

PROOF

STATE OF IOWA

House Journal

WEDNESDAY, MARCH 28, 2007

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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	Wiencek	Windschitl
Worthan			

The nays were, 52:

Abdul-Samad	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	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

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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	Wienczek	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

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- 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

Sec. 25. Section 141A.7, subsection 2, paragraph a, Code 2007, is amended to read as follows:

a. The performance by a health care provider or health facility of an HIV-related test when the health care provider or health facility procures, processes, distributes, or uses a human body part donated for a purpose specified under the revised uniform anatomical gift Act as provided in chapter 142C, or semen provided prior to July 1, 1988, for the purpose of artificial insemination, or donations of blood, and such test is necessary to ensure medical acceptability of such gift or semen for the purposes intended.

Sec. 26. Section 142.4, unnumbered paragraph 2, Code 2007, is amended to read as follows:

This section shall not apply to bodies given under authority of the revised uniform anatomical gift Act as provided in chapter 142C.

Sec. 27. Section 142.8, unnumbered paragraph 2, Code 2007, is amended to read as follows:

This section shall not apply to bodies given under authority of the revised uniform anatomical gift Act as provided in chapter 142C.

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Sec. 28. Section 321.178, subsection 1, paragraph a, subparagraph (3), Code 2007, is amended to read as follows:

(3) Instruction relating to becoming an organ donor under the revised uniform anatomical gift Act as provided in chapter 142C.

Sec. 29. Section 321.189, subsection 4, Code 2007, is amended to read as follows:

4. SYMBOLS. Upon the request of a licensee, the department shall indicate on the license the presence of a medical condition, that the licensee is a donor under the revised uniform anatomical gift Act as provided in chapter 142C, or that the licensee has in effect a medical advance directive. For purposes of this subsection, a medical advance directive includes, but is not limited to, a valid durable power of attorney for health care as defined in section 144B.1. The license may contain such other information as the 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
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.

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	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
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.

Wiencek 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	Cohon	Dandekar	Davitt
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:

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:

[H-1525](#)

- 1 Amend the amendment, [H-1451](#), to [House File 877](#) as
 2 follows:
 3 1. Page 1, by striking line 2.
 4 2. Page 1, by inserting before line 3 the
 5 following:
 6 "____. Page 5, lines 16 and 17, by striking the
 7 words "is intended" and inserting the following:
 8 "shall be used".
 9 3. By renumbering as necessary.

Amendment [H-1525](#) was adopted.

Tymeson of Madison moved the adoption of amendment [H-1451](#), as amended.

Roll call was requested by Tymeson of Madison and Alons of Sioux.

On the question "Shall amendment [H-1451](#), as amended, be adopted?" ([H.F. 877](#))

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	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, 52:

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
Petersen	Quirk	Reasoner	Reichert
Schueller	Shomshor	Smith	Staed

Swaim
Wendt
Whitead

Taylor, D.
Wenthe
Winckler

Taylor, T.
Wessel-Kroeschell
Wise

Thomas
Whitaker
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	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:

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	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-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	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.
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	Wiencek	Windschitl	Worthan

The nays were, 51:

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	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	Wiencek	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

<u>H-1516</u>	<u>S.F. 403</u>	Raecker of Polk
<u>H-1519</u>	<u>H.F. 777</u>	Palmer of Mahaska

<u>H-1520</u>	<u>H.F.</u>	<u>611</u>	De Boef of Keokuk
<u>H-1523</u>	<u>H.F.</u>	<u>611</u>	De Boef of Keokuk
<u>H-1524</u>	<u>H.F.</u>	<u>611</u>	Heaton of Henry
<u>H-1526</u>	<u>H.F.</u>	<u>611</u>	Alons of Sioux
<u>H-1528</u>	<u>H.F.</u>	<u>611</u>	Pettengill of Benton
<u>H-1529</u>	<u>H.F.</u>	<u>669</u>	D. Olson of Boone
<u>H-1530</u>	<u>H.F.</u>	<u>802</u>	Swaim of Davis
<u>H-1531</u>	<u>H.F.</u>	<u>804</u>	Wise of Lee
			Kelley of Black Hawk
			Boal of Polk
			Raecker of Polk
<u>H-1532</u>	<u>H.F.</u>	<u>611</u>	Pettengill of Benton
<u>H-1533</u>	<u>H.F.</u>	<u>611</u>	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.