and the

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1 Memorial, posted third at the World Golf
 2 Championships-Accenture Match Play Championship, and
 3 made the 2006 United States Ryder Cup team; *Now*
 4 *Therefore*,
 5 *Be It Resolved By The House Of Representatives*,
 6 That the House of Representatives, on behalf of all
 7 Iowans, honors our own Zach Johnson, the 2007 Masters
 8 golf tournament champion, a man who by his own words
 9 is "a Midwest guy from Iowa" and whose open and
 10 friendly manner, dedication to his craft, and
 11 understated competence embody the qualities that are
 12 so dear to Iowans; and
 13 *Be It Further Resolved*, That upon adoption the
 14 Chief Clerk of the House of Representatives is
 15 directed to prepare an official copy of this
 16 Resolution for presentation to Zach Johnson.

HR 47 filed April 17, 2007; House adopted April 23, 2007.

1 House Resolution 48
 2 By Bell, Murphy, Gipp, And Roberts
 3 A resolution supporting a proposal to invite the
 4 Republic of China (Taiwan) to participate in the
 5 upcoming meeting of the World Health Assembly as an
 6 observer.
 7 *Whereas*, the sixtieth World Health Assembly meeting
 8 is scheduled to take place May 14 through 23, 2007, in
 9 Geneva, Switzerland; and

10 *Whereas*, the Republic of China, commonly known as
11 Taiwan, was a founding member of the World Health
12 Organization and participated for 24 years as a full
13 member contributing to achieving the organization's
14 objectives; and
15 *Whereas*, in 1972, in the wake of the admission of
16 the People's Republic of China to the United Nations,
17 Taiwan's membership in the World Health Organization
18 was discontinued; and
19 *Whereas*, Taiwanese health officials and medical
20 professionals have been unable to participate in World
21 Health Organization forums and workshops regarding
22 technological advances in the diagnosis, monitoring,
23 and control of diseases since 1972, and have been
24 denied the right to maintain contact and coordination
25 with the World Health Organization in emergency
26 situations involving the containment and cure of
27 existing and newly emerging infectious diseases; and
28 *Whereas*, Taiwan's location at the juncture of
29 important maritime routes between northeast and
30 southeast Asia has resulted in extensive world trade

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1 with Taiwan, a thriving Taiwanese tourism industry,
2 and a large foreign migrant worker population in
3 Taiwan; and
4 *Whereas*, Taiwan's absence from the World Health
5 Organization system has become a missing link in the
6 global framework of providing health and medical care;
7 and
8 *Whereas*, the granting of observer status to Taiwan
9 would not constitute a challenge to representation by
10 the People's Republic of China in the World Health
11 Organization and would demonstrate that the
12 organization is inclusive with regard to Taiwan's 23
13 million inhabitants; and
14 *Whereas*, as a democratically elected government,
15 the government of Taiwan has a duty and responsibility
16 to ensure that the people of Taiwan are represented in
17 an organization which establishes and oversees an
18 international framework for the control of disease and
19 the promotion of universal health; and
20 *Whereas*, Taiwan has made substantial progress in
21 the health field, has one of the highest life
22 expectancy rates in Asia, has maternal and infant
23 mortality rates comparable to those in western
24 countries, has eradicated infectious diseases such as
25 cholera, smallpox, and the plague, and has been the
26 first country in the region to eradicate polio and
27 provide children with hepatitis B vaccinations; and
28 *Whereas*, Taiwan has expressed a willingness in

29 recent years to provide financial and technological
30 assistance in international aid and health activities

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1 supported by the World Health Organization; *Now*
2 *Therefore,*
3 *Be It Resolved By The House Of Representatives,*
4 That the House of Representatives supports the
5 granting of observer status to Taiwan during the World
6 Health Assembly to be held in May 2007; and
7 *Be It Further Resolved,* That an official copy of
8 this Resolution be prepared and forwarded by the Chief
9 Clerk of the House of Representatives to the governing
10 authority and member states of the World Health
11 Organization, the World Health Assembly, and the
12 governments of Taiwan and of the People's Republic of
13 China.

HR 48 filed April 18, 2007; House adopted April 19, 2007.

1 House Resolution 49
2 By Clute, May, De Boef, Tjepkes,
3 Lukan, Palmer, Boal, Drake, Hoffman,
4 Gaskill, Wessel-Kroeschell, Mertz,
5 T. Olson, Heaton, Horbach, Baudler,
6 Granzow, Chambers, Swaim, And Soderberg
7 A resolution declaring May 2007 Amyotrophic Lateral
8 Sclerosis (ALS) Awareness Month.
9 *Whereas,* amyotrophic lateral sclerosis, or ALS, is
10 better known as Lou Gehrig's disease; and
11 *Whereas,* ALS is a fatal neurodegenerative disease
12 characterized by degeneration of cell bodies of the
13 lower motor neurons in the gray matter of the anterior
14 horns of the spinal cord; and
15 *Whereas,* the initial symptom of ALS is weakness of
16 the skeletal muscles, especially those of the
17 extremities; and
18 *Whereas,* as ALS progresses, the patient experiences
19 difficulty in swallowing, talking, and breathing; and
20 *Whereas,* ALS eventually causes muscles to atrophy
21 and the patient becomes a functional quadriplegic; and
22 *Whereas,* ALS does not affect a patient's mental
23 capacity, so that the patient remains alert and aware
24 of his or her loss of motor functions and the
25 inevitable outcome of continued deterioration and
26 death; and
27 *Whereas,* on average, patients diagnosed with ALS
28 only survive two to five years from the time of
29 diagnosis; and
30 *Whereas,* research indicates that military veterans

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1 are at a 50 percent greater risk of developing ALS
 2 than those who have not served in the military; and
 3 *Whereas*, ALS has no known cause, means of
 4 prevention, or cure; and
 5 *Whereas*, Amyotrophic Lateral Sclerosis Awareness
 6 Month increases the public's awareness of ALS
 7 patients' circumstances and acknowledges the terrible
 8 impact this disease has not only on the patient but on
 9 the patient's family and the community and recognizes
 10 the research being done to eradicate this horrible
 11 disease; *Now Therefore*,
 12 *Be It Resolved By The House Of Representatives*,
 13 That the House of Representatives proclaims May 2007
 14 as Amyotrophic Lateral Sclerosis Awareness Month in
 15 Iowa.

HR 49 filed April 18, 2007; House adopted April 19, 2007.

1 House Resolution 51
 2 By Roberts, Abdul-Samad, Alons, Anderson,
 3 Arnold, Bailey, Baudler, Bell, Berry, Boal,
 4 Bukta, Chambers, Clute, Cohoon, Dandekar,
 5 Davitt, De Boef, Deyoe, Dolecheck, Drake,
 6 Foege, Ford, Forristall, Frevert, Gaskill,
 7 Gayman, Gipp, Granzow, Grassley, Greiner,
 8 Heaton, Heddens, Hoffman, Horbach, Hunter,
 9 Huseman, Huser, Jacobs, Jacoby, Jochum,
 10 Kaufmann, Kelley, Kressig, Kuhn, Lensing,
 11 Lukan, Lykam, Mascher, May, Mertz, H. Miller,
 12 L. Miller, Murphy, Oldson, Dd. Olson,
 13 R. Olson, S. Olson, T. Olson, Palmer,
 14 Paulsen, Petersen, Pettengill, Quirk,
 15 Raecker, Rants, Rasmussen, Rayhons, Reasoner,
 16 Reichert, Sands, Schickel, Schueller,
 17 Shomshor, Smith, Soderberg, Staed, Struyk,
 18 Swaim, D. Taylor, T. Taylor, Thomas, Tjepkes,
 19 Tomenga, Tymeson, Upmeyer, Van Engelenhoven,
 20 Van Fossen, Watts, Wendt, Wenthe, Whitaker,
 21 Wessel-Kroeschell, Whitead, Wiencek, Wise
 22 Winckler, Windschitl, and Worthan
 23 A resolution to recognize May 2007 as American Stroke
 24 Awareness Month and National High Blood Pressure
 25 Education Month.
 26 *Whereas*, the themes for American Stroke Awareness
 27 Month 2007 are "Young People and Stroke," in order to
 28 educate the public and policymakers about the
 29 devastating effects of stroke in young people under
 30 age 30, and "Igniting the Power to End Stroke," in

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1 order to empower African-Americans, who are at
2 particularly high risk of the disease, to reduce their
3 risk, recognize the warning signs, and respond
4 quickly; and

5 *Whereas*, stroke, the third leading cause of death
6 in Iowa, leads to the death of nearly 2,000 citizens
7 of Iowa each year even though it is highly treatable
8 in the first three hours; and

9 *Whereas*, stroke is a leading cause of serious
10 long-term disability with more than two-thirds of
11 stroke survivors experiencing functional limitations
12 or difficulty with activities of daily living; and
13 *Whereas*, Iowans are more aware of the risk factors
14 and warning signs for stroke than in the past, but
15 only one in five adults know all six stroke symptoms;
16 and

17 *Whereas*, warning signs of stroke include sudden
18 numbness or weakness of the face, arm, or leg,
19 especially on one side of the body; sudden confusion,
20 trouble speaking or understanding; sudden trouble
21 seeing in one or both eyes; sudden trouble walking,
22 dizziness, or loss of balance or coordination; and
23 sudden severe headache with no known cause; and

24 *Whereas*, high blood pressure is a primary cause of
25 stroke, one in four Iowans have high blood pressure,
26 more than half of the Iowans with high blood pressure
27 are younger than 65 years old, and blood pressures
28 greater than 120/80 require a plan to prevent
29 full-blown high blood pressure; and

30 *Whereas*, new and effective treatments have been

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1 developed to treat high blood pressure and minimize
2 the severity and damaging effects of strokes, but much
3 more research is needed; *Now Therefore*,

4 *Be It Resolved By The House Of Representatives*,
5 That the House of Representatives recognizes May 2007
6 as American Stroke Awareness Month and National High
7 Blood Pressure Education Month in Iowa and urges all
8 citizens to react to stroke symptoms immediately and
9 treat high blood pressure aggressively so that we
10 might begin to reduce the devastating effects of
11 stroke on our population; and

12 *Be It Further Resolved*, That the House of
13 Representatives recognizes the American Stroke
14 Association, a division of the American Heart
15 Association, for its ongoing efforts to educate
16 Americans concerning the threat posed by strokes and
17 high blood pressure.

HR 51 filed April 24, 2007; House adopted April 26, 2007.

1 House Resolution 52
2 By Bell, Roberts, Gipp, and Murphy
3 A resolution supporting a free trade agreement between
4 the Republic of China on Taiwan and the United States.
5 *Whereas*, the Republic of China on Taiwan and the
6 United States enjoy one of the most important economic
7 and strategic international relationships that exists
8 today; and
9 *Whereas*, together, Taiwan and the United States
10 promote a shared belief in freedom, democracy, and
11 market principles; and
12 *Whereas*, the level of mutual investment between
13 Taiwan and the United States is substantial; and
14 *Whereas*, streamlined foreign investment procedures
15 developed under a free trade agreement between Taiwan
16 and the United States would create new business
17 opportunities and new jobs; and
18 *Whereas*, a free trade agreement between Taiwan and
19 the United States would encourage greater innovations
20 and manufacturing efficiencies by stimulating joint
21 technological development, practical applications, and
22 new cooperative ventures; and
23 *Whereas*, a recent study by the United States
24 International Trade Commission supports the
25 negotiation of a free trade agreement between Taiwan
26 and the United States; and
27 *Whereas*, a free trade agreement between Taiwan and
28 the United States would build on the existing strong
29 relations between Taiwan and the United States to
30 simultaneously boost Taiwan's security and democracy

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1 and serve the broader interests of the United States
2 in the Asia-Pacific region; *Now Therefore*,
3 *Be It Resolved By The House Of Representatives*,
4 That the House of Representatives supports the
5 negotiation of a free trade agreement between the
6 Republic of China on Taiwan and the United States of
7 America; and
8 *Be It Further Resolved*, That upon adoption, an
9 official copy of this Resolution be prepared and
10 presented to the Taipei Economic and Cultural Office
11 located in Chicago, Illinois.

HR 52 filed April 25, 2007; House adopted April 26, 2007.

IN MEMORIAM

House

A memorial adopted by the House of Representatives, 2007 Regular Session of the Eighty-second General Assembly, commemorating the life, character, and public service of the former members of the House of Representatives.

- MARY LOU FREEMANOctober 21, 1941 — September 4, 2006
- CHARLES F. GLENN.....March 26, 1934 — August 6, 2006
- CECIL REEDOctober 23, 1913 — August 14, 2006
- JAMES RESNICKMay 29, 1931 — February 9, 2007
- EARL YODEROctober 11, 1927 — November 29, 2006

MARY LOU FREEMAN

MARY LOU FREEMAN was born October 21, 1941, in Kandiyohi, Minnesota, the daughter of J. Martin and Luella (Backlund) Hawkinson. She attended elementary school in Kandiyohi and graduated from high school in Willmar Minnesota in 1959. She attended Gustavus Adolphus College in St. Peter, Minnesota and graduated with a degree in Elementary Education in 1963.

Mary Lou was very committed to her faith. Throughout her college years she returned home to play Swedish hymns on the organ for Sunday services at Ebenezer Lutheran Church. In recent years she attended and served on the Stewardship and Finance Committee of the Trinity Lutheran Church in her home town of Alta.

Mary Lou's early adult years were dedicated to raising her four children. She also worked as a substitute teacher in the Storm Lake schools. She was active in the Storm Lake Chamber of Commerce, Iowa Farm Bureau, Iowa Corn Growers Association and the Buena Vista Regional Medical Center Auxiliary. A personal priority for Mary Lou was the protection of Iowa's natural resources, an area that she focused on during her time in the legislature.

A Republican, Ms. Freeman served two terms in the Iowa Senate prior to serving two terms in the Iowa House. She was a member of the Seventy-sixth, Seventy-seventh, Seventy-eighth, Seventy-ninth, Seventy-ninth Extra, Seventy-ninth Second Extra, Eightieth, Eightieth Extra, Eightieth Second Extra, and Eighty-first General Assemblies. (1995-2006)

Mary Lou Freeman died on September 4, 2006 at the age of 64.

Now, Therefore, Be It Resolved By The House Of Representatives Of The Eighty-Second General Assembly Of Iowa, That in the passing of the Honorable Mary Lou Freeman, the State has lost an honored citizen and a faithful and useful public servant, and the House by this Resolution would express its appreciation of her service.

Be It Further Resolved, That a copy of this Resolution be spread upon the Journal of the House, and that the Chief Clerk be directed to forward an enrolled copy to the family of the deceased.

GARY WORTHAN
ROYD CHAMBERS
DAN HUSEMAN
Committee

CHARLES F. GLENN

CHARLES F. GLENN was born March 26, 1934 in Perry, Iowa, the son of Francis and Anna Glenn. He was raised in Perry where he graduated from St. Patrick's High School. After high school, Charles served for two years in the U.S. Marine Corps.

Charles received his B.A. and his Jurist Doctorate from the University of Iowa and later attended the University of Pittsburgh Graduate School of Public and

International Affairs. After college he worked, in Pittsburgh, as an attorney with the Atomic Energy Commission.

Charles returned to Des Moines to practice law and, later in life, work as a private investigator. He was a member of the Dowling Club, the Holy Name Society and V.F.W. Post #8897.

A Democrat, Mr. Glenn was a member of the Sixty-second General Assembly. (1967-1968)

Charles F. Glenn died on August 6, 2006 at the age of 72.

Now, Therefore, Be It Resolved By The House Of Representatives Of The Eighty-Second General Assembly Of Iowa, That in the passing of the Honorable Charles F. Glenn, the State has lost an honored citizen and a faithful and useful public servant, and the House by this Resolution would express its appreciation of his service.

Be It Further Resolved, That a copy of this Resolution be spread upon the Journal of the House, and that the Chief Clerk be directed to forward an enrolled copy to the family of the deceased.

JO OLDSON
JANET PETERSEN
WAYNE FORD
Committee

CECIL A. REED

CECIL A. REED was born October 23, 1913, in Collinsville, Illinois, the son of Garrett and Julia Reed. The Reed family moved to Cedar Rapids, Iowa in 1923 where Cecil graduated from high school in 1921.

Cecil and Evelyn Ruth Reed united in marriage in 1936. After high school, Cecil worked as a janitor and shoe shiner before starting a maintenance and floor-sanding business which he owned and operated for 23 years.

Throughout his life Mr. Reed was a peaceful but passionate advocate for civil rights and equality. He served in many leadership positions, including chairman of the Civic Bureau Cedar Rapids Chamber of Commerce, board member of the Cedar Rapids Symphony, and member of the State N.A.A.C.P. Board.

Cecil was the author of the book, "Fly in the Buttermilk: the Life of Cecil Reed", about his life as a black man living and working in an area populated by whites. His book is among the all-time top sellers published by the University of Iowa Press.

A Republican, Mr. Reed was a member of the Sixty-second General Assembly. (1967-1968)

Cecil A. Reed died on August 14, 2006 at the age of 92.

Now, Therefore, Be It Resolved By The House Of Representatives Of The Eighty-Second General Assembly Of Iowa, That in the passing of the Honorable Cecil A. Reed,

the State has lost an honored citizen and a faithful and useful public servant, and the House by this Resolution would express its appreciation of his service.

Be It Further Resolved, That a copy of this Resolution be spread upon the Journal of the House, and that the Chief Clerk be directed to forward an enrolled copy to the family of the deceased.

TYLER OLSON
KRAIG PAULSEN
TODD TAYLOR
Committee

JAMES D. RESNICK

JAMES D. RESNICK was born May 29, 1931 in Davenport, Iowa, the son of Carl and Afra Victoria (Geiger) Resnick. Jim married Joan Marie McNamara on June 30, 1956. He graduated from Davenport High School and earned a B.A. from St. Ambrose College in Davenport and a Masters in Chemistry from Iowa State University. Jim served with the U.S. Public Health Services from 1955 – 1957.

Jim served as a professor at St. Ambrose College, teaching for 17 years. He then worked for the City of Davenport, retiring as Director of the Waste Water Treatment Plant.

He was very sports-minded and participated in basketball, baseball, and bowling leagues for many years. Jim was a member of the Rotary Club of Davenport, the Water Environment Federation, and the Iowa Water Pollution Control Association. He was a member of the Holy Family Church where he served as Choir Director for many years.

A Democrat, Mr. Resnick was a member of the Sixty-first General Assembly. (1965-1966)

James D. Resnick died on February 9, 2007 at the age of 75.

Now, Therefore, Be It Resolved By The House Of Representatives Of The Eighty-Second General Assembly Of Iowa, That in the passing of the Honorable James D. Resnick, the State has lost an honored citizen and a faithful and useful public servant, and the House by this Resolution would express its appreciation of his service.

Be It Further Resolved, That a copy of this Resolution be spread upon the Journal of the House, and that the Chief Clerk be directed to forward an enrolled copy to the family of the deceased.

JIM LYKAM
ELESHA GAYMAN
CINDY WINCKLER
Committee

EARL M. YODER

EARL M. YODER was born near Weatherford, Oklahoma on October 11, 1927, the son of Mose W. and Barbara (Bender) Yoder. Earl married Edna M. Bontrager on August 10, 1952. He served as a sergeant in the U.S. Marine Corps from 1945 to 1948 and from 1950 to 1952.

In 1952 he started Earl Yoder Construction Company in Iowa City. He would build over 600 area homes and many commercial buildings. Earl was also successful in other businesses, including Old Capitol Motors and Iowa City Ready Mix, which he operated until 2006.

Earl served on many boards, including the Homebuilders Association where he served at the local, state, and national level. He also served in many capacities in government, including membership on the Small Business Administration State and National Advisory Councils, the State Advisory Council for Area Community Colleges, the State Building Code Advisory Council and the Iowa Housing Authority.

Earl was very active in civic affairs. He served as President of the Iowa City Optimist Club, Director of the United Way of Johnson County, Director of Goodwill Industries of Southeast Iowa, and Director of the Iowa City Chamber of Commerce. He was a strong supporter of the University of Iowa and the Iowa Hawkeyes. Earl was a member of East Union Mennonite Church for over 54 years.

A Republican, Mr. Yoder was a member of the Sixty-second General Assembly. (1967-1968)

Earl M. Yoder died on November 29, 2006 at the age of 79.

Now, Therefore, Be It Resolved By The House Of Representatives Of The Eighty-Second, General Assembly Of Iowa, That in the passing of the Honorable Earl M. Yoder, the State has lost an honored citizen and a faithful and useful public servant, and the House by this Resolution would express its appreciation of his service.

Be It Further Resolved, That a copy of this Resolution be spread upon the Journal of the House, and that the Chief Clerk be directed to forward an enrolled copy to the family of the deceased.

