

PROOF

STATE OF IOWA

House Journal

WEDNESDAY, APRIL 8, 2009

Produced daily by the State of Iowa during the sessions of the General Assembly.
(The official bound copy will be available after a reasonable time upon adjournment.)

JOURNAL OF THE HOUSE

Eighty-seventh Calendar Day - Fifty-eighth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, April 8, 2009

The House met pursuant to adjournment at 9:08 a.m., Speaker Murphy in the chair.

Prayer was offered by the honorable Marcie Frevert, state representative from Palo Alto County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Billie Silva, Chief Clerk's Page from Ankeny.

The Journal of Tuesday, April 7, 2009 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 8, 2009, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

[Senate File 279](#), a bill for an act providing for the establishment of an abbreviated electric transmission franchise process, and providing an effective date.

MICHAEL E. MARSHALL, Secretary

SENATE MESSAGE CONSIDERED

[Senate File 472](#), by committee on appropriations, a bill for an act relating to and making appropriations to the judicial branch, and providing an effective date.

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

On motion by Whitaker of Van Buren, the House was recessed at 9:13 a.m., until the conclusion of the meetings of the committees of appropriations and ways and means.

AFTERNOON SESSION

The House reconvened at 1:01 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 8, 2009, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

[Senate File 356](#), a bill for an act relating to department of transportation administrative procedures by establishing a procedure to remove a conviction relating to the operation of a motor vehicle from a driving record based on identity theft and requiring verification of status in regards to the driver's license of a foreign national.

Also: That the Senate has on April 8, 2009, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

[Senate File 377](#), a bill for an act relating to the prescription drug donation repository program.

Also: That the Senate has on April 8, 2009, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

[Senate File 379](#), a bill for an act relating to the use of insurance loss history in the issuance of dramshop liability insurance.

Also: That the Senate has on April 8, 2009, passed the following bill in which the concurrence of the House is asked:

[Senate File 474](#), a bill for an act relating to the bonding authorization of the state board of regents for flood repair, restoration, replacement, and mitigation at the state university of Iowa.

MICHAEL E. MARSHALL, Secretary

McCarthy of Polk asked and received unanimous consent for the immediate consideration of [Senate File 469](#).

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Anderson of Page, until his arrival, on request of Roberts of Carroll; Watts of Dallas, until his return, on request of Lukan of Dubuque; H. Miller of Webster, until her arrival, on request of McCarthy of Polk.

CONSIDERATION OF BILLS

Appropriations Calendar

[Senate File 469](#), 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, and the public employment relations board, and related matters, with report of committee recommending passage, was taken up for consideration.

Soderberg of Plymouth offered the following amendment [H-1465](#) filed by him and moved its adoption:

[H-1465](#)

- 1 Amend [Senate File 469](#), as passed by the Senate, as
- 2 follows:
- 3 1. page 2, line 11, by striking the figure
- 4 "77,936" and inserting the following: "39,000".

Roll call was requested by Soderberg of Plymouth and Paulsen of Linn.

On the question "Shall amendment [H-1465](#) be adopted?" ([S.F. 469](#))

The ayes were, 43:

Alons	Anderson	Arnold	Bailey
Baudler	Cownie	De Boef	Deyoe
Dolecheck	Drake	Forristall	Grassley
Hagenow	Heaton	Helland	Horbach
Huseman	Kaufmann	Koester	Lukan
May	Miller, L.	Olson, S.	Paulsen
Pettengill	Raecker	Rants	Rayhons
Roberts	Sands	Schulte	Schultz
Soderberg	Sorenson	Struyk	Sweeney
Tjepkes	Tymeson	Upmeyer	Van Engelenhoven
Wagner	Windschitl	Worthan	

The nays were, 53:

Abdul-Samad	Bell	Berry	Bukta
Burt	Cphoon	Ficken	Ford
Frevert	Gaskill	Gayman	Heddens
Hunter	Huser	Isenhardt	Jacoby
Kearns	Kelley	Kressig	Kuhn
Lensing	Lykam	Marek	Mascher

McCarthy	Mertz	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Quirk	Reasoner	Reichert	Schueller
Shomshor	Smith	Steckman	Swaim
Taylor, D.	Taylor, T.	Thede	Thomas
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Willems	Winckler	Zirkelbach
Mr. Speaker			
Murphy			

Absent or not voting, 4:

Beard	Chambers	Miller, H.	Watts
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Amendment [H-1465](#) lost.

Cownie of Polk offered the following amendment [H-1473](#) filed by him and moved its adoption:

[H-1473](#)

- 1 Amend [Senate File 469](#), as passed by the Senate, as
- 2 follows:
- 3 1. Page 2, by striking lines 12 through 14 and
- 4 inserting the following:
- 5 "Sec. ____ STATE RECORDS STORAGE. The department
- 6 of cultural affairs shall within six months of the
- 7 effective date of this Act find new storage space for
- 8 the storage of state records."
- 9 2. By renumbering as necessary.

Roll call was requested by Cownie of Polk and Paulsen of Linn.

On the question "Shall amendment [H-1473](#) be adopted?" ([S.F. 469](#))

The ayes were, 42:

Alons	Anderson	Arnold	Baudler
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Grassley	Hagenow
Heaton	Helland	Horbach	Huseman
Kaufmann	Koester	Lukan	May
Miller, L.	Olson, S.	Paulsen	Pettengill
Raecker	Rants	Rayhons	Roberts
Sands	Schulte	Schultz	Soderberg
Sorenson	Struyk	Sweeney	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Wagner
Windschitl	Worthan		

The nays were, 55:

Abdul-Samad	Bailey	Beard	Bell
Berry	Bukta	Burt	Cohoon
Ficken	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Isenhardt	Jacoby	Kearns	Kelley
Kressig	Kuhn	Lensing	Lykam
Marek	Mascher	McCarthy	Mertz
Oldson	Olson, D.	Olson, R.	Olson, T.
Palmer	Petersen	Quirk	Reasoner
Reichert	Schueller	Shomshor	Smith
Steckman	Swaim	Taylor, D.	Taylor, T.
Thede	Thomas	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Willems
Winckler	Zirkelbach	Mr. Speaker	
		Murphy	

Absent or not voting, 3:

Chambers	Miller, H.	Watts
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Amendment [H-1473](#) lost.

Schultz of Crawford asked and received unanimous consent that amendment [H-1456](#) be deferred.

Schultz of Crawford offered the following amendment [H-1455](#) filed by him and moved its adoption:

[H-1455](#)

1 Amend [Senate File 469](#), as passed by the Senate, as
 2 follows:
 3 1. Page 15, by inserting after line 17 the
 4 following:
 5 "Sec.____. EXPENDITURES FOR CELLULAR TELEPHONES
 6 AND PERSONAL DIGITAL ASSISTANTS PROHIBITED.
 7 Notwithstanding any provision to the contrary, other
 8 than for employees performing inspections or who are
 9 otherwise normally performing their primary duties
 10 away from a fixed location more than 70 percent of the
 11 time, for the fiscal year beginning July 1, 2009, a
 12 department receiving appropriations in this Act shall
 13 not expend moneys appropriated from the general fund
 14 of the state to pay for or reimburse the initial or
 15 associated service costs for cellular telephones,
 16 personal digital assistant devices, or handheld
 17 computers. However, the executive council may
 18 authorize an exception on a case-by-case basis, to

19 address an emergency situation for a period of time
 20 not more than three consecutive calendar months in
 21 length or to complete the minimum period specified
 22 under the terms of a lease or contract."
 23 2. By renumbering as necessary.

