

PROOF

STATE OF IOWA

House Journal

SATURDAY, APRIL 28, 2007

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JOURNAL OF THE HOUSE

One Hundred Eleventh Calendar Day - Seventy-sixth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Saturday, April 28, 2007

The House met pursuant to adjournment at 9:09 a.m., Speaker Murphy in the chair.

Prayer was sung by Anthony Menendez, clerk of Representative Abdul-Samad of Polk County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Andrew Pilquist, he is the nephew of Bethany Hemple, the clerk of Representative Dolores Mertz of Kossuth County.

The Journal of Friday, April 27, 2007 was approved.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 27, 2007, passed the following bill in which the concurrence of the Senate was asked:

[House File 932](#), a bill for an act relating to revenue for the construction and maintenance of roads.

MICHAEL E. MARSHALL, Secretary

QUORUM CALL

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Dolecheck of Ringgold on request of Rants of Woodbury; Gipp of Winneshiek on request of Rants of Woodbury; Horbach of Tama on request of Rants of Woodbury; Raecker of Polk on request of Rants of Woodbury.

ADOPTION OF [HOUSE RESOLUTION 53](#)

Reasoner of Union called up for consideration [House Resolution 53](#) as follows and moved its adoption:

1 [House Resolution 53](#)

2 By Committee On Administration And Rules

3 (Successor To [HSB 232](#))

4 A resolution relating to an annual budget for the
5 daily operations of the House of Representatives.

6 *Whereas*, the legislative authority of this state is
7 vested in the General Assembly consisting of the House
8 of Representatives and the Senate; and

9 *Whereas*, the House of Representatives necessarily
10 incurs substantial expenses for its daily operations;
11 and

12 *Whereas*, the House of Representatives is authorized
13 to expend funds from the state treasury necessary to
14 pay for its expenses and for expenses incurred jointly
15 by the House of Representatives and the Senate; and

16 *Whereas*, it is deemed advisable and proper for the
17 House of Representatives to make expenditures in
18 accordance with a budgetary plan; *Now Therefore*,
19 *Be It Resolved By The House Of Representatives*:

20 Section 1. Expenditures of the House of
21 Representatives payable pursuant to Iowa Code sections
22 2.10 through 2.14 for the regular legislative session
23 and the interim period during the fiscal year
24 beginning July 1, 2007, and ending June 30, 2008, are
25 budgeted to be as follows:

- 26 1. Members' salary, per diem, and expenses,
- 27 \$5,901,500.
- 28 2. Staff compensation, \$5,488,000.
- 29 3. Operations expenses, \$540,500.
- 30 Sec. 2. The Chief Clerk of the House of

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1 Representatives shall immediately provide written
2 notice to the Speaker and Minority Leader of the House
3 of Representatives and to the Chair and Ranking Member
4 of the House Committee on Appropriations if actual
5 expenditures payable pursuant to Iowa Code sections
6 2.10 through 2.14 exceed the maximum amount allocated
7 for any category of the budget provided by section 1
8 of this Resolution. The written notice shall specify

9 the amount of and reasons for any excess expenditure.
 10 Sec. 3. Joint expenditures by the House of
 11 Representatives and the Senate or by the Legislative
 12 Council, special expenditures approved by the
 13 Committee on Administration and Rules, and special
 14 session expenses are not included in the budget set
 15 forth in this Resolution.

The motion prevailed and the resolution was adopted.

Regular Calendar

Senate Joint Resolution 4, a joint resolution authorizing the temporary use and consumption of wine in the State Capitol, and the temporary display of ceremonial banners, in conjunction with the awards ceremony of the World Food Prize Foundation, and moved its adoption.

Reasoner of Union moved that the joint resolution be read a last time now and placed upon its adoption and the joint resolution was read a last time.

