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**STATE OF IOWA**

**House Journal**

**MONDAY, APRIL 23, 2007**

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# JOURNAL OF THE HOUSE

One Hundred Sixth Calendar Day - Seventy-first Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Monday, April 23, 2007

The House met pursuant to adjournment at 10:25 a.m., Speaker Murphy in the chair.

Prayer was offered by Reverend Henry Huber, pastor of St. James Catholic Church, Forest City. He was the guest of Representative Henry Rayhons from Hancock County.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Nathan Huss from Davenport. He is the clerk of Representative David Jacoby from Johnson County.

The Journal of Friday, April 20, 2007 was approved.

## SPECIAL PRESENTATION

Grassley of Butler introduced to the House his grandfather, the Honorable U.S. Senator Chuck Grassley.

The House rose and expressed its welcome.

The House stood at ease at 10:38 a.m., until the fall of the gavel.

The House resumed session at 1:15 p.m., Speaker Murphy in the chair.

McCarthy of Polk asked and received unanimous consent for meetings of the committees on appropriations and ways and means today.

## MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 23, 2007, concurred in the House amendment and passed the following bill in which the concurrence of the House is asked:

[Senate File 485](#), a bill for an act requiring consideration of greenhouse gas emissions in issuing specified air quality permits.

Also: That the Senate has on April 23, 2007, passed the following bill in which the concurrence of the House is asked:

[Senate File 587](#), a bill for an act providing for individual and corporate income tax credits for the charitable conveyance of real property for conservation purposes and including a retroactive applicability date provision.

Also: That the Senate has on April 23, 2007, passed the following bill in which the concurrence of the House is asked:

[Senate File 600](#), a bill for an act relating to water quality improvements and watershed improvements and related funding.

MICHAEL E. MARSHALL, Secretary

On motion by McCarthy of Polk, the House was recessed at 1:16 p.m., until 2:00 p.m.

### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Granzow of Hardin on request of Kaufmann of Cedar.

### AFTERNOON SESSION

The House reconvened at 2:18 p.m., Speaker Murphy in the chair.

### SENATE MESSAGES CONSIDERED

[Senate File 587](#), by committee on ways and means, a bill for an act providing for individual and corporate income tax credits for the charitable conveyance of real property for conservation purposes and including a retroactive applicability date provision.

Read first time and **passed on file.**

[Senate File 600](#), by committee on appropriations, a bill for an act relating to water quality improvements and watershed improvements and related funding.

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

#### ADOPTION OF [HOUSE RESOLUTION 18](#)

Tymeson of Madison called up for consideration [House Resolution 18](#), a resolution honoring the memory of John Wayne on the 100<sup>th</sup> anniversary of his birth, and moved its adoption.

The motion prevailed and the resolution was adopted.

#### SPECIAL PRESENTATION

Smith of Marshall introduced to the House, Jim Olson, the mayor of Winterset, the birthplace of John Wayne, whom spoke briefly regarding the John Wayne birthplace and museum and invited all to Winterset on May 26<sup>th</sup> and 27<sup>th</sup>.

The House rose and expressed its welcome.

#### ADOPTION OF THE REPORT OF THE CONFERENCE COMMITTEE ([Senate File 277](#))

Winckler of Scott called up for consideration the report of the conference committee on [Senate File 277](#) and moved the adoption of the conference committee report and the amendments contained therein as follows:

#### REPORT OF THE CONFERENCE COMMITTEE ON [SENATE FILE 277](#)

To the Speaker of the House of Representatives and the President of the Senate:

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and the House of Representatives on [Senate File 277](#), a bill for an Act relating to the state's educational standards regarding teacher librarians and qualified guidance counselors, and to teacher and administrator quality, including the student achievement and teacher quality program and an administrator quality program, making appropriations, and providing an effective date, respectfully make the following report:

1. That the Senate recedes from its amendment, H-1738.

2. That the House recedes from its amendment, S-3298.

3. That [Senate File 277](#), as amended, passed, and reprinted by the Senate, is amended to read as follows:

1. Page 1, line 18, by striking the word "career" and inserting the following: "professional".

2. Page 3, by inserting after line 2 the following: "Sec. \_\_\_\_\_. Section 256.44, subsection 1, paragraph a, Code 2007, is amended to read as follows:

a. If a teacher registers for national board for professional teaching standards certification ~~prior to June 30 by December 31, 2007~~, a one-time initial reimbursement award in the amount of up to one-half of the registration fee paid by the teacher for registration for certification by the national board for professional teaching standards. The teacher shall apply to the department of ~~education~~ within one year of registration, submitting to the department any documentation the department requires. A teacher who receives an initial reimbursement award shall receive a one-time final registration award in the amount of the remaining national board registration fee paid by the teacher if the teacher notifies the department of the teacher's certification achievement and submits any documentation requested by the department.

Sec.\_\_\_\_. Section 256.44, subsection 1, paragraph b, subparagraph (2), unnumbered paragraph 1, Code 2007, is amended to read as follows:

If the teacher registers for national board for professional teaching standards certification between January 1, 1999, and ~~January 1, 2006~~ December 31, 2007, and achieves certification within ~~three years from the date of initial score notification~~ the timelines and policies established by the national board for professional teaching standards, an annual award in the amount of two thousand five hundred dollars upon achieving certification by the national board of professional teaching standards."

3. Page 3, by inserting after line 9 the following: "Sec.\_\_\_\_\_. Section 272.2, subsection 10, Code 2007, is amended to read as follows:

10. Issue statements of professional recognition to school service personnel who have attained a minimum of a baccalaureate degree and who are licensed by another professional licensing board."

4. Page 3, line 22, by striking the word "career" and inserting the following: "professional".

5. Page 3, by inserting after line 34 the following : "Sec.\_\_\_\_. Section 279.13, subsection 1, Code 2007, is amended to read as follows:

1. a. Contracts with teachers, which for the purpose of this section means all licensed employees of a school district and nurses employed by the board, excluding superintendents, assistant superintendents, principals, and assistant principals, shall be in writing and shall state the number of contract days, the annual compensation to be paid, and any other matters as may be mutually agreed upon. The contract may

include employment for a term not exceeding the ensuing school year, except as otherwise authorized.

b. Prior to entering into an initial contract with a teacher who holds a license other than an initial license issued by the board of educational examiners under chapter 272, the school district shall request the division of criminal investigation of the department of public safety to conduct a background investigation of the applicant. The school district shall require the teacher to submit a completed fingerprint packet, which shall be used to facilitate a national criminal history check. The school district shall submit the packet to the division of criminal investigation of the department of public safety which shall conduct a thorough background investigation of the teacher. The superintendent of a school district or the superintendent's designee shall have access to and shall review the sex offender registry information under section 692A.13, the central registry for child abuse information established under section 235A.14, and the central registry for dependent adult abuse information established under section 235B.5 for information regarding applicants for employment as a teacher. The school district may charge the teacher a fee for the background investigation, which shall not exceed the fee charged by the division of criminal investigation for conducting the background investigation.

c. The contract is invalid if the teacher is under contract with another board of directors to teach during the same time period until a release from the other contract is achieved. The contract shall be signed by the president of the board, or by the superintendent if the board has adopted a policy authorizing the superintendent to sign teaching contracts, when tendered, and after it is signed by the teacher, the contract shall be filed with the secretary of the board before the teacher enters into performance under the contract."

6. Page 4, line 13, by striking the words "excluding school nurses."

7. Page 4, by striking lines 17 and 18 and inserting the following: "directors under section 279.13. A teacher may be".

8. Page 5, by inserting before line 25 the following "However, if a school district can demonstrate that an existing professional development, curriculum, or student improvement committee has significant stakeholder involvement and a leadership role in the school district, the appointing authorities may mutually agree to assign to the existing committee the responsibilities set forth in this paragraph "c", to appoint members of the existing committee to the teacher quality committee, or to authorize the existing committee to serve in an advisory capacity to the teacher quality committee."

9. Page 6, by striking lines 4 and 5 and inserting the following:

"(3) Determine, following the adoption of the Iowa professional development model by the state board of education, the use and distribution of the professional".

10. Page 9, line 11, by inserting after the word "The" the following: "goal for the use of the funds is to provide one additional contract day or the equivalent thereof for professional development and".

11. Page 9, line 14, by striking the word "agreement," and inserting the following: "agreement;".

12. Page 9, by striking line 16 and inserting the following: "speakers, and professional development content; and costs".

13. Page 13, by striking lines 22 through 25 and inserting the following: "NEW SUBSECTION. 4. A teacher who is not meeting the applicable standards and criteria based on a determination made pursuant to subsection 3 shall participate in an intensive assistance program."

14. Page 14, by striking lines 17 and 18 and inserting the following: "subject-area shortages, ~~or~~ improving the racial or ethnic diversity on local teaching staffs, funding to prepare a".

15. Page 15, line 34, by striking the words "four hundred" and inserting the following: "hundred".

16. Page 16, by striking line 2 and inserting the following: "with section 256.44.

(1) Of the amount allocated under this".

17. Page 16, line 3, by inserting after the word "paragraph" the following: "a".

18. Page 16, by inserting after line 7 the following: "(2) Of the amount allocated under this paragraph "a", for the fiscal year beginning July 1, 2007, and ending June 30, 2008, not less than one million dollars shall be used to supplement the allocation of funds for market factor teacher incentives made pursuant to paragraph "f", subparagraph (1)."

19. Page 16, line 21, by inserting after the word "purposes" the following: "and for not more than four full-time equivalent positions".

20. Page 18, line 4, by inserting before the word "For" the following: "(a)".

21. Page 18, by inserting after line 6 the following: "(b) Of the amount allocated under subparagraph subdivision (a), for the fiscal year beginning July 1, 2007, and ending June 30, 2008, not less than one million dollars shall be used by the department to assist school districts to recruit, employ, and retain qualified teacher librarians, guidance counselors, and school nurses and to meet the goals established in section 256.11, subsections 9A and 9B. To be eligible for assistance, a school district shall submit an application to the department by September 1, 2007. The department shall distribute assistance under this subparagraph subdivision by November 1, 2007. Moneys received by a school district pursuant to this subparagraph subdivision shall be used only to comply with section 256.11, subsection 9, 9A, or 9B."

22. Page 18, line 16, by striking the word "program" and inserting the following: "program and career ladder pilots".

23. Page 18, line 17, by striking the word and figure "section 284.14" and inserting the following: "section 284.14-sections 284.14 and 284.14A".

24. Page 18, by striking line 29 and inserting the following: "be used by the department for oversight".

25. Page 18, line 30, by striking the word "projects" and inserting the following: "pilots".

26. Page 18, line 31, by striking the word and figure "section 284.14" and inserting the following: "sections 284.14 and 284.14A".

27. Page 18, by striking lines 34 and 35 and inserting the following:

"(3) For the fiscal year beginning July 1, 2008, and ending June 30, 2009, the sum".

28. Page 19, line 2, by striking the word "each" and inserting the following: "the".

29. Page 19, lines 5 and 6, by striking the words "distributed to the department of education" and inserting the following: "used by the department".

30. Page 19, by striking line 7 and inserting the following: "administration of the implementation pilots as".

31. Page 19, line 8, by striking the word and figure "section 284.14" and inserting the following: "sections 284.14 and 284.14A".

32. By striking page 20, line 4, through page 21, line 35.

33. Page 22, by striking lines 7 through 11 and inserting the following: "caer ladders and performance pay models."

34. Page 22, line 34, by striking the words "planning projects" and inserting the following: "projects planning pilots".

35. Page 23, line 2, by striking the words "planning projects" and inserting the following: "projects planning pilots".

36. Page 23, by striking lines 4 through 6 and inserting the following: "pay-for-performance program design,".

37. Page 23, by striking lines 18 through 29 and inserting the following:

"b. ~~The Commencing with the school year beginning July 1, 2007, the~~ commission shall select ~~ten two~~ school districts as ~~demonstration projects~~ planning pilots. ~~To the extent practicable, participants shall represent geographically distinct rural, urban, and suburban areas of the state.~~ Participants shall provide reports or other information as required by the commission.

c. Commencing with the school year beginning July 1, 2008, the commission shall ~~select twenty additional~~ administer two implementation pilots in the school districts ~~as demonstration projects~~ selected for planning pilots under paragraph "b".

38. Page 23, lines 31 and 32, by striking the words "planning or implementation projects" and inserting the following: "projects planning and implementation pilots".

39. Page 24, by striking line 3 and inserting the following: "~~demonstration projects~~ planning and implementation pilots. The".

40. Page 24, by inserting after line 9 the following:

"Sec. \_\_. NEW SECTION. 284.14A CAREER LADDER PILOTS.

1. INTENT. The intent of this section is to create a process by which select Iowa school districts research, develop, and implement pilots designed to identify promising practices related to enhanced teacher compensation career ladder models.

2. PILOT ESTABLISHED. A career ladder pilot is established to be designed, implemented, and administered by the department. The department shall gather sufficient information to identify a career ladder pilot.

a. For the school year beginning July 1, 2007, and ending June 30, 2008, the department shall select up to eight school districts as planning pilots. Participants shall provide reports or other information as required by the department.

b. For the school year beginning July 1, 2008, and ending June 30, 2009, the department shall administer up to eight implementation pilots in the school districts selected for planning pilots under paragraph "a".

3. INTERIM AND FINAL REPORTS. Based on the information generated by the planning and implementation pilots, the department shall submit an interim report to the general assembly by January 14 annually, and shall submit a final report summarizing the effectiveness of the pilots in raising student achievement levels to the general assembly no later than six months after the completion of the planning and implementation pilots. Upon completion of the career ladder planning and implementation pilots, subject to the sufficiency of funds, the state board of education shall adopt rules requiring implementation of the successful components of the pilots by school districts statewide."

41. Page 26, line 30, by striking the word "career" and inserting the following: "professional".

42. Page 27, line 9, by striking the word "career" and inserting the following: "professional".

43. Page 27, line 15, by striking the word "career" and inserting the following: "professional".

44. Page 27, line 16, by striking the word "CAREER" and inserting the following: "PROFESSIONAL".

45. Page 27, line 30, by striking the word "career" and inserting the following: "professional".

46. Page 27, line 33, by striking the word "career" and inserting the following: "professional".

47. Page 28, line 4, by striking the word "career" and inserting the following: "professional".

48. Page 28, line 6, by striking the word "career" and inserting the following: "professional".

49. Page 29, line 3, by striking the word "career" and inserting the following: "professional".

50. Page 29, line 5, by striking the word "career" and inserting the following: "professional".

51. Page 29, by striking line 14 and inserting the following: "173.943.894".

52. Page 29, by striking line 16 and inserting the following: "248.943.894".

53. by renumbering, relettering, or redesignating and correcting internal references as necessary.

ON THE PART OF THE HOUSE:

CINDY L. WINCKLER, Chair  
DENNIS M. COHOON  
ROGER F. WENDT

ON THE PART OF THE SENATE:

FRANK B. WOOD, Chair  
MICHAEL CONNOLLY  
DAVE MULDER  
HERMAN C. QUIRMBACH

Rants of Woodbury rose on a point of order stating the closed conference committee was in violation of the joint rules.

The Speaker ruled the point not well taken.

Winckler of Scott moved the adoption of the committee report.

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

On the question "Shall the conference committee report be adopted?" ([S.F. 277](#))

The ayes were, 53:

Abdul-Samad	Arnold	Bailey	Bell
Berry	Bukta	Cohoon	Dandekar
Davitt	Foege	Ford	Frevert
Gaskill	Gayman	Heddens	Hunter
Huser	Jacoby	Jochum	Kelley
Kressig	Kuhn	Lensing	Lykam
Mascher	McCarthy	Mertz	Miller, H.
Oldson	Olson, D.	Olson, R.	Palmer
Petersen	Pettengill	Quirk	Reasoner
Reichert	Schueller	Shomshor	Smith

Staed	Swaim	Taylor, D.	Taylor, T.
Thomas	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise
Mr. Speaker Murphy			

The nays were, 44:

Alons	Anderson	Baudler	Boal
Chambers	Clute	De Boef	Deyoe
Dolecheck	Drake	Forristall	Gipp
Grassley	Greiner	Heaton	Hoffman
Huseman	Jacobs	Kaufmann	Lukan
May	Miller, L.	Olson, S.	Olson, T.
Paulsen	Raecker	Rants	Rasmussen
Rayhons	Roberts	Sands	Schickel
Soderberg	Struyk	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wiencek	Windschitl	Worthan

Absent or not voting, 3:

Granzow	Horbach	Zirkelbach
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The motion prevailed and the conference committee report was adopted.