MARY MASCHER
SANDRA GREINER
VICKI LENSING
Committee

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Senate amendments filed—468, 1003, 1237, 1314, 1315, 1375, 1403, 1470, 1471, 1520, 1543, 1547, 1705, 1741, 1817, 2022

Withdrawn—355, 357, 361, 450, 486, 488, 553, 632, 709, 805, 816, 819, 824, 833, 911, 915, 917, 918, 928, 962, 969, 994, 996, 997, 1011, 1044, 1045, 1057, 1069, 1072, 1107, 1113, 1145, 1151, 1153, 1154, 1157, 1158, 1159, 1172, 1176, 1188, 1197, 1221, 1229, 1251, 1256, 1257, 1276, 1323, 1324, 1350, 1359, 1385, 1393, 1417, 1423, 1437, 1448, 1449, 1451, 1454, 1455, 1463, 1481, 1482, 1483, 1499, 1502, 1504, 1510, 1511, 1536, 1564, 1581, 1583, 1588, 1589, 1591, 1595, 1611, 1612, 1636, 1637, 1639, 1644, 1658, 1668, 1669, 1678, 1679, 1680, 1682, 1686, 1689, 1692, 1721, 1752, 1760, 1774, 1775, 1781, 1783, 1786, 1788, 1791, 1795, 1797, 1802, 1808, 1872, 1899, 1903, 1904, 1918, 1928, 1940, 1941, 1968, 2033, 2046, 2047, 2049, 2052, 2053, 2054, 2055, 2058, 2060, 2061, 2076

ANDERSON, RICHARD—Representative Fremont-Mills-Page Counties

Amendments filed—141, 292, 376, 562, 563, 564, 880, 1287, 1315, 1470, 1544, 1545, 1546, 1547, 1704, 1817, 2022

Amendments offered—937, 940

Amendment withdrawn—1504

Bills introduced—143, 144, 166, 167, 168, 169, 226, 228, 286, 287, 380, 417, 470, 471, 499, 512, 706, 728, 882

Committee appointments—21, 22, 66

Explanation of vote—1621

Resolutions filed—503, 561, 705, 1003, 1166, 1167, 1184, 1338, 1470, 1740

Subcommittee assignments—305, 307, 462, 463, 494, 537, 698, 718, 1000, 1216

APPOINTMENTS—

(See INTERIM APPOINTMENTS)

APPROPRIATIONS, COMMITTEE ON—

Amendments filed—1003, 1185, 1471, 1625, 1816

Amendments offered—1139, 1240, 1644, 1773, 2029, 2051

Appointed—21

Bills introduced—637, 755, 782, 984, 988, 999, 1143, 1179, 1180, 1282, 1377, 1397, 1464, 1549, 1620, 1621

Recommendations—374, 638, 703, 952, 1002, 1063, 1132, 1182, 1267-1268, 1313, 1338, 1374, 1401-1402, 1469, 1519, 1542, 1623-1624, 1814-1815

Subcommittee assignments—110, 277, 370, 371, 476, 477, 478, 587, 588, 589, 647, 648, 649, 697, 698, 841, 842, 843, 844, 877, 878, 907, 977, 978, 1130, 1131, 1182, 1267, 1312, 1468, 1518, 1541, 1622, 1701

APPROPRIATIONS SUBCOMMITTEES—

Appointments to—24

ARNOLD, RICHARD—Representative Lucas-Mahaska-Marion-Monroe Counties

Amendments filed—140, 141, 376, 562, 563, 564, 771, 848, 849, 908, 1287, 1543, 1544, 1545, 1546, 1547, 1704

Amendment withdrawn—1057

Bills introduced—107, 169, 228, 287, 499, 505, 512, 567, 598, 612, 669, 706, 726, 882

Committee appointments—22, 23

Explanations of vote—329, 1517

Leaves of absence—292, 1473

Resolutions filed—561, 1003, 1166, 1167, 1184, 1338, 1470, 1740, 2102

Subcommittee assignments—122, 305, 306, 322, 335, 493, 536, 587, 590, 607, 621, 718, 979

ASSISTANT MAJORITY LEADERS—

Lisa Heddens—Representative **Boone-Story** Counties

(See HEDDENS, LISA—Representative **Boone-Story** Counties, Assistant Majority Leader)

Helen Miller—Representative **Webster** County

(See MILLER, HELEN—Representative **Webster** County, Assistant Majority Leader)

Mike Reasoner—Representative **Clarke-Decatur-Union** Counties

(See REASONER, MIKE—Representative **Clarke-Decatur-Union** Counties, Assistant Majority Leader)

John Whitaker—Representative **Jefferson-Van Buren-Wapello** Counties

(See WHITAKER, JOHN—Representative **Jefferson-Van Buren-Wapello** Counties, Assistant Majority Leader)

ASSISTANT MINORITY LEADERS—

Jeff Kaufmann—Representative **Cedar-Johnson-Muscatine** Counties

(See KAUFMANN, JEFF—Representative **Cedar-Johnson-Muscatine** Counties, Assistant Minority Leader)

Rod Roberts—Representative **Carroll-Crawford-Sac** Counties

(See ROBERTS, ROD—Representative **Carroll-Crawford-Sac** Counties, Assistant Minority Leader)

Douglas L. Struyk—Representative **Pottawattamie** County

(See STRUYK, DOUGLAS L.—Representative **Pottawattamie** County, Assistant Minority Leader)

Linda L. Upmeyer—Representative **Cerro Gordo-Franklin-Hancock** Counties

(See UPMEYER, LINDA L.—Representative **Cerro Gordo-Franklin-Hancock** Counties, Assistant Minority Leader)

AWARDS AND GIFTS—

Special presentation to House Pages—731, 1819-1820

Jenna Schrack, a special Olympic athlete, presented to the House a plaque for their appreciation of support—135

Kenneth Quinn, Ambassador and President of the World Food Prize presented an award thanking the Iowa House for its support of the World Food Prize—231

BAILEY, MCKINLEY—Representative **Hamilton-Webster-Wright** Counties

Amendments filed—771, 1003, 1547, 1548, 1625, 1668, 2022

Amendments offered—874, 1192, 1564, 1668

Amendments withdrawn—2052, 2054

Bills introduced—19, 20, 106, 127, 129, 176, 290, 319, 381, 418, 419, 421, 470, 472, 500, 509, 511, 569, 630, 637, 673, 674, 692, 727, 729, 1007

Committee appointments—9, 21, 23, 36, 514

Leave of absence—1067

Resolutions filed—339, 541, 561, 1003, 1166, 1167, 1184, 1338, 1470, 1740, 2102

Resolutions offered—444, 1188, 1716

Subcommittee assignments—220, 305, 321, 370, 463, 493, 494, 537, 607, 621, 767, 979, 1001, 1022, 1131, 1163

- BAUDLER, CLEL**—Representative **Adair-Audubon-Cass-Guthrie Counties**
 Amendments filed—140, 141, 284, 376, 562, 563, 564, 849, 850, 953, 1065, 1217, 1287, 1403, 1460, 1520, 1543, 1544, 1545, 1546, 1547, 1625, 1640, 1641, 1670, 1691, 1816
 Amendments offered—153, 361, 937, 1640, 1641, 1645, 1691, 1803
 Amendment withdrawn—1536
 Bills introduced—106, 127, 129, 144, 167, 169, 170, 176, 226, 227, 248, 287, 290, 341, 417, 419, 427, 498, 500, 505, 548, 570, 628, 629, 669, 688, 726, 728, 745, 882
 Committee appointments—22, 23
 Leave of absence—1344
 Presided at session of the House—1276
 Resolutions filed—468, 561, 981, 1003, 1166, 1167, 1184, 1338, 1470, 1520, 1740, 2102
 Subcommittee assignments—170, 277, 278, 322, 335, 371, 414, 462, 464, 476, 478, 536, 557, 606, 607, 620, 649, 682, 697, 698, 717, 718, 878, 949, 979, 1022, 1062, 1233, 1234
- BELL, PAUL**—Representative **Jasper County**
 Amendments filed—624, 705, 770
 Amendments offered—783, 785
 Bills introduced—19, 20, 318, 381, 421, 472, 511, 569, 596, 674, 1522
 Committee appointments—2, 22, 23, 24
 Resolutions filed—503, 561, 1003, 1166, 1167, 1184, 1338, 1402, 1470, 1520, 1740, 1815, 2102
 Resolutions offered—1523, 1819
 Subcommittee assignments—117, 277, 305, 413, 414, 462, 476, 493, 621, 663, 979, 1001, 1233, 1234
- BERRY, DEBORAH L.**—Representative **Black Hawk County**
 Amendments filed—1065, 1520, 1625, 1703, 1791
 Amendments offered—1758, 1760
 Amendment withdrawn—1791
 Bill deferred, retained on calendar (as acting Speaker)—1657
 Bills introduced—19, 20, 107, 113, 119, 176, 225, 226, 247, 248, 286, 315, 319, 342, 428, 472, 511, 525, 546, 597, 629, 674, 693, 727, 729
 Committee appointments—2, 21, 22, 23, 514
 Presented to the House Effie Burt, who sang "I'll Make Me a World"—484
 Presented to the House Dr. George Jack of Iowa State University, Dr. John Byrd from Simpson College, Ambassador Ken Quinn and Pakston Williams who portrays George Washington Carver—1381
 Presided at sessions of the House—1015, 1439, 1447, 1657
 Resolutions filed—484, 503, 541, 561, 1003, 1064, 1166, 1167, 1184, 1314, 1338, 1470, 1740, 2102
 Resolutions offered—291, 484, 1381
 Rulings made (as acting Speaker)—1450, 1452, 1454
 Subcommittee assignments—159, 277, 278, 336, 370, 371, 414, 464, 478, 493, 494, 588, 607, 619, 620, 648, 649, 697, 698, 717, 718, 841, 842, 877, 1163, 1216, 1233, 1234, 1468, 1518

BILLS—

(See also action on HOUSE JOINT RESOLUTIONS, HOUSE FILES, SENATE JOINT RESOLUTIONS and SENATE FILES in LEGISLATIVE INDEX VOLUME)

Approved by governor—229, 330, 474, 587, 661, 675, 763, 889, 1018, 1059, 1126, 1180-1181, 1210, 1260-1261, 1333, 1399, 1465-1466, 1697-1699, 2016-2017

Approved, vetoed or item vetoed subsequent to adjournment—2103-2125

Consideration of—145, 249, 292, 343, 400, 447, 472, 484, 527, 544, 548, 613, 631, 657, 709, 756, 777, 783, 858, 911, 922, 958, 968, 985, 989, 1008, 1026, 1035, 1068, 1078, 1136, 1138, 1169, 1172, 1188, 1221, 1226, 1239, 1273, 1289, 1299, 1318, 1323, 1350, 1384, 1410, 1477, 1526, 1550, 1716, 1744, 1898, 1916, 1920, 1948, 2031

Deferred, retained on calendar—762, 780, 1142, 1193, 1251, 1329, 1355, 1412, 1486, 1498, 1531, 1582, 1638, 1639, 1657, 1891, 1915

Introduction of—19-20, 64, 79-80, 105-107, 113-115, 119-120, 126-129, 133-135, 143-144, 156-157, 166-170, 176-177, 225-229, 230, 246-249, 276, 286-289, 290, 312-315, 317-320, 326-328, 340-342, 378-382, 402, 416-422, 425-428, 441-443, 444-446, 469-472, 481-483, 498-501, 504-506, 509-512, 525-527, 542-543, 546-548, 566-568, 569-571, 596-598, 603-605, 610-613, 625-630, 635-638, 655, 655-656, 666-673, 673-675, 686-689, 692-695, 706-708, 726-729, 744-745, 755-756, 772-775, 780-783, 836, 851-853, 857, 882-884, 887-889, 893-897, 900-901, 919-920, 965-966, 983-984, 988, 999, 1007, 1024, 1032-1033, 1066, 1135, 1143, 1179-1180, 1191, 1222, 1258, 1272, 1282, 1298, 1322, 1344, 1377-1378, 1382, 1397, 1464, 1472, 1476, 1522, 1526, 1537, 1549, 1620, 1620-1621, 1714-1715, 1742, 1747, 1810

Item veto messages—2017-2018

Item veto messages after session—2113-2125

Passed on file—837, 876, 889, 1018, 1517

Placed on calendar—586, 763, 945, 1209

Placed on unfinished business calendar—1259, 1368-1369, 1372

Referred to committees—338, 541, 652, 675, 703, 750, 762, 828, 836, 837, 889, 945, 999, 1018, 1058, 1165, 1166, 1210, 1230, 1231, 1259, 1260, 1285, 1398, 1531, 1538, 2098

Rereferred to committees—218, 265, 276, 294, 675, 696, 711, 1180, 1210, 1260, 1538, 2096-2098

Resolution substituted—2095

Sent to governor—218, 320, 615-616, 712, 735, 763, 1005, 1059, 1125, 1162, 1180, 1282, 1372, 1398, 1465, 1539, 1697, 2016, 2099

Sent to secretary of state—1059

Substitutions—343, 447, 552, 576, 639, 657, 785, 788, 791, 792, 828, 871, 873, 1013, 1027, 1042, 1043, 1045, 1046, 1048, 1051, 1053, 1055, 1057, 1101, 1194, 1195, 1221, 1226, 1227, 1228, 1274, 1307, 1323, 1363, 1385, 1392, 1410, 1436, 1482, 1486, 1721, 1752, 1872, 1875, 1883, 1938, 1945, 1960, 2026, 2027, 2031

Veto message—1334-1336

Veto message after session—2111-2112

Withdrawn—401, 451, 554, 599, 640, 659, 760, 788, 790, 792, 793, 798, 836, 872, 944, 1014, 1032, 1046, 1048, 1049, 1052, 1054, 1056, 1058, 1102, 1195, 1230, 1275, 1305, 1306, 1308, 1364, 1383, 1386, 1411, 1442, 1483, 1516, 1725, 1754, 1874, 1876, 1939, 2039

BILLS SENT TO GOVERNOR—

(See **BILLS**, subheading, Sent to Governor)**BOAL, CARMINE**—Representative **Polk** County

Amendments filed—140, 141, 376, 563, 564, 771, 847, 848, 849, 908, 953, 981, 1022, 1134, 1218, 1237, 1253, 1287, 1315, 1339, 1340, 1376, 1543, 1544, 1545, 1546, 1547, 1686, 1703, 1704, 1741, 2021

Amendments offered—1009, 1105, 1253, 1686, 1788

Amendment withdrawn—1257

Bills introduced—106, 114, 115, 127, 167, 227, 228, 287, 290, 341, 416, 419, 499, 500, 512, 598, 629, 669, 706, 726, 728, 774, 882

Committee appointments—21, 22, 23, 65, 1330

Explanation of vote—1893

Presented to the House the Ankeny High School student council members—1067

Resolutions filed—468, 561, 981, 1003, 1166, 1167, 1184, 1338, 1402, 1470, 1520, 1702, 1740, 2102

Subcommittee assignments—117, 122, 131, 171, 220, 270, 271, 304, 306, 413, 414, 462, 463, 478, 556, 558, 589, 619, 620, 621, 662, 663, 716, 842, 843, 951, 1233

BOARDS, COMMISSIONS, COMMITTEES AND/OR COUNCILS—(See **APPOINTMENTS** and/or **COMMUNICATIONS FROM**, subheading Reports and/or **INDIVIDUAL HEADINGS**)**BUDGET MESSAGE**—(See **STATE OF THE STATE** and **BUDGET MESSAGE**)**BUKTA, POLLY**—Representative **Clinton** County, Speaker Pro Tempore

Bill deferred, retained on calendar (as acting Speaker)—1329

Bills introduced—19, 20, 119, 176, 247, 312, 318, 342, 381, 418, 421, 428, 470, 498, 509, 511, 547, 569, 629, 637, 669, 674, 693, 727, 728

Bills referred to committee (as acting Speaker)—1058

Committee appointments—21, 22, 23

Committee appointments (as acting Speaker)—1329

Explanation of vote—1738

Leave of absence—1706

Presentation of visitors (as acting Speaker)—1059, 1060

Presided at sessions of the House—38, 230, 441, 666, 783, 811, 815, 893, 1051, 1068, 1153, 1252, 1282, 1322, 1565, 1756

Remarks by—12-13

Resolutions filed—13, 503, 541, 561, 1003, 1166, 1167, 1184, 1338, 1402, 1470, 1740, 2102

Rulings made (as acting Speaker)—787, 821, 1255

Subcommittee assignments—171, 220, 271, 277, 305, 306, 334, 335, 414, 493, 494, 507, 557, 587, 590, 601, 649, 717, 878, 979, 1001, 1163

CALL OF THE HOUSE—

Lifted:

Senate File 427—1747

Requested:

Senate File 427—1745

CANVASS OF VOTES—

Joint convention—37-38

Resolution relating to:

House Concurrent Resolution 1 – a joint convention for canvass of votes for Governor and Lieutenant Governor on Monday, January 8, 2007, at 2:00 p.m. and a joint convention on Tuesday, January 9, 2007 at 10:00 a.m. for Governor Thomas J. Vilsack to deliver his condition of the state and budget message—9, 10 adopted, 11 msgd. – S.J. – 20 adopted, 21 msgd. – H.J. – 46.

CERTIFICATES OF ELECTION—

Of Representatives—2-4

CERTIFICATES OF RECOGNITION—

76-77, 87-90, 109-110, 116-117, 120-121, 130-131, 136-138, 158-159, 170, 219, 229, 231-232, 266-270, 294-304, 315-316, 321, 330-334, 368-369, 402-413, 422, 434-437, 456-461, 475-476, 489-492, 501-502, 506-507, 532-536, 555-556, 587, 599-600, 605-606, 616-618, 641-646, 676-680, 696-697, 713-715, 735-736, 746-749, 763-766, 837-840, 876-877, 889-891, 902-907, 945-949, 974-977, 999-1000, 1018-1022, 1060-1062, 1126-1130, 1162-1163, 1181-1182, 1210-1215, 1231-1233, 1261-1266, 1283, 1310-1312, 1336-1337, 1373, 1378, 1399-1401, 1466-1468, 1518, 1539-1540, 1622, 1699-1701, 1739, 1812-1814, 1893-1895, 2018-2019, 2099-2101

CHAMBERS, ROYD E.—Representative Clay-O'Brien-Osceola-Sioux Counties

Amendments filed—140, 141, 284, 376, 562, 563, 564, 771, 846, 847, 848, 849, 1134, 1376, 1460, 1543, 1544, 1545, 1546, 1547, 1702, 1703, 1704, 2045

Amendments offered—352, 1775, 1777, 1799, 1802

Amendments withdrawn—1775, 1786

Bills introduced—106, 114, 115, 127, 167, 168, 169, 177, 226, 228, 287, 312, 416, 419, 471, 498, 499, 505, 512, 548, 567, 629, 669, 706, 726, 728, 882

Committee appointments—21, 22, 23, 733, 1439

Dissent from SF 551—1660-1661

Leaves of absence—1177, 1186, 1221, 1239

Presented to the House the Honorable Richard Vande Hoef, former member of the House—544

Resolutions filed—339, 468, 561, 981, 1003, 1166, 1167, 1184, 1338, 1402, 1470, 1520, 1740, 2102

Resolution offered—444

Subcommittee assignments—78, 277, 370, 462, 476, 478, 557, 558, 587, 588, 589, 647, 648, 649, 697, 841, 842, 843, 844, 877, 878, 907, 977, 978, 979, 1131, 1541

CHAPLAINS—

Resolution relating to:

Senate Concurrent Resolution 2 – compensation of chaplains, officers, and employees of the eighty-second general assembly—76, 81, 102 adopted & msgd. – H.J. – 112, 118, 121, 251, 264, 265 adopted, as amended & msgd., 277 – S.J. – 224, 242 adopted, as amended, 247 msgd. – H.J. – 286.

CHIEF CLERK OF THE HOUSE, Mark Brandsgard

Administered oath of office to temporary Speaker—1

Communications received and on file—41, 42-45, 108-109, 125, 130, 135-136, 157-158, 165, 175, 219, 224, 250-251, 283, 310-311, 320-321, 324-325, 338, 367, 374-376, 415, 423-424, 439-440, 451-456, 466-467, 480, 496-497, 502-503, 508, 532, 539-541, 560-561, 601-602, 608-609, 616-618, 622-624, 638, 651-653, 664, 683-685,

702-704, 712-713, 721-724, 737-743, 750-754, 767-770, 845-846, 908, 945, 952, 1002-1003, 1006, 1059, 1063-1064, 1126, 1132-1133, 1164-1166, 1180-1181, 1182-1184, 1210, 1216-1217, 1234-1237, 1260-1261, 1267-1270, 1284-1286, 1313-1314, 1333, 1334-1336, 1338, 1373, 1374-1375, 1379-1380, 1399, 1401-1402, 1468-1469, 1519-1520, 1541-1543, 1623-1625, 1697-1698, 1702, 1740, 1814-1815, 2016-2017, 2017-2018, 2020, 2103-2125

Elected acting Chief Clerk—1

Elected permanent Chief Clerk—9

Reports:

Certificates of recognition—76-77, 87-90, 109-110, 116-117, 120-121, 131, 136-138, 158-159, 170, 219, 229, 231-232, 266-270, 294-304, 315-316, 321, 330-334, 368-369, 402-413, 422, 434-437, 456-461, 475-476, 489-492, 501-502, 506-507, 532-536, 555-556, 587, 599-600, 605-606, 616-618, 641-646, 676-680, 696-697, 713-715, 735-736, 746-749, 763-766, 837-840, 876-877, 889-891, 902-907, 945-949, 974-977, 999-1000, 1018-1022, 1060-1062, 1126-1130, 1162-1163, 1181-1182, 1210-1215, 1231-1233, 1261-1266, 1283, 1310-1312, 1336-1337, 1373, 1378, 1399-1401, 1466-1468, 1518, 1539-1540, 1622, 1699-1701, 1739, 1812-1814, 1893-1895, 2018-2019, 2099-2101

Certification of engrossment—1738, 2015

Committee recommendations—125, 165, 175, 224, 251, 283, 310-311, 324-325, 338, 374-376, 415, 423-424, 439-440, 466-467, 480, 496-497, 502-503, 508, 539-541, 560-561, 592-594, 601-602, 608-609, 622-624, 638, 651-653, 664, 683-685, 702-704, 721-724, 737-743, 750-754, 767-770, 845-846, 908, 952, 1002-1003, 1006, 1063-1064, 1132-1133, 1164-1166, 1182-1184, 1216-1217, 1234-1237, 1267-1270, 1284-1286, 1313-1314, 1338, 1374-1375, 1379-1380, 1401-1402, 1468-1469, 1519-1520, 1541-1543, 1623-1625, 1702, 1740, 1814-1815, 2020

Enrolled bills—218, 320, 615-616, 712, 735, 763, 1005, 1059, 1125, 1162, 1180, 1282, 1372, 1398, 1465, 1539, 1697, 2016, 2099

Resolutions relating to:

House Resolution 5—permanent rules of the House for the eighty-second general assembly—175, 178, 204 adopted.

Senate Concurrent Resolution 2 - compensation of chaplains, officers, and employees of the eighty-second general assembly—76, 81, 102 adopted & msgd. - H.J. - 112, 118, 121, 251, 264, 265 adopted, as amended & msgd., 277 - S.J. - 224, 242 adopted, as amended, 247 msgd. - H.J. - 286.

Senate Concurrent Resolution 3 - joint rules of the Senate and House of Representatives for the eighty-second general assembly—77, 81, 102 adopted & msgd. - H.J. - 113, 118, 121, 165, 178, 217 adopted & msgd. - S.J. - 216.