On the question "Shall the joint resolution be adopted and agreed to?" (**S.J.R. 4**)

The ayes were, 77:

Anderson	Bailey	Baudler	Bell
Berry	Bukta	Clute	Cohoon
Dandekar	Davitt	Deyoe	Drake
Foege	Forristall	Frevert	Gaskill
Gayman	Granzow	Greiner	Heaton
Hoffman	Hunter	Huseman	Huser
Jacobs	Jacoby	Jochum	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	McCarthy	Mertz
Miller, H.	Miller, L.	Oldson	Olson, D.
Olson, R.	Olson, S.	Olson, T.	Palmer
Paulsen	Petersen	Pettengill	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Sands	Schickel	Schueller	Smith
Staed	Struyk	Swaim	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Fossen	Watts	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Wiencek	Winckler	Windschitl	Wise
Mr. Speaker			
Murphy			

The nays were, 17:

Abdul-Samad	Alons	Arnold	Boal
Chambers	De Boef	Ford	Grassley
Heddens	Kaufmann	May	Roberts
Shomshor	Soderberg	Taylor, D.	Van Engelenhoven
Worthan			

Absent or not voting, 6:

Dolecheck	Gipp	Horbach	Quirk
Raecker	Zirkelbach		

The joint resolution having received a constitutional majority was declared to have been adopted and agreed to by the House.

House Joint Resolution 10, a joint resolution authorizing the temporary use and consumption of alcoholic beverages on the state capitol complex grounds in conjunction with the Hy-Vee BG World Cup Triathlon, and providing an effective date, was taken up for consideration.

SENATE JOINT RESOLUTION 5 SUBSTITUTED FOR
HOUSE JOINT RESOLUTION 10

Reasoner of Union asked and received unanimous consent to substitute **Senate Joint Resolution 5** for **House Joint Resolution 10**.

Senate Joint Resolution 5, a joint resolution authorizing the temporary use and consumption of alcoholic beverages on the state capitol complex grounds in conjunction with the Hy-Vee BG World Cup Triathlon, and providing an effective date, was taken up for consideration.

Reasoner of Union moved that the joint resolution be read a last time now and placed upon its adoption and the joint resolution was read a last time.

On the question "Shall the joint resolution be adopted and agreed to?" (**S.J.R. 5**)

The ayes were, 74:

Anderson	Bailey	Baudler	Bell
Berry	Bukta	Clute	Cohon

Dandekar	Davitt	Deyoe	Foege
Forristall	Frevert	Gaskill	Gayman
Granzow	Greiner	Heaton	Hoffman
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	McCarthy	Mertz	Miller, H.
Miller, L.	Oldson	Olson, D.	Olson, R.
Olson, S.	Olson, T.	Palmer	Paulsen
Petersen	Pettengill	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Schickel
Schueller	Smith	Staed	Struyk
Swaim	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wiencek	Winckler	Windschitl
Wise	Mr. Speaker		
	Murphy		

The nays were, 20:

Abdul-Samad	Alons	Arnold	Boal
Chambers	De Boef	Drake	Ford
Grassley	Heddens	Kaufmann	May
Roberts	Sands	Shomshor	Soderberg
Taylor, D.	Van Engelenhoven	Van Fossen	Worthan

Absent or not voting, 6:

Dolecheck	Gipp	Horbach	Quirk
Raecker	Zirkelbach		

The joint resolution having received a constitutional majority was declared to have been adopted and agreed to by the House.

House Joint Resolution 11, a joint resolution approving the permanent acknowledgement of elementary and secondary schools and individual citizens of this state for their contributions of foliage and items to be permanently located on the west capitol terrace and other capitol grounds and providing an effective date, was taken up for consideration.

Reasoner of Union asked and received unanimous consent to substitute **Senate Joint Resolution 6** for **House Joint Resolution 11**.

SENATE JOINT RESOLUTION 6 SUBSTITUTED FOR
HOUSE JOINT RESOLUTION 11

Senate Joint Resolution 6, a joint resolution approving the permanent acknowledgement of elementary and secondary schools

and individual citizens of this state for their contributions of foliage and items to be permanently located on the west capitol terrace and other capitol grounds and providing an effective date, was taken up for consideration.