Roll call was requested by Schultz of Crawford and Tymeson of Madison.

On the question "Shall amendment [H-1455](#) be adopted?" ([S.F. 469](#))

The ayes were, 41:

Alons	Anderson	Arnold	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Grassley	Hagenow	Heaton
Helland	Horbach	Huseman	Kaufmann
Koester	Lukan	May	Miller, L.
Olson, S.	Paulsen	Pettengill	Raecker
Rants	Rayhons	Roberts	Sands
Schulte	Schultz	Soderberg	Sorenson
Struyk	Sweeney	Tjepkes	Tymeson
Upmeyer	Van Engelenhoven	Wagner	Windschitl
Worthan			

The nays were, 54:

Abdul-Samad	Bailey	Beard	Bell
Berry	Bukta	Burt	Cphoon
Ficken	Ford	Frevort	Gaskill
Gayman	Heddens	Hunter	Huser
Isenhardt	Jacoby	Kearns	Kelley
Kressig	Kuhn	Lensing	Lykam
Marek	Mascher	McCarthy	Mertz
Miller, H.	Oldson	Olson, D.	Olson, R.
Olson, T.	Palmer	Petersen	Reasoner
Reichert	Schueller	Shomshor	Smith
Steckman	Swaim	Taylor, D.	Taylor, T.
Thede	Thomas	Wendt	Wenthe
Whitaker	Whitead	Willems	Winckler
Zirkelbach	Mr. Speaker		
	Murphy		

Absent or not voting, 5:

Baudler	Chambers	Quirk	Watts
Wessel-Kroeschell			

Amendment [H-1455](#) lost.

Forristall of Pottawattamie offered the following amendment [H-1463](#) filed by him and moved its adoption:

[H-1463](#)

1 Amend [Senate File 469](#), as passed by the Senate, as
 2 follows:
 3 1. Page 15, by inserting after line 17 the
 4 following:
 5 "Sec. ____ OUT-OF-STATE TRAVEL – RESTRICTIONS.
 6 Notwithstanding any provision to the contrary, for the
 7 fiscal year beginning July 1, 2009, and ending June
 8 30, 2010, out-of-state travel by an employee of a
 9 department or state agency to which appropriations are
 10 made pursuant to the provisions of this Act shall not
 11 be authorized unless the executive council authorizes
 12 the travel as necessary for the performance of
 13 official state business."
 14 2. By renumbering as necessary.

Roll call was requested by Forristall of Pottawattamie and Smith of Marshall.

On the question "Shall amendment [H-1463](#) be adopted?" ([S.F. 469](#))

The ayes were, 40:

Alons	Anderson	Arnold	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Grassley	Hagenow	Heaton
Helland	Horbach	Huseman	Kaufmann
Koester	Lukan	May	Miller, L.
Olson, S.	Paulsen	Pettengill	Raecker
Rants	Rayhons	Roberts	Sands
Schulte	Schultz	Soderberg	Struyk
Sweeney	Tjepkes	Tymeson	Upmeyer
Van Engelenhoven	Wagner	Windschitl	Worthan

The nays were, 56:

Abdul-Samad	Bailey	Beard	Bell
Berry	Bukta	Burt	Cohoon
Ficken	Ford	Frevort	Gaskill
Gayman	Heddens	Hunter	Huser
Isenhardt	Jacoby	Kearns	Kelley
Kressig	Kuhn	Lensing	Lykam
Marek	Mascher	McCarthy	Miller, H.
Oldson	Olson, D.	Olson, R.	Olson, T.

Palmer	Petersen	Quirk	Reasoner
Reichert	Schueller	Shomshor	Smith
Sorenson	Steckman	Swaim	Taylor, D.
Taylor, T.	Thede	Thomas	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Willems	Winckler	Zirkelbach	Mr. Speaker
			Murphy

Absent or not voting, 4:

Baudler	Chambers	Mertz	Watts
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Amendment [H-1463](#) lost.

Soderberg of Plymouth asked and received unanimous consent that amendment [H-1464](#) be deferred.

Cownie of Polk offered the following amendment [H-1469](#) filed by him and moved its adoption:

[H-1469](#)

1 Amend [Senate File 469](#), as passed by the Senate, as
 2 follows:
 3 1. Page 15, by inserting after line 17 the
 4 following:
 5 "Sec. ____ MISCELLANEOUS DEPARTMENT EXPENSES –
 6 MANDATORY REDUCTION. For the fiscal year beginning
 7 July 1, 2009, and ending June 30, 2010, the
 8 appropriations from the general fund of the state to a
 9 state department or state agency to which
 10 appropriations are made pursuant to this Act are
 11 reduced by such amount, as necessary to effect a 20
 12 percent reduction in the amount appropriated for
 13 expenditures for printing, binding, and
 14 communications, and a 50 percent reduction in the
 15 amount appropriated for expenditures for advertising
 16 and publicity. The reduction of the individual
 17 appropriations shall be determined by the department
 18 of management in consultation with the affected
 19 departments and agencies on the basis of the expected
 20 expenditures for such items by the affected state
 21 department or agency for the fiscal year without the
 22 reductions required by this section. The specific
 23 amount that each individual appropriation is reduced
 24 shall be outlined in a memorandum prepared by the
 25 department of management which shall be submitted to
 26 the general assembly and legislative services agency
 27 within 30 days of the effective date of this section
 28 of this Act. The reduction of an individual

29 appropriation pursuant to this section shall be in
 30 addition to any other reduction required by law and
 31 general fund appropriations reduced pursuant to this
 32 section shall not be expended for any other purposes
 33 but shall be retained in the general fund of the
 34 state."

35 2. By renumbering as necessary.

Roll call was requested by Paulsen of Linn and Cownie of Polk.

On the question "Shall amendment [H-1469](#) be adopted?" ([S.F. 469](#))

The ayes were, 42:

Alons	Anderson	Arnold	Baudler
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Grassley	Hagenow
Heaton	Helland	Horbach	Huseman
Kaufmann	Koester	Lukan	May
Miller, L.	Olson, S.	Paulsen	Pettengill
Raecker	Rants	Rayhons	Roberts
Sands	Schulte	Schultz	Soderberg
Sorenson	Struyk	Sweeney	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Wagner
Windschitl	Worthan		

The nays were, 56:

Abdul-Samad	Bailey	Beard	Bell
Berry	Bukta	Burt	Cohoon
Ficken	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Isenhardt	Jacoby	Kearns	Kelley
Kressig	Kuhn	Lensing	Lykam
Marek	Mascher	McCarthy	Mertz
Miller, H.	Oldson	Olson, D.	Olson, R.
Olson, T.	Palmer	Petersen	Quirk
Reasoner	Reichert	Schueller	Shomshor
Smith	Steckman	Swaim	Taylor, D.
Taylor, T.	Thede	Thomas	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Willems	Winckler	Zirkelbach	Mr. Speaker
			Murphy

Absent or not voting, 2:

Chambers Watts

Amendment [H-1469](#) lost.