Took oath of office—1

CHIEF JUSTICE OF THE SUPREME COURT, The Honorable Marsha K. Ternus
(See SUPREME COURT OF IOWA)

CLUTE, DAN—Representative Polk County

Amendments filed—140, 141, 292, 376, 562, 563, 564, 771, 815, 1339, 1375, 1376, 1543, 1544, 1545, 1546, 1547, 1704

Bills introduced—106, 128, 144, 167, 169, 226, 228, 287, 290, 499, 505, 512, 688, 689, 706, 726, 728, 882

Committee appointments—21, 22, 237, 1696, 1737

Leaves of absence—1146, 1168, 1186, 1221, 1239

Presented to the House the Honorable Gene Maddox, former member of the House—

Report—1750-1751

Resolutions filed—561, 1003, 1166, 1167, 1184, 1217, 1338, 1402, 1470, 1520, 1740, 2102

Resolution offered—1522

Subcommittee assignments—159, 304, 305, 307, 334, 336, 371, 462, 494, 507, 590, 619, 621, 647, 662, 681, 697, 767, 844, 1001, 1002, 1131, 1163

COHOON, DENNIS M.—Representative Des Moines County

Amendments filed—770, 1692, 1741, 2047

Amendments offered—1692, 1920, 2047

Bills introduced—19, 20, 312, 342, 418, 442, 443, 569, 596, 604, 637, 673, 674

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Amendments offered—1118, 1685, 1721

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Amendments filed—140, 141, 376, 541, 562, 563, 564, 595, 847, 848, 909, 1022, 1218, 1287, 1543, 1544, 1545, 1546, 1547, 1703, 1816

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- Bills introduced—19, 20, 106, 107, 119, 127, 176, 247, 286, 288, 318, 416, 418, 421, 422, 425, 426, 428, 505, 569, 570, 596, 629, 637, 669, 673, 674, 707, 727
- Committee appointments—12, 21, 22, 23, 238
- Presented to the House Tony Dempsey, an Irish Dignitary from the Parliament at Wexford, Ireland and his wife Jenna—856
- Presented to the House Miss Shamrock Jerri Lynn Saddler—856
- Resolutions filed—503, 541, 561, 1003, 1166, 1167, 1184, 1338, 1470, 1740, 2102
- Secunded the nomination for the Honorable Polly Bukta for Speaker Pro Tempore—11
- Subcommittee assignments—220, 306, 369, 370, 371, 502, 557, 589, 649, 681, 682, 717, 949, 950, 978, 1000, 1130, 1216, 1266, 1267, 1312

GASKILL, MARY—Representative **Wapello** County

- Amendments filed—908, 1065, 1678, 1679, 1680, 2021
- Amendment offered—1680
- Amendment withdrawn—2053
- Bills introduced—19, 20, 106, 113, 127, 135, 176, 247, 286, 288, 381, 418, 421, 428, 441, 442, 472, 500, 501, 511, 569, 596, 611, 673
- Committee appointments—22, 23, 1696, 1737
- Report—1750-1751
- Resolutions filed—503, 561, 1003, 1166, 1167, 1184, 1338, 1402, 1470, 1520, 1702, 1740, 2102
- Subcommittee assignments—122, 171, 220, 270, 277, 305, 306, 334, 371, 372, 414, 423, 463, 507, 536, 537, 647, 662, 681, 718, 979, 1131, 1216, 1233

GAYMAN, ELESHA—Representative **Scott** County

- Amendments filed—1548, 1567, 1581
- Amendments offered—1567, 1581
- Bills introduced—19, 20, 107, 119, 176, 288, 312, 318, 341, 421, 426, 428, 472, 500, 511, 546, 547, 569, 596, 625, 629, 674, 693
- Committee appointments—21, 23, 66, 733
- Resolutions filed—468, 503, 561, 1003, 1166, 1167, 1184, 1314, 1338, 1470, 1740, 2102
- Subcommittee assignments—90, 122, 220, 272, 278, 306, 370, 414, 462, 463, 477, 478, 589, 647, 648, 663, 697, 841, 842, 843, 907, 977, 1233, 1234, 1541

GENERAL ASSEMBLY—HOUSE—

(See also ADMINISTRATION AND RULES COMMITTEE in the GENERAL INDEX and/or HOUSE CONCURRENT RESOLUTIONS, HOUSE RESOLUTIONS and SENATE CONCURRENT RESOLUTIONS listed in LEGISLATIVE INDEX VOLUME)

Resolutions relating to:

- House Concurrent Resolution 1 – a joint convention for canvass of votes for Governor and Lieutenant Governor on Monday, January 8, 2007, at 2:00 p.m. and a joint convention on Tuesday, January 9, 2007 at 10:00 a.m. for Governor Thomas J. Vilsack to deliver his condition of the state and budget message—9, 10 adopted, 11 msgd. – S.J. – 20 adopted, 21 msgd. – H.J. – 46.
- House Concurrent Resolution 2 – a joint convention on Wednesday, January 10, 2007 at 10:00 a.m. for Chief Justice Ternus deliver her condition of the judicial

- branch message—10 adopted, 11 msgd. – S.J. – 20, 21 adopted and msgd. – H.J. – 46.
- House Concurrent Resolution 3—joint committee of six members from the House of Representatives and six members of the Senate to arrange for the inauguration of the Governor and Lieutenant Governor—10, 11 adopted and msgd. – S.J. – 20, 21 adopted and msgd. – H.J. – 46.
- House Concurrent Resolution 5—a joint convention on Tuesday, January 30, 2007 at 10:00 a.m. for Governor Chester J. Culver to deliver his condition of the state and budget message—140, 145 adopted & msgd. – S.J. – 158, 160 adopted & msgd. – H.J. – 218.
- House Concurrent Resolution 6—a joint convention on Tuesday, March 20, 2007 at 9:00 a.m. for Major General Ron Dardis to present his condition of the Iowa national guard message—440, 512 adopted & msgd. – S.J. – 402, 403 adopted & msgd. – H.J. – 513.
- House Concurrent Resolution 7—request interim study committee by Legislative Council to conduct a study of issues related to accountability and fraud in contracts or agreements between private contractors and the State of Iowa—609
- House Concurrent Resolution 9—relating to Pioneer Lawmakers—1273 adopted, 1283 msgd. – S.J. – 1111, 1158, 1163 adopted, 1164 msgd. – H.J. – 1317.
- House Concurrent Resolution 10—request legislative council create study committee relating to open meetings and public records laws in Iowa—1702, 1741, 1816, 2102
- House Concurrent Resolution 11—provide for adjournment sine die on Saturday, April 28, 2007—2095
- House Resolution 1—each member of the House entitled to a secretary to perform secretarial duties—13, 14 adopted.
- House Resolution 2—arrange for opening the sessions with prayer—14 adopted.
- House Resolution 3—honor the life and work of Wilbur N. Rhoads—14, 15 adopted.
- House Resolution 5—permanent rules of the House for the eighty-second general assembly—175, 178, 204 adopted.
- House Resolution 7—commemorate the twentieth anniversary of the World Food Prize—231 adopted.
- House Resolution 8—relating to House code of ethics—283, 396 adopted.
- House Resolution 9—relating to rules governing lobbyists in the House—284, 400 adopted.
- House Resolution 11—recognize and honor Representative Dolores Mertz on her appointment as National Chairman of the Board of Directors of the American Legislative Exchange Council—311, 506 adopted.
- House Resolution 12—designate May 1 as Iowa Right to Work Day—316, 320
- House Resolution 13—designate February 6, 2007 as Iowa Insurance Day—325, 329 adopted.
- House Resolution 21—designate February 2007 as Black History Month—484 adopted.
- House Resolution 22—designate March 2007 as Iowa Women's History Month—497, 1317 adopted.
- House Resolution 28—request legislative oversight of private employment contracts at the Iowa veterans home—908
- House Resolution 38—declare May 2007 Amyotrophic Lateral Sclerosis (ALS) Awareness Month—1217

- House Resolution 40—recognize and honor Charlotte Nelson upon her retirement as executive director of the Iowa Commission on the Status of Women after 22 years of service—1237, 1318 adopted.
- House Resolution 44—acknowledge and commend the Herbert Hoover Presidential Library Association for establishing the Uncommon Public Service Award to annually recognize the service of members of the Iowa General Assembly—1375, 1382 adopted.
- House Resolution 49—declare May 2007 Amyotrophic Lateral Sclerosis (ALS) Awareness Month—1520, 1522 adopted.
- House Resolution 50—declare third week of October, 2007, Disability History Week in Iowa—1702
- House Resolution 51—recognize May 2007 as American Stroke Awareness Month and National High Blood Pressure Education Month—1740, 1819 adopted.
- House Resolution 53—annual budget for the daily operations of the House of Representatives—2021, 2025 adopted, 2098.
- Senate Concurrent Resolution 2 - compensation of chaplains, officers, and employees of the eighty-second general assembly—76, 81, 102 adopted & msgd. - H.J. - 112, 118, 121, 251, 264, 265 adopted, as amended & msgd., 277 - S.J. - 224, 242 adopted, as amended, 247 msgd. - H.J. - 286.
- Senate Concurrent Resolution 3 - joint rules of the Senate and House of Representatives for the eighty-second general assembly—77, 81, 102 adopted & msgd. - H.J. - 113, 118, 121, 165, 178, 217 adopted & msgd. - S.J. - 216.
- Senate Concurrent Resolution 6—request establishment of interim study committee by legislative council to study issues related to amyotrophic lateral sclerosis—1406, 1408, 1440 adopted, 1441 msgd. - H.J. - 1758, 1816
- Senate Concurrent Resolution 7—establishment of a criminal code revisions legislative study committee—1437, 1481, 1508 adopted & msgd. - H.J. - 1916, 2021
- Senate Concurrent Resolution 8—provide for adjournment sine die on Saturday, April 28, 2007—1568 adopted & msgd. - H.J. - 2095, 2096 adopted & msgd. - S.J. - 1572.

GIFTS—

(See AWARDS AND GIFTS)

GIPP, CHUCK—Representative Allamakee-Winneshiek Counties

- Amendments filed—140, 141, 376, 377, 415, 562, 563, 564, 595, 654, 771, 1271, 1543, 1544, 1545, 1546, 1547
- Amendment offered—447
- Amendments withdrawn—450, 994
- Bills introduced—167, 169, 287, 381, 419, 425, 567, 726, 728
- Committee appointments—6, 23, 48
- Leaves of absence—755, 780, 856, 1743, 1918, 2024
- Presided at sessions of the House—484
- Resolutions filed—561, 981, 1003, 1166, 1167, 1184, 1338, 1470, 1520, 1702, 1740, 1815
- Resolution offered—231
- Subcommittee assignments—171, 233, 270, 306, 334, 372, 413, 414, 423, 463, 477, 478, 537, 588, 620, 717, 979, 1001, 1233

GOVERNMENT OVERSIGHT, COMMITTEE ON—

Appointed—22

Bills introduced—1526, 1810
 Recommendations—1542, 1815
 Subcommittee assignments—620, 841

GOVERNOR CULVER, CHESTER J.—

Addressed joint convention—99-104, 239-246
 Bills signed by—229, 330, 474, 587, 661, 676, 763, 889, 1018, 1059, 1126, 1180-1181, 1210, 1260-1261, 1333, 1399, 1465-1466, 1697-1699, 2016-2017, 2103-2112
 Committee to notify and escort—238, 514
 Communication from—229, 330, 474, 587, 661, 676, 763, 889, 1018, 1059, 1126, 1180-1181, 1210, 1260-1261, 1333, 1399, 1465-1466, 1697-1699, 2016-2017, 2017-2018, 2103-2125
 Delivered the condition of the State and Budget Message—239-246
 Delivered the inaugural address—99-104
 Item veto message—2017-2018
 Item veto messages after session—2113-2125
 Resolution relating to the condition of the State and Budget Message, House Concurrent Resolution 5, a joint convention on Tuesday, January 30, 2007 at 10:00 a.m. for Governor Chester J. Culver to deliver his condition of the state and budget message—140, 145 adopted & msgd. - S.J. - 158, 160 adopted & msgd. - H.J. - 218.
 Resolutions relating to:
 House Concurrent Resolution 3—joint committee of six members from the House of Representatives and six members of the Senate to arrange for the inauguration of the Governor and Lieutenant Governor—10, 11 adopted and msgd. - S.J. - 20, 21 adopted and msgd. - H.J. - 46.
 House Concurrent Resolution 5—a joint convention on Tuesday, January 30, 2007 at 10:00 a.m. for Governor Chester J. Culver to deliver his condition of the state and budget message—140, 145 adopted & msgd. - S.J. - 158, 160 adopted & msgd. - H.J. - 218.
 Took oath of office—99
 Veto messages—1334-1336
 Veto message after session—2111-2112

GOVERNOR VILSACK, THOMAS J.—

Addressed joint convention—49-58
 Committee to notify and escort—48
 Delivered the condition of the State and Budget Message—49-58
 Resolution relating to the condition of the State and Budget Message, House Concurrent Resolution 1, a joint convention on Tuesday, January 9, 2007 at 10:00 a.m. for Governor Thomas J. Vilsack to deliver his condition of the state and budget message—9, 10 adopted, 11 msgd. - S.J. - 20 adopted, 21 msgd. - H.J. - 46.
 Resolutions relating to:
 House Concurrent Resolution 1, a joint convention on Tuesday, January 9, 2007 at 10:00 a.m. for Governor Thomas J. Vilsack to deliver his condition of the state and budget message—9, 10 adopted, 11 msgd. - S.J. - 20 adopted, 21 msgd. - H.J. - 46.

GRANZOW, POLLY—Representative Franklin-Hardin-Marshall Counties

Amendments filed—140, 141, 292, 376, 562, 563, 564, 846, 848, 908, 909, 1218, 1255, 1315, 1376, 1543, 1544, 1545, 1546, 1547, 1548, 1582, 1585, 1679, 1741, 1816, 2022, 2045
 Amendments offered—939, 1255, 1585, 1586, 1596
 Amendments withdrawn—1256, 1350, 1795, 2058
 Bills introduced—128, 129, 167, 169, 226, 228, 287, 290, 312, 341, 381, 416, 421, 498, 499, 512, 567, 597, 598, 629, 637, 669, 687, 688, 706, 726, 882
 Committee appointments—21, 22, 23
 Explanation of vote—1738
 Leaves of absence—1627, 1706
 Resolutions filed—561, 1003, 1166, 1167, 1184, 1338, 1470, 1520, 1740, 2102
 Subcommittee assignments—159, 229, 277, 278, 322, 335, 494, 607, 681, 767, 877

GRASSLEY, PAT—Representative Bremer-Butler Counties

Amendments filed—140, 141, 376, 562, 563, 564, 848, 850, 1287, 1375, 1376, 1471, 1543, 1544, 1545, 1546, 1547, 1704, 1816, 1896, 1937, 1960
 Amendments offered—1937, 1960, 2058
 Amendment withdrawn—1644
 Bills introduced—106, 129, 167, 169, 228, 287, 290, 312, 419, 441, 498, 512, 567, 570, 693, 726, 728, 882
 Committee appointments—22, 23
 Dissent from SF 551—1660-1661
 Presented to the House his grandfather, the Honorable Chuck Grassley, United States Senator—1626
 Resolutions filed—561, 981, 1003, 1166, 1167, 1184, 1338, 1402, 1470, 1740, 2102
 Subcommittee assignments—335, 464, 493, 536, 648, 649, 877, 949, 951, 978, 1163, 1266, 1468, 1518

GREINER, SANDRA H.—Representative Jefferson-Johnson-Washington Counties

Amendments filed—140, 141, 376, 468, 562, 563, 564, 847, 1287, 1376, 1543, 1544, 1545, 1546, 1547, 1673, 1703, 2021, 2076
 Amendments offered—777, 1673, 2076
 Amendment withdrawn—1437
 Bills introduced—169, 226, 287, 499, 500, 512, 567, 706, 726, 882
 Committee appointments—21, 22, 23, 731, 734
 Dissent from SF 551—1660-1661
 Resolutions filed—311, 561, 1003, 1166, 1167, 1184, 1338, 1402, 1470, 1702, 1740,

2102

Subcommittee assignments—122, 220, 271, 306, 369, 413, 463, 464, 502, 537, 588, 589, 621, 681, 682, 697, 698, 717, 844, 979, 1000, 1131, 1216, 1233

HEATON, DAVID E.—Representative Henry-Lee Counties

Amendments filed—140, 141, 376, 562, 563, 564, 771, 846, 850, 908, 909, 1022, 1023, 1064, 1115, 1124, 1134, 1156, 1315, 1375, 1520, 1521, 1543, 1544, 1545, 1546, 1547, 1548, 1558, 1639, 1704, 1741, 1816
 Amendments offered—810, 830, 1108, 1113, 1114, 1115, 1122, 1156, 1558, 1565, 1566, 1586, 1591, 1595, 1597, 1599, 1639, 1900
 Amendments withdrawn—1107, 1113, 1157, 1591
 Bills introduced—106, 128, 129, 144, 226, 287, 290, 416, 417, 418, 419, 420, 422, 441, 445, 472, 498, 499, 510, 512, 548, 567, 570, 598, 603, 635, 667, 668, 669, 695, 706, 726, 882
 Committee appointments—21, 22, 1892

- Leaves of absence—146, 1743
 Presented to the House Matthew Wettach whom received the 2007 Prudential Spirit of Community Award—1345
 Resolutions filed—561, 981, 1003, 1166, 1167, 1184, 1338, 1470, 1520, 1740, 2102
 Subcommittee assignments—121, 220, 229, 271, 272, 304, 335, 370, 477, 556, 588, 589, 620, 647, 648, 649, 681, 697, 698, 716, 717, 841, 842, 843, 907, 977, 978, 1216, 1283, 1312
- HEDDENS, LISA**—Representative Boone-Story Counties, Assistant Majority Leader
 Amendments filed—850, 880, 953, 1185, 1548, 1567, 1581, 1703, 1895, 2021
 Amendment offered—1581
 Amendments withdrawn—2053, 2055
 Bills introduced—19, 20, 107, 113, 127, 176, 225, 246, 247, 248, 288, 290, 312, 315, 318, 342, 381, 418, 420, 421, 428, 441, 525, 569, 570, 636, 637, 669, 674, 693
 Committee appointments—21, 22, 23, 91, 711
 Presented to the House Rich Fellingham, President and CEO of the 2006 Special Olympics, Jenna Schrack, an Olympic athlete and Alejandro Patino, a House Page and also an athletic participant—135
 Presided at sessions of the House—1037, 1186
 Resolutions filed—503, 541, 561, 1003, 1166, 1167, 1184, 1217, 1338, 1470, 1702, 1740, 2102
 Subcommittee assignments—90, 171, 220, 278, 306, 307, 370, 437, 463, 476, 478, 493, 494, 536, 558, 606, 607, 648, 649, 681, 697, 717, 718, 844, 978, 1163, 1233, 1234
- HOFFMAN, CLARENCE**—Representative Crawford-Ida-Monona-Woodbury Counties
 Amendments filed—140, 141, 376, 562, 563, 564, 846, 847, 909, 954, 1218, 1287, 1376, 1520, 1543, 1544, 1545, 1546, 1547, 1686, 1703, 1704, 2022, 2047
 Amendments offered—995, 1599, 1686
 Amendment withdrawn—2047
 Bills introduced—106, 128, 129, 167, 169, 226, 228, 247, 287, 327, 419, 421, 425, 499, 512, 548, 567, 597, 706
 Committee appointments—21, 22
 Resolutions filed—561, 1003, 1166, 1167, 1184, 1338, 1402, 1470, 1520, 1740, 2102
 Resolution offered—329
 Subcommittee assignments—159, 334, 371, 493, 494, 538, 607, 619, 662, 697, 767, 1000, 1001, 1131, 1163, 1216, 1233
- HORBACH, LANCE**—Representative Grundy-Tama Counties
 Amendments filed—284, 339, 376, 563, 564, 846, 847, 848, 849, 880, 1287, 1315, 1375, 1470, 1520, 1543, 1544, 1545, 1546, 1547
 Amendments offered—354, 1505
 Amendments withdrawn—355, 1504
 Bills introduced—115, 169, 287, 314, 425, 499, 500, 511, 567, 667, 668, 669, 726, 728, 745, 882
 Committee appointments—21, 22, 66
 Leaves of absence—1322, 1636, 1706, 1743, 1818, 1897, 2024
 Presented to the House the Honorable Phil Tyrrell, former member of the House—858
 Resolutions filed—316, 561, 1003, 1166, 1167, 1184, 1338, 1470, 1520, 1740, 2102
 Subcommittee assignments—220, 464, 556, 697, 878, 891, 951, 1131, 1215

HOUSE COMMITTEE ASSIGNMENTS—25-46, 711, 945

HOUSE CONCURRED—

House File 368, H-1429, as amended—1423
 House File 451, H-1577—1365
 House File 499, H-1700—1422
 House File 546, H-1707—1479
 House File 556, H-2115—1958
 House File 566, H-1649—1349
 House File 608, H-1759—1524
 House File 641, H-1971, as amended—1935
 House File 651, H-1694—1489
 House File 752, H-1735—1475
 House File 767, H-1693—1494
 House File 773, H-1757—1709
 House File 783, H-1789—1708
 House File 793, H-1636, as amended—1357
 House File 817, H-1772—1756
 House File 829, H-1988—1770
 House File 830, H-1972—1882
 House File 849, H-1582—1389
 House File 874, H-1733—1529
 House File 911, H-2114, as amended—2050
 House File 912, H-2007—1749
 House File 923, H-2110, as amended—1956
 Senate File 61, H-1053—574
 Senate File 546, H-1825—1713
 Senate File 588, H-2112—2036
 Senate File 601, H-2144—2094

HOUSE INSISTS—

Senate File 472—1498

HOUSE REFUSED TO CONCUR—

House File 808, H-1758—1506
 House File 909, H-2041—1868
 Senate File 277, H-1738—1409
 Senate File 551, H-2040—1870

HUMAN RESOURCES, COMMITTEE ON—

Amendments filed—624, 665, 685, 705, 846, 1237, 1314
 Amendments offered—867, 1035, 1360, 1477
 Appointed—22, 711, 945
 Bills introduced—328, 378, 482, 483, 510, 597, 604, 611, 638, 695, 707, 745, 774, 782,
 852, 888, 894, 895
 Recommendations—324, 466-467, 497, 508, 593, 623, 652, 664, 684, 703, 740-741,
 767, 845, 1235, 1268, 1313
 Subcommittee assignments—110, 121, 159, 229, 233, 271, 277, 278, 316, 335, 437,
 477, 478, 493, 495, 536, 557, 607, 647, 648, 649, 681, 877, 878, 978, 979, 980, 1000,
 1163, 1182, 1216, 1234, 1283