Winckler of Scott moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question “Shall the bill pass?” ([S.F. 277](#))

The ayes were, 93:

Abdul-Samad	Anderson	Arnold	Bailey
Baudler	Bell	Berry	Boal
Bukta	Chambers	Clute	Cohoon
Dandekar	Davitt	Deyoe	Dolecheck
Drake	Foege	Ford	Forristall
Frevert	Gaskill	Gayman	Gipp
Grassley	Greiner	Heaton	Heddens
Hoffman	Hunter	Huseman	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants	Rasmussen

Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor
Smith	Soderberg	Staed	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Fossen	Watts	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wiencek
Winckler	Windschitl	Wise	Worthan
Mr. Speaker Murphy			

The nays were, 3:

Alons	De Boef	Van Engelenhoven
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Absent or not voting, 4:

Granzow	Horbach	Huser	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Horbach of Tama on request of Gipp of Winneshiek.

### Appropriations Calendar

[Senate File 575](#), a bill for an act relating to and making appropriations to the justice system, with report of committee recommending passage, was taken up for consideration.

Lukan of Dubuque asked and received unanimous consent to withdraw amendment [H-1784](#) filed by Horbach of Tama on April 18, 2007.

Lukan of Dubuque offered the following amendment [H-1790](#) filed by Horbach of Tama and moved its adoption:

#### [H-1790](#)

- 1 Amend [Senate File 575](#), as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, line 14, by striking the figure
- 4 "8,917,205" and inserting the following: "8,907,205".

- 5 2. Page 7, line 34, by striking the figure  
6 "20,000" and inserting the following: "30,000".

Amendment [H-1790](#) was adopted.

Lukan of Dubuque asked and received unanimous consent to withdraw amendment [H-1800](#) filed by him on April 19, 2007.

Lukan of Dubuque offered the following amendment [H-1821](#) filed by him and moved its adoption:

[H-1821](#)

- 1 Amend [Senate File 575](#), as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. Page 4, line 7, by striking the figure  
4 "29,762,656" and inserting the following:  
5 "30,077,656".  
6 2. Page 4, line 15, by striking the figure  
7 "54,703,304" and inserting the following:  
8 "53,443,304".  
9 3. Page 4, line 23, by striking the figure  
10 "25,384,926" and inserting the following:  
11 "25,699,926".  
12 4. Page 4, line 27, by striking the figure  
13 "8,706,242" and inserting the following: "9,021,242".  
14 5. Page 4, line 31, by striking the figure  
15 "24,099,579" and inserting the following:  
16 "24,414,579".

A non-record roll call was requested.

The ayes were 38, nays 50.

Amendment [H-1821](#) lost.

Lukan of Dubuque offered the following amendment [H-1788](#) filed by him and Alons of Sioux and moved its adoption:

[H-1788](#)

- 1 Amend [Senate File 575](#), as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. Page 4, by inserting after line 19 the  
4 following:  
5 "If the United States court of appeals or the  
6 United States supreme court declares the value-based

7 treatment program at the Newton correctional facility  
8 to be unconstitutional, the program shall be permitted  
9 to continue operating and counseling inmates at the  
10 facility through donations made to the program."

Amendment [H-1788](#) lost.

McCarthy of Polk asked and received unanimous consent that [Senate File 575](#) be deferred and that the bill retain its place on the calendar.

#### ADOPTION OF [HOUSE RESOLUTION 47](#)

Paulsen of Linn, Mascher of Johnson and Raecker of Polk called up for consideration [House Resolution 47](#), a resolution to honor professional golfer and Iowa's own Zach Johnson on winning the 2007 Masters golf tournament, and moved its adoption.

The motion prevailed and the resolution was adopted.

#### SPECIAL PRESENTATION

Raecker of Polk introduced to the House, David Johnson, the father of Zach Johnson.

The House rose and expressed its welcome.

#### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 23, 2007, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

[Senate File 457](#), a bill for an act relating to the rights of peace officers and public safety and emergency personnel.

Also: That the Senate has on April 23, 2007, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

[Senate File 469](#), a bill for an act providing for the sale of motor homes by a manufacturer at a camping rally sponsored by the manufacturer.

MICHAEL E. MARSHALL, Secretary

The House resumed consideration of [Senate File 575](#), a bill for an act relating to and making appropriations to the justice system, previously deferred.

Heaton of Henry offered amendment [H-1921](#) filed by him from the floor as follows:

[H-1921](#)

- 1 Amend [Senate File 575](#), as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 5, by inserting after line 20 the
- 4 following:
- 5 "3. As a condition of the appropriations in
- 6 subsection 1, the department shall hire 37 full-time
- 7 equivalent correctional officer positions that were
- 8 vacant on March 13, 2007."

Amendment [H-1921](#) was adopted.

Baudler of Adair asked and received unanimous consent that amendment [H-1923](#) be deferred.

Swaim of Davis asked and received unanimous consent to withdraw amendment [H-1905](#) filed by him from the floor.

McCarthy of Polk asked and received unanimous consent that [Senate File 575](#) be deferred and that the bill retain its place on the calendar.

[House File 906](#), a bill for an act requiring children enrolling in elementary or high school to have a dental screening and providing an effective date, was taken up for consideration.

Mascher of Johnson moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 906](#))

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Dandekar	Davitt	De Boef	Deyoe

Dolecheck	Drake	Foege	Ford
Forristall	Frevrt	Gaskill	Gayman
Gipp	Grassley	Greiner	Heaton
Heddens	Hoffman	Hunter	Huseman
Huser	Jacobs	Jacoby	Jochum
Kaufmann	Kelley	Kressig	Kuhn
Lensing	Lukan	Lykam	Mascher
May	McCarthy	Mertz	Miller, H.
Miller, L.	Oldson	Olson, D.	Olson, R.
Olson, S.	Olson, T.	Palmer	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rants	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Smith	Soderberg
Staed	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Wiencsek	Winckler
Windschitl	Wise	Worthan	Mr. Speaker Murphy

The nays were, none.

Absent or not voting, 4:

Cohoon	Granzow	Horbach	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: [House File 906](#) and [Senate File 277](#).

The House resumed consideration of [Senate File 575](#), a bill for an act relating to and making appropriations to the justice system, previously deferred.

Baudler of Adair offered amendment [H-1923](#) filed by him from the floor as follows:

#### [H-1923](#)

- 1 Amend [Senate File 575](#), as amended, passed, and
- 2 reprinted by the Senate, as follows:

3 1. Page 5, by inserting after line 20 the  
 4 following:  
 5 "3. The department is authorized to provide a K-9  
 6 to cell extraction teams, and the cell extraction team  
 7 may use a K-9, at the discretion of the cell  
 8 extraction team, to extract an uncooperative inmate  
 9 from a cell."

Baudler of Adair offered the following amendment [H-1932](#), to amendment [H-1923](#), filed by him from the floor and moved its adoption:

[H-1932](#)

1 Amend the amendment, [H-1923](#), to [Senate File 575](#), as  
 2 amended, passed, and reprinted by the Senate, as  
 3 follows:  
 4 1. Page 1, line 5, by striking the words "is  
 5 authorized to" and inserting the following: "shall".

Amendment [H-1932](#) was adopted.

Baudler of Adair moved the adoption of amendment [H-1923](#), as amended.

Roll call was requested by Baudler of Adair and Lukan of Dubuque.

On the question "Shall amendment [H-1923](#), as amended, be adopted?" ([S.F. 575](#))

The ayes were, 44:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Grassley	Greiner	Heaton
Hoffman	Huseman	Jacobs	Kaufmann
Lukan	May	Miller, L.	Olson, S.
Paulsen	Raecker	Rants	Rasmussen
Rayhons	Roberts	Sands	Schickel
Soderberg	Struyk	Taylor, D.	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wienczek	Windschitl	Worthan

The nays were, 50:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Dandekar	Davitt	Foege
Ford	Frevert	Gaskill	Gayman
Heddens	Hunter	Huser	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Mertz	Miller, H.	Olson, D.	Olson, R.
Olson, T.	Palmer	Petersen	Pettengill
Quirk	Reasoner	Reichert	Schueller
Shomshor	Smith	Staed	Swaim
Taylor, T.	Thomas	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Winckler
Wise	Mr. Speaker		
	Murphy		

Absent or not voting, 6:

Cohoon	Granzow	Horbach	Oldson
Tomenga	Zirkelbach		

Amendment [H-1923](#) lost.

T. Taylor of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([S.F. 575](#))

The ayes were, 63:

Abdul-Samad	Anderson	Arnold	Bailey
Baudler	Bell	Berry	Bukta
Cohoon	Dandekar	Davitt	Foege
Ford	Frevert	Gaskill	Gayman
Gipp	Heaton	Heddens	Hunter
Huser	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lykam	Mascher	McCarthy	Mertz
Miller, H.	Oldson	Olson, D.	Olson, R.
Olson, T.	Palmer	Petersen	Pettengill
Quirk	Reasoner	Reichert	Sands
Schueller	Shomshor	Smith	Staed
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wiencek
Winckler	Wise	Mr. Speaker	
		Murphy	

The nays were, 34:

Alons	Boal	Chambers	Clute
De Boef	Deyoe	Dolecheck	Drake
Forristall	Grassley	Greiner	Hoffman
Huseman	Jacobs	Lukan	May
Miller, L.	Olson, S.	Paulsen	Raecker
Rants	Rasmussen	Rayhons	Roberts
Schickel	Soderberg	Struyk	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Windschitl	Worthan		

Absent or not voting, 3:

Granzow	Horbach	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

## MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 23, 2007, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

[Senate File 340](#), a bill for an act relating to the consideration of inherited or gifted property in dissolution-of-marriage property division proceedings and including an effective date and an applicability provision.

Also: That the Senate has on April 23, 2007, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

[Senate File 530](#), a bill for an act relating to prohibited business practices by a real estate broker or salesperson.

MICHAEL E. MARSHALL, Secretary

[Senate File 551](#), a bill for an act relating to and making appropriations involving state government, by providing for agriculture, natural resources, and environmental protection, with report of committee recommending amendment and passage, was taken up for consideration.

Kuhn of Floyd offered the following amendment [H-1761](#) filed by the committee on appropriations and moved its adoption:

[H-1761](#)

1 Amend [Senate File 551](#), as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. Page 18, by inserting after line 20 the  
4 following:

5 "DIVISION  
6 IOWA HORSE AND DOG BREEDERS FUND  
7 Sec.\_\_\_\_. Section 99D.22, subsection 5, Code 2007,  
8 is amended to read as follows:  
9 5. To qualify for the Iowa horse and dog breeders  
10 fund, a dog shall have been whelped in Iowa and raised  
11 for the first six months of its life in Iowa in a  
12 state inspected licensed facility. In addition, the  
13 owner of the dog shall have been a resident of the  
14 state for at least two years prior to the whelping.  
15 The department of agriculture and land stewardship  
16 shall adopt rules and prescribe forms to bring Iowa  
17 breeders into compliance with residency requirements  
18 of dogs and breeders in this subsection."  
19 2. By renumbering as necessary.

The committee amendment [H-1761](#) was adopted.

Grassley of Butler asked and received unanimous consent to withdraw amendment [H-1765](#) filed by Grassley of Butler, et al., on April 17, 2007.

Struyk of Pottawattamie offered the following amendment [H-1841](#) filed by him and moved its adoption:

[H-1841](#)

1 Amend [Senate File 551](#), as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. Page 2, by inserting after line 33, the  
4 following:

5 "Sec.\_\_\_\_. DANGEROUS WILD ANIMALS. There is  
6 appropriated from the general fund of the state to the  
7 department of agriculture and land stewardship for the  
8 fiscal year beginning July 1, 2007, and ending June  
9 30, 2008, the following amount, or so much thereof as  
10 is necessary, to be used for the purposes designated:  
11 For purposes of administering and enforcing the  
12 provisions relating to dangerous wild animals, if  
13 enacted in 2007 Iowa Acts, [Senate File 564](#), or 2007

14 Iowa Acts, [House File 888](#), including salaries,  
 15 support, maintenance, miscellaneous purposes, and for  
 16 not more than the following full-time equivalent  
 17 positions:

18 .....	\$ 155,000
19 .....	FTEs 2.00

20 The moneys appropriated and FTE's authorized in  
 21 this section are contingent upon the enactment of 2007  
 22 Iowa Acts, [Senate File 564](#), or 2007 Iowa Acts, House  
 23 File 888."

24 2. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 42, nays 50.

Amendment [H-1841](#) lost.

Baudler of Adair offered the following amendment [H-1799](#) filed by  
 him and moved its adoption:

[H-1799](#)

1 Amend [Senate File 551](#), as amended, passed, and  
 2 reprinted by the Senate, as follows:  
 3 1. Page 3, by striking lines 9 and 10, and  
 4 inserting the following: "maintenance, miscellaneous  
 5 purposes, and for not more than the following  
 6 full-time equivalent positions:

7 .....	\$ 120,539
8 .....	FTEs 1.00

9 The moneys appropriated and full-time equivalent  
 10 position authorized in this section shall be used  
 11 exclusively to support the office of state apiarist,  
 12 the position of the state apiarist as shall be  
 13 appointed by the secretary of agriculture pursuant to  
 14 section 160.1, and for carrying out the duties of the  
 15 state apiarist as provided in chapter 160."

16 2. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 43, nays 47.

Amendment [H-1799](#) lost.

De Boef of Keokuk offered the following amendment [H-1835](#) filed by her and moved its adoption:

[H-1835](#)

- 1 Amend [Senate File 551](#), as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 4, line 6, by striking the figure
- 4 "250,000" and inserting the following: "350,000".
- 5 2. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 37, nays 47.

Amendment [H-1835](#) lost.

Kaufmann of Cedar offered the following amendment [H-1840](#) filed by him and Struyk of Pottawattamie and moved its adoption:

[H-1840](#)

- 1 Amend [Senate File 551](#) as follows:
- 2 1. Page 4, line 16, by inserting after the word
- 3 "PROGRAM" the following: "AND "BUY FRESH, BUY LOCAL"
- 4 PROJECTS".
- 5 2. Page 4, line 22, by inserting after the word
- 6 "program," the following: "and for supporting "buy
- 7 fresh, buy local" projects,".
- 8 3. Page 4, line 24, by striking the figure
- 9 "77,000" and inserting the following: "102,000".
- 10 4. Page 4, by inserting after line 24 the
- 11 following:
- 12 "Of the moneys appropriated in this section \$77,000
- 13 shall be used to support the senior farmers market
- 14 nutrition program and \$25,000 shall be allocated for
- 15 the "buy fresh, buy local" marketing of products
- 16 related to natural resource-based businesses."

Amendment [H-1840](#) lost.

De Boef of Keokuk offered the following amendment [H-1834](#) filed by her and moved its adoption:

[H-1834](#)

1 Amend [Senate File 551](#), as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. Page 7, line 25, by striking the word "FUND"  
4 and inserting the following: "FUND – APPROPRIATION  
5 TO THE DEPARTMENT OF NATURAL RESOURCES".  
6 2. Page 7, line 35, by striking the figure  
7 "700,000" and inserting the following: "600,000".  
8 3. Page 7, by inserting after line 35 the  
9 following:  
10 "Sec. \_\_\_\_ . NATIONAL POLLUTANT DISCHARGE  
11 ELIMINATION SYSTEM PERMIT FUND – APPROPRIATION TO THE  
12 DEPARTMENT OF ECONOMIC DEVELOPMENT. There is  
13 appropriated from the national pollutant discharge  
14 elimination system permit fund created in section  
15 455B.196 to the department of economic development for  
16 the fiscal year beginning July 1, 2007, and ending  
17 June 30, 2008, the following amount, or so much  
18 thereof as is necessary, to be used for the purposes  
19 designated:  
20 For purposes of expediting the department of  
21 natural resources' processing of national pollutant  
22 discharge elimination system applications and the  
23 issuance of permits, including salaries, support,  
24 maintenance, miscellaneous purposes, and for not more  
25 than the following full-time equivalent positions:  
26 ..... \$ 100,000  
27 ..... FTEs 2.00"  
28 4. By renumbering as necessary.