Cownie of Polk offered the following amendment [H-1470](#) filed by him and moved its adoption:

[H-1470](#)

1 Amend [Senate File 469](#), as passed by the Senate, as
 2 follows:
 3 1. Page 15, by inserting after line 17 the
 4 following:
 5 "Sec. _____. OFFICE EXPENSES – MANDATORY REDUCTION.
 6 For the fiscal year beginning July 1, 2009, and ending
 7 June 30, 2010, the appropriations from the general
 8 fund of the state to a state department or state
 9 agency to which appropriations are made pursuant to
 10 this Act are reduced by such amount, as necessary to
 11 effect a 50 percent reduction in the amount
 12 appropriated for expenditures for office supplies,
 13 service contracts, and equipment purchases. The
 14 reduction of the individual appropriations shall be
 15 determined by the department of management in
 16 consultation with the affected departments and
 17 agencies on the basis of the expected expenditures for
 18 such items by the affected state department or agency
 19 for the fiscal year without the reduction required by
 20 this section. The specific amount that each
 21 individual appropriation is reduced shall be outlined
 22 in a memorandum prepared by the department of
 23 management which shall be submitted to the general
 24 assembly and legislative services agency within 30
 25 days of the effective date of this section of this
 26 Act. The reduction of an individual appropriation
 27 pursuant to this section shall be in addition to any
 28 other reduction required by law and general fund
 29 appropriations reduced pursuant to this section shall
 30 not be expended for any other purposes but shall be
 31 retained in the general fund of the state."
 32 2. By renumbering as necessary.

Roll call was requested by Wagner of Linn and Worthan of Buena Vista.

On the question "Shall amendment [H-1470](#) be adopted?" ([S.F. 469](#))

The ayes were, 42:

Alons	Anderson	Arnold	Baudler
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Grassley	Hagenow
Heaton	Helland	Horbach	Huseman
Kaufmann	Koester	Lukan	May

Miller, L.	Olson, S.	Paulsen	Pettengill
Raecker	Rants	Rayhons	Roberts
Sands	Schulte	Schultz	Soderberg
Sorenson	Struyk	Sweeney	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Wagner
Windschitl	Worthan		

The nays were, 55:

Abdul-Samad	Bailey	Beard	Bell
Bukta	Burt	Cohoon	Ficken
Ford	Frevert	Gaskill	Gayman
Heddens	Hunter	Huser	Isenhardt
Jacoby	Kearns	Kelley	Kressig
Kuhn	Lensing	Lykam	Marek
Mascher	McCarthy	Mertz	Miller, H.
Oldson	Olson, D.	Olson, R.	Olson, T.
Palmer	Petersen	Quirk	Reasoner
Reichert	Schueller	Shomshor	Smith
Steckman	Swaim	Taylor, D.	Taylor, T.
Thede	Thomas	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Willems
Winckler	Zirkelbach	Mr. Speaker	
	Murphy		

Absent or not voting, 3:

Berry	Chambers	Watts
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Amendment [H-1470](#) lost.

Rants of Woodbury offered amendment [H-1475](#) filed by him as follows:

[H-1475](#)

1 Amend [Senate File 469](#), as passed by the Senate, as
 2 follows:
 3 1. Page 15, by inserting after line 17 the
 4 following:
 5 "Sec. ____ VEHICLE PURCHASES DEFERRED.
 6 Notwithstanding any provision to the contrary, except
 7 as otherwise provided by this section, the department
 8 of administrative services shall defer the purchase of
 9 replacement motor vehicles paid for from the general
 10 fund of the state or from such moneys credited to the
 11 depreciation fund maintained pursuant to section
 12 8A.365. The purchase deferral is applicable to the
 13 remainder of the fiscal year beginning July 1, 2008,
 14 commencing on the effective date of this section and
 15 to the succeeding fiscal year. However, the executive

16 council may authorize an exception to allow purchase
 17 of a replacement vehicle when the purchase is less
 18 costly than all other alternatives.
 19 Sec.____. EFFECTIVE DATE. The section of this Act
 20 providing for vehicle purchases to be deferred, being
 21 deemed of immediate importance, takes effect upon
 22 enactment."
 23 2. Title page, line 5, by inserting after the
 24 word "matters" the following: ", and providing an
 25 effective date".
 26 3. By renumbering as necessary.

Jacoby of Johnson rose on a point of order that amendment [H-1475](#) was not germane.

The Speaker ruled the point well taken and amendment [H-1475](#) not germane.

Rants of Woodbury moved to suspend the rules to consider amendment [H-1475](#).

Roll call was requested by Rants of Woodbury and Drake of Cass.

On the question "Shall the rules be suspended to consider amendment [H-1475](#)?" ([S.F. 469](#))

The ayes were, 42:

Alons	Anderson	Arnold	Baudler
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Grassley	Hagenow
Heaton	Helland	Horbach	Huseman
Kaufmann	Koester	Lukan	May
Miller, L.	Olson, S.	Paulsen	Pettengill
Raecker	Rants	Rayhons	Roberts
Sands	Schulte	Schultz	Soderberg
Sorenson	Struyk	Sweeney	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Wagner
Windschitl	Worthan		

The nays were, 55:

Abdul-Samad	Bailey	Beard	Bell
Berry	Bukta	Burt	Cohoon
Ficken	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Isenhardt	Jacoby	Kearns	Kelley
Kressig	Kuhn	Lensing	Lykam

Marek	Mascher	McCarthy	Mertz
Miller, H.	Oldson	Olson, D.	Olson, R.
Olson, T.	Palmer	Petersen	Quirk
Reasoner	Reichert	Schueller	Shomshor
Smith	Steckman	Swaim	Taylor, D.
Thede	Thomas	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Willems
Winckler	Zirkelbach	Mr. Speaker	
		Murphy	

Absent or not voting, 3:

Chambers	Taylor, T.	Watts
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The motion to suspend the rules lost.

Rants of Woodbury asked and received unanimous consent to withdraw amendment [H-1444](#) filed by him on April 7, 2009.

Cownie of Polk asked and received unanimous consent to withdraw amendment [H-1466](#) filed by him on April 7, 2009.

Cownie of Polk offered the following amendment [H-1474](#) filed by him and moved its adoption:

[H-1474](#)

1 Amend [Senate File 469](#), as passed by the Senate, as
2 follows:
3 1. Page 15, by inserting before line 18 the
4 following:
5 "Sec.____. VACANT, FUNDED FULL-TIME EQUIVALENT
6 POSITIONS. Notwithstanding any provision to the
7 contrary, for the fiscal year beginning July 1, 2009,
8 and ending June 30, 2010, the director of a department
9 or state agency to which appropriations are made
10 pursuant to the provisions of this Act shall revert to
11 the general fund of the state at the close of the
12 fiscal year an amount equal to the salary and benefits
13 cost of each full-time equivalent position funded with
14 an appropriation made in this Act that remains vacant
15 for a period of six months or more."
16 2. By renumbering as necessary.

Roll call was requested by Cownie of Polk and Lukan of Dubuque.

On the question "Shall amendment [H-1474](#) be adopted?" ([S.F. 469](#))

The ayes were, 41:

Alons	Anderson	Arnold	Baudler
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Grassley	Hagenow
Helland	Horbach	Huseman	Kaufmann
Koester	Lukan	May	Miller, L.
Olson, S.	Paulsen	Pettengill	Raecker
Rants	Rayhons	Roberts	Sands
Schulte	Schultz	Soderberg	Sorenson
Struyk	Sweeney	Tjepkes	Tymeson
Upmeyer	Van Engelenhoven	Wagner	Windschitl
Worthan			

The nays were, 56:

Abdul-Samad	Bailey	Beard	Bell
Berry	Bukta	Burt	Cohoon
Ficken	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Isenhardt	Jacoby	Kearns	Kelley
Kressig	Kuhn	Lensing	Lykam
Marek	Mascher	McCarthy	Mertz
Miller, H.	Oldson	Olson, D.	Olson, R.
Olson, T.	Palmer	Petersen	Quirk
Reasoner	Reichert	Schueller	Shomshor
Smith	Steckman	Swaim	Taylor, D.
Taylor, T.	Thede	Thomas	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Willems	Winckler	Zirkelbach	Mr. Speaker
			Murphy

Absent or not voting, 3:

Chambers	Heaton	Watts
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Amendment [H-1474](#) lost.