HUNTER, BRUCE L.—Representative Polk County

- Amendments filed—292, 908, 981, 1023, 2021, 2055, 2076
 Amendments offered—1030, 1071, 1178
 Amendments withdrawn—2055, 2076
 Bills introduced—19, 106, 115, 127, 128, 129, 134, 144, 176, 248, 276, 288, 326, 472, 482, 542, 547, 570, 597, 636, 674, 692, 706, 708
 Committee appointments—21, 22, 23, 48
 Resolutions filed—468, 503, 541, 561, 1003, 1166, 1167, 1184, 1338, 1470, 1702, 1740, 2102
 Subcommittee assignments—110, 159, 271, 277, 370, 414, 462, 477, 589, 607, 648, 698, 877, 878, 980, 1001, 1163, 1182, 1216, 1233, 1234, 1468
- HUSEMAN, DANIEL A.**—Representative **Cherokee-Plymouth-Woodbury Counties**
 Amendments filed—140, 141, 376, 562, 563, 564, 848, 849, 954, 1287, 1460, 1543, 1544, 1545, 1546, 1547, 1675, 1704, 1816
 Bills introduced—106, 129, 144, 167, 169, 177, 226, 228, 287, 290, 419, 498, 499, 500, 512, 567, 629, 669, 706, 726, 728, 882
 Committee appointments—21, 23, 733, 1498
 Resolutions filed—561, 1003, 1166, 1167, 1184, 1338, 1402, 1470, 1740
 Resolution offered—1188
 Subcommittee assignments—171, 233, 370, 478, 493, 557, 587, 590, 647, 698, 841, 878, 907, 1130, 1182, 1216, 1267, 1468, 1541, 1622
- HUSER, GERI D.**—Representative **Polk County**
 Amendments filed—292, 654, 705, 771, 846, 849, 880, 881, 891, 908, 953, 981, 1004, 1023, 1064, 1065, 1271, 1287, 1339, 1454, 1470, 1679, 1680, 1702, 1816, 1817, 2022, 2045, 2046, 2048, 2055
 Amendments offered—911, 916, 918, 1048, 1172, 1195, 1197, 1323, 1324, 1354, 1356, 1412, 1679, 1680, 1916, 1922, 1925, 2033, 2045, 2046, 2048
 Amendments withdrawn—911, 918, 1172, 1324, 1454, 2046, 2055
 Bills introduced—19, 105, 106, 114, 126, 127, 129, 167, 169, 170, 176, 227, 249, 289, 290, 313, 318, 417, 444, 470, 482, 596
 Committee appointments—22, 23, 1696, 1737
 Presented to the House the Honorable Ed Skinner, former member of the House—1169
 Report—1750-1751
 Resolutions filed—562, 1003, 1166, 1167, 1184, 1338, 1740
 Subcommittee assignments—220, 304, 306, 334, 369, 370, 371, 492, 493, 494, 507, 556, 590, 601, 620, 662, 663, 715, 717, 736, 843, 950, 1062, 1267, 1312, 1518, 1623, 1701, 1739
- INAUGURATION**—
 Committee appointed—76
 Joint convention—92-104
 Remarks by Governor Chester J. Culver—99-104
 Resolution relating to:
 House Concurrent Resolution 3—joint committee of six members from the House of Representatives and six members of the Senate to arrange for the inauguration of the Governor and Lieutenant Governor—10, 11 adopted and msgd. — S.J. — 20, 21 adopted and msgd. — H.J. — 46.
- INTERIM COMMITTEES**—
 (See also **LEGISLATIVE COUNCIL** and/or **STUDY COMMITTEES**)

Resolutions relating to:

House Concurrent Resolution 7—request interim study committee by Legislative Council to conduct a study of issues related to accountability and fraud in contracts or agreements between private contractors and the State of Iowa—609

Senate Concurrent Resolution 6—request establishment of interim study committee by legislative council to study issues related to amyotrophic lateral sclerosis—1406, 1408, 1440 adopted, 1441 msgd. - H.J. - 1758, 1816

IOWA NATIONAL GUARD—

Condition of the Iowa National Guard message—515-524

Joint Convention—513-524

Resolutions relating to:

House Concurrent Resolution 6—a joint convention on Tuesday, March 20, 2007 at 9:00 a.m. for Major General Ron Dardis to present his condition of the Iowa national guard message—440, 512 adopted & msgd. - S.J. - 402, 403 adopted & msgd. - H.J. - 513.

House Resolution 20—honor the 133rd Test Squadron of the Iowa Air National Guard for its ongoing role in the Global War on Terror—468

House Resolution 30—honor the 132nd Fighter Wing of the Iowa Air National Guard—981,

House Resolution 35—honor the service of the 185th Air Refueling Wing of the Iowa Air National Guard—1166, 1188 adopted.

House Resolution 36—honor the 132nd Fighter Wing of the Iowa Air National Guard—1167, 1188 adopted.

House Resolution 37—honor the 133rd Test Squadron of the Iowa Air National Guard for its ongoing role in the Global War on Terror—1184, 1188 adopted.

JACOBS, LIBBY—Representative Polk County

Amendments filed—140, 141, 376, 508, 541, 562, 563, 564, 743, 754, 770, 771, 815, 846, 880, 908, 909, 953, 981, 1003, 1022, 1023, 1064, 1065, 1184, 1287, 1520, 1543, 1544, 1545, 1546, 1547, 1680, 1816, 1941, 1951, 2021, 2022

Amendments offered—815, 869, 870, 928, 930, 932, 1010, 1011, 1909, 1911, 1913, 1951, 2031, 2032, 2046

Amendments withdrawn—709, 928, 1011, 1680, 2033

Bills introduced—144, 167, 168, 169, 226, 228, 246, 287, 290, 381, 425, 444, 499, 512, 525, 567, 598, 706, 726, 728, 882

Committee appointments—21, 22, 23, 238

Dissent from SF 551—1660-1661

Explanation of vote—1398

Presented to the House the Honorable Jeff Elgin, former member of the House—429

Presented to the House the Honorable Ralph Klemme, former member of the House—1251

Presented to the House the Honorable Willard Jenkins, former member of the House—1478

Resolutions filed—562, 981, 1003, 1166, 1167, 1184, 1338, 1470, 1702, 1740, 2102

Subcommittee assignments—110, 159, 220, 270, 278, 334, 369, 370, 372, 414, 423, 462, 463, 477, 494, 536, 537, 538, 557, 588, 619, 620, 662, 697, 715, 716, 717, 950, 951, 979, 1000, 1001, 1002, 1062, 1131, 1216, 1233, 1312

JACOBY, DAVID—Representative Johnson County

Amendments filed—846, 909, 1065, 1339, 1403, 1625, 1703

Amendments offered—961, 1176, 1319, 1447, 1448, 1454, 1481, 1783
 Amendments withdrawn—1176, 1448, 1449, 1455, 1783
 Bills introduced—19, 20, 106, 176, 246, 247, 286, 381, 417, 421, 500, 548, 567, 636, 637, 674, 745
 Committee appointments—21, 22, 23, 47, 514, 711, 945
 Resolutions filed—562, 1003, 1166, 1167, 1184, 1314, 1338, 1375, 1402, 1470, 1702, 1740, 2102
 Resolution offered—1382
 Subcommittee assignments—110, 121, 122, 131, 159, 270, 271, 277, 278, 306, 371, 413, 422, 463, 464, 477, 494, 536, 537, 588, 589, 619, 620, 621, 647, 648, 662, 697, 698, 715, 844, 878, 907, 978, 979, 1000, 1001, 1002, 1216, 1233, 1541

JOCHUM, PAM—Representative **Dubuque** County

Amendments filed—770, 1403, 1546, 1705, 1741, 1816
 Amendments offered—800, 1449, 1598
 Amendments withdrawn—2053, 2054
 Bills introduced—19, 20, 127, 128, 129, 133, 134, 166, 168, 230, 248, 249, 288, 289, 315, 418, 421, 443, 472, 500, 511, 527, 570, 596, 630, 669, 674
 Bills passed on file (as acting Speaker)—876
 Committee appointments—22, 23
 Presented to the House the Honorable Berkley Bedell, former Congressman from the 6th Congressional District in Iowa—230
 Presented to the House the Honorable Ed Fallon, former member of the House—230
 Presided at session of the House—871
 Resolutions filed—503, 541, 562, 1003, 1166, 1167, 1184, 1338, 1470, 1702, 1740, 2102
 Subcommittee assignments—78, 122, 131, 270, 271, 306, 413, 414, 462, 463, 464, 478, 492, 493, 494, 537, 588, 589, 621, 663, 697, 698, 715, 716, 717, 718, 844, 979, 1000, 1001, 1005, 1215, 1233, 1266, 1312

JOINT CONVENTIONS—

Canvass of Votes—37-38
 Condition of the Iowa National Guard—513-524
 Condition of the Judicial Department Message—65-76
 Condition of the State and Budget Message—47-60, 238-246
 Inauguration—92-104

Resolutions relating to:

- House Concurrent Resolution 1, a joint convention on Tuesday, January 9, 2007 at 10:00 a.m. for Governor Thomas J. Vilsack to deliver his condition of the state and budget message—9, 10 adopted, 11 msgd. – S.J. – 20 adopted, 21 msgd. – H.J. – 46.
- House Concurrent Resolution 2 – a joint convention on Wednesday, January 10, 2007 at 10:00 a.m. for Chief Justice Ternus deliver her condition of the judicial branch message—10 adopted, 11 msgd. – S.J. – 20, 21 adopted and msgd. – H.J. – 46.
- House Concurrent Resolution 3—joint committee of six members from the House of Representatives and six members of the Senate to arrange for the inauguration of the Governor and Lieutenant Governor—10, 11 adopted and msgd. – S.J. – 20, 21 adopted and msgd. – H.J. – 46.
- House Concurrent Resolution 5—a joint convention on Tuesday, January 30, 2007 at 10:00 a.m. for Governor Chester J. Culver to deliver his condition of the state

and budget message—140, 145 adopted & msgd. - S.J. - 158, 160 adopted & msgd. - H.J. - 218.

House Concurrent Resolution 6—a joint convention on Tuesday, March 20, 2007 at 9:00 a.m. for Major General Ron Dardis to present his condition of the Iowa national guard message—440, 512 adopted & msgd. - S.J. - 402, 403 adopted & msgd. - H.J. - 513.

House Concurrent Resolution 9—relating to Pioneer Lawmakers—1273 adopted, 1283 msgd. - S.J. - 1111, 1158, 1163 adopted, 1164 msgd. - H.J. - 1317.

To honor Pioneer Lawmakers—1329-1332

JOINT RULES—

Resolutions relating to:

Senate Concurrent Resolution 3 - joint rules of the Senate and House of Representatives for the eighty-second general assembly—77, 81, 102 adopted & msgd. - H.J. - 113, 118, 121, 165, 178, 217 adopted & msgd. - S.J. - 216.

JUDICIARY, COMMITTEE ON—

Amendments filed—1184, 1237, 1287

Amendments offered—1277, 1279, 1495, 1526

Appointed—22

Bills introduced—289, 313, 342, 382, 418, 547, 567, 612, 627, 629, 636, 670, 672, 707, 744, 775, 781, 782, 883, 894, 895, 920, 984

Recommendations—283, 311, 324-325, 374-375, 561, 602, 652, 741-742, 768, 1132, 1183, 1236-1237, 1285, 1313-1314

Subcommittee assignments—220, 272, 304, 307, 462, 556, 557, 618, 619, 620, 621, 716, 717, 718, 878, 949, 951, 980, 1062, 1131, 1267

KAUFMANN, JEFF—Representative Cedar-Johnson-Muscatine Counties, Assistant Minority Leader

Amendments filed—140, 141, 284, 376, 562, 563, 564, 754, 771, 816, 833, 849, 909, 1022, 1271, 1314, 1339, 1376, 1471, 1543, 1544, 1545, 1546, 1547, 1548, 1668, 1703, 1704, 1816, 1896, 1940, 2022

Amendments offered—149, 357, 938, 1120, 1451, 1550, 1590, 1646, 1775

Amendments withdrawn—833, 1350, 1589, 1591, 1668, 1940, 2058

Bills introduced—106, 114, 127, 128, 129, 144, 167, 168, 169, 177, 227, 228, 230, 247, 286, 287, 290, 416, 419, 421, 441, 499, 500, 512, 546, 547, 567, 598, 637, 692, 693, 694, 706, 726, 727, 728, 755, 882

Committee appointments—21, 22, 23

Dissent from SF 551—1660-1661

Resolutions filed—339, 468, 503, 562, 981, 1003, 1166, 1167, 1184, 1338, 1375, 1470, 1702, 1740, 2102

Subcommittee assignments—78, 117, 121, 122, 131, 220, 270, 271, 304, 307, 370, 371, 414, 463, 492, 493, 507, 621, 647, 649, 663, 841, 842, 843, 844, 949, 950, 1005, 1233

KELLEY, DORIS—Representative Black Hawk County

Amendments filed—953, 1064, 1134, 1403, 1702, 1703, 1816

Amendment offered—1950

Amendment withdrawn—1455

Bills introduced—19, 20, 113, 119, 176, 312, 421, 470, 511, 547, 569, 596, 629, 674

Committee appointments—21, 22, 23, 47

Presided at session of the House—1404

Resolutions filed—503, 541, 562, 1003, 1064, 1166, 1167, 1184, 1314, 1338, 1470, 1740

Subcommittee assignments—90, 110, 159, 171, 304, 305, 306, 307, 370, 371, 413, 462, 463, 494, 507, 538, 557, 619, 620, 697, 716, 841, 844, 878, 1001, 1002, 1379, 1468

KRESSIG, BOB—Representative Black Hawk County

Amendments filed—846, 909, 1314, 1449, 1817

Amendment offered—1449

Amendment withdrawn—2053

Bills deferred, retained on calendar (as acting Speaker)—1486

Bills introduced—19, 20, 106, 113, 115, 119, 176, 246, 286, 288, 318, 327, 417, 421, 443, 500, 511, 569, 596, 637, 673, 674, 693, 727

Committee appointments—21, 22, 23, 711

Presented to the House the Honorable Bill Witt, former member of the House—289

Presided at sessions of the House—1482, 1696

Resolutions filed—503, 541, 562, 1003, 1064, 1166, 1167, 1184, 1314, 1338, 1470, 1702, 1740, 2102

Subcommittee assignments—110, 159, 220, 278, 304, 336, 477, 494, 507, 607, 681, 697, 718, 844, 878, 979, 1001, 1002, 1216, 1233, 1234

KUHN, MARK—Representative Cerro Gordo-Floyd-Howard-Mitchell Counties

Amendments filed—639, 2102

Amendments offered—639, 1644

Bills introduced—19, 20, 107, 119, 129, 176, 225, 226, 286, 289, 472, 500, 569, 596, 637, 674, 688, 728

Committee appointments—21, 22, 23, 1892

Report—1975-1978

Resolutions filed—468, 503, 562, 705, 1003, 1064, 1166, 1167, 1184, 1338, 1470, 1702, 1740, 2102

Resolution offered—1716

Subcommittee assignments—220, 277, 306, 370, 463, 502, 587, 588, 589, 607, 648, 649, 681, 682, 717, 841, 842, 843, 980, 1000, 1182, 1216, 1233, 1234, 1518, 1622

LABOR, COMMITTEE ON—

Amendments filed—1185, 1286

Amendments offered—1299, 1771

Appointed—22

Bills introduced—446, 687, 744, 852, 857, 919, 1066

Recommendations—125, 423-424, 652-653, 703-704, 752-753, 768, 908, 1165, 1183, 1236, 1285-1286

Subcommittee assignments—78, 110, 462, 464, 648, 697, 698, 891, 979, 1001, 1215

LEAVE OF ABSENCE—146, 237, 292, 378, 469, 481, 709, 726, 755, 780, 856, 955, 1067, 1136, 1138, 1146, 1168, 1177, 1186, 1192, 1221, 1239, 1273, 1289, 1316, 1322, 1344, 1473, 1477, 1500, 1582, 1610, 1627, 1636, 1706, 1743, 1818, 1897, 1915, 1918, 2023-2024, 2078

LEGISLATIVE COUNCIL—

Resolutions relating to:

House Concurrent Resolution 7—609

House Concurrent Resolution 10—1702, 1741, 1816, 2102

Senate Concurrent Resolution 6—1758, 1816

Senate Concurrent Resolution 7—1916, 2021

LEGISLATIVE EMPLOYEES—

(See OFFICERS AND EMPLOYEES)

LENSING, VICKI—Representative Johnson County

Amendments filed—1520, 1625, 1703, 1896, 1941

Amendment offered—1941

Bills introduced—19, 129, 134, 144, 176, 286, 288, 289, 290, 381, 421, 426, 482, 500, 596, 629, 636, 674, 706, 708, 728, 745

Committee appointments—15, 22, 23, 711, 731, 734, 1330

Resolutions filed—468, 503, 541, 562, 1003, 1166, 1167, 1184, 1314, 1338, 1470, 1702, 1740, 2102

Subcommittee assignments—122, 131, 270, 271, 272, 307, 334, 413, 414, 422, 462, 476, 477, 537, 556, 557, 589, 618, 619, 620, 621, 662, 663, 681, 698, 716, 717, 843, 878, 949, 951, 979, 1001, 1062, 1131, 1216, 1233

LOBBYISTS—

(See ETHICS, COMMITTEE ON)

LOCAL GOVERNMENT, COMMITTEE ON—

Appointed—22

Bills introduced—318, 471, 543, 630, 637, 775, 780, 781, 782, 853, 888

Recommendations—310, 467, 540-541, 623-624, 684, 742-743, 1133, 1216, 1236, 1286

Subcommittee assignments—121, 122, 277, 304, 305, 306, 307, 334, 335, 370, 371, 492, 507, 537, 538, 601, 647, 649, 663, 681, 717, 718, 844, 878, 979, 1131, 1233

LUKAN, STEVEN F.—Representative Delaware-Dubuque Counties

Amendments filed—140, 141, 376, 541, 562, 563, 564, 595, 771, 805, 846, 847, 848, 849, 931, 1270, 1271, 1339, 1375, 1376, 1543, 1544, 1545, 1546, 1547, 1704, 1816, 1895, 1965

Amendments offered—657, 805, 931, 969, 1366, 1417, 1636, 1637, 1805, 1965

Amendments withdrawn—1636, 1637, 2060

Bill deferred, retained on calendar (as acting Speaker)—1412

Bills introduced—106, 119, 127, 129, 144, 167, 168, 169, 177, 225, 226, 247, 287, 290, 327, 416, 417, 421, 425, 443, 498, 499, 500, 505, 548, 566, 567, 597, 627, 635, 669, 688, 689, 694, 706, 726, 728, 882

Committee appointments—21, 23

Presented to the House the Honorable Danny Carroll, former member of the House—1472

Presided at sessions of the House—858, 1406

Resolutions filed—562, 981, 1003, 1166, 1167, 1184, 1338, 1402, 1470, 1520, 1740

Subcommittee assignments—277, 321, 370, 371, 463, 478, 493, 588, 607, 619, 648, 718, 843, 877, 1001, 1002, 1131, 1163, 1233, 1234

LYKAM, JIM—Representative Scott County

Amendment filed—1440

Amendment offered—1440

Bills introduced—19, 20, 176, 472, 569, 637, 673, 674, 693, 727

Committee appointments—22, 23, 733, 1498, 1738

Report—1820-1821

Resolutions filed—503, 562, 1003, 1166, 1167, 1184, 1338, 1470, 1740, 2102

Resolution offered—1026

Subcommittee assignments—233, 305, 370, 464, 493, 507, 538, 587, 590, 620, 649, 662, 663, 717, 736, 843, 844, 979, 1131, 1216, 1233, 1234

MAJORITY LEADER, Kevin McCarthy—Representative **Polk** County
(See **MCCARTHY, KEVIN**—Representative **Polk** County, Majority Leader)

MASCHER, MARY—Representative **Johnson** County

Amendments filed—339, 880, 1167, 1403, 1520, 1546, 1625, 1703, 1741, 1895, 2021

Amendments offered—358, 359, 366, 1154, 1450, 1534

Bills introduced—19, 176, 288, 312, 342, 402, 421, 500, 505, 509, 526, 567, 569, 596, 626, 629, 636, 674, 675, 686, 727, 728, 745

Committee appointments—21, 22, 23, 734

Committee appointments (as acting Speaker)—1737, 1738

Presided at sessions of the House—542, 1724

Resolutions filed—503, 541, 562, 1003, 1166, 1167, 1184, 1338, 1469, 1470, 1740, 2102

Resolution offered—1638

Subcommittee assignments—78, 90, 121, 272, 278, 307, 437, 464, 477, 557, 558, 588, 607, 620, 649, 681, 717, 842, 878, 977, 980, 1163, 1216, 1233, 1234

MAY, MIKE—Representative **Clay-Dickinson** Counties

Amendments filed—140, 141, 284, 292, 376, 562, 563, 564, 846, 847, 848, 849, 880, 1218, 1270, 1271, 1375, 1376, 1460, 1543, 1544, 1545, 1546, 1547, 1625, 1656, 1689, 1703, 1704, 1816, 2021, 2054

Amendments offered—344, 355, 356, 449, 1252, 1656

Amendments withdrawn—915, 1689, 2060

Bills introduced—106, 114, 127, 129, 133, 144, 167, 168, 169, 177, 226, 228, 249, 287, 290, 327, 416, 417, 419, 499, 505, 509, 511, 512, 548, 597, 626, 629, 667, 668, 673, 675, 706, 726, 727, 728, 756, 882, 965, 966, 983, 984

Committee appointments—2, 21, 23, 1329, 1439

Presented to the House the Graettinger-Terril Knights girls' basketball team and their coach, Jared Cecil—734

Resolutions filed—339, 468, 562, 981, 1003, 1166, 1167, 1184, 1338, 1470, 1520, 1740, 2102

Resolution offered—444

Subcommittee assignments—117, 278, 305, 371, 463, 494, 557, 590, 620, 663, 767, 842, 844, 878, 1001, 1163

MCCARTHY, KEVIN—Representative **Polk** County, Majority Leader

Amendment filed—770

Bills introduced—19, 472, 567, 637, 1032, 1258, 1476, 1714, 1715

Committee appointment—21

Presented to the House the widow of Wilbur Rhoads, Mary, and presented to her a copy of House Resolution 3—15

Presented to the House a delegation of five Croatian Mayors—692

Presented to the House the Honorable Dick Myers, former Minority Leader of the House—1526