On the question "Shall the joint resolution be adopted and agreed to?" ([S.J.R. 6](#))

The ayes were, 95:

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

The nays were, none.

Absent or not voting, 5:

Dolecheck	Gipp	Horbach	Raecker
Zirkelbach			

The joint resolution having received a constitutional majority was declared to have been adopted and agreed to by the House.

Appropriations Calendar

[Senate File 579](#), a bill for an act relating to a pharmaceutical collection and disposal pilot project, with report of committee

recommending amendment and passage, was taken up for consideration.

L. Miller of Scott offered the following amendment [H-1826](#) filed by the committee on appropriations and moved its adoption:

[H-1826](#)

- 1 Amend [Senate File 579](#), as passed by the Senate, as
- 2 follows:
- 3 1. Title page, line 2, by inserting after the
- 4 word "project" the following: "and including an
- 5 effective date provision".

The committee amendment [H-1826](#) was adopted.

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

On the question "Shall the bill pass?" ([S.F. 579](#))

The ayes were, 95:

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

The nays were, none.

Absent or not voting, 5:

Dolecheck
Zirkelbach

Gipp

Horbach

Raecker

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

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Joint Resolutions 4, 5, 6** and [Senate File 579](#).

On motion by McCarthy of Polk, the House was recessed at 10:13 a.m., until 1:00 p.m.

AFTERNOON SESSION

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

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed eighty-nine members present, eleven absent.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 28, 2007, passed the following bill in which the concurrence of the Senate was asked:

[House File 896](#), a bill for an act creating a disaster aid individual assistance grant fund.

Also: That the Senate has on April 28, 2007, passed the following bill in which the concurrence of the Senate was asked:

[House File 897](#), a bill for an act establishing statewide licensure and certification of electricians and installers, providing for inspections, establishing fees, and providing penalties.

Also: That the Senate has on April 28, 2007, adopted the conference committee report and passed [House File 909](#), a bill for an act relating to and making appropriations for health and human services and including other related provisions and appropriations, and including effective date provisions.

Also: That the Senate has on April 28, 2007, concurred in the House amendment to the Senate amendment, and passed the following bill in which the concurrence of the Senate was asked:

[House File 923](#), a bill for an act relating to the policy and technical administration of the tax and related laws by the department of revenue, including administration of income, sales, use, cigarette, and tobacco taxes providing an effective date, and providing retroactive applicability provisions.

Also: That the Senate has on April 28, 2007, passed the following bill in which the concurrence of the Senate was asked:

[House File 924](#), a bill for an act relating to qualifications for licensure as a real estate broker or salesperson upon conviction of specified offenses.

Also: That the Senate has on April 28, 2007, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

[Senate File 579](#), a bill for an act relating to a pharmaceutical collection and disposal pilot project.

MICHAEL E. MARSHALL, Secretary

CONSIDERATION OF BILLS Appropriations Calendar

[House File 926](#), a bill for an act relating to voting machines and optical scan voting systems, was taken up for consideration.

[SENATE FILE 369](#) SUBSTITUTED FOR [HOUSE FILE 926](#)

Gaskill of Wapello asked and received unanimous consent to substitute [Senate File 369](#) for [House File 926](#).

[Senate File 369](#), a bill for an act relating to voting machines and optical scan voting systems, was taken up for consideration.

Jacobs of Polk offered the following amendment [H-1511](#) filed by her and moved its adoption:

[H-1511](#)

1 Amend [Senate File 369](#), as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 3, by striking lines 20 through 27 and
4 inserting the following: "known to be flawed. If a
5 voting machine was used, the printed ballot images
6 produced from the internal audit log shall be the
7 official record used in the recount."

A non-record roll call was requested.

The ayes were 41, nays 50.

Amendment [H-1511](#) lost.