Amendment [H-1834](#) lost.

De Boef of Keokuk offered the following amendment [H-1833](#) filed by her and moved its adoption:

[H-1833](#)

1 Amend [Senate File 551](#), as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. Page 8, by inserting after line 12 the  
4 following:  
5 "Sec. \_\_\_\_ . FUNDING RESTORATION. There is  
6 appropriated from the general fund of the state to the  
7 department of natural resources for the fiscal year  
8 beginning July 1, 2007, and ending June 30, 2008, the  
9 following amounts, or so much thereof as is necessary,  
10 to be used for the purposes designated:  
11 1. To be credited to and used for snowmobile  
12 programs as provided for the special snowmobile fund  
13 created under section 321G.7, in order to restore  
14 funding transferred pursuant to 2002 Iowa Acts, Second

15	Extraordinary Session, chapter 1001, section 10:	
16	.....	\$ 950,000
17	2. To be credited to and used for all-terrain	
18	vehicle programs as provided for the special	
19	all-terrain vehicle fund created under section 321I.8,	
20	in order to restore funding transferred pursuant to	
21	2002 Iowa Acts, Second Extraordinary Session, chapter	
22	1001, section 11:	
23	.....	\$ 775,000"

Roll call was requested by De Boef of Keokuk and Rants of Woodbury.

On the question "Shall amendment [H-1833](#) be adopted?" ([S.F. 551](#))

The ayes were, 46:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	Dandekar
De Boef	Deyoe	Dolecheck	Drake
Forristall	Gipp	Grassley	Greiner
Heaton	Hoffman	Huseman	Jacobs
Kaufmann	Lukan	May	Mertz
Miller, H.	Miller, L.	Olson, S.	Paulsen
Raecker	Rants	Rasmussen	Rayhons
Roberts	Sands	Schickel	Soderberg
Struyk	Tjepkes	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wiencek
Windschitl	Worthan		

The nays were, 50:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Davitt	Foege
Ford	Frevert	Gaskill	Gayman
Heddens	Hunter	Huser	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Oldson	Olson, D.	Olson, R.	Olson, T.
Palmer	Petersen	Pettengill	Quirk
Reasoner	Reichert	Schueller	Shomshor
Smith	Staed	Swaim	Taylor, D.
Taylor, T.	Thomas	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Winckler
Wise	Mr. Speaker Murphy		

Absent or not voting, 4:

Granzow	Horbach	Tomenga	Zirkelbach
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Amendment [H-1833](#) lost.

De Boef of Keokuk offered the following amendment [H-1832](#) filed by her and moved its adoption:

[H-1832](#)

- 1 Amend [Senate File 551](#), as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 9, by inserting after line 3 the
- 4 following:
- 5 "Sec.\_\_\_\_. IOWA RESOURCES ENHANCEMENT AND
- 6 PROTECTION FUND. Notwithstanding the amount of the
- 7 standing appropriation from the general fund of the
- 8 state to the Iowa resources enhancement and protection
- 9 fund as provided in section 455A.18, there is
- 10 appropriated from the general fund to the Iowa
- 11 resources enhancement and protection fund, in lieu of
- 12 the appropriation made in section 455A.18, for the
- 13 fiscal year beginning July 1, 2007, and ending June
- 14 30, 2008, the following amount, to be allocated as
- 15 provided in section 455A.19:
- 16 ..... \$ 5,000,000"
- 17 2. Page 15, line 30, by striking the figure
- 18 "15,500,000" and inserting the following:
- 19 "10,500,000".
- 20 3. By renumbering as necessary.

Amendment [H-1832](#) lost.

De Boef of Keokuk offered the following amendment [H-1836](#) filed by her and requested division as follows:

[H-1836](#)

- 1 Amend [Senate File 551](#), as amended, passed, and
- 2 reprinted by the Senate, as follows:

[H-1836A](#)

- 3 1. Page 9, by inserting after line 3 the
- 4 following:
- 5 "Sec.\_\_\_\_. IOWA RESOURCES ENHANCEMENT AND
- 6 PROTECTION FUND. Notwithstanding the amount of the
- 7 standing appropriation from the general fund of the
- 8 state to the Iowa resources enhancement and protection
- 9 fund as provided in section 455A.18, there is
- 10 appropriated from the general fund to the Iowa

11 resources enhancement and protection fund, in lieu of  
 12 the appropriation made in section 455A.18, for the  
 13 fiscal year beginning July 1, 2007, and ending June  
 14 30, 2008, the following amount, to be allocated as  
 15 provided in section 455A.19:  
 16 ..... \$ 15,500,000"  
 17 2. Page 11, line 5, by striking the figure  
 18 "2,550,000" and inserting the following: "2,700,000".

H-1836B

19 3. Page 11, line 26, by striking the figure  
 20 "1,500,000" and inserting the following: "2,000,000".  
 21 4. Page 11, line 33, by striking the figure  
 22 "7,000,000" and inserting the following: "7,850,000".  
 23 5. Page 13, line 24, by striking the word "For"  
 24 and inserting the following: "1. For".  
 25 6. Page 13, by inserting after line 28 the  
 26 following:  
 27 "2. For deposit in the unsewered community  
 28 revolving loan fund as provided in section 16.135, if  
 29 enacted in this Act, for purposes of supporting the  
 30 unsewered community revolving loan program as provided  
 31 in that section:  
 32 ..... \$ 1,000,000  
 33 The appropriation in this subsection is contingent  
 34 upon the enactment of section 16.135 as provided in  
 35 this Act."

H-1836C

36 7. Page 15, line 9, by striking the figure  
 37 "500,000" and inserting the following: "2,000,000".

H-1836D

38 8. Page 15, by inserting after line 19 the  
 39 following:  
 40 "10. For a light detection and ranching project  
 41 which provides statewide aerial photography to create  
 42 a database for natural resource planning:  
 43 ..... \$ 1,500,000  
 44 11. For the dredging of lakes, including necessary  
 45 preparation for dredging, in accordance with the  
 46 department's classification of Iowa lakes restoration  
 47 report:  
 48 ..... \$ 1,000,000  
 49 12. For support of the restore the outdoors  
 50 program as provided in section 461A.3A:

Page 2

1 ..... \$ 3,000,00  
 2 13. a. For a statewide program to support  
 3 projects that assist targeted communities when  
 4 demolishing any building located in the community  
 5 which is abandoned or dilapidated and to dispose of  
 6 materials or equipment associated with such building  
 7 in order to provide for the health and safety of the  
 8 community's population and to allow for redevelopment  
 9 of the building site:

10 ..... \$ 1,000,000  
 11 b. As used in paragraph "a", "targeted community"  
 12 means a community having a population of not more than  
 13 350 individuals or a disadvantaged community. The  
 14 department shall establish criteria for determining a  
 15 disadvantaged community's status based on the  
 16 community's median household income.

17 c. If the department determines that moneys  
 18 appropriated in paragraph "a" are not adequate to  
 19 fully support all projects which would have otherwise  
 20 been approved under the program, the department shall  
 21 prioritize the allocation of moneys to support those  
 22 projects which are necessary to protect the health and  
 23 safety of a community's population from the most  
 24 immediate and highest risk."

H-1836A

25 9. Page 15, by striking lines 20 through 30.

26 10. Page 16, by inserting after line 12 the  
27 following:

28 "DIVISION \_\_\_\_\_  
 29 CODE LANGUAGE – UNSEWERED COMMUNITY  
 30 LOAN PROGRAM AND FUND  
 31 Sec. \_\_\_\_ NEW SECTION. 16.135 UNSEWERED  
 32 COMMUNITY REVOLVING LOAN PROGRAM – FUND.

33 1. The authority shall establish and administer an  
 34 unsewered community revolving loan program.  
 35 Assistance under the program shall consist of  
 36 no-interest loans with a term not to exceed forty  
 37 years and shall be used for purposes of installing  
 38 sewage disposal systems in a city without a sewage  
 39 disposal system or in an area where a cluster of homes  
 40 is located.

41 2. An unsewered community may apply for assistance  
 42 under the program. In awarding assistance, the  
 43 authority shall encourage the use of innovative,  
 44 cost-effective sewage disposal systems and  
 45 technologies. The authority shall adopt rules that  
 46 prioritize applications for disadvantaged unsewered  
 47 communities.

48 3. For purposes of this section, "an area where a

49 cluster of homes is located" means an area located in  
50 a county which includes six or more homes but less

Page 3

1 than five hundred homes.

2 4. An unsewered community revolving loan fund is  
3 created in the state treasury under the control of the  
4 authority and consisting of moneys appropriated by the  
5 general assembly and any other moneys available to and  
6 obtained or accepted by the authority for placement in  
7 the fund.

8 5. Repayments of moneys loaned and recaptures of  
9 loans shall be deposited in the fund.

10 6. Moneys in the fund shall be used to provide  
11 assistance under the unsewered community revolving  
12 loan program established in this section.

13 7. Moneys in the fund are not subject to section  
14 8.33. Notwithstanding section 12C.7, interest or  
15 earnings on moneys in the fund shall be credited to  
16 the fund."

De Boef of Keokuk asked and received unanimous consent to defer amendment [H-1836A](#).

De Boef of Keokuk offered the following amendment [H-1854](#), to amendment [H-1836B](#) filed by her and moved its adoption:

[H-1854](#)

1 Amend the amendment [H-1836](#), to [Senate File 551](#), as  
2 amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 1, by striking lines 19 and 20.

5 2. Page 2, by inserting after line 24 the

6 following:

7 "14. For deposit in the waste tire management fund  
8 created in section 455D.11C to support the purposes of  
9 the fund:

10 ..... \$ 500,000""

11 3. By renumbering as necessary.

Amendment [H-1854](#) was adopted.

De Boef of Keokuk moved the adoption of amendment [H-1836B](#), as amended.

Roll call was requested by De Boef of Keokuk and Tymeson of Madison.

On the question "Shall amendment [H-1836B](#) be adopted?" ([S.F. 551](#))

The ayes were, 43:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Grassley	Greiner	Heaton	Hoffman
Huseman	Jacobs	Kaufmann	Lukan
May	Miller, L.	Olson, S.	Paulsen
Raecker	Rants	Rasmussen	Rayhons
Roberts	Sands	Schickel	Soderberg
Struyk	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wienczek	Windschitl	Worthan	

The nays were, 53:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Pettengill	Quirk	Reasoner
Reichert	Schueller	Shomshor	Smith
Staed	Swaim	Taylor, D.	Taylor, T.
Thomas	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise
Mr. Speaker			
Murphy			

Absent or not voting, 4:

Gipp	Granzow	Horbach	Zirkelbach
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Amendment [H-1836B](#) lost.

De Boef of Keokuk offered the following amendment [H-1837](#) filed by her and moved its adoption:

[H-1837](#)

- 1 Amend [Senate File 551](#), as amended, passed, and  
 2 reprinted by the Senate, as follows:  
 3 1. Page 11, line 33, by striking the figure  
 4 "7,000,000" and inserting the following:  
 5 "11,500,000".  
 6 2. Page 15, line 30, by striking the figure  
 7 "15,500,000" and inserting the following:  
 8 "11,000,000".  
 9 3. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 32, nays 46.

Amendment [H-1837](#) lost.

Amendment [H-1870](#) filed by May of Dickinson, et al., was placed out of order.

De Boef of Keokuk moved the adoption of amendment [H-1836C](#).

Roll call was requested by De Boef of Keokuk and Roberts of Carroll.

On the question "Shall amendment [H-1836C](#) be adopted?" ([S.F. 551](#))

The ayes were, 42:

Alons	Anderson	Arnold	Boal
Chambers	Clute	De Boef	Deyoe
Dolecheck	Drake	Forristall	Grassley
Greiner	Heaton	Hoffman	Huseman
Jacobs	Kaufmann	Lukan	May
Miller, L.	Olson, S.	Paulsen	Raecker
Rants	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wiencek
Windschitl	Worthan		

The nays were, 51:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gayman
Heddens	Hunter	Huser	Jacoby

Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Mertz	Miller, H.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Pettengill	Quirk	Reasoner	Schueller
Shomshor	Smith	Staed	Swaim
Taylor, D.	Taylor, T.	Thomas	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Winckler	Wise	Mr. Speaker Murphy	

Absent or not voting, 7:

Baudler	Gaskill	Gipp	Granzow
Horbach	Reichert	Zirkelbach	

Amendment [H-1836C](#) lost.

De Boef of Keokuk offered the following amendment [H-1858](#), to amendment [H-1836D](#), filed by her and moved its adoption:

[H-1858](#)

- 1 Amend the amendment, [H-1836](#), to [Senate File 551](#), as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 1, line 40, by striking the word
- 5 "ranching" and inserting the following: "ranging".

Amendment [H-1858](#) was adopted.

De Boef of Keokuk moved the adoption of amendment [H-1836D](#), as amended.

Roll call was requested by De Boef of Keokuk and Rants of Woodbury.

On the question "Shall amendment [H-1836D](#), as amended, be adopted?" ([S.F. 551](#))

The ayes were, 40:

Alons	Anderson	Arnold	Boal
Chambers	Clute	De Boef	Deyoe
Dolecheck	Drake	Forristall	Grassley
Greiner	Heaton	Hoffman	Huseman
Jacobs	Kaufmann	Lukan	May
Miller, L.	Olson, S.	Paulsen	Raecker

Rants	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tomenga	Van Engelenhoven	Van Fossen
Watts	Wiencek	Windschitl	Worthan

The nays were, 52:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gayman
Heddens	Hunter	Huser	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Mertz	Miller, H.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Pettengill	Quirk	Reasoner	Reichert
Schueller	Shomshor	Smith	Staed
Swaim	Taylor, D.	Taylor, T.	Thomas
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	Mr. Speaker Murphy

Absent or not voting, 8:

Baudler	Gaskill	Gipp	Granzow
Horbach	Tymeson	Upmeyer	Zirkelbach

Amendment [H-1836D](#) lost.

May of Dickinson offered the following amendment [H-1938](#) filed by May, Upmeyer of Hancock and Roberts of Carroll from the floor and moved its adoption:

[H-1938](#)

- 1 Amend [Senate File 551](#), as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 15, by inserting after line 19, the
- 4 following:
- 5 "\_\_\_ a. For allocation to Iowa state
- 6 university's department of agricultural and biosystems
- 7 engineering to develop and implement a community-based
- 8 odor assessment model for purposes of providing
- 9 recommendations to the general assembly concerning
- 10 minimum separation distances between confinement
- 11 feeding operation structures and designated lakes
- 12 having at least one thousand acres of surface area and
- 13 at least one urban area that is not in proximity to a
- 14 river or lake:
- 15 ..... \$ 150,000
- 16 b. For the development of a joint plan in

17 cooperation with Iowa state university as part of an  
 18 effort to coordinate water monitoring in this state,  
 19 including by completing, updating, or supplementing  
 20 existing plans as necessary, the collection of water  
 21 quality data, and for publishing annual reports based  
 22 on its work for use by the department and Iowa state  
 23 university to provide a baseline for water quality  
 24 efforts and to provide for scientific data to analyze  
 25 water quality trends:  
 26 ..... \$ 850,000"  
 27 2. By renumbering as necessary.

Berry of Black Hawk in the chair at 6:39 p.m.

McCarthy of Polk asked and received unanimous consent that [Senate File 551](#) be deferred and that the bill retain its place on the calendar. (Amendment [H-1938](#) pending.)

On motion by McCarthy of Polk, the House was recessed at 6:40 p.m., until 7:10 p.m.

EVENING SESSION

The House reconvened at 7:34 p.m., Speaker Murphy in the chair.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed ninety-two members present, eight absent.

The House resumed consideration of [Senate File 551](#), a bill for an act relating to and making appropriations involving state government, by providing for agriculture, natural resources, and environmental protection. (Amendment [H-1938](#) pending.)

May of Dickinson moved the adoption of amendment [H-1938](#).

A non-record roll call was requested.

The ayes were 43, nays 47.

Amendment [H-1938](#) lost.

D. Olson of Boone asked and received unanimous consent that amendment [H-1958](#) be deferred.

Sands of Louisa asked and received unanimous consent to withdraw amendment [H-1903](#) filed by him from the floor.