Remarks—18-19, 2081-2082

Resolutions filed—10, 11, 140, 231, 325, 440, 562, 1068, 1166, 1167, 1184, 1273, 1338, 1470, 2095

Resolutions offered—9, 10, 14, 145, 512, 2095

Special presentation to House Pages—731, 1819-1820

MEMORIALS—

Committees appointed—731, 732, 733, 734

In Memoriam List—1342-1343

Joint Memorial Service—1341-1343

MERTZ, DOLORES M.—Representative Humboldt-Kossuth-Pocahontas-Webster Counties

Amendments filed—654, 771, 981, 1065, 1134, 1238, 1287, 1315, 1339, 1376, 1470, 1703, 1816, 2021

Bills introduced—19, 20, 119, 127, 176, 177, 227, 246, 247, 248, 286, 288, 381, 418, 419, 421, 428, 470, 472, 482, 500, 511, 569, 596, 610, 637, 673, 674, 693, 727, 728, 882

Committee appointments—21, 22, 23, 513, 732, 1330, 1498, 1738, 1892

Leave of absence—1897

Presentation of visitors (as acting Speaker)—532

Presided at sessions of the House—525

Reports—1820-1821, 1975-1978

Resolutions filed—503, 562, 953, 1003, 1166, 1167, 1184, 1338, 1402, 1470, 1520, 1740, 2102

Resolution offered—968

Seconded the nomination of the Honorable Patrick J. Murphy for Speaker of the House—6

Subcommittee assignments—170, 171, 220, 233, 304, 305, 321, 322, 335, 462, 463, 493, 556, 607, 649, 718, 951, 978, 1131, 1216, 1234

MESSAGES—

(See also COMMUNICATIONS)

From Senate—46, 112-113, 217-218, 275, 285-286, 326, 340, 401-402, 446, 483, 512-513, 565-566, 633-634, 689-691, 711, 731, 745-746, 761-762, 780, 834-836, 857-858, 885-886, 887, 901-902, 910-911, 942-943, 956-957, 965, 982-983, 1017, 1025-1026, 1034, 1034-1035, 1055, 1077, 1078, 1138, 1142-1143, 1144, 1171, 1172, 1187, 1191-1192, 1195, 1219-1220, 1223-1224, 1239, 1258, 1288-1289, 1298-1299, 1316-1317, 1344-1345, 1355, 1371-1372, 1383, 1395-1396, 1404-1406, 1409-1410, 1419-1420, 1439, 1456-1457, 1476-1477, 1497, 1498, 1500, 1525, 1530, 1533-1534, 1626-1627, 1638, 1643, 1695-1696, 1706, 1715-1716, 1718-1719, 1725-1726, 1727, 1735-1736, 1743, 1757-1758, 1810-1811, 1891, 1892-1893, 1916, 1919-1920, 1936, 1946-1947, 1947-1948, 2023, 2030-2031, 2078-2079

From Governor—229, 330, 474, 587, 661, 675, 763, 889, 1018, 1059, 1126, 1180-1181, 1210, 1260-1261, 1333, 1334-1336, 1399, 1465-1466, 1697-1699, 2016-2017, 2017-2018, 2103-2125

Immediate messages—11, 108, 145, 156, 217, 265, 294, 367, 401, 451, 474, 485, 487, 488, 489, 512, 531, 546, 554, 575, 586, 615, 633, 640, 661, 710, 760, 794, 798, 834, 864, 867, 874, 876, 919, 925, 927, 944, 962, 965, 974, 988, 995, 999, 1014, 1016, 1033, 1046, 1050, 1058, 1077, 1102, 1105, 1125, 1137, 1153, 1162, 1170, 1179, 1191, 1209, 1222, 1230, 1258, 1282, 1292, 1298, 1305, 1310, 1322, 1353, 1360, 1368, 1396, 1409, 1416, 1423, 1424, 1442, 1457, 1464, 1483, 1487, 1497, 1500, 1506, 1507, 1517, 1525, 1532, 1537, 1584, 1613, 1615, 1619, 1640, 1662, 1695.

1715, 1726, 1747, 1820, 1872, 1892, 1898, 1906, 1918, 1919, 1922, 1927, 1936, 1938, 1941, 1946, 1959, 1975, 1979, 2015, 2030, 2034, 2037, 2039, 2051, 2078, 2095

Item veto messages—2017-2018

Item veto message after session—2113-2125

Senate messages considered—276, 291, 328-329, 343, 428, 443, 472, 501, 527, 571-572, 599, 638, 656-657, 673, 695, 708-709, 730-731, 746, 775-777, 853-856, 884, 897-900, 921, 955-956, 966-967, 984-985, 988-989, 1008, 1025, 1033, 1066-1067, 1078, 1135, 1144, 1160-1161, 1168, 1180, 1186-1187, 1191, 1219, 1223, 1272-1273, 1396, 1398, 1404, 1407, 1464, 1517, 1526, 1537, 1550, 1627-1628, 1715, 1742, 1743-1744, 1818, 1920

Veto messages—1334-1336

Veto message after session—2111-2112

MILEAGE, COMMITTEE ON—

Appointments to—15

Report—61-63

Report adopted—80

MILLER, HELEN—Representative **Webster** County, Assistant Majority Leader

Amendments filed—1470, 1703

Amendment offered—1530

Bills introduced—19, 106, 119, 176, 314, 315, 319, 381, 418, 419, 421, 509, 511, 546, 597, 637, 669, 673, 674, 692, 727

Bill placed on calendar (as acting Speaker)—945

Bills referred and rereferred to committee (as acting Speaker)—945

Committee appointments—6, 21, 22; 23

Committee appointments (as acting Speaker)—945

Presided at sessions of the House—930, 1457, 1883

Resolutions filed—484, 503, 541, 562, 1003, 1166, 1167, 1184, 1314, 1338, 1402, 1470, 1740, 2102

Resolutions offered—291, 484, 1188

Rulings made (as acting Speaker)—932, 936

Subcommittee assignments—117, 220, 277, 305, 306, 322, 335, 369, 371, 462, 463, 494, 502, 537, 589, 590, 618, 621, 681, 682, 697, 717, 767, 1000, 1130, 1216

MILLER, LINDA—Representative **Scott** County

Amendments filed—140, 141, 284, 311, 339, 376, 563, 564, 705, 1022, 1287, 1376, 1543, 1544, 1545, 1546, 1547, 1562, 1586, 1588, 1612, 1704

Amendments offered—365, 926, 1112, 1115, 1586, 1588, 2029

Amendments withdrawn—486, 1588, 1612

Bills introduced—114, 167, 169, 226, 228, 287, 425, 500, 512, 629, 706, 726, 727, 882

Committee appointments—21, 22, 23, 513

Leave of absence—1500

Resolutions filed—562, 1003, 1166, 1167, 1184, 1338, 1402, 1470, 1702, 1740, 2102

Subcommittee assignments—90, 122, 233, 271, 272, 306, 334, 335, 414, 422, 462, 477, 537, 590, 619, 620, 648, 662, 681, 715, 844, 877, 878, 979, 980, 1216, 1233

MINORITY LEADER, Christopher C. Rants—Representative **Woodbury** County

(See RANTS, CHRISTOPHER C.—Representative **Woodbury** County, Minority Leader)

MOTIONS TO RECONSIDER—

Filed:

House File 752—1538
 House File 874—1538
 House File 918—1811
 House File 927—1811
 Senate File 339—1058

Prevailed:

Senate File 339—1224

Motions to reconsider (filed from the floor):

House File 5—294
 House File 580—998
 Senate File 403, H-1475—1152

Lost (filed from the floor):

House File 5—294
 House File 580—999
 Senate File 403, H-1475—1152

Withdrawn:

House File 752—1897
 House File 874—1897
 House File 918—1898
 House File 927—1898

MURPHY, PATRICK J.—Representative **Dubuque** County, Speaker of the House
 (See SPEAKER OF THE HOUSE, Patrick J. Murphy, Representative **Dubuque**
 County)

NATURAL RESOURCES, COMMITTEE ON—

Amendment filed—1237
 Amendment offered—1719
 Appointed—22-23
 Bills introduced—445, 597, 626, 638, 687, 706, 729, 744
 Recommendations—375, 503, 593, 624, 684, 704, 1063-1064, 1236, 1269
 Subcommittee assignments—121, 170, 220, 271, 321, 322, 335, 336, 371, 463, 464,
 536, 606, 607, 682, 698, 717, 718, 978, 979, 1022

NOMINATIONS—

For Acting Chief Clerk—1
 For Permanent Chief Clerk—9
 For Speaker of the House—6
 For Speaker Pro Tempore—11
 For Temporary Speaker—1

OATH OF OFFICE—

By Acting Chief Clerk—1
 By Governor—99
 By Lieutenant Governor—97
 By members—5-6
 By Speaker of the House, Patrick J. Murphy—7
 By Speaker Pro Tempore, Polly Bukta—12
 By Temporary Speaker—1

OBJECTIONS—

Raised—148, 152, 154, 350, 363, 364, 447, 449, 575, 579, 778, 799, 807, 809, 821, 825, 866, 936, 1119, 1121, 1459, 1666, 1670, 1677, 1690, 1792, 1794, 1798, 1804, 1806, 1888, 1899, 1901, 1902, 1967, 1970, 1973, 2068

OFFICERS AND EMPLOYEES—

Elected—2-4, 6, 9, 11

Employees of the House—13-14, 80-87, 429-434

House employees classification, grades and steps—80-87, 429-434

Pages (groups I & II)—85-86, 433-434

Resignations—86, 87, 429

Resolutions relating to:

House Resolution 1—13, 14 adopted.

House Resolution 2—14 adopted.

House Resolution 3—14, 15 adopted.

House Resolution 5—175, 178, 204 adopted.

Senate Concurrent Resolution 2—76, 81, 102 adopted & msgd. — H.J. — 112, 118, 121, 251, 264, 265 adopted, as amended & msgd., 277 — S.J. — 224, 242 adopted, as amended, 247 msgd. — H.J. — 286.

Senate Concurrent Resolution 3—77, 81, 102 adopted & msgd. — H.J. — 113, 118, 112, 165, 178, 217 adopted & msgd. — S.J. — 216.

Special presentation to House Pages—731, 1819-1820

Took oath of office—1, 5-6, 7, 12

OLDSON, JO—Representative Polk County

Amendments filed—1022, 1470, 2069

Amendments offered—1139, 1151, 2051, 2069

Bills introduced—19, 20, 176, 636

Committee appointments—21, 22, 48, 732, 1892

Presented to the House Harriet Fulbright, widow of former U.S. Senator William Fulbright—289

Report—1979-2014

Resolutions filed—562, 1003, 1166, 1167, 1184, 1338, 1470, 1740

Subcommittee assignments—220, 277, 278, 304, 556, 588, 589, 619, 620, 647, 649, 841, 878, 907, 977, 1062, 1130, 1312

OLSON, DONOVAN—Representative Boone-Dallas Counties

Amendments filed—908, 1134, 1470, 1658, 1873, 2021, 2022, 2054

Amendments offered—1490, 1507, 1510, 1658, 1873

Amendments withdrawn—1658, 1872

Bills introduced—19, 20, 113, 127, 129, 134, 176, 227, 246, 286, 287, 381, 418, 419, 426, 428, 500, 547, 569, 596, 669, 671, 673, 674, 693, 707, 727, 728

Committee appointments—21, 22, 23, 514, 1696, 1737

Presided at sessions of the House—1717, 1720

Report—1750-1751

Resolutions filed—503, 541, 562, 1003, 1166, 1167, 1184, 1338, 1470, 1740, 2102

Ruling made (as acting Speaker)—1719

Subcommittee assignments—121, 502, 507, 537, 557, 589, 590, 607, 621, 647, 649, 681, 682, 697, 717, 767, 844, 1000, 1163, 1216

OLSON, RICK—Representative Polk County

Amendments filed—292, 771, 1237, 1314, 1315, 1339, 1470, 1471, 1788, 1791, 1816, 1928

Amendments offered—1495, 1498, 1928
 Amendments withdrawn—1499, 1791, 1928
 Bills introduced—19, 20, 80, 134, 135, 143, 144, 176, 227, 290, 417, 421, 469, 500,
 511, 569, 636, 637, 674, 689, 729
 Committee appointments—22, 23, 66
 Resolutions filed—468, 503, 562, 1003, 1166, 1167, 1184, 1338, 1470, 1740
 Subcommittee assignments—220, 278, 304, 414, 463, 556, 557, 619, 621, 697, 716,
 949, 1000, 1131, 1216, 1233, 1234

OLSON, STEVEN N.—Representative Clinton-Scott Counties

Amendments filed—140, 141, 376, 562, 563, 564, 847, 849, 850, 1287, 1471, 1543,
 1544, 1545, 1546, 1547
 Bills introduced—106, 129, 169, 226, 287, 290, 418, 419, 425, 498, 499, 512, 567, 598,
 694, 706, 726, 727, 728, 882
 Committee appointments—12, 21, 22, 23, 1892
 Leave of absence—1146
 Report—1975-1978
 Resolutions filed—562, 1003, 1166, 1167, 1184, 1338, 1470, 1740, 2102
 Resolution offered—1026
 Seconded the nomination of the Honorable Polly Bukta for Speaker Pro Tempore—

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Subcommittee assignments—220, 306, 369, 502, 589, 681, 682, 717, 718, 1000, 1130,
 1216, 1233, 1234

OLSON, TYLER—Representative Linn County

Amendments filed—846, 909, 1218, 1360, 1470, 2021
 Amendments offered—1251, 1360
 Bills introduced—19, 119, 127, 176, 286, 381, 472, 500, 547, 596, 674, 687, 689, 693
 Committee appointments—21, 22, 23, 24, 66, 732
 Presided at session of the House—1384
 Resolutions filed—503, 562, 1003, 1166, 1167, 1184, 1314, 1338, 1402, 1470, 1520,
 1740, 2102
 Subcommittee assignments—322, 335, 369, 462, 477, 492, 493, 494, 537, 587, 589,
 607, 649, 663, 681, 698, 716, 718, 949, 950, 951, 977, 978, 980, 1216, 1266, 1283,
 1312, 1468, 1623, 1814

PAGES—

Appointment of—85-86, 433-434

Resolutions relating to:

Senate Concurrent Resolution 2 - compensation of chaplains, officers, and
 employees of the eighty-second general assembly—76, 81, 102 adopted & msgd.
 - H.J. - 112, 118, 121, 251, 264, 265 adopted, as amended & msgd., 277 - S.J. -
 224, 242 adopted, as amended, 247 msgd. - H.J. - 286.

Special presentation to—731, 1819-1820

PALMER, ERIC—Representative Mahaska-Poweshiek Counties

Amendments filed—292, 541, 953, 1003, 1023, 1065, 1133, 1271, 1470, 1484, 1520,
 1817

Amendments offered—550, 1189, 1277, 1279, 1437, 1484, 1526, 1771

Amendment withdrawn—1188

Bills introduced—19, 176, 312, 417, 418, 421, 500, 629, 670, 673, 674, 745

Committee appointments—21, 22, 48

Requested to be added as a sponsor of HF 5—115

Resolutions filed—503, 541, 562, 1003, 1166, 1167, 1184, 1338, 1402, 1470, 1520, 1702, 1740, 2102

Resolution offered—1522

Subcommittee assignments—110, 117, 121, 220, 229, 233, 272, 306, 307, 316, 477, 618, 681, 716, 717, 718, 842, 891, 951, 978, 1131

PAULSEN, KRAIG—Representative **Linn** County, Minority Whip

Amendments filed—140, 141, 376, 424, 562, 563, 564, 665, 754, 771, 846, 848, 849, 880, 953, 1003, 1218, 1315, 1339, 1375, 1376, 1457, 1470, 1521, 1543, 1544, 1545, 1546, 1547, 1679, 1702, 1703, 1704, 1816, 2048

Amendments offered—864, 1358, 1457, 1762, 1889, 1890, 2048

Amendments withdrawn—1197, 1359, 1679, 1760, 2049

Bills introduced—129, 169, 227, 287, 328, 425, 499, 500, 509, 512, 525, 546, 567, 629, 635, 636, 706, 726, 727, 882

Committee appointments—21, 22, 732

Presentation of visitors (as acting Speaker)—1893

Presided at session of the House—1892

Resolutions filed—562, 981, 1003, 1166, 1167, 1184, 1338, 1402, 1470, 1740, 2102

Resolutions offered—1068, 1638

Subcommittee assignments—110, 370, 494

PERMANENT RULES—

House Resolution 5—175, 178, 204 adopted.

PERSONNEL COMMITTEE

(See ADMINISTRATION AND RULES, COMMITTEE ON)

PETERSEN, JANET—Representative **Polk** County

Amendments filed—850, 1064, 1816

Amendments offered—1037, 1477

Bills introduced—19, 20, 80, 113, 176, 177, 276, 289, 417, 421, 427, 428, 500, 569, 674

Committee appointments—21, 22, 91, 732, 945

Explanation of vote—489

Leaves of absence—378, 481

Resolutions filed—503, 541, 562, 1003, 1166, 1167, 1184, 1338, 1470, 1740, 2102

Subcommittee assignments—110, 271, 278, 307, 463, 478, 493, 557, 607, 620, 662, 1000, 1001, 1216

PETITIONS—

(See also INDIVIDUAL HEADINGS)

Filed—126

PETTENGILL, DAWN E.—Representative **Benton**-Iowa Counties

Amendments filed—880, 981, 1003, 1064, 1134, 1270, 1339, 1340, 1403, 1704, 1741, 1816, 1817, 2022

Amendments offered—995, 1045, 1452

Amendments withdrawn—1153, 1941

Bills introduced—19, 20, 107, 113, 115, 119, 126, 176, 226, 276, 286, 290, 312, 319, 381, 418, 421, 500, 509, 510, 511, 525, 597, 628, 637, 668, 673, 674, 689, 693, 728

Committee appointments—21, 23, 237

Leave of absence—1138

Presided at sessions of the House—312, 498

Resolutions filed—503, 541, 562, 1003, 1166, 1167, 1184, 1338, 1470, 1740

Subcommittee assignments—110, 159, 271, 304, 305, 369, 370, 413, 414, 478, 493, 494, 538, 619, 620, 649, 662, 697, 716, 949, 950, 978, 1000, 1216, 1267, 1379, 1468

PIONEER LAWMAKERS ASSOCIATION OF IOWA—

Address by Mike Glover, Senior Correspondent of the Associated Press—1330-1332

Resolution relating to:

House Concurrent Resolution 9—relating to Pioneer Lawmakers—1273 adopted, 1283 msgd. - S.J. - 1111, 1158, 1163 adopted, 1164 msgd. - H.J. - 1317.

PLEDGE OF ALLEGIANCE—1, 46, 64, 79, 96, 105, 112, 119, 126, 133, 143, 166, 176, 225, 230, 237, 275, 285, 312, 317, 326, 340, 378, 416, 425, 441, 469, 481, 498, 504, 509, 542, 565, 596, 603, 610, 625, 655, 666, 686, 706, 726, 744, 755, 772, 851, 882, 893, 910, 955, 982, 1005, 1007, 1024, 1066, 1135, 1168, 1186, 1219, 1239, 1272, 1288, 1316, 1344, 1377, 1381, 1404, 1472, 1522, 1626, 1706, 1742, 1818, 1897, 2023

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House File 1, H-1002—Representative Jochum—152

House File 1, H-1003—Representative Jochum—154

House File 283, H-1054—Representative R. Olson—778

House File 555, H-1089—Representative Jochum—799

House File 555, H-1156—Representative Jochum—807

House File 555, H-1157—Representative Jochum—809

House File 555, H-1143—Representative Jochum—811

House File 555, H-1149—Representative Jochum—815

House File 555, H-1151—Representative Jochum—821

House File 555, H-1270—Representative Jochum—825

House File 555, H-1116—Representative Rants—826

House File 555, invoke Rule 32—Representative Raecker—828

House File 556, invoke Rule 32—Representative Rants—987

House File 617, H-1137—Representative Wenthe—865

House File 653, H-1399—Representative Wessel-Kroeschell—932

House File 653, H-1128—Representative Wessel-Kroeschell—936

House File 752, H-1766—Representative Cohoon—1474

House File 790, H-1414—Representative Pettengill—996

House File 792, invoke Rule 32—Representative Rants—1531

House File 817, H-1572—Representative Bailey—1202

House File 817, H-1573—Representative Bailey—1206

House File 829, H-1527—Representative Rants—1104

House File 877, H-1456—Representative Mascher—1117

House File 877, H-1458—Representative Mascher—1119

House File 877, H-1459—Representative Mascher—1121

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House File 909, H-1797—Representative Foegen—1590

House File 909, H-1801, as amended—Representative Foegen—1609

House File 911, H-1936—Representative Cohoon—1666

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House File 911, H-1898—Representative Cohoon—1677

- House File 911, H-1902—Representative Cohoon—1690
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 Senate File 109, H-1047—Representative Wise—449
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 Senate File 162, H-1073, as amended—Representative Heddens—584
 Senate File 277, H-1597—Representative Jochum—1255
 Senate File 277, closed conference committee in violation of joint rules—
 Representative Rants—1634
 Senate File 406, H-1558—Representative Mascher—1359
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 Senate File 588, H-1952—Representative Winckler—1789
 Senate File 588, H-1954—Representative Winckler—1791
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 Senate File 588, H-1957—Representative Winckler—1798
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PRESIDENT OF THE UNITED STATES, CONGRESS AND/OR FEDERAL
 AGENCIES—

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- House Concurrent Resolution 8—relating to recommendations proposed by United States Department of Agriculture for the federal farm bill of 2007—953, 981
- House Resolution 19—oppose the commitment of additional American troops to the war in Iraq—468
- House Resolution 23—urge immediate action to stop campaign of racial extermination against the ethnically distinct Black African population of Darfur—503
- House Resolution 24—urge United States Congress and state legislatures develop programs for E-85 fueling infrastructure—541
- House Resolution 25—honor the life and accomplishments of Gerald Rudolph Ford, thirty-eighth President of the United States of America—561, 562, 568 adopted.
- House Resolution 39—recognize the federal Morrill Act and celebrating the renovation of Morrill Hall at Iowa State University—1217
- House Resolution 48—support a proposal to invite Republic of China (Taiwan) to participate in upcoming meeting of World Health Assembly as an observer—1520, 1522, 1523 adopted.
- House Resolution 52—support a free trade agreement between the Republic of China on Taiwan and the United States—1815, 1819 adopted.
- House Resolution 54—encourage Iowa congressional delegation to support legislation to improve Medicare payments to Iowa physicians under Medicare Part B—2102
- Senate Concurrent Resolution 4—relating to recommendations proposed by United States Department of Agriculture for federal farm bill of 2007—813, 848, 850, 851 adopted & msgd. - H.J. - 965, 967, 968 adopted, 974 msgd. - S.J. - 800.