Schultz of Crawford offered the following amendment [H-1456](#), previously deferred, filed by him and moved its adoption:

[H-1456](#)

- 1 Amend [Senate File 469](#), as passed by the Senate, as
- 2 follows:
- 3 1. Page 4, by striking lines 13 through 26 and
- 4 inserting the following:
- 5 "c. A business creating jobs with economic
- 6 development assistance through moneys appropriated in
- 7 this subsection shall be subject to contract
- 8 provisions stating that new and retained jobs shall be

9 filled by individuals who are citizens of the United
 10 States who reside within the United States or any
 11 person authorized to work in the United States
 12 pursuant to federal law, including legal resident
 13 aliens in the United States. Any vendor who receives
 14 such public moneys shall adhere to such contract
 15 provisions and provide periodic assurances as the
 16 state shall require that the jobs are filled solely by
 17 citizens of the United States who reside within the
 18 United States or any person authorized to work in the
 19 United States pursuant to federal law, including legal
 20 resident aliens in the United States. A business that
 21 receives financial assistance from the department from
 22 moneys appropriated in this bill shall only employ
 23 individuals legally authorized to work in this state.
 24 In addition to any and all other applicable penalties
 25 provided by current law, all or a portion of the
 26 assistance received by a business which has received
 27 financial assistance and is found to knowingly employ
 28 individuals not legally authorized to work in this
 29 state is subject to recapture by the department."
 30 2. By renumbering as necessary.

Roll call was requested by Schultz of Crawford and Alons of Sioux.

On the question "Shall amendment [H-1456](#) be adopted?" ([S.F. 469](#))

The ayes were, 98:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Beard	Bell
Berry	Bukta	Burt	Cohoon
Cownie	De Boef	Deyoe	Dolecheck
Drake	Ficken	Ford	Forristall
Frevert	Gaskill	Gayman	Grassley
Hagenow	Heaton	Heddens	Helland
Horbach	Hunter	Huseman	Huser
Isenhart	Jacoby	Kaufmann	Kearns
Kelley	Koester	Kressig	Kuhn
Lensing	Lukan	Lykam	Marek
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	Sands	Schueller
Schulte	Schultz	Shomshor	Smith
Soderberg	Sorenson	Steckman	Struyk
Swaim	Sweeney	Taylor, D.	Taylor, T.
Thede	Thomas	Tjepkes	Tymeson
Upmeyer	Van Engelenhoven	Wagner	Wendt

Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Willems	Winckler	Windschitl	Worthan
Zirkelbach	Mr. Speaker		
	Murphy		

The nays were, none.

Absent or not voting, 2:

Chambers	Watts
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Amendment [H-1456](#) was adopted.

Soderberg of Plymouth offered the following amendment [H-1464](#), previously deferred, filed by him and moved its adoption:

[H-1464](#)

- 1 Amend [Senate File 469](#), as passed by the Senate, as
- 2 follows:
- 3 1. Page 15, by inserting after line 17 the
- 4 following:
- 5 "Sec. ____ . EXPENSE REIMBURSEMENT – REQUIREMENTS.
- 6 Notwithstanding any provision to the contrary, for the
- 7 fiscal year beginning July 1, 2009, and ending June
- 8 30, 2010, the director of a department or state agency
- 9 to which appropriations are made pursuant to the
- 10 provisions of this Act shall require employees, in
- 11 order to receive reimbursement for expense, to submit
- 12 actual receipts for meals and other costs and
- 13 reimbursement up to the maximum amount shall only be
- 14 allowed in an amount equal to the sum of the actual
- 15 receipts submitted."
- 16 2. By renumbering as necessary.

Roll call was requested by Soderberg of Plymouth and Tymeson of Madison.

On the question "Shall amendment [H-1464](#) be adopted?" ([S.F. 469](#))

The ayes were, 98:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Beard	Bell
Berry	Bukta	Burt	Cohoon
Cownie	De Boef	Deyoe	Dolecheck
Drake	Ficken	Ford	Forristall
Frevert	Gaskill	Gayman	Grassley
Hagenow	Heaton	Heddens	Helland

Horbach	Hunter	Huseman	Huser
Isenhardt	Jacoby	Kaufmann	Kearns
Kelley	Koester	Kressig	Kuhn
Lensing	Lukan	Lykam	Marek
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	Sands	Schueller
Schulte	Schultz	Shomshor	Smith
Soderberg	Sorenson	Steckman	Struyk
Swaim	Sweeney	Taylor, D.	Taylor, T.
Thede	Thomas	Tjepkes	Tymeson
Upmeyer	Van Engelenhoven	Wagner	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Willems	Winckler	Windschitl	Worthan
Zirkelbach	Mr. Speaker		
	Murphy		

The nays were, none.

Absent or not voting, 2:

Chambers Watts

Amendment [H-1464](#) 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. 469](#))

The ayes were, 56:

Abdul-Samad	Bailey	Beard	Bell
Berry	Bukta	Burt	Cohoon
Ficken	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Isenhardt	Jacoby	Kearns	Kelley
Kressig	Kuhn	Lensing	Lykam
Marek	Mascher	McCarthy	Mertz
Miller, H.	Oldson	Olson, D.	Olson, R.
Olson, T.	Palmer	Petersen	Quirk
Reasoner	Reichert	Schueller	Shomshor
Smith	Steckman	Swaim	Taylor, D.
Taylor, T.	Thede	Thomas	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Willems	Winckler	Zirkelbach	Mr. Speaker
			Murphy

The nays were, 42:

Alons	Anderson	Arnold	Baudler
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Grassley	Hagenow
Heaton	Helland	Horbach	Huseman
Kaufmann	Koester	Lukan	May
Miller, L.	Olson, S.	Paulsen	Pettengill
Raecker	Rants	Rayhons	Roberts
Sands	Schulte	Schultz	Soderberg
Sorenson	Struyk	Sweeney	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Wagner
Windschitl	Worthan		

Absent or not voting, 2:

Chambers	Watts
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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 File 811](#), 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, providing penalties, making penalties applicable and providing effective, retroactive, and applicability date provisions.

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

[House File 812](#), by committee on ways and means, a bill for an act relating to programs administered by the commission on volunteer service by establishing Iowa summer youth corps and green corps programs, creating the community programs account and making appropriations from the account, excluding certain payments provided to an AmeriCorps volunteer from state income tax, and providing effective dates.

Read first time and placed on the **ways and means calendar**.

[House File 813](#), by committee on ways and means a bill for an act relating to identity theft protection by requiring reporting and by making changes to the duties of county recorders, the fees collected

by the county recorders, and the county land record information system.

Read first time and placed on the **ways and means calendar**.

SENATE MESSAGE CONSIDERED

[Senate File 474](#), by committee on appropriations, a bill for an act relating to the bonding authorization of the state board of regents for flood repair, restoration, replacement, and mitigation at the state university of Iowa.

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

McCarthy of Polk asked and received unanimous consent for the immediate consideration of [Senate File 467](#).