Sands of Louisa asked and received unanimous consent to withdraw amendment [H-1909](#) filed by him from the floor.

The House resumed consideration of amendment [H-1836A](#).

Kuhn of Floyd rose on a point of order that amendment [H-1836A](#) was not germane.

The Speaker ruled the point well taken and amendment [H-1836A](#) not germane.

D. Olson of Boone asked and received unanimous consent that amendment [H-1958](#), previously deferred be withdrawn.

D. Olson of Boone offered the following amendment [H-1968](#) filed by him from the floor, and moved its adoption:

[H-1968](#)

1 Amend [Senate File 551](#), as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. Page 18, by inserting after line 20 the  
4 following:

5 "DIVISION \_\_\_\_\_  
6 CODE LANGUAGE – WATER QUALITY INITIATIVES

7 Sec. \_\_\_\_ Section 159.5, Code 2007, is amended by  
8 adding the following new subsection:

9 [NEW SUBSECTION](#). 15. In the administration of  
10 programs relating to water quality improvement and  
11 watershed improvements, cooperate with the department  
12 of natural resources in order to maximize the receipt  
13 of federal funds.

14 Sec. \_\_\_\_ Section 455A.4, subsection 1, Code 2007,  
15 is amended by adding the following new paragraph:

16 [NEW PARAGRAPH](#). j. In the administration of  
17 programs relating to water quality improvement and  
18 watershed improvements, cooperate with the department  
19 of agriculture and land stewardship in order to  
20 maximize the receipt of federal funds.

21 Sec. \_\_\_\_ Section 466A.2, subsection 2, paragraph

22 a, Code 2007, is amended to read as follows:  
 23 a. Enhancement of water quality in the state  
 24 through a variety of impairment-based, locally  
 25 directed watershed improvement grant projects.  
 26 Innovative water quality projects shall be encouraged.  
 27 Sec.\_\_\_\_. Section 466A.4, Code 2007, is amended by  
 28 adding the following new subsection:  
 29 NEW SUBSECTION. 1A. Public water supply  
 30 utilities, county conservation boards, and cities may  
 31 also be eligible and apply for and receive local  
 32 watershed improvement grants for water quality  
 33 improvement projects. An applicant shall coordinate  
 34 with a local watershed improvement committee or a soil  
 35 and water conservation district and shall include in  
 36 the application a description of existing projects and  
 37 any potential impact the proposed project may have on  
 38 existing or planned water quality improvement  
 39 projects.  
 40 Sec.\_\_\_\_. 2006 Iowa Acts, chapter 1145, section 4,  
 41 subsection 1, unnumbered paragraph 1, is amended to  
 42 read as follows:  
 43 A watershed quality planning task force is  
 44 established within the department of natural resources  
 45 in cooperation with the Iowa department of agriculture  
 46 and land stewardship. By ~~June 30, January 1, 2008,~~  
 47 the task force shall report to the general assembly  
 48 its recommendations for a voluntary statewide water  
 49 quality program which is designed to achieve all of  
 50 the following goals:"

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1 2. By renumbering as necessary.

Roll call was requested by Rants of Woodbury and Struyk of Pottawattamie.

On the question "Shall amendment [H-1968](#) be adopted?" ([H.F. 551](#))

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Chambers	Clute	Cphoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Gipp	Grassley	Heaton	Heddens
Hoffman	Hunter	Huseman	Huser

Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	Mascher	May
McCarthy	Mertz	Miller, H.	Miller, L.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Palmer	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Smith	Soderberg	Staed
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wiencek	Winckler	Windschitl
Wise	Worthan	Mr. Speaker	
		Murphy	

The nays were, 1:

Greiner

Absent or not voting, 4:

Bukta	Granzow	Horbach	Zirkelbach
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Amendment [H-1968](#) was adopted.

### DISSENT FROM [SENATE FILE 551](#)

Mr. Speaker:

Article III Section 10 of the Constitution of the State of Iowa provides:

Protest – record of vote – Every member of the general assembly shall have the liberty to dissent from, or protest against any act or resolution which he may think injurious to the public, or an individual, and have the reasons for his dissent entered on the journals; and the yeas and nays of the members of either house, on any question, shall, at the desire of any two members present, be entered on the journals.

I have here a written statement explaining the reasons for my dissent on [Senate File 551](#) to be placed into the journal as provided by Article III Section 10.

On 25 January 2007, the Iowa House passed [Senate Concurrent Resolution 3](#) establishing the joint rules for the 82<sup>nd</sup> General Assembly. Joint rule 20.3 states that in the 14<sup>th</sup> week no House files may be debated in the House and no Senate files may be debated in the Senate. The Iowa Senate considered and passed [Senate File 551](#) on 9 April 2007 in clear violation of joint rules.

When [Senate File 551](#) was read for the first time in the House on 16 April 2007 I raised an objection to [Senate File 551](#) being considered in violation of joint rules. While Speaker of the House Murphy held my point and objection as “not well taken”, I

believe that [Senate File 551](#) is not properly before the House and is not eligible for debate.

The joint rules were adopted for the protection of both the Minority and Majority party members, as well as the citizens of Iowa. The integrity of each member of the Iowa House is weakened by this body's failure to abide by, and enforce its own rules.

Representative Christopher Rants  
 Representative Scott Raecker  
 Representative Sandra Greiner  
 Representative Rod Roberts  
 Representative Jeff Kaufmann  
 Representative Gary Worthan  
 Representative Ralph Watts

Representative Pat Grassley  
 Representative Jack Drake  
 Representative Henry Rayhons  
 Representative David Deyoe  
 Representative Royd Chambers  
 Representative Jim Van Fossen  
 Representative Libby Jacobs

Kuhn of Floyd moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([S.F. 551](#))

The ayes were, 63:

Abdul-Samad	Anderson	Arnold	Bailey
Bell	Berry	Cphoon	Dandekar
Davitt	Deyoe	Drake	Foege
Ford	Frevort	Gaskill	Gayman
Heaton	Heddens	Hoffman	Hunter
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Petersen	Pettengill	Quirk
Rasmussen	Reasoner	Reichert	Schickel
Schueller	Shomshor	Smith	Staed
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Van Engelenhoven	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wiencek
Winckler	Wise	Mr. Speaker	
		Murphy	

The nays were, 32:

Alons	Baudler	Boal	Chambers
Clute	De Boef	Dolecheck	Forristall
Gipp	Grassley	Greiner	Huseman
Jacobs	Kaufmann	Lukan	May
Miller, L.	Paulsen	Raecker	Rants
Rayhons	Roberts	Sands	Soderberg
Struyk	Tomenga	Tymeson	Upmeyer
Van Fossen	Watts	Windschitl	Worthan

Absent or not voting, 5:

Bukta	Granzow	Horbach	Huser
Zirkelbach			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 551** and **575**.

[House File 911](#), a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, vertical infrastructure fund, the endowment for Iowa's health restricted capitals fund, and the technology reinvestment fund, and related matters, and providing an effective date, was taken up for consideration.

The following amendments were deferred by unanimous consent.

Amendment [H-1885](#), amendment [H-1886](#) and amendment [H-1887](#).

Raecker of Polk asked and received unanimous consent to withdraw amendment [H-1899](#) filed by him and Watts of Dallas from the floor.

Raecker of Polk offered amendment [H-1936](#) filed by him and Watts of Dallas from the floor as follows:

#### [H-1936](#)

- 1 Amend [House File 911](#) as follows:
- 2 1. Page 1, by inserting before line 1 the
- 3 following:
- 4 "DIVISION I
- 5 GENERAL FUND
- 6 Section 1. There is appropriated from the general
- 7 fund of the state to the following departments and
- 8 agencies for the fiscal year beginning July 1, 2007,
- 9 and ending June 30, 2008, the following amounts, or so
- 10 much thereof as is necessary, to be used for the
- 11 purposes designated:
- 12 1. DEPARTMENT OF ADMINISTRATIVE SERVICES
- 13 a. For relocation and project costs directly
- 14 associated with remodeling projects on the capitol

15	complex and for facility lease payments:	
16	.....	\$ 1,824,500
17	b. For routine maintenance of state buildings and	
18	facilities:	
19	.....	\$ 5,000,000
20	c. For costs associated with the enterprise	
21	resource planning system:	
22	.....	\$ 1,500,000
23	d. For the purchase and installation of decorative	
24	planters on state property west of the west capitol	
25	terrace:	
26	.....	\$ 120,000
27	e. To provide funding and related services for	
28	capitol complex property acquisition:	
29	.....	\$ 1,000,000
30	f. For a feasibility study relating to renovations	
31	to the capitol complex utility tunnel system:	
32	.....	\$ 260,000
33	g. For costs associated with a feasibility study	
34	concerning asbestos abatement and related building	
35	renovation work at the Iowa workforce development	
36	building located at 1000 E. Grand Avenue in Des	
37	Moines:	
38	.....	\$ 1,000,000
39	2. DEPARTMENT OF CORRECTIONS	
40	For the master planning process for the possible	
41	remodel, expansion, and demolition of buildings at the	
42	Iowa correctional institution for women; to develop,	
43	validate, and implement custody classification	
44	systems; and a research-based study of the substance	
45	abuse, sex offender, and medical and mental health	
46	treatment programs to ensure adherence to	
47	evidence-based practices:	
48	.....	\$ 500,000
49	3. DEPARTMENT OF CULTURAL AFFAIRS	
50	For continuation of the project recommended by the	

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1	Iowa battle flag advisory committee to stabilize the	
2	condition of the battle flag collection:	
3	.....	\$ 220,000
4	The department is authorized an additional 1.50	
5	full-time equivalent positions for a conservation	
6	assistant and a part-time historian for work related	
7	to the stabilization and preservation of the battle	
8	flag collection.	
9	4. DEPARTMENT OF ECONOMIC DEVELOPMENT	
10	For infrastructure expenses to support the	
11	development and expansion of targeted industry areas	
12	of advanced manufacturing, bioscience, and information	
13	technology pursuant to 2007 Iowa Acts, <a href="#">House File 829</a> ,	

14 if enacted:  
15 ..... \$ 1,750,000

16 5. DEPARTMENT OF EDUCATION

17 To provide resources for structural and  
18 technological improvements to local libraries and for  
19 the enrich Iowa program:

20 ..... \$ 1,000,000

21 Of the amount appropriated in this subsection,  
22 \$50,000 shall be allocated equally to each library  
23 service area.

24 6. DEPARTMENT OF NATURAL RESOURCES

25 For implementation of lake projects that have  
26 established watershed improvement initiatives and  
27 community support in accordance with the department's  
28 annual lake restoration plan and report:

29 ..... \$ 8,600,000

30 a. Of the moneys appropriated in this lettered  
31 paragraph, \$200,000 shall be used for the purposes of  
32 supporting a low head dam public hazard improvement  
33 program. The moneys shall be used to provide grants  
34 to local communities, including counties and cities,  
35 for projects approved by the department.

36 (1) The department shall establish a grant  
37 application process and shall require each local  
38 community applying for a project grant to submit a  
39 project plan for the expenditure of the moneys, and to  
40 file a report with the department regarding the  
41 project, as required by the department.

42 (2) The department shall only award moneys on a  
43 matching basis, pursuant to which the local community  
44 shall contribute a dollar for each dollar awarded by  
45 the department, in order to finance a project.

46 b. For lake dredging and related improvements  
47 including ongoing dam maintenance and operation on a  
48 lake with public access that has the support of a  
49 benefited lake district located in a county with a  
50 population between 18,015 and 18,050 according to the

Page 3

1 2005 population estimate issued by the federal  
2 government:  
3 ..... \$ 100,000

4 7. SECRETARY OF STATE

5 To provide reimbursement to counties for the  
6 purposes authorized in this subsection:

7 ..... \$ 4,500,000

8 a. The moneys appropriated in this subsection  
9 shall be used to reimburse counties for the cost of  
10 complying with section 52.7, subsection 1, paragraph  
11 "1", if enacted by 2007 Iowa Acts, [Senate File 369](#).

12 The office of secretary of state shall establish, by

13 administrative rule, a procedure for reimbursing  
14 counties for such costs. The rules adopted by the  
15 office of secretary of state shall include but not be  
16 limited to the following:

17 (1) That on or before May 15, 2007, the county  
18 board of supervisors shall submit to the office of  
19 secretary of state a resolution adopted by the board  
20 declaring the method by which the county intends to  
21 comply with section 52.7, subsection 1, paragraph "1",  
22 if enacted by 2007 Iowa Acts, [Senate File 369](#).

23 (2) That when applying for reimbursement, a county  
24 shall submit a receipt for the purchase and  
25 documentation relating to any moneys received by the  
26 county or deducted from the purchase price for a  
27 trade-in on equipment replaced as part of the  
28 transaction required to comply with section 52.7,  
29 subsection 1, paragraph "1", if enacted by 2007 Iowa  
30 Acts, [Senate File 369](#).

31 b. If federal funding is received for the same or  
32 similar purposes authorized in paragraph "a", of the  
33 moneys appropriated in this subsection, an amount  
34 equal to the federal funding received shall revert to  
35 the rebuild Iowa infrastructure fund at the end of the  
36 fiscal year.

37 c. A county shall not receive an amount of  
38 reimbursement that exceeds the amount allotted to the  
39 county by the secretary of state based on the  
40 conditions in paragraph "a", subparagraphs (1) and  
41 (2).

42 8. STATE BOARD OF REGENTS

43 For allocation by the state board of regents to the  
44 state university of Iowa, the Iowa state university of  
45 science and technology, and the university of northern  
46 Iowa to reimburse the institutions for deficiencies in  
47 their operating funds resulting from the pledging of  
48 tuition, student fees and charges, and institutional  
49 income to finance the cost of providing academic and  
50 administrative buildings and facilities and utility

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1 services at the institutions:  
2 ..... \$ 10,329,981

3 9. DEPARTMENT OF TRANSPORTATION

4 For deposit into the railroad revolving loan and  
5 grant fund created in section 327H.20A:  
6 ..... \$ 2,000,000

7 It is the intent of the general assembly that the  
8 moneys appropriated in this subsection shall be used  
9 to generate at least \$10,000,000 in vertical  
10 infrastructure capital investments."

11 2. Page 1, by striking lines 9 through 17.

- 12 3. Page 1, by striking lines 24 through 27.  
 13 4. Page 1, by striking lines 31 through 34.  
 14 5. Page 2, by striking lines 3 through 6.  
 15 6. Page 2, by striking lines 16 through 25.  
 16 7. Page 3, by striking lines 5 through 13.  
 17 8. Page 3, by striking lines 22 through 30.  
 18 9. Page 4, by striking lines 11 through 16.  
 19 10. By striking page 4, line 29, through page 5,  
 20 line 1.  
 21 11. By striking page 5, line 26, through page 6,  
 22 line 10.  
 23 12. Page 6, by striking lines 15 through 22.  
 24 13. Page 8, by striking lines 3 through 26.  
 25 14. Page 9, by striking lines 17 through 24.  
 26 15. Title page, line 2, by inserting after the  
 27 words "from the" the following: "general fund,".  
 28 16. By renumbering as necessary.

Cohoon of Des Moines rose on a point of order that amendment [H-1936](#) was not germane.

The Speaker ruled the point well taken and amendment [H-1936](#) not germane.

Raecker of Polk asked for unanimous consent to suspend the rules to consider amendment [H-1936](#).

Objection was raised.

Raecker of Polk moved to suspend the rules to consider amendment [H-1936](#).

Roll call was requested by Rants of Woodbury and Raecker of Polk.

On the question "Shall the rules be suspended to consider amendment [H-1936](#)?" ([H.F. 911](#))

The ayes were, 43:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Grassley	Greiner	Heaton
Hoffman	Huseman	Jacobs	Kaufmann
Lukan	May	Miller, L.	Olson, S.
Paulsen	Raecker	Rants	Rasmussen
Rayhons	Roberts	Sands	Schickel

Soderberg	Struyk	Tjepkes	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wienczek	Windschitl	Worthan	

The nays were, 52:

Abdul-Samad	Bailey	Bell	Berry
Cohoon	Dandekar	Davitt	Foege
Ford	Frevert	Gaskill	Gayman
Heddens	Hunter	Huser	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Miller, H.	Oldson	Olson, D.	Olson, R.
Olson, T.	Palmer	Petersen	Pettengill
Quirk	Reasoner	Reichert	Schueller
Shomshor	Smith	Staed	Swaim
Taylor, D.	Taylor, T.	Thomas	Tomenga
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	Mr. Speaker Murphy

Absent or not voting, 5:

Bukta	Granzow	Horbach	Mertz
Zirkelbach			

The motion to suspend the rules lost.