PUBLIC SAFETY, COMMITTEE ON—

Appointed—23

Bills introduced—443, 444, 445, 446, 510, 568, 603, 772, 773, 774, 851, 852, 897

Recommendations—338, 440, 503, 561, 593-594, 722-723, 753, 1002, 1165, 1269

Subcommittee assignments—159, 277, 278, 370, 414, 462, 463, 464, 476, 477, 478, 494, 536, 588, 589, 606, 607, 649, 697, 698, 717, 718, 843, 844, 980, 1233, 1234

QUIRK, BRIAN—Representative Chickasaw-Howard-Winneshiek Counties

Amendments filed—541, 770, 1064, 1217, 1237, 1271, 1339, 1340, 1741, 1816, 2021, 2022, 2053

Amendments offered—659, 1918, 1950, 2038

Amendment withdrawn—2053

Bills introduced—19, 20, 106, 115, 119, 127, 128, 176, 177, 327, 381, 382, 418, 421, 444, 470, 504, 505, 511, 596, 627, 670, 694, 882, 1007

Committee appointments—21, 23, 66

Leave of absence—1316

Resolutions filed—339, 562, 1003, 1166, 1167, 1184, 1338, 1402, 1470, 1702, 1740, 2102

Resolutions offered—178, 204, 1068

Subcommittee assignments—110, 122, 159, 271, 334, 335, 413, 414, 463, 464, 493, 494, 536, 537, 538, 587, 588, 589, 619, 620, 621, 662, 697, 698, 715, 716, 842, 844, 949, 950, 977, 979, 1000, 1001, 1002, 1005, 1131, 1216, 1233, 1267, 1312, 1468, 1518

QUORUM CALLS—343, 525, 828, 1144, 1171, 1323, 1497, 1533, 1582, 1657, 1744, 1747, 1916, 1948, 2023, 2030, 2076

RAECKER, J. SCOTT—Representative **Polk** County

Amendments filed—140, 141, 274, 284, 311, 339, 376, 562, 563, 564, 609, 771, 812, 953, 981, 1023, 1064, 1065, 1133, 1134, 1217, 1237, 1238, 1271, 1315, 1339, 1402, 1403, 1470, 1520, 1543, 1544, 1545, 1546, 1547, 1548, 1579, 1625, 1662, 1667, 1669, 1675, 1682, 1686, 1692, 1703, 1704, 1741, 1808, 1816, 1817, 1895, 2021
 Amendments offered—146, 346, 349, 360, 362, 812, 1071, 1140, 1147, 1393, 1394, 1558, 1579, 1662, 1667, 1761, 1788, 1807, 1808, 1903
 Amendments withdrawn—357, 361, 1072, 1151, 1595, 1669, 1692, 1775, 1903, 1904
 Bills introduced—113, 114, 128, 129, 169, 228, 249, 287, 288, 499, 629, 636, 726, 728
 Committee appointments—21, 23, 24, 238
 Dissent from SF 551—1660-1661
 Explanations of vote—1621, 1739, 2098
 Leaves of absence—709, 780, 1582, 1610, 1915, 2024
 Presented to the House the Honorable Steve Churchill, former member of the House—554
 Presented to the House David Johnson, the father of 2007 Masters golf tournament champion Zach Johnson—1638
 Presented to the House the Honorable Jeff Elgin, former member of the House—1747
 Resolutions filed—561, 562, 1003, 1064, 1166, 1167, 1184, 1338, 1470, 1702, 1740, 2102
 Resolutions offered—568, 1638
 Subcommittee assignments—122, 131, 271, 335, 413, 463, 464, 537, 588, 619, 621, 697, 698, 844, 979, 1000, 1216, 1233

RANTS, CHRISTOPHER C.—Representative **Woodbury** County, Minority Leader

Amendments filed—140, 141, 376, 563, 564, 771, 810, 811, 824, 846, 849, 880, 909, 1287, 1375, 1402, 1403, 1463, 1471, 1543, 1544, 1545, 1546, 1547, 1581, 1611, 1625, 1704, 1817, 1895, 2021
 Amendments offered—810, 811, 1418, 1474, 1611, 1723, 1744, 1797, 2055
 Amendments withdrawn—824, 1463, 1581, 1797, 2055, 2060
 Bills introduced—287, 546, 547, 548, 567, 628, 629, 726, 882, 1476
 Committee appointments—21, 22
 Dissent from SF 551—1660-1661
 Dissent from SF 580—1883-1884
 Presented to the House the widow of Wilbur Rhoads, Mary, and presented to her a copy of House Resolution 3—15
 Remarks—16-18, 2079-2081
 Resolutions filed—10, 11, 140, 231, 311, 325, 440, 562, 1003, 1068, 1166, 1167, 1184, 1273, 1338, 1470, 1740, 2095, 2102
 Resolution offered—506
 Seconded the nomination of the Honorable Patrick J. Murphy as Speaker of the House—6
 Special presentation to House Pages—731, 1819-1820

RASMUSSEN, DAN—Representative Black Hawk-**Buchanan**-**Fayette** Counties

Amendments filed—140, 141, 376, 562, 564, 848, 849, 1287, 1376, 1543, 1544, 1545, 1546, 1547, 1704

Bills introduced—129, 144, 169, 226, 287, 290, 419, 471, 499, 512, 567, 598, 706, 727, 728, 882

Committee appointments—22, 23, 1696, 1737

Report—1750-1751

Resolutions filed—562, 981, 1003, 1166, 1167, 1184, 1338, 1470, 1740, 2102

Subcommittee assignments—220, 306, 321, 414, 494, 507, 590, 601, 717, 979, 1233, 1234

RAYHONS, HENRY—Representative **Hancock-Winnebago-Worth Counties**

Amendments filed—140, 141, 376, 563, 564, 846, 1376, 1543, 1544, 1545, 1546, 1547, 1675, 1676, 1704

Amendment offered—1676

Bills introduced—106, 167, 168, 169, 227, 228, 287, 290, 381, 416, 419, 499, 505, 512, 548, 567, 598, 669, 706, 726, 727, 728, 882

Committee appointments—21, 23

Dissent from SF 551—1660-1661

Leave of absence—1146

Resolutions filed—562, 981, 1003, 1166, 1167, 1184, 1338, 1402, 1470, 1740, 2102

Subcommittee assignments—271, 278, 369, 979, 1131, 1233, 1234

REASONER, MICHAEL J.—Representative **Clarke-Decatur-Union Counties**, Assistant Majority Leader

Amendment filed—1703

Amendments offered—264, 1727

Bills introduced—19, 20, 64, 79, 127, 176, 314, 421, 472, 499, 569, 596, 674, 727, 728

Committee appointments—21, 23, 711, 945, 1892

Nominated the Honorable Patrick J. Murphy as Speaker of the House—6

Presentation of visitors (as acting Speaker)—974

Presented to the House Professor Bill Russell from Graceland College—858

Presided at sessions of the House—968, 1620

Report—1975-1978

Resolutions filed—376, 415, 503, 541, 562, 1003, 1166, 1167, 1184, 1338, 1470, 1702, 1740

Resolutions offered—251, 2024

Subcommittee assignments—78, 117, 122, 171, 233, 304, 305, 369, 371, 494, 587, 588, 589, 618, 681, 716, 717, 949, 950, 977, 978, 1000, 1062, 1130, 1131, 1163, 1233, 1266, 1468

REICHERT, NATHAN—Representative **Muscatine County**

Amendments filed—770, 1064, 1237, 1668, 1703, 1741, 1816, 2054

Amendment offered—1141

Amendments withdrawn—1774, 2054

Bills introduced—19, 20, 113, 176, 177, 226, 289, 318, 319, 380, 418, 444, 472, 500, 511, 526, 569, 596, 668, 669, 673, 674, 692, 727, 728

Committee appointments—21, 23, 237

Resolutions filed—562, 1003, 1166, 1167, 1184, 1338, 1470, 1702, 1740, 2102

Subcommittee assignments—220, 271, 278, 321, 369, 370, 463, 478, 493, 607, 620, 647, 648, 698, 841, 878, 978, 1001, 1131, 1182, 1216, 1468, 1622

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- House Concurrent Resolution 2—10
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- House Resolution 37—1188
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- House Resolution 44—1382
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- House Resolution 52—1819
- House Resolution 53—2025
- Senate Concurrent Resolution 2—265
- Senate Concurrent Resolution 3—217
- Senate Concurrent Resolution 4—968
- Senate Concurrent Resolution 8—2096

Filed:

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- House Concurrent Resolution 5—140

House Concurrent Resolution 6—440
House Concurrent Resolution 7—609
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House Concurrent Resolution 8—953
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Placed on calendar:

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Referred to committee:

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 Senate Concurrent Resolution 7—2021

Substituted:

Senate Concurrent Resolution 8 for House Concurrent Resolution 11—2095

Unanimous consent:

House Concurrent Resolution 1—10
 House Concurrent Resolution 2—10
 House Concurrent Resolution 3—11
 House Concurrent Resolution 9—1273
 House Concurrent Resolution 11—2095
 House Resolution 1—13
 House Resolution 2—14
 House Resolution 3—14
 House Resolution 6—178
 House Resolution 7—231
 House Resolution 10—291
 House Resolution 21—484
 House Resolution 34—1068
 Senate Concurrent Resolution 4—968
 Senate Concurrent Resolution 8—2095

ROBERTS, ROD—Representative **Carroll**-Crawford-Sac Counties, Assistant Minority Leader

Amendments filed—140, 141, 376, 562, 563, 564, 848, 908, 1375, 1460, 1543, 1544, 1545, 1546, 1547, 1625, 1656, 1704, 1896

Amendments offered—576, 582

Bills introduced—106, 144, 169, 226, 228, 287, 312, 313, 327, 419, 425, 498, 546, 567, 694, 695, 726, 728, 745, 882

Committee appointments—21, 22, 23, 732

Dissent from SF 551—1660-1661

Explanation of vote—2099

Leave of absence—1918

Presented to the House the Honorable Dan Boddicker, former member of the House—796

Presented to the House the Honorable Jim Meyer, former member of the House—867

Presented to the House professor Tom Rice and students from the University of Iowa from ICAN—988

Resolutions filed—562, 981, 1003, 1166, 1167, 1184, 1338, 1402, 1470, 1520, 1702, 1740, 1815, 2102

Resolution offered—1819

Subcommittee assignments—122, 131, 159, 171, 271, 277, 306, 334, 335, 371, 413, 437, 463, 464, 476, 478, 493, 507, 537, 588, 607, 619, 621, 649, 662, 681, 697, 698, 716, 844, 907, 977, 979, 1000, 1001, 1131, 1182, 1216, 1233

RULES INVOKED—

Rule 32 (commitment of appropriation and revenue bills):

House File 555—828
 House File 556—987
 House File 792—1531
 Senate File 78—787
 Senate File 558—1719

Rule 60 (withdrawal of bills from committee):

House File 19—734
 House File 46—734
 House File 102—734
 House File 135—734
 House File 325—734
 House File 414—734
 House File 593—734

Rule 75 (duty of voting):

Place amended list of Senate Files on unfinished business calendar—1369
 Place original list of Senate Files on unfinished business calendar—1371
 House File 283, H-1054—779
 House File 555, H-1149—815
 House File 817, H-1572—1202
 House File 874, H-1468, as amended—1070
 Senate File 277, H-1567A—1247
 Senate File 403, H-1478—1146
 Senate File 447, H-1720B—1722
 Senate File 447, H-1719, as amended—1723
 Senate File 457—1536
 Senate File 580, H-1926—1890

Rule 76 (conflict of interest):

Senate Concurrent Resolution 2—265
 Senate File 554—1456
 Senate File 566—1718
 Senate File 588, H-1944—1781

RULES—MOTIONS TO SUSPEND—

House File 1, H-1001—148
 House File 1, H-1002—152
 House File 1, H-1003—154
 House File 283, H-1054—778
 House File 555, H-1089—799
 House File 555, H-1156—807
 House File 555, H-1157—809
 House File 555, H-1151—821
 House File 555, H-1270—826
 House File 617, H-1137—866
 House File 653, H-1128—936
 House File 817, H-1572—1202
 House File 817, H-1573—1206
 House File 877, H-1458—1119
 House File 877, H-1459—1121
 House File 909, H-1797—1590
 House File 909, H-1801, as amended—1609

House File 911, H-1936—1666
House File 911, H-1892—1670
House File 911, H-1898—1678
House File 911, H-1902—1690
Place amended list of Senate Files on unfinished business calendar—1369
Senate File 61, H-1027, as amended—350
Senate File 61, H-1040—363
Senate File 61, H-1029—364
Senate File 109, H-1048—448
Senate File 109, H-1047—449
Senate File 162, H-1074—579
Senate File 277, H-1597—1256
Senate File 562, H-1747—1460
Senate File 562, H-1752—1462
Senate File 580, H-1931—1888
Senate File 580, H-1934—1899
Senate File 580, H-1985—1901
Senate File 580, H-1994—1902
Senate File 588, H-1954—1792
Senate File 588, H-1955—1794
Senate File 588, H-1957—1798
Senate File 588, H-1869—1804
Senate File 588, H-1961—1806
Senate File 590, H-2075—1961
Senate File 590, H-2077—1964
Senate File 590, H-2078—1967
Senate File 590, H-2080—1968
Senate File 590, H-2081—1971
Senate File 590, H-2083—1973
Senate File 601, H-2137, as amended—2068

Failed:

House File 1, H-1001—148
House File 1, H-1002—153
House File 1, H-1003—154
House File 283, H-1054—779
House File 555, H-1089—800
House File 555, H-1156—808
House File 555, H-1157—810
House File 555, H-1151—822
House File 555, H-1270—826
House File 617, H-1137—866
House File 653, H-1128—937
House File 817, H-1572—1203
House File 817, H-1273—1207
House File 877, H-1458—1120
House File 877, H-1459—1122
House File 909, H-1797—1591
House File 909, H-1801, as amended—1610
House File 911, H-1936—1667
House File 911, H-1892—1670
House File 911, H-1898—1678
House File 911, H-1902—1691

Place amended list of Senate Files on unfinished business calendar—1370

Senate File 61, H-1027, as amended—351

Senate File 61, H-1040—364

Senate File 61, H-1029—365

Senate File 109, H-1048—448

Senate File 109, H-1047—450

Senate File 162, H-1074—580

Senate File 277, H-1597—1256

Senate File 562, H-1747—1460

Senate File 562, H-1752—1463

Senate File 580, H-1931—1889

Senate File 580, H-1934—1900

Senate File 580, H-1985—1902

Senate File 580, H-1994—1903

Senate File 588, H-1954—1793

Senate File 588, H-1955—1795

Senate File 588, H-1957—1799

Senate File 588, H-1869—1804

Senate File 588, H-1961—1807

Senate File 590, H-2075—1962

Senate File 590, H-2077—1965

Senate File 590, H-2078—1968

Senate File 590, H-2080—1969

Senate File 590, H-2081—1971

Senate File 590, H-2083—1974

Senate File 601, H-2137, as amended—2069

Rule 31.8 (first reading, commitment and amendment):

House File 5, H-1039—292

House File 877, H-1515—1124

House File 877, H-1522—1124

Senate Concurrent Resolution 2, H-1017—264

Senate File 563, H-1692—1367

RULES—SUSPENDED—

House Resolution 5—178

House Resolution 6—178

Senate Concurrent Resolution 3—178

Rule 57 (committee notice and agenda):

Committee on administration and rules for 1/08/07—20

Committee on commerce for 1/09/07—60

Committee on administration and rules for 1/11/07—87

Committee on administration and rules for 1/18/07—120

Committee on local government for 1/22/07—135

Committee on transportation for 1/29/07—231

Committee on public safety for 1/30/07—246

Committee on veterans affairs for 2/06/07—329

Committee on transportation for 2/22/07—568

Subcommittee for health and human services for 2/27/07—615

Committee on appropriations for 2/28/07—633

Budget subcommittees for 3/07/07—673

Committee on appropriations for 4/09/07—1273

Committee on appropriations for 4/23/07—1626

Committee on ways and means for 4/23/07—1626

RULES—UNDER PROVISIONS OF & PURSUANT TO—

Pursuant to Rule 31.7 (commitment of bills):

House File 75—541

House File 146—703

House File 337—652

House File 498—750

House File 498—1165

Senate File 95—338

Senate File 277—1063

Senate File 385—1285

Senate File 539—1166

Senate File 557—1313

Pursuant to Rule 42 (certification of engrossment):

House File 911—1738

Senate File 588—2015

Pursuant to Rule 45 (status of bills following first regular session):

2096-2098

Pursuant to Rule 78 (call of the House):

Senate File 427—1745

SANDS, THOMAS R.—Representative Des Moines-Louisa-Muscatine Counties

Amendments filed—141, 376, 562, 563, 564, 685, 770, 816, 846, 847, 848, 849, 909, 954, 1022, 1271, 1287, 1376, 1543, 1544, 1545, 1546, 1547, 1658, 1669, 1671, 1703, 1704, 1816, 2021

Amendments offered—816, 1669, 1671, 1962

Amendments withdrawn—1658, 1783, 2053

Bills introduced—106, 144, 167, 168, 169, 227, 287, 288, 312, 342, 381, 419, 498, 499, 500, 511, 512, 567, 629, 636, 666, 882

Committee appointments—15, 21, 22, 23, 1330

Resolutions filed—468, 562, 981, 1003, 1166, 1167, 1184, 1338, 1470, 1740, 2102

Subcommittee assignments—110, 220, 305, 371, 492, 493, 494, 588, 589, 620, 697, 716, 717, 949, 950, 978, 1000, 1001, 1130, 1131, 1216, 1233, 1234, 1267, 1312, 1701, 1739

SCHICKEL, BILL—Representative Cerro Gordo County

Amendments filed—140, 141, 376, 1543, 1544, 1545, 1546, 1547, 1703

Amendment offered—1617

Bills introduced—127, 287, 290, 567, 612, 626, 688, 706, 726

Committee appointments—21, 24

Explanation of vote—2099

Leave of absence—1273, 1316

Resolutions filed—562, 705, 1003, 1166, 1167, 1184, 1338, 1470, 1740

Subcommittee assignments—110, 588, 648, 767, 842, 843, 844, 878, 977, 978

SCHUELLER, THOMAS J.—Representative Clinton-Dubuque-Jackson Counties

Amendments filed—909, 1314, 1470, 1741, 1954, 2022

Amendments offered—958, 1877, 1948, 1954

Bills introduced—19, 20, 119, 127, 176, 226, 246, 247, 248, 286, 288, 312, 319, 341, 342, 381, 418, 421, 428, 443, 500, 525, 527, 674

Committee appointments—21, 22, 23

Presided at session of the House—867

Resolutions filed—562, 1003, 1166, 1167, 1184, 1338, 1470, 1740, 2102

Subcommittee assignments—220, 277, 305, 335, 369, 371, 462, 463, 492, 493, 494, 507, 537, 556, 621, 649, 718, 844, 950, 951, 978, 1000, 1005, 1233, 1267, 1312, 1518, 1814

SEATS—

Assignments of, to members—38-40

Special order—13, 38

SECRETARY OF STATE, Chester J. Culver

Communication from—41

SECRETARY OF STATE, Michael Mauro

Certificate of election—2-4

Communications from—2-4

Joint resolution sent to—1059

SHOMSHOR, PAUL C., JR.—Representative **Pottawattamie** County

Amendments filed—725, 1023, 1064, 1065

Amendment offered—1042

Bills introduced—19, 20, 176, 318, 421, 498, 500, 596, 604, 605, 611, 672, 674, 692, 781, 894

Committee appointments—21, 23, 94, 238

Presented to the House Candace Carlson whom received the 2007 Prudential Spirit of Community Award—1345

Resolutions filed—178, 541, 562, 1003, 1166, 1167, 1184, 1338, 1470, 1702, 1740, 2102

Resolution offered—178

Subcommittee assignments—122, 220, 271, 304, 305, 335, 369, 371, 413, 414, 463, 464, 476, 477, 493, 494, 536, 537, 588, 589, 606, 620, 621, 649, 662, 697, 698, 716, 718, 844, 949, 950, 978, 979, 1000, 1001, 1005, 1130, 1131, 1216, 1233, 1267, 1312, 1701, 1739

SMITH, MARK—Representative **Marshall** County

Amendments filed—981, 1065, 1100, 1375, 1546, 1679, 1791, 2045

Amendments offered—867, 1079, 1100

Amendment withdrawn—1791

Bills introduced—19, 20, 106, 107, 119, 127, 144, 166, 228, 246, 286, 288, 421, 441, 472, 509, 542, 569, 570, 629, 667, 674, 727

Committee appointments—22

Presentation of visitors (as acting Speaker)—555

Presented to the House Stephen J. Frese, National History Day David Van Tassel Founders Award winner—383

Presented to the House Professor Bill Russell from Graceland College—858

Presented to the House Jim Olson, mayor of Winterset who spoke about John Wayne museum—1628

Presided at session of the House—555

Resolutions filed—14, 78, 339, 424, 503, 541, 562, 1003, 1166, 1167, 1184, 1338, 1402, 1470, 1740, 2102