[Senate File 467](#), a bill for an act relating to and making appropriations involving state government, by providing for agriculture, natural resources, and environmental protection, and providing effective dates, with report of committee recommending passage, was taken up for consideration.

Sweeney of Hardin offered the following amendment [H-1457](#) filed by her and moved its adoption:

[H-1457](#)

1 Amend [Senate File 467](#), as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 13, by inserting after line 16 the
4 following:
5 "DIVISION ____
6 MISCELLANEOUS DEPARTMENTAL EXPENSES –
7 MANDATORY REDUCTION
8 Sec. ____ MISCELLANEOUS DEPARTMENT EXPENSES –
9 MANDATORY REDUCTION. For the fiscal year beginning
10 July 1, 2009, and ending June 30, 2010, the
11 appropriations to the department of agriculture and
12 land stewardship, and the department of natural
13 resources, are reduced by such amount, as necessary to
14 effect a 20 percent reduction in the amount
15 appropriated for expenditures for printing, binding,
16 and communications, and a 50 percent reduction in the
17 amount appropriated for expenditures for advertising

18 and publicity. The reduction of the individual
 19 appropriations shall be determined by the department
 20 of management in consultation with the affected
 21 departments and agencies on the basis of the expected
 22 expenditures for such items by the affected state
 23 department or agency for the fiscal year without the
 24 reductions required by this section. The specific
 25 amount that each individual appropriation is reduced
 26 shall be outlined in a memorandum prepared by the
 27 department of management which shall be submitted to
 28 the general assembly and legislative services agency
 29 within 30 days of the effective date of this section
 30 of this Act. The reduction of an individual
 31 appropriation pursuant to this section shall be in
 32 addition to any other reduction required by law and
 33 appropriations reduced pursuant to this section shall
 34 not be expended for any other purposes but shall be
 35 retained in the general fund of the state."
 36 2. By renumbering as necessary.

Roll call was requested by Sweeney of Hardin and Paulsen of Linn.

On the question "Shall amendment [H-1457](#) be adopted?" ([S.F. 467](#))

The ayes were, 43:

Alons	Anderson	Arnold	Baudler
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Grassley	Hagenow
Heaton	Helland	Horbach	Huseman
Kaufmann	Koester	Lukan	Marek
May	Miller, L.	Olson, S.	Paulsen
Pettengill	Raecker	Rants	Rayhons
Roberts	Sands	Schulte	Schultz
Soderberg	Sorenson	Struyk	Sweeney
Tjepkes	Tymeson	Upmeyer	Van Engelenhoven
Wagner	Windschitl	Worthan	

The nays were, 54:

Abdul-Samad	Bailey	Beard	Bell
Berry	Bukta	Burt	Cohoon
Ficken	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Isenhardt	Jacoby	Kearns	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
Steckman	Swaim	Taylor, D.	Taylor, T.

Thede	Thomas	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Willems	Winckler
Zirkelbach	Mr. Speaker		
	Murphy		

Absent or not voting, 3:

Chambers	Watts	Wendt
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Amendment [H-1457](#) lost.

Sweeney of Hardin offered the following amendment [H-1458](#) filed by her and moved its adoption:

[H-1458](#)

1 Amend [Senate File 467](#), as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 13, by inserting after line 16 the
4 following:
5 "DIVISION ____
6 OFFICE EXPENSES
7 Sec. ____ OFFICE EXPENSES – MANDATORY REDUCTION.
8 For the fiscal year beginning July 1, 2009, and ending
9 June 30, 2010, the appropriations to the department of
10 agriculture and land stewardship and the department of
11 natural resources made pursuant in this Act are
12 reduced by such amount, as necessary to effect a 50
13 percent reduction in the amount appropriated for
14 expenditures for office supplies, service contracts,
15 and equipment purchases. The reduction of the
16 individual appropriations shall be determined by the
17 department of management in consultation with the
18 affected departments and agencies on the basis of the
19 expected expenditures for such items by the affected
20 state department or agency for the fiscal year without
21 the reduction required by this section. The specific
22 amount that each individual appropriation is reduced
23 shall be outlined in a memorandum prepared by the
24 department of management which shall be submitted to
25 the general assembly and legislative services agency
26 within 30 days of the effective date of this section
27 of this Act. The reduction of an individual
28 appropriation pursuant to this section shall be in
29 addition to any other reduction required by law and
30 appropriations reduced pursuant to this section shall
31 not be expended for any other purposes but shall be
32 retained in the general fund of the state."
33 2. By renumbering as necessary.

Roll call was requested by Sweeney of Hardin and Lukan of Dubuque.

On the question "Shall amendment [H-1458](#) be adopted?" ([S.F. 467](#))

The ayes were, 43:

Alons	Anderson	Arnold	Baudler
Beard	Cownie	De Boef	Deyoe
Dolecheck	Drake	Forristall	Grassley
Hagenow	Heaton	Helland	Horbach
Huseman	Kaufmann	Koester	Lukan
May	Miller, L.	Olson, S.	Paulsen
Pettengill	Raecker	Rants	Rayhons
Roberts	Sands	Schulte	Schultz
Soderberg	Sorenson	Struyk	Sweeney
Tjepkes	Tymeson	Upmeyer	Van Engelenhoven
Wagner	Windschitl	Worthan	

The nays were, 53:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Burt	Cohoon	Ficken
Ford	Frevert	Gaskill	Gayman
Heddens	Hunter	Isenhardt	Jacoby
Kearns	Kelley	Kressig	Kuhn
Lensing	Lykam	Marek	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.	Thede	Thomas
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Willems	Winckler	Zirkelbach
Mr. Speaker			
Murphy			

Absent or not voting, 4:

Chambers	Huser	Steckman	Watts
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Amendment [H-1458](#) lost.

De Boef of Keokuk offered amendment [H-1459](#) filed by her as follows:

[H-1459](#)

- 1 Amend [Senate File 467](#), as amended, passed, and
- 2 reprinted by the Senate, as follows:

3 1. Page 13, by inserting after line 16 the
4 following:
5 "DIVISION____
6 LIMITATION ON PERSONAL ELECTRONIC DEVICES
7 Sec.____. EXPENDITURES FOR CELLULAR TELEPHONES AND
8 PERSONAL DIGITAL ASSISTANTS PROHIBITED.
9 Notwithstanding any provision to the contrary, other
10 than for employees performing inspections or who are
11 otherwise normally performing their primary duties
12 away from a fixed location more than 70 percent of the
13 time, for the fiscal year beginning July 1, 2009, the
14 department of agriculture and land stewardship, the
15 department of natural resources, or the department of
16 economic development receiving appropriations in this
17 Act shall not expend moneys appropriated in this Act
18 to pay for or reimburse the initial or associated
19 service costs for cellular telephones, personal
20 digital assistant devices, or handheld computers.
21 However, the executive council may authorize an
22 exception on a case-by-case basis, to address an
23 emergency situation for a period of time not more than
24 three consecutive calendar months in length or to
25 complete the minimum period specified under the terms
26 of a lease or contract."
27 2. By renumbering as necessary.

De Boef of Keokuk offered the following amendment [H-1479](#), to amendment [H-1459](#), filed by her from the floor and moved its adoption:

[H-1479](#)

1 Amend the amendment, [H-1459](#), to [Senate File 467](#), as
2 amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 1, by striking lines 14 through 16 and
5 inserting the following: "department of agriculture
6 and land stewardship or the department of natural
7 resources receiving appropriations in this".
8 2. By renumbering as necessary.

Amendment [H-1479](#) was adopted.