Raecker of Polk offered the following amendment [H-1888](#) filed by him and Watts of Dallas from the floor and moved its adoption:

[H-1888](#)

- 1 Amend [House File 911](#) as follows:
- 2 1. Page 1, line 30, by striking the figure
- 3 "1,600,000" and inserting the following: "1,720,000".
- 4 2. Page 1, by striking lines 31 through 34.
- 5 3. By renumbering as necessary.

Roll call was requested by Raecker of Polk and Van Fossen of Scott.

On the question "Shall amendment [H-1888](#) be adopted?" ([H.F. 911](#))

The ayes were, 45:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall

Gipp	Grassley	Greiner	Heaton
Hoffman	Huseman	Huser	Jacobs
Kaufmann	Lukan	May	Miller, L.
Olson, S.	Paulsen	Raecker	Rants
Rasmussen	Rayhons	Roberts	Sands
Schickel	Soderberg	Struyk	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wienczek	Windschitl
Worthan			

The nays were, 49:

Abdul-Samad	Bailey	Bell	Cohoon
Dandekar	Davitt	Foege	Ford
Frevert	Gaskill	Gayman	Heddens
Hunter	Jacoby	Jochum	Kelley
Kressig	Kuhn	Lensing	Lykam
Mascher	McCarthy	Mertz	Miller, H.
Oldson	Olson, D.	Olson, R.	Olson, T.
Palmer	Petersen	Pettengill	Reasoner
Reichert	Schueller	Shomshor	Smith
Staed	Swaim	Taylor, D.	Taylor, T.
Thomas	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise
Mr. Speaker			
Murphy			

Absent or not voting, 6:

Berry	Bukta	Granzow	Horbach
Quirk	Zirkelbach		

Amendment [H-1888](#) lost.

Kaufmann of Cedar asked and received unanimous consent to withdraw amendment [H-1889](#) filed by him from the floor.

Bailey of Hamilton offered the following amendment [H-1967](#) filed by Bailey, Reichert of Muscatine, Tymeson of Madison and Kaufmann of Cedar, from the floor and moved its adoption:

[H-1967](#)

- 1 Amend [House File 911](#) as follows:
- 2 1. Page 2, by inserting after line 32 the
- 3 following:
- 4 "q. For a contribution to the American veterans
- 5 disabled for life memorial fund for funding the
- 6 construction of the American veterans disabled for
- 7 life memorial in Washington, D.C., notwithstanding

8 section 8.57, subsection 6, paragraph "c":  
 9 ..... \$ 50,000"  
 10 2. Page 9, by inserting after line 29 the  
 11 following:  
 12 "\_\_\_\_. DEPARTMENT OF VETERANS AFFAIRS  
 13 For vertical infrastructure improvements and  
 14 construction of resident living areas at the Iowa  
 15 veterans home consistent with the Iowa veterans home  
 16 comprehensive plan, contingent upon submission of a  
 17 report by the department by January 15, 2008, to the  
 18 general assembly detailing the estimated costs, timing  
 19 of construction, and related improvements associated  
 20 with the Iowa veterans home comprehensive plan:  
 21 ..... \$ 2,500,000"  
 22 3. By renumbering as necessary.

Amendment [H-1967](#) was adopted.

Watts of Dallas offered the following amendment [H-1890](#) filed by him from the floor and moved its adoption:

[H-1890](#)

1 Amend [House File 911](#) as follows:  
 2 1. Page 3, by striking lines 27 through 30.  
 3 2. By renumbering as necessary.

Amendment [H-1890](#) lost.

Raecker of Polk asked and received unanimous consent to withdraw amendment [H-1891](#) filed by Raecker, Watts of Dallas and Van Fossen of Scott from the floor.

Sands of Louisa offered the following amendment [H-1892](#) filed by him from the floor and moved its adoption:

[H-1892](#)

1 Amend [House File 911](#) as follows:  
 2 1. Page 4, by inserting after line 27 the  
 3 following:  
 4 "c. For deposit into the rural hazardous sites  
 5 cleanup fund created in section 15.301:  
 6 ..... \$ 1,000,000"  
 7 2. Page 23, by inserting after line 14 the  
 8 following:  
 9 "Sec. \_\_\_\_ . **NEW SECTION.** 15.301 RURAL HAZARDOUS  
 10 SITES CLEANUP FUND.  
 11 1. A rural hazardous sites cleanup fund is created  
 12 as a separate fund in the state treasury under the  
 13 control of the department and consisting of any moneys

14 appropriated by the general assembly and any other  
15 moneys available to or obtained by the department for  
16 placement in the fund. Payments of interest,  
17 repayments of moneys loaned pursuant to this part, and  
18 recaptures of loans shall be deposited in the fund.  
19 2. The fund shall be used to provide grants,  
20 loans, forgivable loans, loan guarantees, and other  
21 forms of assistance to aid in the collection and  
22 disposal of hazardous waste in rural areas of the  
23 state.  
24 3. Moneys in the fund are not subject to section  
25 8.33. Notwithstanding section 12C.7, interest or  
26 earnings on moneys in the fund shall be credited to  
27 the fund.  
28 4. For purposes of this section, "hazardous waste"  
29 means the same as defined in section 455B.411 and  
30 "rural" means the same as defined in section 135.26."  
31 3. By renumbering as necessary.

Cohon of Des Moines rose on a point of order that amendment [H-1892](#) was not germane.

The Speaker ruled the point well taken and amendment [H-1892](#) not germane.

Sands of Louisa asked for unanimous consent to suspend the rules to consider amendment [H-1892](#).

Objection was raised.

Sands of Louisa moved to suspend the rules to consider amendment [H-1892](#).

A non-record roll call was requested.

The ayes were 42, nays 52.

The motion to suspend the rules lost.

Drake of Pottawattamie offered the following amendment [H-1893](#) filed by him and Baudler of Adair from the floor and moved its adoption:

[H-1893](#)

1 Amend [House File 911](#) as follows:  
2 1. Page 4, by inserting after line 27 the  
3 following:

4 " \_\_\_\_\_. For the Cass-Audubon border economic  
 5 development agreement for vertical infrastructure  
 6 projects located in the valley business park area:  
 7 ..... \$ 800,000"  
 8 2. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 40, nays 47.

Amendment [H-1893](#) lost.

Sands of Louisa offered the following amendment [H-1894](#) filed by him from the floor and moved its adoption:

[H-1894](#)

1 Amend [House File 911](#) as follows:  
 2 1. Page 5, by inserting after line 4 the  
 3 following:  
 4 "c. For construction of an agricultural learning  
 5 center at Muscatine community college:  
 6 ..... \$ 250,000"  
 7 2. By renumbering as necessary.

Roll call was requested by Sands of Louisa and Rants of Woodbury.

On the question "Shall amendment [H-1894](#) be adopted?" ([H.F. 911](#))

The ayes were, 44:

Alons	Anderson	Arnold	Boal
Chambers	Clute	De Boef	Deyoe
Dolecheck	Drake	Forristall	Gipp
Grassley	Greiner	Heaton	Hoffman
Huseman	Jacobs	Kaufmann	Lukan
May	Miller, L.	Olson, S.	Paulsen
Raecker	Rants	Rasmussen	Rayhons
Reichert	Roberts	Sands	Schickel
Soderberg	Struyk	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wiencek	Windschitl	Worthan

The nays were, 51:

Abdul-Samad	Bailey	Bell	Berry
Cohoon	Dandekar	Davitt	Foege
Ford	Frevert	Gaskill	Gayman
Heddens	Hunter	Huser	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Mertz	Miller, H.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Pettengill	Quirk	Reasoner	Schueller
Shomshor	Smith	Staed	Swaim
Taylor, D.	Taylor, T.	Thomas	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Winckler	Wise	Mr. Speaker	
		Murphy	

Absent or not voting, 5:

Baudler	Bukta	Granzow	Horbach
Zirkelbach			

Amendment [H-1894](#) lost.

Upmeyer of Hancock offered amendment [H-1895](#) filed by her from the floor and moved its adoption:

[H-1895](#)

- 1 Amend [House File 911](#) as follows:
- 2 1. Page 5, by inserting after line 4 the
- 3 following:
- 4 "\_\_\_\_. For major renovation and major repair needs,
- 5 including health, life, and fire safety needs, and for
- 6 compliance with the federal Americans With
- 7 Disabilities Act, for state buildings and facilities
- 8 under the purview of community colleges:
- 9 ..... \$ 9,700,000
- 10 The moneys appropriated in this lettered paragraph
- 11 shall be allocated to the community colleges based
- 12 upon the state aid distribution formula established in
- 13 section 260C.18C."
- 14 2. By renumbering as necessary.

Roll call was requested by Huseman of Cherokee and Rants of Woodbury.

On the question "Shall amendment [H-1895](#) be adopted?" ([H.F. 911](#))

The ayes were, 44:

Alons	Arnold	Baudler	Boal
Chambers	Clute	De Boef	Deyoe
Dolecheck	Drake	Forristall	Gipp
Grassley	Greiner	Heaton	Hoffman
Huseman	Jacobs	Kaufmann	Lukan
May	Mertz	Miller, L.	Olson, S.
Paulsen	Raecker	Rants	Rasmussen
Rayhons	Roberts	Sands	Schickel
Soderberg	Struyk	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wienczek	Windschitl	Worthan

The nays were, 50:

Abdul-Samad	Bailey	Bell	Berry
Cohoon	Dandekar	Davitt	Foege
Ford	Frevrt	Gaskill	Gayman
Heddens	Hunter	Huser	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Miller, H.	Oldson	Olson, D.	Olson, R.
Olson, T.	Palmer	Pettengill	Quirk
Reasoner	Reichert	Schueller	Shomshor
Smith	Staed	Swaim	Taylor, D.
Taylor, T.	Thomas	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Winckler
Wise	Mr. Speaker		
	Murphy		

Absent or not voting, 6:

Anderson	Bukta	Granzow	Horbach
Petersen	Zirkelbach		

Amendment [H-1895](#) lost.

Greiner of Washington offered the following amendment [H-1896](#) filed by her from the floor and moved its adoption:

[H-1896](#)

- 1 Amend [House File 911](#) as follows:
- 2 1. Page 5, by inserting after line 25 the
- 3 following:
- 4 "Of the moneys appropriated in this lettered
- 5 paragraph, \$500,000 shall be allocated to Friends of
- 6 Lake Darling for repair and maintenance of the four
- 7 season bathhouse shelter at Lake Darling."

Roll call was requested by McCarthy of Polk and Heddens of Story.

On the question "Shall amendment [H-1896](#) be adopted?"  
([H.F. 911](#))

The ayes were, 38:

Alons	Arnold	Baudler	Boal
Chambers	Clute	Deyoe	Dolecheck
Drake	Forristall	Gipp	Grassley
Greiner	Heaton	Hoffman	Huseman
Jacobs	Kaufmann	May	Miller, L.
Olson, S.	Paulsen	Raecker	Rants
Rasmussen	Rayhons	Sands	Schickel
Soderberg	Tjepkes	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wiencek
Windschitl	Worthan		

The nays were, 52:

Abdul-Samad	Bailey	Bell	Berry
Cohoon	Dandekar	Davitt	Foege
Ford	Frevert	Gaskill	Gayman
Heddens	Hunter	Huser	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lukan	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Quirk	Reasoner	Reichert	Schueller
Shomshor	Smith	Staed	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tomenga	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Winckler	Wise	Mr. Speaker Murphy

Absent or not voting, 10:

Anderson	Bukta	De Boef	Granzow
Horbach	Petersen	Pettengill	Roberts
Whitead	Zirkelbach		

Amendment [H-1896](#) lost.

Upmeyer of Hancock offered the following amendment [H-1897](#) filed by her from the floor and moved its adoption:

[H-1897](#)

- 1 Amend [House File 911](#) as follows:
- 2 1. Page 5, by striking lines 28 and 29 and
- 3 inserting the following: "support, notwithstanding

4 section 8.57,"  
 5 2. Page 6, by inserting after line 30 the  
 6 following:  
 7 "\_\_\_\_. It is the intent of the general assembly  
 8 that all projects in lettered paragraphs "b" through  
 9 "e" that satisfy the criteria required in section  
 10 456A.33B and whose project designers worked with the  
 11 department to develop an action plan prior to January  
 12 1, 2006, shall be funded."  
 13 3. By renumbering as necessary.

Amendment [H-1897](#) lost.

Cohon of Des Moines asked and received unanimous consent that amendment [H-1964](#) be deferred.

Upmeyer of Hancock offered the following amendment [H-1884](#) filed by Upmeyer, Rayhons of Hancock, Worthan of Buena Vista, Huseman of Cherokee and Raecker of Polk from the floor and moved it adoption:

[H-1884](#)

1 Amend [House File 911](#) as follows:

2 1. Page 5, by inserting after line 31 the  
 3 following:  
 4 "(1) It is the intent of the general assembly that  
 5 the department of natural resources shall implement  
 6 the lake restoration annual report and plan submitted  
 7 to the joint appropriations subcommittee on  
 8 transportation, infrastructure, and capitals and the  
 9 legislative services agency on December 26, 2006,  
 10 pursuant to section 456A.33B. The lake restoration  
 11 projects that are recommended by the department to  
 12 receive funding for fiscal year 2007-2008 and that  
 13 satisfy the criteria in section 456A.33B, including  
 14 local commitment of funding for the projects, shall be  
 15 funded in the amounts provided in the report.

16 Of the amounts appropriated in this lettered  
 17 paragraph, at least the following amounts shall be  
 18 allocated as follows:

- 19 (a) For clear lake in Cerro Gordo county:  
 20 ..... \$ 2,500,000
- 21 (b) For storm lake in Buena Vista county:  
 22 ..... \$ 1,000,000
- 23 (c) For crystal lake in Hancock county:  
 24 ..... \$ 250,000"

25 2. Page 5, line 32, by inserting before the word  
 26 "Of" the following: "(2)".

27 3. Page 6, line 2, by striking the figure "(1)"

- 28 and inserting the following: "(a)".
- 29 4. Page 6, line 7, by striking the figure "(2)"
- 30 and inserting the following: "(b)".
- 31 5. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 39, nays 46.

Amendment [H-1884](#) lost.

Rayhons of Hancock offered amendment [H-1898](#) filed by him from the floor as follows:

[H-1898](#)

1 Amend [House File 911](#) as follows:

2 1. Page 6, by inserting after line 30 the  
3 following:

4 "\_\_\_\_. For deposit into the waste tire management  
5 fund created in section 455D.11C, for the purposes of  
6 the fund, notwithstanding section 8.57, subsection 6,  
7 paragraph "c":

8 ..... \$ 500,000"

9 2. Page 29, by inserting after line 33 the  
10 following:

11 "Sec.\_\_\_\_. Section 455D.11C, subsection 2, Code  
12 2007, is amended to read as follows:

13 2. Moneys in the waste tire management fund are  
14 appropriated and shall be used for the following  
15 purposes:

16 a. ~~Thirty~~ Forty-five percent of the moneys shall  
17 be used for all of the following positions:

18 (1) One and one-quarter full-time equivalent  
19 ~~position~~ positions for the administration of permits  
20 and registrations for tire processing, storage,  
21 ~~stockpile abatement~~, and hauling activities, and ~~tire~~  
22 ~~program initiatives for administering programs and~~  
23 initiatives related to illegal disposal of solid  
24 waste.

25 (2) One and one-half full-time equivalent  
26 positions for waste tire-related and illegal disposal  
27 of solid waste compliance checks and inspections. The  
28 full-time equivalent positions shall be divided  
29 equally between the field offices in the state.

30 b. ~~Ten~~ Fifteen percent of the moneys shall be used  
31 for a public education and awareness initiative  
32 related to the proper tire disposal options and  
33 environmental and health hazards posed by improper

34 tire storage and illegal dumping.