Resolutions offered—13, 14, 107, 382, 1819

- Subcommittee assignments—159, 229, 233, 271, 277, 335, 477, 493, 536, 557, 607, 619, 620, 621, 647, 648, 649, 681, 716, 717, 877, 878, 951, 979, 1000, 1062, 1216, 1283
- SODERBERG, CHUCK**—Representative **Plymouth-Sioux Counties**
- Amendments filed—140, 141, 376, 562, 563, 564, 847, 848, 880, 954, 1134, 1287, 1376, 1511, 1543, 1544, 1545, 1546, 1547, 1688, 1703, 1704, 1730, 1733, 1816
- Amendments offered—1511, 1688, 1730, 1733
- Bills introduced—106, 127, 128, 129, 144, 167, 168, 169, 226, 227, 228, 287, 290, 419, 425, 470, 498, 499, 512, 706, 726, 727, 728, 882
- Committee appointments—21, 22, 23
- Leave of absence—709, 726, 1136
- Presented to the House Professor Jeff Barker from Northwestern College—170
- Presented to the House Rebekah Kuiken, the 2007 Queen of the Tulip Festival and her court—1168
- Resolutions filed—468, 562, 981, 1003, 1166, 1167, 1184, 1338, 1470, 1520, 1740, 2102
- Subcommittee assignments—78, 233, 278, 316, 463, 464, 495, 620, 648, 717, 950, 1001, 1131, 1216, 1518
- SPEAKER OF THE HOUSE**—Patrick J. Murphy—Representative **Dubuque County**
- Bills deferred, retained on calendar—762, 780, 1193, 1251, 1355, 1498, 1531, 1582, 1638, 1639, 1891, 1915
- Bills introduced—19, 20, 107, 319, 472, 596, 637, 673, 692
- Bills passed on file—837, 889, 1018, 1517
- Bills placed on calendar—586, 763, 1209
- Bills placed on unfinished business calendar—1142, 1259, 1368-1369, 1372
- Bills referred and rereferred to committees—218, 265, 276, 294, 675, 696, 711, 762, 828, 836, 837, 889, 1018, 1180, 1210, 1230, 1231, 1259, 1260, 1398, 1531, 1538, 2096-2098
- Bills signed by—218, 320, 616, 712, 735, 763, 1005, 1059, 1125, 1162, 1180, 1282, 1372, 1398, 1465, 1539, 1697, 2016, 2099
- Committees appointed by—12, 21-24, 36, 47, 65, 76, 91, 237, 513, 711, 731, 732, 733, 734, 1439, 1498, 1696, 1892
- Committee appointments—21, 22
- Elected—6
- Final adjournment—2102
- Presentation of visitors—330, 1126, 1261, 1517, 1812, 2018
- Presented to the House the Honorable U.S. Congressman Leonard Boswell—15
- Presented to the House Debbi Colbertson and Mark Goble, sister and husband of Journal Editor Gayle Goble—428
- Presented to the House the Honorable Robert Osterhaus, former member of the House—1273
- Presented to the House Pioneer Lawmakers eligible for their chairs—1332
- Presented to the House former Governor Robert Ray who introduced Senate President Kibbie and Representative Raecker as recipients of the Uncommon Public Service Award—1382
- Presided at sessions of the House—7, 36, 38, 46, 47, 60, 64, 76, 79, 91, 104, 105, 112, 119, 120, 126, 133, 143, 145, 146, 166, 176, 217, 218, 225, 237, 238, 246, 249, 275, 285, 290, 291, 292, 293, 317, 326, 329, 340, 343, 378, 401, 416, 425, 469, 481, 504, 509, 524, 546, 565, 569, 572, 584, 596, 603, 625, 633, 655, 673, 686, 692, 706, 744, 755, 756, 762, 772, 780, 798, 811, 823, 828, 851, 856, 864, 882, 887, 900, 910, 922, 955, 965, 967, 982, 988, 990, 1005, 1007, 1008, 1016, 1024, 1026, 1034, 1035, 1066,

1072, 1078, 1102, 1135, 1138, 1139, 1143, 1159, 1168, 1171, 1191, 1192, 1219, 1222, 1239, 1251, 1256, 1272, 1288, 1298, 1316, 1322, 1344, 1355, 1372, 1377, 1381, 1382, 1393, 1397, 1404, 1416, 1443, 1457, 1472, 1476, 1497, 1522, 1525, 1533, 1549, 1579, 1582, 1626, 1627, 1657, 1706, 1715, 1722, 1742, 1743, 1744, 1752, 1778, 1818, 1883, 1897, 1915, 1947, 2023, 2030, 2035, 2051, 2076, 2078

Remarks by—7-9, 2082-2084

Resolutions filed—14, 468, 503, 562, 1166, 1167, 1184, 1338, 1470, 1520, 1740, 1815

Resolutions relating to:

House Concurrent Resolution 1, a joint convention on Tuesday, January 9, 2007 at 10:00 a.m. for Governor Thomas J. Vilsack to deliver his condition of the state and budget message—9, 10 adopted, 11 msgd. - S.J. - 20 adopted, 21 msgd. - H.J. - 46.

House Concurrent Resolution 2 - a joint convention on Wednesday, January 10, 2007 at 10:00 a.m. for Chief Justice Ternus deliver her condition of the judicial branch message—10 adopted, 11 msgd. - S.J. - 20, 21 adopted and msgd. - H.J. - 46.

House Concurrent Resolution 3—joint committee of six members from the House of Representatives and six members of the Senate to arrange for the inauguration of the Governor and Lieutenant Governor—10, 11 adopted and msgd. - S.J. - 20, 21 adopted and msgd. - H.J. - 46.

Senate Concurrent Resolution 2 - compensation of chaplains, officers, and employees of the eighty-second general assembly—76, 81, 102 adopted & msgd. - H.J. - 112, 118, 121, 251, 264, 265 adopted, as amended & msgd., 277 - S.J. - 224, 242 adopted, as amended, 247 msgd. - H.J. - 286.

Resolution referred—320

Rulings made—147, 152, 154, 345, 350, 358, 363, 364, 447, 449, 579, 584, 778, 799, 807, 809, 811, 815, 825, 827, 828, 865, 987, 1104, 1117, 1119, 1121, 1202, 1206, 1359, 1370, 1396, 1417, 1459, 1462, 1474, 1531, 1590, 1609, 1634, 1658, 1666, 1670, 1677, 1690, 1692, 1789, 1792, 1793, 1798, 1802, 1804, 1806, 1884, 1887, 1899, 1901, 1902, 1961, 1963, 1964, 1966, 1968, 1970, 1973, 2067,

Special presentation to House Pages—731, 1819-1820

Took oath of office—7

SPEAKER PRO TEMPORE,—Polly Bukta—Representative **Clinton County**
(See **BUKTA, POLLY**—Representative **Clinton County**, Speaker Pro Tempore)

SPECIAL COMMITTEES—
(See **COMMITTEES, SPECIAL**)

SPECIAL ORDER—
Assignments of seats—13, 38-40

SPECIAL PRESENTATION—
Representatives McCarthy and Rants presented Wilbur Rhoads' widow Mary a copy of House Resolution 3—15
Representative Murphy presented to the House the Honorable U.S. Congressman Leonard Boswell—15
Representative Heddens presented to the House Rich Fellingham, President and CEO of the 2006 Special Olympics, Jenna Schrack, a special Olympic athlete and Alejandro Patino, a House Page and also an athletic participant—135

- Representative Soderberg presented to the House Professor Jeff Barker from Northwestern College—170
- Representative Jochum presented to the House the Honorable Berkley Bedell, former Congressman from the 6th Congressional District in Iowa—230
- Representative Jochum presented to the House the Honorable Ed Fallon, former member of the House—230
- Representative Gipp presented to the House Kenneth Quinn, Ambassador and President of the World Food Prize—231
- Representative Kressig presented to the House the Honorable Bill Witt, former member of the House—289
- Representative Abdul-Samad presented to the House Trenise Collier, a student from Urbandale—289
- Representative Oldson presented to the House Harriet Fulbright, widow of former U.S. Senator William Fulbright—289
- Representative Smith presented to the House Stephen J. Frese, National History Day David Van Tassel Founders Award winner—383
- Representative Murphy presented to the House Debbi Colbertson and Mark Goble, sister and husband of Journal Editor Gayle Goble—428
- Representative Jacobs presented to the House the Honorable Jeff Elgin, former member of the House—429
- Representative Abdul-Samad presented to the House Mary Ann Spicer, President of Sister on Target—429
- Representative Upmeyer presented to the House students from East High School, Des Moines and Cedar Rapids Jefferson High School, whom are studying bio-engineering—483
- Representative Abdul-Samad presented to the House gentlemen from the Zeta Kappa Lambda Graduate Chapter of the Alpha Phi Alpha Fraternity, Debra Carr, Executive State Coordinator and National Advisory Board member of Miss Black USA and Ventra Boykin, the 2007 Miss Black American—484
- Representative Berry presented to the House Effie Burt who sang "I'll Make Me a World"—484
- Representative Chambers presented to the House the Honorable Richard Vande Hoef, former member of the House—544
- Representative Raecker presented to the House the Honorable Steve Churchill, former member of the House—554
- Representative Clute presented to the House the Honorable Gene Maddox, former member of the House—615
- Representative McCarthy presented to the House a delegation of five Croatian Mayors—692
- Representatives Murphy, McCarthy and Rants presented the House Pages with certificates of appreciation for their service to the House—731, 1819-1820
- Representative May presented to the House the Graettinger-Terril Knights girls' basketball team and their coach, Jared Cecil—734
- Representative Roberts presented to the House the Honorable Dan Boddicker, former member of the House—796
- Representative Frevert presented to the House Tony Dempsey, an Irish Dignitary from the Parliament at Wexford, Ireland and his wife Jenna—856
- Representative Frevert presented to the House Miss Shamrock Jerry Lynn Saddler—856
- Representatives Reasoner, Tomenga, Smith and T. Taylor presented to the House Professor Bill Russell from Graceland College—858

- Representative Horbach presented to the House the Honorable Phil Tyrrell, former member of the House—858
- Representative Whitaker presented to the House the Honorable Jerry May, former member of the House—863
- Representative Roberts presented to the House the Honorable Jim Meyer, former member of the House—867
- Representative Roberts presented to the House professor Tom Rice and students from the University of Iowa from ICAN—988
- Representative Boal presented to the House the Ankeny High School student council members—1067
- Representative Soderberg presented to the House Rebekah Kuiken, the 2007 Queen of the Tulip Festival and her court—1168
- Representative Huser presented to the House the Honorable Ed Skinner, former member of the House—1169
- Representative Abdul-Samad presented to the House members of the African-American Leadership Coalition—1187
- Representative Van Engelenhoven presented to the House Allie Vande Zande, 2007 Queen of the Pella Tulip Festival and her court—1220
- Representative Jacobs presented to the House the Honorable Ralph Klemme, former member of the House—1251
- Representative Murphy presented to the House the Honorable Robert Osterhaus, former member of the House—1273
- Representative Winckler presented to the House winners of the "Write Women Back Into History" essay contest winners—1317-1318
- Representative Murphy presented to the House Pioneer Lawmakers eligible for their chairs—1332
- Representative Heaton presented to the House Matthew Wettach whom received the 2007 Prudential Spirit of Community Award—1345
- Representative Shomshor presented to the House Candace Carlson whom received the 2007 Prudential Spirit of Community Award—1345
- Representative Berry presented to the House Dr. George Jack of Iowa State University, Dr. John Byrd from Simpson College, Ambassador Ken Quinn and Pakston Williams who portrays George Washington Carver—1381
- Representative Murphy presented to the House former Governor Robert Ray who presented Senate President Kibbie and Representative Raecker as recipients of Uncommon Public Service Award—1382
- Representative Lukan presented to the House the Honorable Danny Carroll, former member of the House—1472
- Representative Jacobs presented to the House the Honorable Willard Jenkins, former member of the House—1478
- Representative McCarthy presented to the House the Honorable Dick Myers, former Minority Leader of the House—1526
- Representative Grassley presented to the House his grandfather, the Honorable Chuck Grassley, United States Senator—1626
- Representative Smith presented to the House Jim Olson, mayor of Winterset, who spoke about the John Wayne museum—1628
- Representative Raecker presented to the House David Johnson, father of 2007 Masters golf tournament champion Zach Johnson—1638
- Representative Raecker presented to the House the Honorable Jeff Elgin, former member of the House—1747

SPONSOR—

Added:

House File 5—Representative Palmer—115

STAED, ART—Representative Linn County

Amendments filed—1339, 1470, 2021

Amendment offered—1299

Amendment withdrawn—2054

Bills introduced—19, 20, 106, 119, 176, 312, 315, 421, 472, 500, 547, 570, 596, 629, 674, 693, 728

Committee appointments—21, 22, 23, 65

Resolutions filed—1003, 1166, 1167, 1184, 1338, 1470, 1740, 2102

Subcommittee assignments—78, 171, 277, 305, 306, 307, 335, 371, 413, 462, 463, 464, 477, 557, 562, 607, 620, 698, 891, 979, 1001

STANDING COMMITTEES—

Appointed—21-24

Appropriations subcommittees—24

Committee assignments—25-36

STATE GOVERNMENT, COMMITTEE ON—

Amendments filed—1217, 1271, 1286

Amendments offered—1390, 2038

Appointed—23, 945

Bills introduced—378, 500, 611, 629, 667, 672, 772, 775, 851, 852, 853, 893, 895, 896, 897, 920, 984

Recommendations—338, 467, 508, 541, 609, 653, 685, 723-724, 743, 768-770, 845-846, 1003, 1166, 1217, 1269-1270, 1286

Subcommittee assignments—122, 131, 270, 271, 306, 334, 335, 372, 413, 414, 422, 423, 463, 464, 476, 477, 478, 536, 537, 588, 589, 590, 619, 620, 621, 662, 663, 697, 698, 715, 716, 717, 842, 843, 844, 977, 979, 1000, 1001, 1062, 1131, 1216, 1233

STATE OF THE STATE AND BUDGET MESSAGE—

Delivered by Governor Thomas J. Vilsack—49-58

Resolution relating to the condition of the State and Budget Message, House Concurrent Resolution 1, a joint convention on Tuesday, January 9, 2007 at 10:00 a.m. for Governor Thomas J. Vilsack to deliver his condition of the state and budget message—9, 10 adopted, 11 msgd. - S.J. - 20 adopted, 21 msgd. - H.J. - 46.

Delivered by Governor Chester J. Culver—239-246

Resolution relating to the condition of the State Message and Budget Message, House Concurrent Resolution 5—a joint convention on Tuesday, January 30, 2007 at 10:00 a.m. for Governor Chester J. Culver to deliver his condition of the state and budget message—140, 145 adopted & msgd. - S.J. - 158, 160 adopted & msgd. - H.J. - 218.

STRUYK, DOUG—Representative Pottawattamie County, Assistant Minority Leader

Amendments filed—140, 141, 292, 376, 562, 563, 564, 624, 770, 771, 808, 817, 819, 822, 848, 880, 953, 954, 971, 1167, 1217, 1287, 1339, 1375, 1463, 1470, 1502, 1520, 1543, 1544, 1545, 1546, 1548, 1704, 1741, 1817, 2061, 2067

Amendments offered—808, 817, 822, 971, 1562, 1644, 1786, 2061, 2067

Amendments withdrawn—819, 833, 997, 1229, 1463, 1483, 1786

Bills introduced—106, 107, 127, 128, 144, 167, 168, 169, 170, 226, 227, 287, 318, 416, 419, 444, 482, 499, 500, 512, 525, 546, 567, 598, 629, 693, 706, 726, 727, 728, 882

Committee appointments—21, 22, 23

Resolutions filed—178, 562, 1003, 1166, 1167, 1184, 1338, 1402, 1470, 1740, 2102

Resolution offered—178

Subcommittee assignments—159, 305, 371, 493, 494, 538, 557, 587, 589, 619, 620, 697, 716, 949, 950, 951, 977, 978, 980, 1001, 1062, 1131, 1267, 1312, 1468, 1623

STUDY BILL COMMITTEE ASSIGNMENTS—

Administration & Rules—138, 608

Agriculture—280, 438, 560, 608, 650, 651, 699, 701

Appropriations—278, 439, 495, 507, 559, 699, 700, 845, 879, 980, 1063, 1234, 1401, 1519, 1701

Commerce—124, 139, 163, 173, 224, 280, 281, 337, 373, 465, 496, 682, 702

Economic Growth—310, 322, 373, 591, 650, 682, 701, 702, 737

Education—123, 124, 172, 174, 175, 235, 279, 324, 559, 650, 683

Environmental Protection—174, 281, 496, 701, 736

Ethics—139, 161

Government Oversight—1518, 1519, 1541, 2020

Human Resources—111, 124, 125, 234, 273, 274, 322, 323, 324, 373, 439, 495, 539, 559, 700, 701, 702

Judiciary—111, 163, 164, 172, 173, 234, 235, 279, 280, 281, 282, 310, 372, 373, 465, 466, 495, 508, 539, 608, 650, 701, 1234

Labor—162, 164, 172, 235, 373, 479, 591, 701, 702, 720

Local Government—123, 173, 224, 324, 495, 538, 539, 608

Natural Resources—139, 140, 161, 373, 559, 700

Public Safety—117, 123, 162, 163, 173, 279, 438, 539, 559, 720

State Government—139, 140, 160, 161, 235, 310, 323, 338, 415, 438, 479, 508, 538, 559, 699, 702, 879

Transportation—118, 323, 439, 682, 702

Veteran's Affairs—224, 608

Ways and Means—236, 560, 720, 951, 952, 1132, 1164, 1234, 1267, 1373, 1374, 1401, 1541, 1701, 1739, 1740

STUDY BILL SUBCOMMITTEE ASSIGNMENTS—

Assigned—117, 122, 131-132, 138, 159-160, 171-172, 221-223, 229, 233-234, 272-273, 278, 307-309, 316, 336-337, 372, 414-415, 438, 464-465, 478-479, 495, 502, 507, 558-559, 590-591, 601, 621-622, 663-664, 682, 698-699, 718-720, 736, 749, 845, 879, 951, 980, 1002, 1132, 1163, 1182, 1267, 1283, 1379, 1468, 1541, 1623, 1739, 1814

Reassigned—272, 273, 307, 372, 478

STUDY COMMITTEES—

(See also LEGISLATIVE COUNCIL)

Resolutions relating to:

House Concurrent Resolution 7—609

House Concurrent Resolution 10—1702, 1741, 1816, 2102

Senate Concurrent Resolution 6—1758, 1816

Senate Concurrent Resolution 7—1916, 2021

SUBCOMMITTEE ASSIGNMENTS—

Assigned—78, 90, 110, 117, 121-122, 131, 159, 220, 229, 233, 270-272, 277-278, 304-307, 316, 321-322, 334-336, 369-372, 413-414, 422-423, 437, 462-464, 476-478, 492-495, 502, 507, 536-538, 556-558, 587-590, 606-607, 618-621, 647-649, 662-663,

681-682, 697-698, 715-718, 736, 767, 841-844, 877-878, 891, 907, 949-951, 977-980, 1000-1002, 1005, 1022, 1062, 1130-1131, 1163, 1182, 1215-1216, 1233-1234, 1266-1267, 1283, 1312, 1379, 1468, 1518, 1541, 1622-1623, 1701, 1739, 1814
 Reassigned—304, 477, 493, 536, 587, 601, 681, 698, 715, 718, 878, 1000, 1233

SUPREME COURT OF IOWA—

(Chief Justice Marsha K. Ternus)

Delivered the Condition of the Judicial Department's Message—66-76

Resolutions relating to:

House Concurrent Resolution 2 – a joint convention on Wednesday, January 10, 2007 at 10:00 a.m. for Chief Justice Ternus deliver her condition of the judicial branch message—10 adopted, 11 msgd. – S.J. – 20, 21 adopted and msgd. – H.J. – 46.