Jacobs of Polk offered amendment [H-1510](#) filed by her as follows:

[H-1510](#)

1 Amend [Senate File 369](#), as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 10, by inserting before line 23 the
4 following:
5 "Sec.____. WAIVER ALLOWED – APPLICATION. A
6 county that has placed an order on or before July 15,
7 2008, for a voting machine that is capable of
8 providing a paper record for review by the voter as
9 required under section 52.7, subsection 1, paragraph
10 "l", as enacted by this Act, and that does not have in
11 its physical custody the total number of machines
12 ordered no later than fourteen days before the date of
13 the 2008 general election, may apply to the office of
14 secretary of state for a waiver of the requirement of
15 section 52.7, subsection 1, paragraph "l". The waiver
16 application shall be accompanied by a copy of the
17 order placed for the voting machines. The secretary
18 of state shall grant a waiver under this section to
19 any county that applies and provides the proper
20 documentation. The waiver period shall run through
21 June 30, 2009."
22 2. By renumbering as necessary.

Jacobs of Polk offered the following amendment [H-1550](#), to
amendment [H-1510](#), filed by her and moved its adoption:

[H-1550](#)

1 Amend the amendment, [H-1510](#), to [Senate File 369](#), as
2 amended, passed, and reprinted by the Senate, as

3 follows:

- 4 1. Page 1, line 3, by striking the figure "23"
5 and inserting the following: "22".

Amendment [H-1550](#) was adopted.

Jacobs of Polk moved the adoption of amendment [H-1510](#).

A non-record roll call was requested.

The ayes were 42, nays 50.

Amendment [H-1510](#), as amended, lost.

Jacobs of Polk asked and received unanimous consent to withdraw amendment [H-1514](#) filed by her on March 27, 2007, placing out of order amendment [H-1551](#) filed by Jacobs of Polk on April 2, 2007.

Huser of Polk offered the following amendment [H-1908](#) filed by her and moved its adoption:

[H-1908](#)

- 1 Amend [Senate File 369](#), as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 23, by inserting after line 21 the
4 following:
5 "Sec. _____. CONTINGENT EFFECTIVE DATE. The
6 sections of this Act amending Code sections 50.48 and
7 52.7 shall not take effect unless legislation is
8 enacted during the 2007 regular session appropriating
9 moneys to provide full or partial funding for counties
10 to comply with those sections. The office of
11 secretary of state shall notify the Code editor when
12 such an appropriation is enacted."
13 2. Title page, line 2, by inserting after the
14 word "systems" the following: "and providing a
15 contingent effective date".
16 3. By renumbering as necessary.

Amendment [H-1908](#) lost.

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

On the question "Shall the bill pass?" ([S.F. 369](#))

The ayes were, 53:

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

The nays were, 42:

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

Absent or not voting, 5:

Dolecheck	Gipp	Raecker	Tomenga
Zirkelbach			

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

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that [Senate File 369](#) be immediately messaged to the Senate.

SENATE AMENDMENT CONSIDERED

Winckler of Scott called up for consideration [Senate File 588](#), a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, and providing effective dates, amended by the House, further amended by the Senate and moved that the House concur in the following Senate amendment [H-2112](#) to the House amendment:

[H-2112](#)

- 1 Amend the House amendment, S-3506, to Senate File
- 2 588, as amended, passed, and reprinted by the Senate,
- 3 as follows:
- 4 1. Page 1, by inserting after line 2 the
- 5 following:
- 6 " _____. Page 2, by striking line 21 and inserting
- 7 the following:
- 8 " \$ 485,400"
- 9 _____. Page 3, line 20, by striking the figure
- 10 "395,600" and inserting the following: "295,600".
- 11 _____. Page 3, line 21, by striking the figure
- 12 "215,600" and inserting the following: "162,508".
- 13 _____. Page 7, by striking line 29 and inserting
- 14 the following:
- 15 " \$ 1,801,761"
- 16 _____. Page 7, by striking line 32 and inserting
- 17 the following:
- 18 " \$ 1,823,432"
- 19 _____. Page 8, by striking line 5 and inserting the
- 20 following:
- 21 " \$ 8,448,649"
- 22 _____. Page 11, by striking lines 26 though 30.
- 23 _____. Page 13, by striking line 16 and inserting
- 24 the following:
- 25 " \$ 400,000"
- 26 _____. Page 13, by striking line 26 and inserting
- 27 the following:
- 28 " \$ 2,500,000"
- 29 2. By renumbering as necessary.