35 ~~e. Thirty percent of the moneys shall be used for~~  
36 ~~market development initiatives for waste tires.~~

37 ~~d. c. Thirty~~ Forty percent of the moneys shall be  
38 used for waste tire stockpile abatement initiatives  
39 which would require a cost-share agreement with the  
40 landowner.

41 Sec.\_\_\_\_. FUNDING STUDY. The department of  
42 natural resources shall convene an advisory committee  
43 of interested parties to determine a sustainable  
44 funding source for waste tire management activities.  
45 By December 1, 2007, the advisory committee shall  
46 submit recommendations to the general assembly and the  
47 governor regarding funding sources for waste tire  
48 management activities.

49 Sec.\_\_\_\_. UNENCUMBERED OR UNOBLIGATED MONEYS –  
50 APPROPRIATION. On July 1, 2007, any unencumbered or

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1 unobligated moneys distributed from the waste tire  
2 management fund pursuant to section 455D.11C,  
3 subsection 2, Code 2005, during the previous fiscal  
4 year shall revert to the waste tire management fund  
5 and shall be reallocated and appropriated pursuant to  
6 section 455D.11C, subsection 2, paragraph "a", as  
7 amended in this Act. At the end of each fiscal year  
8 during the fiscal period beginning July 1, 2007, and  
9 ending June 30, 2016, any unencumbered or unobligated  
10 moneys remaining in the waste tire management fund  
11 shall remain in the waste tire management fund and  
12 shall be available for expenditure during the  
13 succeeding fiscal year pursuant to section 455D.11C,  
14 subsection 2, as amended in this Act."  
15 3. By renumbering as necessary.

Cohon of Des Moines rose on a point of order that amendment [H-1898](#) was not germane.

The Speaker ruled the point well taken and amendment [H-1898](#) not germane.

Rayhons of Hancock asked for unanimous consent to suspend the rules to consider amendment [H-1898](#).

Objection was raised.

Rayhons of Hancock moved to suspend the rules to consider

amendment [H-1898](#).

Roll call was requested by Rayhons of Hancock and Raecker of Polk.

On the question "Shall the rules be suspended to consider amendment [H-1898](#)?" ([H.F. 911](#))

The ayes were, 40:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Gipp
Grassley	Greiner	Heaton	Hoffman
Huseman	Jacobs	Kaufmann	Lukan
May	Miller, L.	Olson, S.	Paulsen
Raecker	Rants	Rasmussen	Rayhons
Roberts	Sands	Schickel	Soderberg
Struyk	Tjepkes	Tymeson	Upmeyer
Van Engelenhoven	Wienczek	Windschitl	Worthan

The nays were, 52:

Abdul-Samad	Bailey	Bell	Berry
Cohoon	Dandekar	Davitt	Foege
Ford	Frevert	Gaskill	Gayman
Heddens	Hunter	Huser	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Mertz	Miller, H.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Quirk	Reasoner	Reichert	Schueller
Shomshor	Smith	Staed	Swaim
Taylor, D.	Taylor, T.	Thomas	Tomenga
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	Mr. Speaker Murphy

Absent or not voting, 8:

Bukta	Forristall	Granzow	Horbach
Pettengill	Van Fossen	Watts	Zirkelbach

The motion to suspend the rules lost.

Wise of Lee asked and received unanimous consent to withdraw amendment [H-1919](#) filed by him and Gaskill of Wapello from the floor.

Wise of Lee offered the following amendment [H-1966](#) filed by him and Gaskill of Wapello from the floor and moved its adoption:

[H-1966](#)

- 1 Amend [House File 911](#) as follows:
- 2 1. Page 8, line 2, by striking the figure
- 3 "900,000" and inserting the following: "1,900,000".
- 4 2. By renumbering as necessary.

Amendment [H-1966](#) was adopted.

Paulsen of Linn asked and received unanimous consent to withdraw amendment [H-1874](#) filed by him from the floor.

Huser of Polk offered amendment [H-1904](#) filed by Huser, Granzow of Hardin and Smith of Marshall from the floor as follows:

[H-1904](#)

- 1 Amend [House File 911](#) as follows:
- 2 1. Page 8, by inserting after line 2 the
- 3 following:
- 4 "Of the amount appropriated in this lettered
- 5 paragraph, \$150,000 shall be allocated to northwest
- 6 Iowa community college.
- 7 Of the amount appropriated in this lettered
- 8 paragraph, \$150,000 shall be allocated to Iowa valley
- 9 community college.
- 10 Moneys allocated in this lettered paragraph are
- 11 contingent upon the receipt of revised applications
- 12 pursuant to section 100B.22 reflecting the merged
- 13 areas added pursuant to this Act."
- 14 2. Page 23, by inserting after line 14 the
- 15 following:
- 16 "Sec.\_\_\_\_. Section 100B.22, subsection 1,
- 17 paragraphs c and h, Code 2007, are amended to read as
- 18 follows:
- 19 c. Iowa lakes community college for merged area
- 20 III and northwest Iowa community college for merged
- 21 area IV.
- 22 h. Des Moines area community college for merged
- 23 area XI and Iowa valley community college for merged
- 24 area VI and to provide advanced training in operations
- 25 integration in compliance with the national incident
- 26 management system as such advanced training is funded
- 27 by the homeland security and emergency management
- 28 division of the department of public defense."
- 29 3. By renumbering as necessary.

Huser of Polk offered the following amendment [H-1973](#), to amendment [H-1904](#), filed by her from the floor and moved its adoption:

[H-1973](#)

- 1 Amend the amendment, [H-1904](#), to [House File 911](#) as
- 2 follows:
- 3 1. Page 1, line 5, by striking the figure
- 4 "150,000" and inserting the following: "50,000".
- 5 2. Page 1, line 8, by striking the figure
- 6 "150,000" and inserting the following: "50,000".

Amendment [H-1973](#) was adopted.

On motion by Huser of Polk, amendment [H-1904](#), as amended, was adopted.

Jacobs of Polk asked and received unanimous consent to withdraw amendment [H-1883](#) filed by her from the floor.

Gaskill of Wapello offered the following amendment [H-1933](#) filed by her from the floor and moved its adoption:

[H-1933](#)

- 1 Amend [House File 911](#) as follows:
- 2 1. Page 8, by striking lines 4 through 6 and
- 3 inserting the following:
- 4 "For deposit into the voting machine reimbursement
- 5 fund to provide reimbursement to counties for the
- 6 purposes authorized in this subsection:"
- 7 2. Page 8, by inserting after line 7 the
- 8 following:
- 9 "a. The moneys appropriated in this subsection
- 10 shall be used to reimburse counties for the cost of
- 11 complying with section 52.7, subsection 1, paragraph
- 12 "1", if enacted by 2007 Iowa Acts, [Senate File 369](#).
- 13 The office of secretary of state shall establish, by
- 14 administrative rule, a procedure for reimbursing
- 15 counties for such costs. The rules adopted by the
- 16 office of secretary of state shall include but not be
- 17 limited to the following:
- 18 (1) That on or before June 15, 2007, the county
- 19 board of supervisors shall submit to the office of
- 20 secretary of state a resolution adopted by the board
- 21 declaring the method by which the county intends to
- 22 comply with section 52.7, subsection 1, paragraph "1",

23 2007 Iowa Acts, [Senate File 369](#), if enacted.  
24 (2) That when applying for reimbursement, a county  
25 shall submit a receipt for the purchase and  
26 documentation relating to any moneys received by the  
27 county or deducted from the purchase price for a  
28 trade-in on equipment replaced as part of the  
29 transaction required to comply with section 52.7,  
30 subsection 1, paragraph "1", 2007 Iowa Acts, Senate  
31 File 369, if enacted.  
32 b. If any other federal funding is received for  
33 the same or similar purposes authorized in paragraph  
34 "a", of the moneys appropriated in this subsection, an  
35 amount equal to the federal funding received shall  
36 revert to the rebuild Iowa infrastructure fund at the  
37 end of the fiscal year.  
38 c. A county shall not receive an amount of  
39 reimbursement that exceeds the amount allotted to the  
40 county by the secretary of state based on the  
41 conditions in paragraph "a", subparagraphs (1) and  
42 (2).  
43 d. On or before December 31, 2007, the secretary  
44 of state shall submit a report to the chairpersons and  
45 ranking members of the joint appropriations  
46 subcommittee on administration and regulation  
47 regarding the expenditures of the moneys appropriated  
48 in this subsection. The report shall also include  
49 recommendations, if necessary, to the general assembly  
50 for enacting waiver provisions for counties unable to

Page 2

1 comply with the requirements of section 52.1,  
2 subsection 1, paragraph "1", if enacted by 2007 Iowa  
3 Acts, [Senate File 369](#)."  
4 3. Page 12, by inserting after line 4 the  
5 following:  
6 "\_\_\_\_. EFFECTIVE DATE. The provision of this  
7 division of this Act appropriating moneys to the  
8 secretary of state for deposit into the voting machine  
9 reimbursement fund, being deemed of immediate  
10 importance, takes effect upon enactment."  
11 4. Page 23, by inserting after line 14 the  
12 following:  
13 "Sec.\_\_\_\_. NEW SECTION. 47.9 VOTING MACHINE  
14 REIMBURSEMENT FUND.  
15 A voting machine reimbursement fund is established  
16 in the office of the treasurer of state. Moneys in  
17 the fund shall be expended to reimburse counties for  
18 the costs of complying with section 52.7, subsection  
19 1, paragraph "1", if enacted by 2007 Iowa Acts, Senate  
20 File 369. The office of secretary of state shall  
21 establish, by administrative rule, a procedure for

22 reimbursing counties for such costs. Notwithstanding  
23 section 8.33, moneys in the voting machine  
24 reimbursement fund shall not revert but shall remain  
25 available indefinitely for expenditure under this  
26 section."  
27 5. By renumbering, redesignating, and correcting  
28 internal references as necessary.

Amendment [H-1933](#) was adopted.

De Boef of Keokuk asked and received unanimous consent to withdraw amendment [H-1773](#) filed by her on April 18, 2007.

De Boef of Keokuk offered the following amendment [H-1875](#) filed by De Boef, Raecker of Polk and Watts of Dallas from the floor and moved its adoption:

[H-1875](#)

1 Amend [House File 911](#) as follows:  
2 1. Page 8, by striking lines 19 through 21 and  
3 inserting the following:  
4 "b. For costs associated with the establishment of  
5 the Iowa institute for biomedical discovery for the  
6 study and research of certain health-related diseases  
7 and issues including interdisciplinary research,  
8 cancer, heart disease and stroke, brain disease, and  
9 vision and age-related disease fragility, but not  
10 including the study and research of issues relating to  
11 somatic cell nuclear transfer at the state university  
12 of Iowa."  
13 2. Page 11, by striking lines 24 through 26 and  
14 inserting the following:  
15 "1. For costs associated with the establishment of  
16 the Iowa institute for biomedical discovery for the  
17 study and research of certain health-related diseases  
18 and issues including interdisciplinary research,  
19 cancer, heart disease and stroke, brain disease, and  
20 vision and age-related disease fragility, but not  
21 including the study and research of issues relating to  
22 somatic cell nuclear transfer at the state university  
23 of Iowa."  
24 3. By renumbering as necessary.

Roll call was requested by De Boef of Keokuk and Rants of Woodbury.

On the question "Shall amendment [H-1875](#) be adopted?" ([H.F. 911](#))

The ayes were, 46:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Grassley	Greiner	Heaton
Hoffman	Huseman	Jacobs	Kaufmann
Lukan	May	Mertz	Miller, L.
Olson, S.	Paulsen	Pettengill	Raecker
Rants	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wiencek
Windschitl	Worthan		

The nays were, 50:

Abdul-Samad	Bailey	Bell	Berry
Cohoon	Dandekar	Davitt	Foege
Ford	Frevert	Gaskill	Gayman
Heddens	Hunter	Huser	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Miller, H.	Oldson	Olson, D.	Olson, R.
Olson, T.	Palmer	Petersen	Quirk
Reasoner	Reichert	Schueller	Shomshor
Smith	Staed	Swaim	Taylor, D.
Taylor, T.	Thomas	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Winckler
Wise	Mr. Speaker		
	Murphy		

Absent or not voting, 4:

Bukta	Granzow	Horbach	Zirkelbach
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Amendment [H-1875](#) lost.

Wiencek of Black Hawk offered the following amendment [H-1876](#) filed by her from the floor and moved its adoption:

[H-1876](#)

- 1 Amend [House File 911](#) as follows:
- 2 1. Page 8, by inserting after line 26 the
- 3 following:
- 4 "d. For costs associated with the completion of

- 5 upgrades to the electrical distribution system at the  
 6 university of northern Iowa:  
 7 ..... \$ 625,000"  
 8 2. By renumbering as necessary.

Roll call was requested by Wiencek of Black Hawk and Paulsen of Linn.

On the question "Shall amendment [H-1876](#) be adopted?"  
[\(H.F. 911\)](#)

The ayes were, 43:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Grassley	Greiner	Heaton
Hoffman	Huseman	Jacobs	Kaufmann
Lukan	May	Miller, L.	Olson, S.
Paulsen	Raecker	Rants	Rasmussen
Rayhons	Roberts	Sands	Schickel
Soderberg	Struyk	Tjepkes	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wiencek	Windschitl	Worthan	

The nays were, 53:

Abdul-Samad	Bailey	Bell	Berry
Cohoon	Dandekar	Davitt	Foege
Ford	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
Tomenga	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise
Mr. Speaker			
Murphy			

Absent or not voting, 4:

Bukta	Granzow	Horbach	Zirkelbach
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Amendment [H-1876](#) lost.

Deyoe of Story offered the following amendment [H-1877](#) filed by him from the floor and moved its adoption:

[H-1877](#)

- 1 Amend [House File 911](#) as follows:
- 2 1. Page 8, by inserting after line 26 the
- 3 following:
- 4 "d. For costs associated with the planning,
- 5 design, and construction of the chemistry building at
- 6 Iowa state university of science and technology:
- 7 ..... \$ 2,192,000"
- 8 2. By renumbering as necessary.

Roll call was requested by Deyoe of Story and Lukan of Dubuque.

On the question "Shall amendment [H-1877](#) be adopted?" ([H.F. 911](#))

The ayes were, 44:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Grassley	Greiner	Heaton
Hoffman	Huseman	Jacobs	Kaufmann
Lukan	May	Miller, L.	Olson, S.
Paulsen	Raecker	Rants	Rasmussen
Rayhons	Roberts	Sands	Schickel
Soderberg	Struyk	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wienczek	Windschitl	Worthan

The nays were, 52:

Abdul-Samad	Bailey	Bell	Berry
Cohoon	Dandekar	Davitt	Foege
Ford	Frevert	Gaskill	Gayman
Heddens	Hunter	Huser	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Mertz	Miller, H.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Pettengill	Quirk	Reasoner	Reichert
Schueller	Shomshor	Smith	Staed
Swaim	Taylor, D.	Taylor, T.	Thomas
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	Mr. Speaker Murphy

Absent or not voting, 4:

Bukta

Granzow

Horbach

Zirkelbach

Amendment [H-1877](#) lost.

Hoffman of Crawford offered the following amendment [H-1878](#) filed by him from the floor and moved its adoption:

[H-1878](#)

- 1 Amend [House File 911](#) as follows:
- 2 1. Page 8, by inserting after line 30 the
- 3 following:
- 4 "Of the amount appropriated in this lettered
- 5 paragraph, \$60,000 shall be allocated for general
- 6 infrastructure improvements for the Crawford county
- 7 trail."
- 8 2. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 44, nays 47.

Amendment [H-1878](#) lost.

Tymeson of Madison asked and received unanimous consent to withdraw amendment [H-1871](#) and amendment [H-1872](#) filed by her and Bailey of Hamilton on April 20, 2007.

Boal of Polk offered the following amendment [H-1879](#) filed by her and Raecker of Polk from the floor and requested division as follows:

[H-1879](#)

- 1 Amend [House File 911](#) as follows:

[H-1879A](#)

- 2 1. Page 13, line 28, by striking the figure
- 3 "4,010,375" and inserting the following: "3,010,375".
- 4 2. Page 14, line 2, by striking the figure
- 5 "500,000" and inserting the following: "1,500,000".