De Boef of Keokuk moved the adoption of amendment [H-1459](#), as amended.

Roll call was requested by De Boef of Keokuk and R. Olson of Polk.

On the question "Shall amendment [H-1459](#), as amended, be adopted?" ([S.F. 467](#))

The ayes were, 43:

Alons	Anderson	Arnold	Baudler
Beard	Cownie	De Boef	Deyoe
Dolecheck	Drake	Forristall	Grassley
Hagenow	Heaton	Helland	Horbach
Huseman	Kaufmann	Koester	Lukan
May	Miller, L.	Olson, S.	Paulsen
Pettengill	Raecker	Rants	Rayhons
Roberts	Sands	Schulte	Schultz
Soderberg	Sorenson	Struyk	Sweeney
Tjepkes	Tymeson	Upmeyer	Van Engelenhoven
Wagner	Windschitl	Worthan	

The nays were, 54:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Burt	Cohoon	Ficken
Ford	Frevert	Gaskill	Gayman
Heddens	Hunter	Isenhart	Jacoby
Kearns	Kelley	Kressig	Kuhn
Lensing	Lykam	Marek	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Quirk	Reasoner	Reichert
Schueller	Shomshor	Smith	Steckman
Swaim	Taylor, D.	Taylor, T.	Thede
Thomas	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Willems	Winckler
Zirkelbach	Mr. Speaker		
	Murphy		

Absent or not voting, 3:

Chambers	Huser	Watts
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Amendment [H-1459](#), as amended, lost.

De Boef of Keokuk offered the following amendment [H-1460](#) filed by her and moved its adoption:

[H-1460](#)

- 1 Amend [Senate File 467](#), as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 13, by inserting after line 16 the
- 4 following:

5 "Sec. ____ REVERSION – OPEN SPACES ACCOUNT.
 6 Notwithstanding section 455A.19, subsection 1,
 7 paragraph "a", for the fiscal year beginning July 1,
 8 2009, after paying any property taxes on open space
 9 property acquired by the department, all unencumbered
 10 or unobligated moneys in the open spaces account of
 11 the Iowa resources enhancement and protection fund
 12 shall revert to the general fund of the state."
 13 2. By renumbering as necessary.

Roll call was requested by De Boef of Keokuk and R. Olson of Polk.

On the question "Shall amendment [H-1460](#) be adopted?" ([S.F. 467](#))

The ayes were, 42:

Alons	Anderson	Arnold	Baudler
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Grassley	Hagenow
Heaton	Helland	Horbach	Huseman
Kaufmann	Koester	Lukan	Marek
May	Miller, L.	Olson, S.	Paulsen
Pettengill	Rants	Rayhons	Roberts
Sands	Schulte	Schultz	Soderberg
Sorenson	Struyk	Sweeney	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Wagner
Windschitl	Worthan		

The nays were, 54:

Abdul-Samad	Bailey	Beard	Bell
Berry	Bukta	Burt	Cohoon
Ficken	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Isenhardt	Kearns	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	Steckman
Swaim	Taylor, D.	Taylor, T.	Thede
Thomas	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Willems	Winckler
Zirkelbach	Mr. Speaker		
	Murphy		

Absent or not voting, 4:

Chambers

Jacoby

Raecker

Watts

Amendment [H-1460](#) lost.

Deyoe of Story offered the following amendment [H-1462](#) filed by him and moved its adoption:

[H-1462](#)

1 Amend [Senate File 467](#), as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 13, by inserting after line 16 the
 4 following:
 5 "DIVISION____
 6 VACANT STATE EMPLOYEE POSITIONS
 7 Sec.____. Section 8.62, Code 2009, is amended by
 8 adding the following new subsection:
 9 **NEW SUBSECTION.** 4. Notwithstanding any provision
 10 of this section and section 8.39 to the contrary, if a
 11 full-time equivalent position authorized in
 12 appropriations made for the department of agriculture
 13 and land stewardship or the department of natural
 14 resources remains vacant for a period of at least six
 15 months, the department to which the appropriation was
 16 made shall revert to the general fund of the state at
 17 the close of the fiscal year the salary and benefits
 18 cost of that position for the period of the vacancy."
 19 2. By renumbering as necessary.

Roll call was requested by Deyoe of Story and Windschitl of Harrison.

On the question "Shall amendment [H-1462](#) be adopted?" ([S.F. 467](#))

The ayes were, 42:

Alons	Anderson	Arnold	Baudler
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Grassley	Hagenow
Heaton	Helland	Horbach	Huseman
Kaufmann	Koester	Lukan	May
Miller, L.	Olson, S.	Paulsen	Pettengill
Raecker	Rants	Rayhons	Roberts
Sands	Schulte	Schultz	Soderberg
Sorenson	Struyk	Sweeney	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Wagner
Windschitl	Worthan		

The nays were, 54:

Abdul-Samad	Bailey	Beard	Bell
Berry	Bukta	Burt	Cohoon
Ficken	Ford	Gaskill	Gayman
Heddens	Hunter	Huser	Isenhart
Jacoby	Kearns	Kelley	Kressig
Kuhn	Lensing	Lykam	Marek
Mascher	McCarthy	Mertz	Miller, H.
Oldson	Olson, D.	Olson, R.	Olson, T.
Palmer	Petersen	Quirk	Reasoner
Schueller	Shomshor	Smith	Steckman
Swaim	Taylor, D.	Taylor, T.	Thede
Thomas	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Willems	Winckler
Zirkelbach	Mr. Speaker Murphy		

Absent or not voting, 4:

Chambers	Frevert	Reichert	Watts
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Amendment [H-1462](#) lost.

Deyoe of Story asked and received unanimous consent that amendment [H-1467](#) be deferred.

Grassley of Butler offered amendment [H-1472](#) filed by him as follows:

[H-1472](#)

- 1 Amend [Senate File 467](#), as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 13, by inserting after line 16 the
- 4 following:
- 5 "Sec.____. OUT-OF-STATE TRAVEL – RESTRICTIONS.
- 6 Notwithstanding any provision to the contrary, for the
- 7 fiscal year beginning July 1, 2009, and ending June
- 8 30, 2010, out-of-state travel by an employee of the
- 9 department of agriculture and land stewardship, the
- 10 department of natural resources, or the department of
- 11 economic development shall not be authorized unless
- 12 the executive council authorizes the travel as
- 13 necessary for the performance of official state
- 14 business."
- 15 2. By renumbering as necessary.

Grassley of Butler offered the following amendment [H-1480](#), to amendment [H-1472](#), filed by him from the floor and moved its adoption:

[H-1480](#)

- 1 Amend the amendment, [H-1472](#), to [Senate File 467](#), as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 1, by striking lines 9 through 11 and
- 5 inserting the following: "department of agriculture
- 6 and land stewardship or the department of natural
- 7 resources shall not be authorized unless".
- 8 2. By renumbering as necessary.

Amendment [H-1480](#) was adopted.

Grassley of Butler moved the adoption of amendment [H-1472](#), as amended.

Roll call was requested by Grassley of Butler and May of Dickinson.