The House stood at ease at 3:02 p.m., until the fall of the gavel.

The House resumed session at 3:24 p.m., Speaker Murphy in the chair.

Winckler of Scott moved that the House concur in the Senate amendment [H-2112](#), to the House amendment.

Roll call was requested by Paulsen of Linn and Abdul-Samad of Polk.

On the question "Shall the Senate amendment [H-2112](#) be adopted?" ([S.F. 588](#))

The ayes were, 54:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
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	Wiencek	Winckler
Wise	Mr. Speaker		
	Murphy		

The nays were, 40:

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

Absent or not voting, 6:

Dolecheck	Forristall	Gipp	Raecker
Tomenga	Zirkelbach		

Amendment [H-2112](#) was adopted.

Winckler of Scott moved that the bill, as amended by the House, further amended by the Senate and concurred in by the House, be

read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([S.F. 588](#))

The ayes were, 53:

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

The nays were, 42:

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

Absent or not voting, 5:

Dolecheck	Gipp	Raecker	Tomenga
Zirkelbach			

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

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that [Senate File 588](#) be immediately messaged to the Senate.

Unfinished Business Calendar

Senate File 510, a bill for an act concerning electrical and mechanical amusement devices and providing penalties, with report of committee recommending amendment and passage, was taken up for consideration.

Quirk of Chickasaw offered the following amendment **H-1623** filed by the committee on state government and moved its adoption:

H-1623

- 1 Amend **Senate File 510**, as passed by the Senate, as
- 2 follows:
- 3 1. Page 6, by striking lines 30 through 34 and
- 4 inserting the following: "by rule. The department
- 5 shall adopt rules".

The committee amendment **H-1623** was adopted.

Quirk of Chickasaw offered the following amendment **H-1979** filed by him and moved its adoption:

H-1979

- 1 Amend **Senate File 510**, as passed by the Senate, as
- 2 follows:
- 3 1. Page 7, line 16, by striking the words "a.
- 4 The" and inserting the following: "The".
- 5 2. By striking page 7, line 32, through page 8,
- 6 line 6.
- 7 3. By renumbering as necessary.

Amendment **H-1979** was adopted.

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

On the question "Shall the bill pass?" (**S.F. 510**)

The ayes were, 92:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute

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

The nays were, none.

Absent or not voting, 8:

Dolecheck	Forristall	Gipp	Greiner
Raecker	Taylor, D.	Tomenga	Zirkelbach

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

[HOUSE FILE 842](#) WITHDRAWN

Huser of Polk asked and received unanimous consent to withdraw [House File 842](#) from further consideration by the House.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that [Senate File 510](#) be immediately messaged to the Senate.

SENATE AMENDMENT CONSIDERED

Cohoon of Des Moines called up for consideration [House File 911](#), a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund,

vertical infrastructure fund, the endowment for Iowa's health restricted capitals fund, and the technology reinvestment fund, and related matters, and providing an effective date, amended by the Senate amendment [H-2114](#):

[H-2114](#)

1 Amend [House File 911](#), as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 2, by striking lines 26 through 28 and
4 inserting the following:

5 "o. For deposit into the Iowa workforce foundation
6 for the worker's monument committee for the purpose of
7 constructing a worker's monument to be located on the
8 capitol complex:"

9 2. Page 3, by inserting after line 3, the
10 following:

11 "____. For distribution to other governmental
12 entities:
13 \$ 2,000,000

14 Moneys appropriated in this lettered paragraph
15 shall be separately accounted for in a distribution
16 account and shall be distributed to other governmental
17 entities based upon a formula established by the
18 department to pay for services provided during the
19 fiscal year to such other governmental entities by the
20 department associated with the integrated information
21 for Iowa system, notwithstanding section 8.57,
22 subsection 6, paragraph "c":

23 3. Page 4, by inserting after line 15 the
24 following:

25 "____. For repairs to the historic Kimball organ
26 located in Claremont, Iowa, notwithstanding section
27 8.57, subsection 6, paragraph "c":
28 \$ 80,000"

29 4. Page 4, line 22, by striking the figure
30 "1,750,000" and inserting the following: "900,000".