[H-1879B](#)

- 6 3. Page 14, by inserting after line 2 the

7 following:

8 "The Iowa learning technology commission shall  
 9 submit a report by January 1, 2008, to the house and  
 10 senate standing education committees and the joint  
 11 appropriations subcommittee on education of the  
 12 general assembly which shall include a description and  
 13 results of the programs that have received funding  
 14 pursuant to chapter 280A and the commission's  
 15 recommendations for funding and implementing a  
 16 statewide learning technology initiative."

[H-1879](#)

17 4. By renumbering as necessary.

Boal of Polk moved the adoption of amendment [H-1879A](#).

Roll call was requested by Boal of Polk and Raecker of Polk.

On the question "Shall amendment [H-1879A](#) be adopted?"  
 (H.F. 911)

The ayes were, 45:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Grassley	Greiner	Heaton
Hoffman	Huseman	Huser	Jacobs
Kaufmann	Lukan	May	Miller, L.
Olson, S.	Paulsen	Raecker	Rants
Rasmussen	Rayhons	Roberts	Sands
Schickel	Soderberg	Struyk	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wienczek	Windschitl
Worthan			

The nays were, 49:

Abdul-Samad	Bailey	Bell	Berry
Cohoon	Dandekar	Davitt	Frevert
Gaskill	Gayman	Heddens	Hunter
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Pettengill	Quirk	Reasoner
Reichert	Schueller	Shomshor	Smith
Staed	Swaim	Taylor, D.	Taylor, T.
Thomas	Wendt	Wenthe	Wessel-Kroeschell

Whitaker  
Mr. Speaker  
Murphy

Whitead

Winckler

Wise

Absent or not voting, 6:

Bukta  
Horbach

Foege  
Zirkelbach

Ford

Granzow

Amendment [H-1879A](#) lost.

Boal of Polk moved the adoption of amendment [H-1879B](#).

Amendment [H-1879B](#) lost.

Frevert of Palo Alto offered the following amendment [H-1963](#) filed by her from the floor and moved its adoption:

[H-1963](#)

- 1 Amend [House File 911](#) as follows:
- 2 1. Page 12, line 12, by inserting before the word
- 3 "For" the following: "1."
- 4 2. Page 12, line 17, by striking the word
- 5 "section" and inserting the following: "subsection".
- 6 3. Page 12, by inserting after line 20 the
- 7 following:
- 8 "2. For vertical infrastructure expenses for the
- 9 veterinary diagnostic laboratory at Iowa state
- 10 university of science and technology:
- 11 ..... \$ 1,000,000
- 12 Iowa state university of science and technology
- 13 shall not reduce the amount that it allocates to
- 14 support the college of veterinary medicine from any
- 15 other source due to the appropriation made in this
- 16 subsection."
- 17 4. By renumbering as necessary.

Amendment [H-1963](#) was adopted.

Soderberg of Plymouth offered the following amendment [H-1880](#) filed by him from the floor and moved its adoption:

[H-1880](#)

- 1 Amend [House File 911](#) as follows:
- 2 1. Page 18, by striking lines 26 through 31.

Roll call was requested by Soderberg of Plymouth and D. Olson of Boone.

On the question “Shall amendment [H-1880](#) be adopted?” ([H.F. 911](#))

The ayes were, 37:

Alons	Baudler	Boal	Chambers
De Boef	Deyoe	Dolecheck	Drake
Forristall	Grassley	Greiner	Heaton
Huseman	Jacobs	Kaufmann	Lukan
May	Miller, L.	Olson, S.	Paulsen
Raecker	Rants	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wienczek	Windschitl
Worthan			

The nays were, 56:

Abdul-Samad	Anderson	Arnold	Bailey
Bell	Berry	Cphoon	Dandekar
Davitt	Foege	Ford	Frevert
Gaskill	Gayman	Heddens	Hunter
Huser	Jacoby	Jochum	Kelley
Kressig	Kuhn	Lensing	Lykam
Mascher	McCarthy	Mertz	Miller, H.
Oldson	Olson, D.	Olson, R.	Olson, T.
Palmer	Petersen	Pettengill	Quirk
Rasmussen	Reasoner	Reichert	Schueller
Shomshor	Smith	Staed	Swaim
Taylor, D.	Taylor, T.	Thomas	Tomenga
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	Mr. Speaker Murphy

Absent or not voting, 7:

Bukta	Clute	Gipp	Granzow
Hoffman	Horbach	Zirkelbach	

Amendment [H-1880](#) lost.

May of Dickinson asked and received unanimous consent to withdraw amendment [H-1881](#) filed by him from the floor.

Alons of Sioux offered amendment [H-1902](#) filed by him from the floor as follows:

[H-1902](#)

- 1 Amend [House File 911](#) as follows:
- 2 1. Page 23, by inserting after line 14 the
- 3 following:
- 4 "Sec. \_\_\_\_. NEW SECTION. 216.21. LIMITATIONS ON
- 5 CERTAIN CIVIL RIGHTS ACTIONS.
- 6 Notwithstanding any provision in this chapter to
- 7 the contrary, remedies with respect to a claim or
- 8 action under this chapter shall be limited to
- 9 injunctive and declaratory relief where the
- 10 deprivation consists of a violation of a
- 11 constitutional prohibition against the establishment
- 12 of religion including but not limited to a violation
- 13 resulting from any of the following:
- 14 1. A veterans' memorial containing religious words
- 15 or imagery.
- 16 2. A public building containing religious words or
- 17 imagery.
- 18 3. The presence of religious words or imagery on
- 19 official state seals."
- 20 2. By renumbering as necessary.

Cohoon of Des Moines rose on a point of order that amendment [H-1902](#) was not germane.

The Speaker ruled the point well taken and amendment [H-1902](#) not germane.

Alons of Sioux asked for unanimous consent to suspend the rules to consider amendment [H-1902](#).

Objection was raised.

Alons of Sioux moved to suspend the rules to consider amendment [H-1902](#).

Roll call was requested by Alons of Sioux and Paulsen of Linn.

On the question "Shall the rules be suspended to consider amendment [H-1902](#)?" ([H.F. 911](#))

The ayes were, 43:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall

Gipp	Grassley	Greiner	Heaton
Hoffman	Huseman	Jacobs	Kaufmann
Lukan	May	Miller, L.	Olson, S.
Paulsen	Raecker	Rants	Rasmussen
Rayhons	Roberts	Sands	Schickel
Soderberg	Struyk	Tjepkes	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wienczek	Windschitl	Worthan	

The nays were, 53:

Abdul-Samad	Bailey	Bell	Berry
Cohoon	Dandekar	Davitt	Foege
Ford	Frevert	Gaskill	Gayman
Heddens	Hunter	Huser	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Mertz	Miller, H.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Pettengill	Quirk	Reasoner	Reichert
Schueller	Shomshor	Smith	Staed
Swaim	Taylor, D.	Taylor, T.	Thomas
Tomenga	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise
Mr. Speaker			
Murphy			

Absent or not voting, 4:

Bukta	Granzow	Horbach	Zirkelbach
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The motion to suspend the rules lost.

Baudler of Adair offered amendment [H-1882](#) filed by him from the floor as follows:

[H-1882](#)

- 1 Amend [House File 911](#) as follows:
- 2 1. Page 29, by inserting after line 22 the
- 3 following:
- 4 "Sec. \_\_\_\_ Section 262.13, Code 2007, is amended
- 5 to read as follows:
- 6 262.13 SECURITY OFFICERS AT INSTITUTIONS AS PEACE
- 7 OFFICERS.
- 8 1. The board may authorize any institution under
- 9 its control to commission one or more of its employees
- 10 as ~~special~~ security officers. The board shall, at a
- 11 minimum, authorize the commissioning of special
- 12 security officers at the institutions of higher
- 13 learning. Special security officers shall have the
- 14 powers, privileges, and immunities of regular peace

15 officers when acting in the interests of the  
16 institution by which they are employed. The board  
17 shall provide as rapidly as practicable for the  
18 adequate training of such special security officers at  
19 the Iowa law enforcement academy or in an equivalent  
20 training program, unless they have already received  
21 such training.

22 2. The board shall require institutions of higher  
23 learning under its control to provide that individuals  
24 employed as special security officers by the  
25 institutions carry a firearm while performing security  
26 duties. An individual who is employed as a special  
27 security officer at an institution shall meet all of  
28 the following requirements:

29 a. Has successfully completed training at the Iowa  
30 law enforcement academy or a regional training faculty  
31 certified by the director of the Iowa law enforcement  
32 academy.

33 b. Is certified by the Iowa law enforcement  
34 academy under chapter 80B.

35 c. Possess a permit to carry weapons issued by the  
36 department of public safety."

37 2. By renumbering as necessary.

Cohoon of Des Moines rose on a point of order that amendment [H-1882](#) was not germane.

The Speaker ruled the point well taken and amendment [H-1882](#) not germane.

Raecker of Polk asked and received unanimous consent to withdraw amendments [H-1885](#), [H-1886](#) and [H-1887](#), all previously deferred, filed by him and Watts of Dallas from the floor.

Cohoon of Des Moines offered the following amendment [H-1964](#), previously deferred, filed by him from the floor and moved its adoption:

[H-1964](#)

1 Amend [House File 911](#) as follows:

2 1. Page 5, line 12, by inserting after the word  
3 "projects" the following: "for the wastewater  
4 treatment financial assistance program pursuant to  
5 section 16.134".

6 2. Page 11, by inserting after line 33 the  
7 following:

8 "Up to \$4,000,000 of the moneys appropriated in

9 this subsection for the fiscal year beginning July 1,  
10 2009, and ending June 30, 2010, may be used for  
11 necessary and related expenditures, including  
12 furnishings and scientific equipment, notwithstanding  
13 section 8.57, subsection 6, paragraph "c".

14 3. Page 11, line 35, by inserting after the word  
15 "section" the following: "for the fiscal year  
16 beginning July 1, 2008, and ending June 30, 2009".

17 4. Page 12, by inserting after line 4 the  
18 following:  
19 "Notwithstanding section 8.33, moneys appropriated  
20 in this section for the fiscal year beginning July 1,  
21 2009, and ending June 30, 2010, shall not revert at  
22 the close of the fiscal year for which they were  
23 appropriated but shall remain available for the  
24 purposes designated until the close of the fiscal year  
25 that begins July 1, 2012, or until the project for  
26 which the appropriation was made is completed,  
27 whichever is earlier."

28 5. Page 17, line 3, by inserting after the words  
29 "appropriated in" the following: "subsection 2 and".

30 6. Page 18, by inserting after line 1 the  
31 following:  
32 "Sec.\_\_\_\_. 2006 Iowa Acts, chapter 1179, section  
33 1, subsection 12, paragraph h, is amended to read as  
34 follows:

35 h. To provide a grant for the design, construction  
36 of, and purchasing equipment for, a facility to be  
37 used exclusively for processing novel proteins from  
38 agricultural products for pharmaceutical,  
39 nutraceutical, or chemical applications and for  
40 bioprocessing other feedstocks important for biofuels  
41 production and processing:

42 ..... \$ 1,000,000"

43 7. Page 18, by inserting after line 31 the  
44 following:  
45 "Sec.\_\_\_\_. 2006 Iowa Acts, chapter 1179, section  
46 16, subsection 1, paragraph b, Code 2007, is amended  
47 to read as follows:

48 b. For planning, design, and construction costs  
49 associated with the construction of a new  
50 approximately 350,000-gross-square-foot state office

Page 2

1 building:  
2 ..... \$ 37,585,000

3 (1) Of the amount appropriated in this lettered  
4 paragraph, up to \$750,000 may be used by the  
5 department to provide an earnest deposit on the  
6 purchase of no more than ten acres of certain property  
7 adjacent to the capitol complex and generally located

8 north of grand avenue and between east 12th and east  
9 14th street, if such purchase is made: to provide for  
10 parking lot improvements necessary to facilitate an  
11 exchange of property consistent with the planned  
12 construction of the new state office building; and to  
13 provide for the demolition of a structure located on  
14 the property to be used for the construction of the  
15 new state office building or to provide for the sale  
16 by auction and relocation of such structure in an  
17 effort to reduce or eliminate the costs associated  
18 with the removal of such structure from the property.  
19 Any amount received from the sale of a structure as  
20 permitted under this lettered paragraph shall be  
21 retained by the department for the use specified for  
22 the moneys appropriated pursuant to this lettered  
23 paragraph.

24 (2) Upon the department's decision to purchase  
25 property as described in subparagraph (1), the  
26 department shall determine the feasibility of  
27 including all or a portion of any amount expended  
28 pursuant to subparagraph (1) in the financing  
29 mechanism to be used by the department to complete  
30 such purchase. The department shall provide a report  
31 to the department of management and the legislative  
32 services agency that includes the results of the  
33 department's determination.

34 Notwithstanding provisions of law to the contrary,  
35 the department is hereby authorized to honor and  
36 maintain existing leases located on property to be  
37 acquired by the department if such property is  
38 acquired, as long as such leased property is used for  
39 providing health care and pharmaceutical services to  
40 citizens in the community. Such leases may be  
41 maintained for a period deemed appropriate by the  
42 director of the department, but in no case shall such  
43 leases continue or be renewed for a period of more  
44 than ten years or if a lessee of the property ceases  
45 to occupy such property or provide such services."

46 8. By renumbering as necessary.

Amendment [H-1964](#) was adopted.

Cohon of Des Moines moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 911](#))

The ayes were, 65:

Abdul-Samad	Anderson	Bailey	Bell
Berry	Cohoon	Dandekar	Davitt
Deyoe	Dolecheck	Drake	Foege
Ford	Frevert	Gaskill	Gayman
Gipp	Heaton	Heddens	Hoffman
Hunter	Huseman	Jacoby	Jochum
Kelley	Kressig	Kuhn	Lensing
Lykam	Mascher	McCarthy	Mertz
Miller, H.	Miller, L.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Pettengill	Quirk	Rayhons	Reasoner
Reichert	Roberts	Schickel	Schueller
Shomshor	Smith	Staed	Swaim
Taylor, D.	Taylor, T.	Thomas	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Wiencek	Winckler	Wise	Worthan
Mr. Speaker Murphy			

The nays were, 31:

Alons	Arnold	Baudler	Boal
Chambers	Clute	De Boef	Forristall
Grassley	Greiner	Huser	Jacobs
Kaufmann	Lukan	May	Olson, S.
Paulsen	Raecker	Rants	Rasmussen
Sands	Soderberg	Struyk	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Windschitl	

Absent or not voting, 4:

Bukta	Granzow	Horbach	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that [House File 911](#) be immediately messaged to the Senate.

### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 23, 2007, amended and passed the following bill in which the concurrence of the House is asked:

[House File 641](#), a bill for an act relating to judicial branch practices and procedures, including distribution of court revenue to cities and counties, and reporting requirements in pending conservatorships, guardianships, estates, or trusts, and providing an effective date.

Also: That the Senate has on April 23, 2007, insisted on its amendment to [House File 808](#), a bill for an act concerning accountability requirements for entities and boards created for joint exercise of governmental powers and providing an effective date. (Formerly [HSB 213](#)), and the members of the Conference Committee on the part of the Senate are: The Senator from Davis, Senator Kreiman, Chair; the Senator from Polk, Senator Dearden; the Senator from Story, Senator Quirmbach; the Senator from Scott, Senator Hartsuch; the Senator from Polk, Senator Zaun.

Also: That the Senate has on April 23, 2007, amended the House amendment, concurred in the House amendment as amended, and passed the following bill in which the concurrence of the House is asked:

[House File 830](#), a bill for an act relating to the construction bidding procedures Act by modifying procedures and requirements for letting public improvement contracts, and making corrections.

Also: That the Senate has on April 23, 2007, amended the House amendment, concurred in the House amendment as amended, and passed the following bill in which the concurrence of the House is asked:

[Senate File 49](#), a bill for an act providing for a .08 blood alcohol limit for motorboat or sailboat operating while intoxicated offenses.

MICHAEL E. MARSHALL, Secretary

CONFERENCE COMMITTEE APPOINTED  
([House File 808](#))

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning [House File 808](#): Huser of Polk, Chair; Gaskill of Wapello, D. Olson of Boone, Rasmussen of Buchanan and Clute of Polk.

The House stood at ease at 11:40 p.m., until the fall of the gavel.