SWAIM, KURT—Representative Appanoose-Davis-Wayne Counties

Amendments filed—846, 953, 1003, 1134, 1271, 1287, 1314, 1403, 1470, 1502, 1639, 1752, 1817, 2022

Amendments offered—858, 959, 962, 1026, 1328, 1501, 1502, 1753

Amendments withdrawn—1502, 1639, 1752, 2053

Bills introduced—19, 20, 106, 127, 128, 129, 134, 143, 144, 166, 167, 168, 176, 225, 226, 228, 247, 248, 286, 287, 289, 318, 341, 342, 380, 381, 417, 418, 421, 426, 472, 509, 525, 546, 548, 567, 627, 628, 635, 637, 673, 882, 894

Committee appointments—21, 22, 23

Resolutions filed—503, 541, 562, 953, 1003, 1166, 1167, 1184, 1338, 1402, 1470, 1520, 1740, 2102

Subcommittee assignments—171, 233, 307, 370, 462, 494, 590, 697, 841, 951, 980, 1062, 1131, 1233, 1234, 1267

TAYLOR, DICK—Representative Linn County

Amendments filed—292, 1185, 1315, 1703

Amendment withdrawn—1393

Bills introduced—19, 20, 127, 128, 129, 134, 144, 176, 341, 381, 421, 547, 566, 569, 636, 637, 673, 674, 692, 693, 727, 728

Committee appointments—21, 22, 23

Resolutions filed—503, 562, 1003, 1166, 1167, 1184, 1338, 1402, 1470, 1702, 1740, 2102

Subcommittee assignments—122, 277, 278, 306, 321, 322, 334, 335, 463, 493, 536, 606, 620, 663, 717, 718, 1001, 1131, 1163, 1216

TAYLOR, TODD—Representative Linn County

Amendments filed—908, 909, 1003, 1218, 1271, 1315, 1816, 2076, 2102

Amendments offered—1009, 1423, 1425

Amendment withdrawn—1423

Bills introduced—19, 20, 113, 127, 129, 176, 381, 417, 418, 421, 422, 426, 427, 547, 569, 596, 598, 636, 637, 674, 708, 727

Committee appointments—9, 21, 22, 23, 36, 732, 1498, 1738

Presented to the House Professor Bill Russell from Graceland College—858

Report—1820-1821

Resolutions filed—503, 541, 562, 1003, 1166, 1167, 1184, 1338, 1402, 1470, 1702, 1740, 2102

Subcommittee assignments—170, 220, 334, 335, 336, 370, 371, 372, 413, 414, 423, 463, 464, 477, 478, 537, 588, 619, 648, 662, 697, 842, 844, 979, 1001, 1062, 1131, 1215, 1233, 1701

TEMPORARY OFFICERS—

Elected—1
Took oath of office—1

TEMPORARY RULES—

Adopted—15

THOMAS, ROGER—Representative Clayton-Delaware-Fayette Counties

Amendments filed—909, 1022, 1167, 1218, 1315, 1816, 1896, 2021
Amendments offered—1051, 1052, 1102, 1103, 1225
Amendment withdrawn—2055
Bills introduced—19, 20, 119, 176, 177, 247, 313, 315, 327, 421, 443, 499, 500, 525, 547, 569, 570, 596, 674, 728, 900
Committee appointments—21, 22, 23
Leave of absence—469
Resolutions filed—562, 1003, 1166, 1167, 1184, 1338, 1470, 1740
Subcommittee assignments—277, 304, 305, 307, 369, 370, 464, 477, 493, 590, 607, 717, 767, 878, 949, 950, 951, 978, 1131, 1163, 1312

TJEPKES, DAVID A.—Representative Calhoun-Greene-Webster Counties

Amendments filed—140, 141, 292, 376, 563, 564, 892, 909, 1271, 1543, 1544, 1545, 1546, 1548
Bills introduced—106, 127, 129, 169, 226, 247, 287, 290, 381, 416, 419, 499, 512, 567, 598, 669, 706, 726, 728, 882
Committee appointments—22, 23, 1498
Presided at session of the House—1302
Resolutions filed—503, 562, 1003, 1166, 1167, 1184, 1338, 1470, 1520, 1740, 2102
Resolution offered—1188
Subcommittee assignments—159, 304, 306, 307, 334, 477, 537, 538, 590, 607, 620, 662, 663, 717, 718, 736, 843, 844, 980, 1001, 1233, 1234

TOMENGA, F. WALTER—Representative Polk County

Amendments filed—141, 292, 376, 1237, 1315, 1543, 1544, 1545, 1546, 1548, 2021
Amendments withdrawn—1481, 1482
Bills introduced—80, 106, 168, 227, 287, 290, 417, 421, 500, 512, 597, 605, 706, 726, 727, 728, 882
Committee appointments—22, 23, 94
Leave of absence—1192
Presented to the House Professor Bill Russell from Graceland College—858
Resolutions filed—562, 1003, 1166, 1167, 1184, 1338, 1470, 1740, 2102
Subcommittee assignments—121, 159, 370, 414, 463, 557, 607, 618, 647, 649, 681, 698, 716, 877, 980, 1062, 1131, 1233, 1234

TRANSPORTATION, COMMITTEE ON—

Amendment filed—1271
Amendments offered—1412, 1490
Appointed—23
Bills introduced—420, 421, 427, 611, 626, 636, 671, 883, 896

Recommendations—375, 594, 653, 664, 724, 753-754, 1237, 1270

Subcommittee assignments—117, 171, 233, 305, 306, 413, 414, 493, 494, 507, 557, 587, 590, 620, 621, 662, 663, 717, 736, 843, 1001, 1163, 1216, 1234

TYMESON, JODI—Representative Dallas-**Madison**-Warren Counties

Amendments filed—140, 274, 284, 311, 376, 468, 541, 562, 563, 564, 580, 609, 665, 743, 771, 847, 848, 849, 879, 880, 981, 1003, 1004, 1022, 1065, 1110, 1134, 1158, 1167, 1218, 1237, 1339, 1376, 1543, 1544, 1545, 1546, 1547, 1548, 1610, 1625, 1668, 1704, 1705, 1741, 1968, 2021

Amendments offered—351, 358, 359, 362, 580, 985, 1107, 1110, 1117, 1158, 1249, 1563, 1564, 1610, 1789, 1791, 1793, 1968

Amendments withdrawn—488, 1153, 1159, 1251, 1564, 1686, 1788, 1795, 1968, 2060

Bills introduced—79, 106, 107, 114, 115, 120, 126, 127, 144, 169, 176, 177, 226, 227, 228, 287, 312, 313, 318, 328, 379, 426, 498, 499, 511, 629, 637, 669, 695, 726, 728, 745, 882, 1007, 1033

Committee appointments—2, 21, 22, 23, 24, 91, 514

Resolutions filed—339, 424, 468, 562, 1003, 1166, 1167, 1184, 1338, 1402, 1470, 1740, 2102

Resolutions offered—1188, 1628

Subcommittee assignments—90, 110, 220, 271, 413, 462; 477, 493, 619, 620, 698, 843, 977, 979

UNANIMOUS CONSENT—9, 10, 13, 14, 145, 178, 231, 251, 290, 329, 382, 400, 484, 506, 575, 638, 967, 1068, 1273, 1372, 1522, 1614, 1819, 1916, 1936, 1941, 2095

UNFINISHED BUSINESS CALENDAR—

Bills placed on—1259, 1368-1369, 1372

UPMEYER, LINDA L.—Representative Cerro Gordo-Franklin-**Hancock** Counties, Assistant Minority Leader

Amendments filed—140, 141, 376, 541, 562, 563, 564, 583, 770, 771, 819, 823, 824, 849, 850, 880, 881, 891, 909, 953, 954, 981, 1184, 1217, 1287, 1315, 1367, 1375, 1376, 1543, 1544, 1545, 1546, 1547, 1548, 1561, 1625, 1656, 1672, 1674, 1675, 1704, 1816, 1971

Amendments offered—580, 583, 819, 823, 824, 829, 1560, 1561, 1593, 1672, 1674, 1675, 1776, 1778, 1971

Amendments withdrawn—553, 996, 1323, 1588, 1589, 1781

Bills introduced—167, 169, 226, 228, 287, 290, 379, 380, 381, 419, 420, 425, 441, 471, 499, 500, 510, 512, 525, 526, 546, 567, 570, 598, 626, 672, 686, 726, 727, 728, 745, 882

Committee appointments—21, 22, 48, 1892

Presented to the House students from East High School, Des Moines and Cedar Rapids Jefferson High School, whom are studying bio-engineering—483

Presided at session of the House—610

Resolutions filed—311, 468, 562, 981, 1003, 1166, 1167, 1184, 1338, 1402, 1470, 1740, 2102

Resolution offered—1819

Subcommittee assignments—110, 159, 220, 271, 321, 335, 336, 369, 370, 477, 493, 494, 538, 607, 621, 649, 662, 681, 878, 1163, 1234

VAN ENGELNHOVEN, JIM—Representative Jasper-**Marion** Counties

Amendments filed—141, 376, 563, 564, 771, 848

Bills introduced—169, 287, 498, 567, 726, 882

Committee appointments—22, 23

Leaves of absence—1477, 2078

Presented to the House Allie Vande Zande, Queen of the 2007 Pella Tulip Festival and her court—1220

Resolutions filed—562, 981, 1003, 1166, 1167, 1184, 1338, 1470, 1740

Subcommittee assignments—121, 220, 277, 335, 463, 607, 844, 978

VAN FOSSEN, JAMIE—Representative **Scott** County

Amendments filed—140, 141, 142, 377, 562, 563, 564, 609, 654, 771, 805, 846, 880, 953, 1003, 1375, 1376, 1460, 1544, 1545, 1546, 1547, 1548, 1669, 1703, 1704, 1741, 1817, 1895, 1963

Amendments offered—798, 1884, 1904, 1963, 2054

Amendments withdrawn—632, 805, 1044, 1045, 1918

Bills introduced—113, 114, 115, 167, 169, 225, 226, 227, 287, 290, 419, 498, 500, 598, 688, 726, 728, 882

Committee appointments—21, 22, 23

Dissent from SF 551—1660-1661

Explanation of vote—712, 1125, 1697

Leave of absence—1067

Resolutions filed—311, 562, 1003, 1166, 1167, 1184, 1338, 1402, 1470, 1740

Subcommittee assignments—110, 278, 304, 322, 463, 493, 494, 587, 589, 620, 649, 716, 719, 767, 878, 949, 950, 977, 978, 1001, 1005, 1131, 1216, 1312, 1379, 1468, 1814

VETERANS—

Resolutions relating to:

House Concurrent Resolution 6—a joint convention on Tuesday, March 20, 2007 at 9:00 a.m. for Major General Ron Dardis to present his condition of the Iowa national guard message—440, 512 adopted & msgd. – S.J. – 402, 403 adopted & msgd. – H.J. – 513.

House Resolution 14—supporting the Fisher House Foundation in its efforts to assist families of injured military members and veterans—339, 444 adopted.

House Resolution 19—oppose the commitment of additional American troops to the war in Iraq—468

House Resolution 20—honor the 133rd Test Squadron of the Iowa Air National Guard for its ongoing role in the Global War on Terror—468

House Resolution 30—honor the 132nd Fighter Wing of the Iowa Air National Guard—981

House Resolution 31—honor Iowan Eugene Ely, a pioneer in Naval aviation—1003, 1026 adopted.

House Resolution 32—commemorating life and service of Command Sergeant Major Galen Kittleson of Toeterville, Iowa—1064, 1716 adopted.

House Resolution 35—honor the service of the 185th Air Refueling Wing of the Iowa Air National Guard—1166, 1188 adopted.

House Resolution 36—honor the 132nd Fighter Wing of the Iowa Air National Guard—1167, 1188 adopted.

House Resolution 37—honor the 133rd Test Squadron of the Iowa Air National Guard for its ongoing role in the Global War on Terror—1184, 1188 adopted.

House Resolution 45—honor activities and commitment of the Patriot Guard Riders—1402, 1819 adopted.

VETERANS AFFAIRS, COMMITTEE ON—

Appointed—23

Bills introduced—505, 605, 745, 774, 883

Recommendations—338, 480, 594, 724, 743, 754, 1184

Subcommittee assignments—277, 305, 306, 335, 464, 477, 493, 979

VISITORS—

Presentation of—330, 532, 555, 974, 1059, 1126, 1261, 1517, 1812, 1893, 2018

VOTES—

Non-record—154, 294, 362, 363, 575, 810, 817, 866, 941, 999, 1075, 1112, 1114, 1142, 1152, 1224, 1356, 1392, 1394, 1418, 1451, 1475, 1499, 1505, 1561, 1586, 1637, 1645, 1646, 1654, 1657, 1670, 1671, 1676, 1686, 1751, 1821, 1871, 2032, 2033, 2047, 2050, 2077.

Record—148, 152-153, 155, 264-265, 345-346, 350-351, 353, 354-355, 356-357, 364-365, 448, 449-450, 573-574, 579-580, 581-582, 582-583, 585, 734-735, 779, 799-800, 807-808, 809-810, 812, 814-815, 816, 819, 821-822, 822-823, 824, 826, 827, 832-833, 930-931, 936-937, 938, 939-940, 1038-1039, 1070, 1072-1073, 1075-1076, 1106-1107, 1108, 1109-1110, 1111-1112, 1113, 1118, 1119-1120, 1122, 1123-1124, 1141, 1145-1146, 1146-1147, 1150, 1155-1156, 1203, 1206-1207, 1248, 1250, 1252-1253, 1254, 1256, 1370, 1371, 1458, 1460, 1462-1463, 1551-1552, 1559, 1560-1561, 1562-1563, 1566, 1580, 1585-1586, 1587-1588, 1589, 1590-1591, 1592-1593, 1594-1595, 1595-1596, 1597-1598, 1609-1610, 1610-1611, 1612, 1616-1617, 1618, 1634-1635, 1641-1642, 1648, 1653, 1654-1655, 1655-1656, 1659-1660, 1666-1667, 1667-1668, 1671-1672, 1672-1673, 1674, 1678, 1682-1683, 1684, 1685-1686, 1687-1688, 1689, 1690-1691, 1722, 1724, 1731-1732, 1733-1734, 1745-1746, 1776, 1777, 1778, 1780-1781, 1782-1783, 1784-1785, 1785-1786, 1790-1791, 1792-1793, 1794-1795, 1798-1799, 1802-1803, 1804-1805, 1806-1807, 1807-1808, 1808-1809, 1888, 1889-1890, 1890-1891, 1900, 1901-1902, 1903, 1910-1911, 1912-1913, 1914-1915, 1961-1962, 1964-1965, 1967-1968, 1969, 1971, 1973-1974, 2036, 2049-2050, 2055-2056, 2057, 2059-2060, 2068

Quorum call—343, 525, 828, 1144, 1171, 1323, 1497, 1533, 1582, 1657, 1744, 1747, 1916, 1948, 2023, 2030, 2078

WATTS, RALPH—Representative Boone-Dallas Counties

Amendments filed—140, 141, 377, 562, 563, 564, 771, 848, 849, 880, 908, 1023, 1064, 1287, 1315, 1339, 1376, 1403, 1458, 1460, 1544, 1545, 1546, 1547, 1548, 1662, 1667, 1669, 1682, 1692, 1703, 1704, 1734, 1741, 2021, 2060

Amendments offered—154, 943, 1142, 1145, 1146, 1151, 1458, 1669, 1734, 1898, 1902, 1904

Amendments withdrawn—1145, 1510, 1511, 1899, 2054, 2060

Bills introduced—106, 128, 144, 167, 169, 226, 287, 290, 312, 416, 419, 498, 499, 512, 629, 695, 706, 726, 728, 882

Committee appointments—21, 22, 23

Dissent from SF 551—1660-1661

Explanation of vote—555, 1162

Resolutions filed—468, 562, 981, 1003, 1166, 1167, 1184, 1338, 1402, 1470, 1740, 2102

Subcommittee assignments—78, 277, 306, 464, 588, 647, 648, 681, 841, 878, 1001, 1216, 1468, 1701

WAYS AND MEANS, COMMITTEE ON—

Amendment filed—1703

Amendment offered—1922

Appointed—23

Bills introduced—156, 421, 612, 781, 836, 1024, 1135, 1191, 1222, 1272, 1298, 1322, 1377, 1378, 1397, 1472, 1537, 1549, 1620, 1621, 1742, 1747

Recommendations—165, 376, 594-595, 704, 1006, 1064, 1166, 1184, 1270, 1314, 1374-1375, 1379-1380, 1402, 1469, 1519-1520, 1542-1543, 1624, 1702, 1815

Subcommittee assignments—78, 304, 305, 369, 370, 371, 492, 493, 494, 587, 588, 589, 649, 715, 716, 718, 949, 950, 951, 977, 978, 1000, 1005, 1130, 1131, 1163, 1266, 1267, 1312, 1379, 1468, 1518, 1623, 1701, 1739, 1814

WENDT, ROGER F.—Representative Woodbury County

Amendments filed—908, 1470, 1808

Amendments withdrawn—1257, 1808

Bills introduced—19, 20, 107, 119, 127, 176, 286, 312, 381, 418, 506, 526, 596, 629, 674, 688

Committee appointments—2, 21, 22, 23, 1439

Report—1628-1634

Resolutions filed—132, 562, 891, 1003, 1166, 1167, 1184, 1314, 1338, 1470, 1702, 1740, 2102

Subcommittee assignments—90, 334, 413, 414, 462, 477, 478, 557, 558, 590, 619, 620, 717, 841, 844, 878, 950, 951, 977, 978, 1001, 1062, 1233, 1312

WENTHE, ANDREW—Representative Black Hawk-Bremer-Fayette Counties

Amendment filed—1703

Bills introduced—19, 20, 107, 119, 176, 247, 286, 288, 421, 428, 470, 472, 500, 511, 569, 596, 673, 674, 745

Committee appointments—9, 21, 23

Resolutions filed—503, 541, 562, 1003, 1166, 1167, 1184, 1338, 1470, 1740, 2102

Subcommittee assignments—110, 121, 271, 277, 322, 369, 370, 462, 463, 476, 478, 494, 588, 589, 590, 607, 647, 648, 649, 682, 697, 698, 718, 767, 841, 842, 843, 844, 877, 907, 978, 979, 1131, 1267, 1541

WESSELL-KROESCHELL, BETH—Representative Story County

Amendments filed—770, 981, 1625, 1703, 1895, 2022

Amendments offered—928, 940

Amendment withdrawn—2054

Bills introduced—19, 20, 127, 129, 134, 144, 176, 289, 290, 319, 328, 417, 420, 421, 426, 428, 472, 546, 596, 597, 604, 629, 636, 669, 670, 671, 672, 674, 706, 708, 727

Committee appointments—22, 23, 945

Resolutions filed—468, 503, 541, 562, 1003, 1166, 1167, 1184, 1217, 1338, 1402, 1470, 1520, 1702, 1740, 2102

Subcommittee assignments—121, 122, 131, 159, 229, 233, 270, 271, 277, 304, 316, 334, 414, 462, 477, 495, 556, 557, 588, 621, 649, 662, 663, 716, 843, 846, 878, 1000, 1001, 1163, 1182, 1216, 1233

WHITAKER, JOHN—Representative Jefferson-Van Buren-Wapello Counties, Assistant Majority Leader

Amendments filed—953, 1023, 1237, 1403, 1705, 1895, 2022

Amendments offered—1136, 1719

Amendments withdrawn—1276, 1437, 2054, 2061

- Bills introduced—19, 20, 106, 113, 127, 129, 134, 176, 226, 247, 286, 341, 342, 421, 428, 481, 500, 504, 505, 509, 510, 511, 525, 526, 527, 569, 596, 628, 635, 637, 673, 674, 693, 694, 729, 920
- Bills referred and rereferred to committee (as acting Speaker)—999
- Committee appointments—21, 23
- Presented to the House the Honorable Jerry May, former member of the House—863
- Presided at sessions of the House—1, 991
- Resolutions filed—503, 541, 562, 1003, 1166, 1167, 1184, 1338, 1402, 1470, 1740, 2102
- Resolution offered—1026
- Ruling made (as acting Speaker)—996
- Subcommittee assignments—117, 220, 277, 305, 322, 335, 414, 462, 478, 493, 536, 606, 607, 697, 698, 717, 718, 979, 1022, 1233, 1234
- WHITEAD, WESLEY**—Representative **Woodbury** County
- Amendment offered—1390
- Bills introduced—19, 20, 106, 176, 177, 319, 418, 428, 472, 509, 510, 569, 674
- Committee appointments—22, 23, 514
- Resolutions filed—503, 541, 562, 908, 1003, 1166, 1167, 1184, 1338, 1402, 1470, 1702, 1740, 2102
- Resolution offered—1188
- Subcommittee assignments—121, 131, 270, 304, 305, 307, 321, 334, 371, 422, 476, 537, 589, 590, 607, 647, 662, 663, 681, 717, 842, 844, 977, 979, 1000, 1131, 1233
- WIENCKE, TAMI**—Representative **Black Hawk** County
- Amendments filed—140, 141, 377, 562, 563, 564, 771, 1022, 1376, 1543, 1544, 1545, 1546, 1547, 1548, 1608, 1683, 1704, 1741
- Amendments offered—1107, 1608, 1683, 1784, 1785
- Bills introduced—114, 128, 226, 287, 726, 727, 728, 882
- Committee appointments—21, 23, 47
- Resolutions filed—132, 562, 1003, 1064, 1166, 1167, 1184, 1338, 1470, 1740, 2102
- Subcommittee assignments—90, 171, 307, 370, 413, 463, 494, 537, 557, 590, 619, 716, 841, 949, 950, 951, 1267
- WINCKLER, CINDY**—Representative **Scott** County
- Amendments filed—909, 1065, 1157, 1218, 1245, 1703, 1741, 1817, 1895
- Amendments offered—1157, 1240, 1245, 1773, 1774, 1787
- Amendment withdrawn—2053
- Bills introduced—19, 20, 176, 247, 286, 289, 290, 312, 418, 472, 500, 546, 629, 636, 674, 706, 708
- Committee appointments—9, 21, 22, 733, 1439
- Explanation of vote—1372-1373
- Leave of absence—1289
- Presented to the House winners of the "Write Women Back Into History" essay contest winners—1317-1318
- Report—1628-1634
- Resolutions filed—497, 503, 541, 562, 1003, 1166, 1167, 1184, 1237, 1338, 1470, 1740
- Resolutions offered—1026, 1317, 1318
- Subcommittee assignments—78, 271, 278, 306, 370, 371, 413, 462, 464, 476, 478, 556, 588, 589, 619, 620, 647, 648, 649, 697, 716, 717, 841, 842, 843, 844, 877, 878, 907, 951, 978, 979, 980, 1131

WINDSCHITL, MATT—Representative **Harrison-Monona-Pottawattamie** Counties
 Amendments filed—140, 141, 142, 377, 562, 563, 564, 771, 847, 849, 1185, 1287, 1376, 1544, 1545, 1546, 1547, 1548, 1703, 1704, 1816
 Amendments offered—1207, 1871
 Bills introduced—106, 127, 144, 167, 168, 169, 226, 227, 228, 287, 290, 312, 416, 419, 499, 500, 567, 598, 629, 695, 728, 882
 Committee appointments—23, 514
 Explanation of vote—367
 Leave of absence—292
 Resolutions filed—562, 1003, 1166, 1167, 1184, 1338, 1402, 1470, 1740, 2102
 Subcommittee assignments—171, 277, 305, 369, 413, 494, 717, 949, 950, 978, 979, 1518

WISE, PHILIP—Representative **Lee** County
 Amendments filed—292, 770, 833, 909, 953, 1064, 1134, 1237, 1314, 1339, 1403, 1547, 1614, 1678, 1679, 1703, 1741, 2045
 Amendments offered—1443, 1448, 1582, 1583, 1614, 1679, 1781
 Amendments withdrawn—833, 1257, 1583, 1678
 Bills introduced—19, 20, 64, 106, 120, 176, 248, 289, 312, 315, 340, 379, 425, 470, 500, 504, 505, 629, 635, 673, 674, 695, 708, 727, 745, 888, 1382
 Committee appointments—21, 23, 1329, 1892
 Report—1979-2014
 Resolutions filed—503, 562, 1003, 1166, 1167, 1184, 1338, 1402, 1470, 1740, 2102
 Resolution offered—506
 Subcommittee assignments—78, 110, 117, 159, 371, 463, 538, 587, 589, 620, 662, 716, 843, 949, 950, 977, 1000, 1001, 1163, 1266, 1468

WORTHAN, GARY—Representative **Buena Vista-Sac** Counties
 Amendments filed—140, 141, 142, 377, 563, 564, 771, 833, 847, 848, 849, 1064, 1167, 1199, 1203, 1287, 1376, 1460, 1544, 1545, 1546, 1547, 1548, 1675, 1703, 1704, 1816, 1895, 1896
 Amendments offered—1169, 1199, 1203
 Amendments withdrawn—816, 2058
 Bills introduced—106, 127, 128, 129, 144, 169, 226, 228, 247, 287, 288, 290, 312, 419, 498, 512, 567, 668, 692, 706, 726, 728, 882
 Committee appointments—21, 23, 514, 733
 Dissent from SF 551—1660-1661
 Resolutions filed—562, 981, 1003, 1166, 1167, 1184, 1338, 1402, 1470, 1740, 2102
 Resolution offered—1716
 Subcommittee assignments—305, 493, 507, 717, 1233, 1234

ZIRKELBACH, RAYMOND—Representative **Dubuque-Jones** Counties
 Bills introduced—19
 Resolutions filed—562, 1470

(Representative Zirkelbach is currently serving in the armed forces in Iraq)