31 5. Page 4, by inserting after line 33 the
32 following:

33 "____. For equal distribution to regional sports
34 authority districts certified by the department
35 pursuant to section 15E.321, as enacted in this Act:
36 \$ 500,000

37 _____. For deposit into the workforce training and
38 economic development funds created for each community
39 college in section 260C.18A, notwithstanding section
40 8.57, subsection 6, paragraph "c":
41 \$ 2,000,000"

42 6. Page 5, by inserting after line 10 the
43 following:

44 "____. For allocation to the northeast Iowa

45 community college for merged area I for the national
 46 education center for agricultural safety training for
 47 equipment purchase, notwithstanding section 8.57,
 48 subsection 6, paragraph "c":
 49 \$ 35,000"
 50 7. Page 6, by inserting after line 3 the

Page 2

1 following:

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

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

- 17 (a) For clear lake in Cerro Gordo county:
 18 \$ 2,500,000
- 19 (b) For storm lake in Buena Vista county:
 20 \$ 1,000,000
- 21 (c) For crystal lake in Hancock county:
 22 \$ 250,000"

23 8. Page 6, line 4, by inserting before the word
 24 "Of" the following: "(2)".

25 9. Page 6, line 9, by striking the figure "(1)"
 26 and inserting the following: "(a)".

27 10. Page 6, line 14, by striking the figure "(2)"
 28 and inserting the following: "(b)".

29 11. Page 7, by inserting after line 2 the
 30 following:

31 " _____. For the EB Lyons nature and interpretive
 32 center at the mines of Spain state recreation area:
 33 \$ 100,000"

34 12. Page 8, line 9, by striking the figure
 35 "1,900,000" and inserting the following: "1,400,000".

36 13. Page 8, by inserting after line 14 the
 37 following:

38 "Of the amount appropriated in this lettered
 39 paragraph, \$200,000 shall be allocated to eastern Iowa
 40 community college district for the water rescue
 41 training center."

42 14. Page 8, by inserting after line 18 the
 43 following:

44 "Priority for funding shall be given to those
45 regional emergency response training centers whose
46 first project bid was let before May 1, 2007. Grants
47 awarded pursuant to this lettered paragraph shall not
48 exceed \$300,000 each."

49 15. Page 8, line 22, by inserting after the word
50 "subsection" the following: ", notwithstanding

Page 3

1 section 8.57, subsection 6, paragraph "c":

2 16. Page 8, line 23, by striking the figure
3 "4,500,000" and inserting the following: "2,000,000".

4 17. Page 10, by inserting after line 10 the
5 following:

6 "Moneys appropriated in this lettered paragraph are
7 contingent upon the board of regents or Iowa state
8 university of science and technology actively pursuing
9 the hiring of new research teams to provide world
10 class expertise in the area of biorenewable fuels
11 research."

12 18. Page 10, by inserting after line 14 the
13 following:

14 "Of the amount appropriated in this lettered
15 paragraph, \$215,000 shall be allocated to the Hamilton
16 county conservation board for the Jewell-Ellsworth
17 trail for the development of an abandoned railroad
18 right-of-way and \$200,000 shall be allocated to the
19 city of Fairfield for the development of the Fairfield
20 loop trail.

21 Moneys appropriated in this lettered paragraph may
22 be used for purposes of building equestrian or
23 snowmobile trails that run parallel to a recreational
24 trail. It is the intent of the general assembly to
25 promote multiple uses for trails funded in this
26 lettered paragraph and to maximize the number of trail
27 users."