On the question "Shall amendment [H-1472](#), as amended, be adopted?" ([S.F. 467](#))

The ayes were, 42:

Alons	Anderson	Arnold	Baudler
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Grassley	Hagenow
Heaton	Helland	Horbach	Huseman
Kaufmann	Koester	Lukan	May
Miller, L.	Olson, S.	Paulsen	Pettengill
Raecker	Rants	Rayhons	Roberts
Sands	Schulte	Schultz	Soderberg
Sorenson	Struyk	Sweeney	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Wagner
Windschitl	Worthan		

The nays were, 56:

Abdul-Samad	Bailey	Beard	Bell
Berry	Bukta	Burt	Cphoon
Ficken	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Isenhardt	Jacoby	Kearns	Kelley
Kressig	Kuhn	Lensing	Lykam

Marek	Mascher	McCarthy	Mertz
Miller, H.	Oldson	Olson, D.	Olson, R.
Olson, T.	Palmer	Petersen	Quirk
Reasoner	Reichert	Schueller	Shomshor
Smith	Steckman	Swaim	Taylor, D.
Taylor, T.	Thede	Thomas	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Willems	Winckler	Zirkelbach	Mr. Speaker
			Murphy

Absent or not voting, 2:

Chambers Watts

Amendment [H-1472](#), as amended, lost.

Zirkelbach of Jones asked and received unanimous consent to withdraw amendment [H-1471](#) filed by him on April 7, 2009.

Deyoe of Story offered amendment [H-1467](#) filed by him as follows:

[H-1467](#)

1 Amend [Senate File 467](#), as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 13, by inserting after line 16 the
 4 following:
 5 "DIVISION____
 6 MEAL RECEIPTS
 7 Sec.____. EXPENSE REIMBURSEMENT – REQUIREMENTS.
 8 Notwithstanding any provision to the contrary, for the
 9 fiscal year beginning July 1, 2009, and ending June
 10 30, 2010, the secretary of agriculture, the director
 11 of the department of natural resources, and the
 12 director of the department of economic development
 13 shall require their employees, in order to receive
 14 reimbursement for expenses, to submit actual receipts
 15 for meals and other costs. The reimbursement amount
 16 shall not exceed the sum of the actual receipts
 17 submitted."
 18 2. By renumbering as necessary.

Hunter of Polk in the chair at 4:19 p.m.

Deyoe of Story offered the following amendment [H-1478](#), to amendment [H-1467](#), filed by him from the floor and moved its adoption:

[H-1478](#)

- 1 Amend the amendment, [H-1467](#), to [Senate File 467](#), as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 1, by striking lines 10 through 12 and
 5 inserting the following: "30, 2010, the secretary of
 6 agriculture and the director of the department of
 7 natural resources".
 8 2. By renumbering as necessary.

Amendment [H-1478](#) was adopted.

Deyoe of Story moved the adoption of amendment [H-1467](#), as amended.

Roll call was requested by Deyoe of Story and Grassley of Butler.

On the question "Shall amendment [H-1467](#), as amended, be adopted?" ([S.F. 467](#))

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Baudler	Beard	Bell	Berry
Bukta	Burt	Cohoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Ficken	Ford	Forristall	Frevert
Gaskill	Gayman	Grassley	Hagenow
Heaton	Heddens	Helland	Horbach
Huseman	Huser	Isenhardt	Jacoby
Kaufmann	Kearns	Kelley	Koester
Kressig	Kuhn	Lensing	Lukan
Lykam	Marek	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	Rayhons	Reasoner	Reichert
Roberts	Sands	Schueller	Schulte
Schultz	Shomshor	Smith	Soderberg
Sorenson	Steckman	Struyk	Swaim
Sweeney	Taylor, D.	Taylor, T.	Thede
Thomas	Tjepkes	Tymeson	Upmeyer
Van Engelenhoven	Wagner	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Willems
Winckler	Windschitl	Worthan	Zirkelbach
Hunter, Presiding			

The nays were, none.

Absent or not voting, 3:

Bailey Chambers Watts

Amendment [H-1467](#), as amended, was adopted.

Rants of Woodbury asked and received unanimous consent for the immediate consideration of amendment [H-1477](#).

Rants of Woodbury offered amendment [H-1477](#) filed by him from the floor as follows:

[H-1477](#)

1 Amend [Senate File 467](#), as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 13, by inserting after line 16 the
4 following:
5 "DIVISION____
6 VEHICLE PURCHASES
7 Sec.____. VEHICLE PURCHASES DEFERRED.
8 Notwithstanding any provision to the contrary, except
9 as otherwise provided by this section, the department
10 of administrative services shall defer the purchase of
11 replacement motor vehicles paid for from the general
12 fund of the state or from such moneys credited to the
13 depreciation fund maintained pursuant to section
14 8A.365. The purchase deferral is applicable to the
15 remainder of the fiscal year beginning July 1, 2008,
16 commencing on the effective date of this section and
17 to the succeeding fiscal year. However, the executive
18 council may authorize an exception to allow purchase
19 of a replacement vehicle when the purchase is less
20 costly than all other alternatives.
21 Sec.____. EFFECTIVE DATE. The section of this
22 division of this Act providing for vehicle purchases
23 to be deferred, being deemed of immediate importance,
24 takes effect upon enactment."
25 2. By renumbering as necessary.

Kuhn of Floyd rose on a point of order that amendment [H-1477](#) was not germane.

The Speaker ruled the point well taken and amendment [H-1477](#) not germane.

Rants of Woodbury moved to suspend the rules to consider amendment [H-1477](#).

Roll call was requested by Rants of Woodbury and Paulsen of Linn.

On the question "Shall the rules be suspended to consider amendment [H-1477](#)?" ([S.F. 467](#))

The ayes were, 43:

Alons	Anderson	Arnold	Baudler
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Grassley	Hagenow
Heaton	Helland	Horbach	Huseman
Kaufmann	Koester	Lukan	Mascher
May	Miller, L.	Olson, S.	Paulsen
Pettengill	Raecker	Rants	Rayhons
Roberts	Sands	Schulte	Schultz
Soderberg	Sorenson	Struyk	Sweeney
Tjepkes	Tymeson	Upmeyer	Van Engelenhoven
Wagner	Windschitl	Worthan	

The nays were, 53:

Abdul-Samad	Beard	Bell	Berry
Bukta	Burt	Cohoon	Ficken
Ford	Frevert	Gaskill	Gayman
Heddens	Huser	Isenhardt	Jacoby
Kearns	Kelley	Kressig	Kuhn
Lensing	Lykam	Marek	McCarthy
Mertz	Miller, H.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Quirk	Reasoner	Reichert	Schueller
Shomshor	Smith	Steckman	Swaim
Taylor, D.	Taylor, T.	Thede	Thomas
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Willems	Winckler	Zirkelbach
Hunter,			
Presiding			

Absent or not voting, 4:

Bailey	Chambers	Murphy, Spkr.	Watts
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The motion to suspend the rules lost.

Kuhn of Floyd asked and received unanimous consent for the immediate consideration of amendment [H-1486](#).

Kuhn of Floyd offered the following amendment [H-1486](#) filed by him and De Boef of Keokuk, from the floor and moved its adoption:

[H-1486](#)

- 1 Amend [Senate File 467](#), as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 6, line 22, by striking the word "Iowa"
- 4 and inserting the following: "a. Iowa".
- 5 2. Page 6, by inserting after line 25 the
- 6 following:
- 7 "b. Paragraph "a" does not apply to a reduction
- 8 made to support the college of veterinary medicine, if
- 9 the same percentage of reduction imposed on the
- 10 college of veterinary medicine is also imposed on all
- 11 of Iowa state university's budget units."
- 12 3. By renumbering as necessary.

Amendment [H-1486](#) was adopted.

Under the provision of Rule 31, related to the timely filing of amendments, amendment [H-1481](#), by Schueller of Jackson, from the floor, was placed out of order.