The House resumed session at 11:45 p.m., Kressig of Black Hawk in the chair.

## EXPLANATION OF VOTE

I was necessarily absent from the House chamber on Friday afternoon, April 20, 2007. Had I been present, I would have voted "aye" on [House File 912](#) and "nay" on House Files 907 and 909.

VAN FOSSEN of Scott

## BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 23<sup>rd</sup> day of April, 2007: House Files 309, 744, 849 and 851.

MARK W. BRANDSGARD  
Chief Clerk of the House

Report adopted.

## BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 20, 2007, he approved and transmitted to the Secretary of State the following bills:

[House File 353](#), an Act relating to public safety communications by establishing an Iowa statewide interoperable communications system board.

[House File 432](#), an Act relating to abuse of a human corpse and providing penalties.

[House File 451](#), an Act relating to a single point of entry long-term living resources system.

[House File 528](#), an Act relating to the regulation of hospitals and health care facilities by the department of inspections and appeals, including investigations of complaints against health care facilities and rules relating to authentication of certain orders by practitioners, and providing an immediate effective date.

[House File 559](#), an Act relating to the midwest interstate passenger rail compact and providing an effective date.

[House File 566](#), an Act relating to field dental clinics for the purposes of the volunteer health care provider program.

[House File 587](#), an Act relating to advisory boards created pursuant to emergency services agreements and providing an effective date.

[House File 590](#), an Act relating to the application and enforcement of the state building code and providing an applicability date.

[House File 611](#), an Act relating to human growth and development and health education under the educational standards, requiring school districts to provide curricular information to agencies and organizations upon request, and providing related duties for the director of the department of education.

[House File 787](#), an Act appropriating federal funds made available from federal block grants and other federal grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated.

[House File 826](#), an Act establishing an Iowa Abraham Lincoln bicentennial commission and fund and providing for its prospective repeal.

[Senate File 311](#), an Act relating to an action for satisfaction of a mortgage.

[Senate File 381](#), an Act relating to judicial branch procedures, including appointments of court of appeals judges, district judges, district associate judges, associate juvenile judges, associate probate judges, magistrates, and patient advocates, and compensation to judges and other court personnel serving as fiduciaries.

[Senate File 407](#), an Act relating to the home ownership assistance program for Iowa residents who are eligible members of the armed forces of the United States.

[Senate File 502](#), an Act relating to the regulation of savings and loan associations by the division of banking of the department of commerce.

[Senate File 529](#), an Act expanding the criminal offense of possessing contraband in correctional institutions to include possessing contraband in a secure facility for the detention or custody of juveniles, a detention facility, or a jail, and providing a penalty.

Also: the Governor announced that on April 23, 2007 he approved and transmitted to the Secretary of State the following bills:

[House File 615](#), an Act relating to the membership of the board of educational examiners.

[House File 759](#), an Act specifying the functions of the Clarinda correctional facility.

[House File 780](#), an Act relating to the issuance of temporary orders modifying an order of child support.

[Senate File 302](#), an Act relating to moneys appropriated to the department of economic development for regional tourism marketing purposes.

[Senate File 337](#), an Act relating to information required to be indexed in the records of the county recorder.

[Senate File 463](#), an Act concerning the licensing and operations of a manufacturer of ambulances, rescue vehicles, or fire vehicles.

[Senate File 528](#), an Act prohibiting the department of corrections from entering into an agreement with a private sector for-profit entity for the purpose of housing inmates.

## CERTIFICATES OF RECOGNITION

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

MARK W. BRANDSGARD  
Chief Clerk of the House

- 2007\2985 Gary Wayne Brown, Des Moines – For celebrating his 75<sup>th</sup> birthday.
- 2007\2986 Mary Gertrude Drury, Des Moines – For celebrating her 88<sup>th</sup> birthday.
- 2007\2987 Shirley M. Dunn, Marshalltown – For celebrating her 77<sup>th</sup> birthday.
- 2007\2988 Bertha W. Giesenberg, Marshalltown – For celebrating her 93<sup>rd</sup> birthday.
- 2007\2989 Daniel Haberstich, Marshalltown – For celebrating his 85<sup>th</sup> birthday.
- 2007\2990 Rex Emerson Lewis, Marshalltown – For celebrating his 86<sup>th</sup> birthday.
- 2007\2991 Netha M. Martin, Marshalltown – For celebrating her 83<sup>rd</sup> birthday.
- 2007\2992 Helen Maxine Meech, Marshalltown – For celebrating her 80<sup>th</sup> birthday.
- 2007\2993 Sidney E. Paulsen, Marshalltown – For celebrating her 86<sup>th</sup> birthday.
- 2007\2994 Leona J. Petermeier, Marshalltown – For celebrating her 98<sup>th</sup> birthday.
- 2007\2995 Ruth A. Randall, Marshalltown – For celebrating her 80<sup>th</sup> birthday.

- 2007\2996 Lula E. Remster, Marshalltown – For celebrating her 81<sup>st</sup> birthday.
- 2007\2997 Norma Adeline Reynolds, Marshalltown – For celebrating her 87<sup>th</sup> birthday.
- 2007\2998 Allen P. Richardson, Marshalltown – For celebrating his 84<sup>th</sup> birthday.
- 2007\2999 Melvin M. Schuchmann, Marshalltown – For celebrating his 83<sup>rd</sup> birthday.
- 2007\3000 Dale C. Shankster, Marshalltown – For celebrating his 85<sup>th</sup> birthday.
- 2007\3001 Robert H. Sunday, Marshalltown – For celebrating his 81<sup>st</sup> birthday.
- 2007\3002 Fred Junior Yantis, Jr., Marshalltown – For celebrating his 78<sup>th</sup> birthday.
- 2007\3003 Deane Erickson, Exira – For receiving the Golden Apple Award.
- 2007\3004 Bill and Wilma Fagan, Adair – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2007\3005 Parkersburg American Legion Post 285, Parkersburg – For celebrating its 87<sup>th</sup> birthday.
- 2007\3006 Angela Budde, Lincoln School – For receiving the 2007 Gold Star Award for Outstanding Teaching from the R.J. McElroy Trust and KWWL-TV.
- 2007\3007 Jerry Hermsen, Kennedy School – For receiving the 2007 Gold Star Award for Outstanding Teaching from the R.J. McElroy Trust and KWWL-TV.
- 2007\3008 Becca Johnson, Sageville School – For receiving the 2007 Gold Star Award for Outstanding Teaching from the R.J. McElroy Trust and KWWL-TV.
- 2007\3009 James Rolling, Hempstead High School – For receiving the 2007 Gold Star Award for Outstanding Teaching from the R.J. McElroy Trust and KWWL-TV.
- 2007\3010 Anne Sushko, Jefferson Middle School – For receiving the 2007 Gold Star Award for Outstanding Teaching from the R.J. McElroy Trust and KWWL-TV.
- 2007\3011 Diane Zismer, Drexler Middle School – For receiving the 2007 Gold Star Award for Outstanding Teaching from the R.J. McElroy Trust and KWWL-TV.

- 2007\3012 Walter Grage, Remsen – For celebrating his 90<sup>th</sup> birthday.
- 2007\3013 Helen Grage, Remsen – For celebrating her 88<sup>th</sup> birthday.
- 2007\3014 Walter and Nancy DeBoar, Hawarden – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2007\3015 Joe and Germaine Konz, Granville – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2007\3016 Leroy and June Vos, Kingsley – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2007\3017 Marion and Wilma Jasper, Sioux Center – For celebrating their 65<sup>th</sup> wedding anniversary.
- 2007\3018 Mary Herbst, Larchwood – For celebrating her 90<sup>th</sup> birthday.
- 2007\3019 Henrietta Korthals, Boyden – For celebrating her 90<sup>th</sup> birthday.

#### SUBCOMMITTEE ASSIGNMENTS

##### [House File 810](#)

Appropriations: Cohoon, Chair; T. Taylor and Watts.

#### HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

##### [H.S.B. 318](#) **Ways and Means**

Relating to entities and activities regulated by the Iowa department of public health, including the practices of optometry and mortuary science, establishment of a state public health dental director and an oral health bureau, membership on the child death review team, and immunity for emergency response, and providing for the revision of fees.

##### [H.S.B. 319](#) **Appropriations**

Making appropriations for specified energy-related purposes and providing an effective date.

## COMMITTEE RECOMMENDATION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk.

MARK W. BRANDSGARD  
Chief Clerk of the House

### COMMITTEE ON WAYS AND MEANS

[Senate File 593](#), a bill for an act relating to the assessment of civil and criminal court fees and penalties.

Fiscal Note is required.

Recommended **Amend and Do Pass with Amendment** [H-1924](#) April 20, 2007.

## RESOLUTIONS FILED

[HCR 10](#), by Jochum, Abdul-Samad, Boal, Drake, Gaskill, Gipp, Greiner, Jacobs, Jacoby, Kaufman, Lensing, L. Miller, Quirk, Raecker, Reasoner, Reichert, Roberts, Shomshor, T. Taylor, Wendt, Wessel-Kroeschell and Whitead, a concurrent resolution requesting that the legislative council create a study committee relating to open meetings and public records laws in Iowa.

Laid over under **Rule 25**.

[HR 50](#), by Heddens, Palmer, D. Taylor, Kuhn, Lensing, Gaskill, Hunter and Kressig, a resolution to declare the third week of October, 2007, Disability History Week in Iowa.

Laid over under **Rule 25**.

## AMENDMENTS FILED

<a href="#">H-1900</a>	<a href="#">S.F. 572</a>	Kelley of Black Hawk
<a href="#">H-1906</a>	<a href="#">S.F. 588</a>	Chambers of O'Brien
<a href="#">H-1907</a>	<a href="#">S.F. 588</a>	Chambers of O'Brien
<a href="#">H-1908</a>	<a href="#">S.F. 369</a>	Huser of Polk
<a href="#">H-1910</a>	<a href="#">S.F. 559</a>	Paulsen of Linn

<a href="#">H-1911</a>	<a href="#">S.F.</a>	<a href="#">588</a>	Wise of Lee
			Raecker of Polk
<a href="#">H-1912</a>	<a href="#">H.F.</a>	<a href="#">918</a>	Reasoner of Union
			Wise of Lee
			Hoffman of Crawford
			Schickel of Cerro Gordo
			Soderberg of Plymouth
<a href="#">H-1913</a>	<a href="#">S.F.</a>	<a href="#">588</a>	Winckler of Scott
			Dandekar of Linn
			Wessel-Kroeschell of Story
			Ford of Polk
			Berry of Black Hawk
			Mascher of Johnson
			Dolecheck of Ringgold
			Davitt of Warren
<a href="#">H-1914</a>	<a href="#">H.F.</a>	<a href="#">893</a>	Paulsen of Linn
<a href="#">H-1915</a>	<a href="#">H.F.</a>	<a href="#">893</a>	Watts of Dallas
<a href="#">H-1916</a>	<a href="#">H.F.</a>	<a href="#">893</a>	Watts of Dallas
<a href="#">H-1917</a>	<a href="#">H.F.</a>	<a href="#">896</a>	Van Fossen of Scott
<a href="#">H-1918</a>	<a href="#">H.F.</a>	<a href="#">893</a>	Watts of Dallas
<a href="#">H-1920</a>	<a href="#">H.F.</a>	<a href="#">919</a>	Sands of Louisa
<a href="#">H-1922</a>	<a href="#">S.F.</a>	<a href="#">544</a>	Reichert of Muscatine
<a href="#">H-1924</a>	<a href="#">S.F.</a>	<a href="#">593</a>	Committee on Ways and Means
<a href="#">H-1925</a>	<a href="#">S.F.</a>	<a href="#">580</a>	Paulsen of Linn
<a href="#">H-1926</a>	<a href="#">S.F.</a>	<a href="#">580</a>	Paulsen of Linn
<a href="#">H-1927</a>	<a href="#">S.F.</a>	<a href="#">580</a>	Van Fossen of Scott
<a href="#">H-1928</a>	<a href="#">S.F.</a>	<a href="#">580</a>	Watts of Dallas
<a href="#">H-1929</a>	<a href="#">S.F.</a>	<a href="#">580</a>	Watts of Dallas
<a href="#">H-1930</a>	<a href="#">S.F.</a>	<a href="#">580</a>	Watts of Dallas
<a href="#">H-1931</a>	<a href="#">S.F.</a>	<a href="#">580</a>	Van Fossen of Scott
<a href="#">H-1934</a>	<a href="#">S.F.</a>	<a href="#">580</a>	Alons of Sioux
			Greiner of Washington
			Chambers of O'Brien
			Mertz of Kossuth
			Jacoby of Johnson
			Lensing of Johnson
			Wessel-Kroeschell of Story
			Mascher of Johnson
<a href="#">H-1937</a>	<a href="#">H.F.</a>	<a href="#">908</a>	Kelley of Black Hawk
<a href="#">H-1939</a>	<a href="#">S.F.</a>	<a href="#">588</a>	Kaufmann of Cedar

<u>H-1940</u>	<u>S.F.</u>	<u>588</u>	Chambers of O'Brien
<u>H-1941</u>	<u>S.F.</u>	<u>588</u>	Chambers of O'Brien
<u>H-1942</u>	<u>S.F.</u>	<u>588</u>	Upmeyer of Hancock
<u>H-1943</u>	<u>S.F.</u>	<u>588</u>	Chambers of O'Brien
<u>H-1944</u>	<u>S.F.</u>	<u>588</u>	Upmeyer of Hancock
			Wiencek of Black Hawk
<u>H-1945</u>	<u>S.F.</u>	<u>588</u>	Upmeyer of Hancock
<u>H-1946</u>	<u>S.F.</u>	<u>588</u>	Sands of Louisa
<u>H-1947</u>	<u>S.F.</u>	<u>588</u>	Wiencek of Black Hawk
			Deyoe of Story
<u>H-1948</u>	<u>S.F.</u>	<u>588</u>	Wiencek of Black Hawk
<u>H-1949</u>	<u>S.F.</u>	<u>588</u>	Struyk of Pottawattamie
			Pettengill of Benton
<u>H-1950</u>	<u>S.F.</u>	<u>588</u>	Chambers of O'Brien
<u>H-1951</u>	<u>S.F.</u>	<u>588</u>	Tymeson of Madison
<u>H-1952</u>	<u>S.F.</u>	<u>588</u>	Raecker of Polk
<u>H-1953</u>	<u>S.F.</u>	<u>588</u>	Tymeson of Madison
<u>H-1954</u>	<u>S.F.</u>	<u>588</u>	Tymeson of Madison
<u>H-1955</u>	<u>S.F.</u>	<u>588</u>	Tymeson of Madison
<u>H-1956</u>	<u>S.F.</u>	<u>588</u>	Rants of Woodbury
<u>H-1957</u>	<u>S.F.</u>	<u>588</u>	Rants of Woodbury
<u>H-1959</u>	<u>S.F.</u>	<u>588</u>	Chambers of O'Brien
<u>H-1960</u>	<u>S.F.</u>	<u>588</u>	Chambers of O'Brien
			Alons of Sioux
<u>H-1961</u>	<u>S.F.</u>	<u>588</u>	Lukan of Dubuque
			May of Dickinson
			Struyk of Pottawattamie
			Roberts of Carroll
			Worthan of Buena Vista
			Windschitl of Harrison
			Chambers of O'Brien
			Wiencek of Black Hawk
			Watts of Dallas
			Grassley of Butler
			Rayhons of Hancock
			Soderberg of Plymouth
			L. Miller of Scott
			Anderson of Page
			Arnold of Lucas
			Raecker of Polk
<u>H-1962</u>	<u>S.F.</u>	<u>588</u>	Raecker of Polk

<u>H-1965</u>	<u>H.F. 929</u>	Whitaker of Van Buren
<u>H-1969</u>	<u>S.F. 348</u>	Jochum of Dubuque
<u>H-1970</u>	<u>S.F. 49</u>	Senate Amendment
<u>H-1971</u>	<u>H.F. 641</u>	Senate Amendment
<u>H-1972</u>	<u>H.F. 830</u>	Senate Amendment
<u>H-1974</u>	<u>S.F. 588</u>	Tymeson of Madison

On motion by McCarthy of Polk the House adjourned at 11:45 p.m., until 9:00 a.m., Tuesday, April 24, 2007.