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. 467](#))

The ayes were, 56:

Abdul-Samad	Bailey	Beard	Bell
Berry	Bukta	Burt	Cohoon
Ficken	Ford	Frevert	Gaskill
Gayman	Heddens	Huser	Isenhart
Jacoby	Kearns	Kelley	Kressig
Kuhn	Lensing	Lykam	Marek
Mascher	McCarthy	Mertz	Miller, H.
Murphy, Spkr.	Oldson	Olson, D.	Olson, R.
Olson, T.	Palmer	Petersen	Quirk
Reasoner	Reichert	Schueller	Schulte
Shomshor	Smith	Steckman	Swaim
Taylor, D.	Taylor, T.	Thede	Thomas
Wendt	Wenthe	Whitaker	Whitead
Willems	Winckler	Zirkelbach	Hunter
			Presiding

The nays were, 42:

Alons	Anderson	Arnold	Baudler
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Grassley	Hagenow
Heaton	Helland	Horbach	Huseman
Kaufmann	Koester	Lukan	May
Miller, L.	Olson, S.	Paulsen	Pettengill
Raecker	Rants	Rayhons	Roberts
Sands	Schultz	Soderberg	Sorenson
Struyk	Sweeney	Tjepkes	Tymeson
Upmeyer	Van Engelenhoven	Wagner	Wessel-Kroeschell
Windschitl	Worthan		

Absent or not voting, 2:

Chambers	Watts
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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 8, 2009, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

[Senate File 151](#), a bill for an act relating to railway assistance and passenger rail service, including provisions for the administration of the railway revolving loan and grant fund, the elimination of the railway finance authority, and the administration of the passenger rail service revolving fund.

Also: That the Senate has on April 8, 2009, passed the following bill in which the concurrence of the Senate was asked:

[House File 321](#), a bill for an act exempting certain persons who transport members of the Iowa veterans home from the requirement to be licensed as a chauffeur.

Also: That the Senate has on April 8, 2009, passed the following bill in which the concurrence of the Senate was asked:

[House File 478](#), a bill for an act relating to health insurance coverage for diabetes self-management training and education programs and providing effective and applicability dates.

Also: That the Senate has on April 8, 2009, passed the following bill in which the concurrence of the Senate was asked:

[House File 706](#), a bill for an act relating to and publicizing mortgage foreclosure and real estate obligation protections for members of the national guard, and the reserve or regular component of the armed forces of the United States in active duty service, and providing a penalty.

MICHAEL E. MARSHALL, Secretary

[HOUSE FILE 744](#) REREFERRED

The Speaker announced that [House File 744](#), previously referred to committee on **judiciary** was rereferred to the **calendar**.

[HOUSE FILE 767](#) REREFERRED

The Speaker announced that [House File 767](#), previously referred to committee on **judiciary** was rereferred to the **calendar**.

MOTION TO RECONSIDER

([Senate File 467](#))

I move to reconsider the vote by which [Senate File 467](#) passed the House on April 8, 2009.

MCCARTHY of Polk

MOTION TO RECONSIDER

([Senate File 469](#))

I move to reconsider the vote by which [Senate File 469](#) passed on April 8, 2009.

MCCARTHY of Polk

EXPLANATIONS OF VOTE

On April 8, 2009 I inadvertently voted "aye" on [Senate File 467](#) and I meant to vote "nay".

SCHULTE of Linn

On April 8, 2009 I inadvertently voted "nay" on [Senate File 467](#) and I meant to vote "aye".

WESSEL-KROESCHELL of Story

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 8, 2009, he approved and transmitted to the Secretary of State the following bills:

[House File 180](#), an Act providing for the development of a complaint response process by the superintendent of credit unions and relating to the confidentiality of information obtained during the course of that process.

[House File 618](#), an Act relating to the duties of the labor commissioner pursuant to wage payment collection and child labor law enforcement, and providing penalties.

[Senate File 112](#), an Act providing for presentation of flags flown at half-staff over the state capitol in recognition of the death of a member of the armed forces of the United States while serving on active duty.

[Senate File 150](#), an Act relating to notice of claims and the statute of limitation period in an action involving a claim against a special charter city.

[Senate File 253](#), an Act relating to the time allowed certain active duty military personnel to file a state income tax return and including a retroactive applicability date 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

2009\3547	Ruby Jones, Guthrie Center – For celebrating her 80 th birthday.
2009\3548	Maurice and Charlotte Gehringer, St. Mary's – For celebrating their 50 th wedding anniversary.
2009\3549	Cody M. Smith, Council Bluffs – For his appointment to the United States Naval Academy Class 2013.
2009\3550	Norman and Janice Klinker, Charter Oak – For celebrating their 50 th wedding anniversary.
2009\3551	Gene and Loretta Halfman, Manly – For celebrating their 50 th wedding anniversary.
2009\3552	Ralph and Mary Brown, Edgewood – For celebrating their 50 th wedding anniversary.

- 2009\3553 Ronald and Mary Reimer, Garnavillo – For celebrating their 50th wedding anniversary.
- 2009\3554 Wilma Etter, Muscatine – For celebrating her 85th birthday.
- 2009\3555 Virgil and Donna Braun, Nichols – For celebrating their 50th wedding anniversary.
- 2009\3556 Gerald and Lucille Pelzer, Atlantic – For celebrating their 70th wedding anniversary.
- 2009\3557 Phyllis Baier, Griswold – For celebrating her 80th birthday.
- 2009\3558 Bernie Lee, Avoca – For celebrating his 80th birthday.

SUBCOMMITTEE ASSIGNMENTS

House File 528 Reassigned

Ways and Means: Wendt, Chair; Forristall and Steckman.

House File 751

Ways and Means: Steckman, Chair; Forristall and Thomas.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 288 Government Oversight

Relating to the authority of the director of the department of natural resources in disaster emergencies.

H.S.B. 289 Government Oversight

Relating to regulatory requirements involving boarding homes and dependent adults 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 287](#)), relating to and making appropriations for health and human services and including other related provisions and appropriations, providing penalties, making penalties applicable and providing effective, retroactive, and applicability date provisions.

Fiscal Note is not required.

Recommended **Do Pass** April 8, 2009.

COMMITTEE ON WAYS AND MEANS

[Senate File 457](#), a bill for an act relating to disaster recovery by legalizing certain actions taken and proceedings conducted by cities and counties in response to a natural disaster, designating certain activities as essential corporate purposes and essential county purposes, amending provisions related to local bonding authority and contract letting requirements, amending provisions relating to emergency contract letting requirements for joint governmental entities and institutions under the control of the board of regents, amending provisions related to city and county lease contracts and loan agreements, modifying provisions relating to municipal support of certain projects, amending provisions related to expenditures from certain revolving loan funds, authorizing cities and counties to create disaster revitalization areas, and including effective date and retroactive applicability date provisions.

Fiscal Note is not required.

Recommended **Do Pass** April 8, 2009.

AMENDMENTS FILED

H-1476	H.F. 777	Lensing of Johnson
H-1482	S.F. 224	Windschitl of Harrison
H-1483	H.F. 712	Huser of Polk
H-1484	H.F. 807	Shomshor of Pottawattamie
H-1485	S.F. 434	Huser of Polk
H-1487	H.F. 811	Rants of Woodbury
H-1488	H.F. 811	Heddens of Story

On motion by McCarthy of Polk the House adjourned at 5:04 p.m., until 9:00 a.m., Thursday, April 9, 2009.