28 19. Page 11, by inserting after line 8 the
29 following:

30 "Of the moneys deposited into the railroad
31 revolving loan and grant fund pursuant to this
32 lettered paragraph, up to \$100,000 may be used for the
33 acquisition and installation of close-clearance
34 warning devices along railroad tracks, consistent with
35 the provisions of 2007 Iowa Acts, [Senate File 472](#), if
36 enacted."

37 20. Page 11, line 22, by striking the figure
38 "2,500,000" and inserting the following: "532,000".

39 21. Page 12, by inserting after line 9 the
40 following:

41 "Sec.____. DEPARTMENT OF ECONOMIC DEVELOPMENT.
42 There is appropriated from the rebuild Iowa

43 infrastructure fund for the fiscal year beginning July
 44 1, 2008, and ending June 30, 2009, the following
 45 amount, or so much thereof as is necessary, to be used
 46 for the purpose designated:
 47 For equal distribution to regional sports authority
 48 districts certified by the department pursuant to
 49 section 15E.321, as enacted in this Act:
 50 \$ 500,000"

Page 4

1 22. Page 13, by inserting after line 26 the
 2 following:
 3 "Moneys appropriated in this lettered paragraph are
 4 contingent upon the board of regents or Iowa state
 5 university of science and technology actively pursuing
 6 the hiring of new research teams to provide world
 7 class expertise in the area of biorenewable fuels
 8 research."

9 23. Page 14, by inserting after line 15 the
 10 following:
 11 "Sec. ___. 2007 Iowa Acts, [House File 874](#), section
 12 1, subsection 1, paragraph "c", if enacted, is amended
 13 by striking the paragraph."

14 24. Page 15, line 1, by striking the figure
 15 "1,000,000" and inserting the following: "600,000".

16 25. Page 16, line 13, by striking the figure
 17 "4,010,375" and inserting the following: "3,810,375".

18 26. Page 16, by inserting after line 22 the
 19 following:
 20 "Of the amount appropriated in this lettered
 21 paragraph, \$5,000 shall be allocated to the tri-state
 22 graduate center for the purchase of technology-related
 23 equipment and software."

24 27. Page 17, line 17, by striking the figure
 25 "380,000" and inserting the following: "580,000".

26 28. Page 21, line 9, by striking the figure
 27 "~~4,100,000~~" and inserting the following: "3,600,000".

28 29. Page 21, line 11, by striking the figure
 29 "~~22,800,000~~" and inserting the following:
 30 "23,300,000".

31 30. Page 27, by inserting after line 16 the
 32 following:
 33 "Sec. ___. NEW SECTION. 15E.321 REGIONAL SPORTS
 34 AUTHORITY DISTRICTS.

35 1. As used in this section, "district" means a
 36 regional sports authority district certified under
 37 this section.

38 2. A convention and visitors bureau may apply to
 39 the department for certification of a regional sports
 40 authority district which may include more than one
 41 city and more than one convention and visitors bureau

42 within the district. The department shall not certify
43 more than ten such districts.

44 3. Each district shall actively promote youth
45 sports, high school athletic activities, the special
46 olympics, and other nonprofessional sporting events in
47 the local area.

48 4. Each district shall be governed by a
49 seven-member board consisting of seven members
50 appointed by the convention and visitors bureau filing

Page 5

1 the application pursuant to subsection 2. At least
2 three members of the board shall consist of city
3 council members of any cities located in the district.
4 Each board shall be responsible for administering
5 programs designed to promote the activities enumerated
6 in subsection 3."

7 31. Page 34, by inserting after line 12 the
8 following:

9 "Sec. ___. Section 321.191, Code 2007, is amended
10 by adding the following new subsection:
11 NEW SUBSECTION. 11. RENEWAL NOTICE BY MAIL. The
12 state department of transportation may assess a fee of
13 up to one dollar for notification by first-class mail
14 in advance of the period for renewal of a driver's
15 license, pursuant to section 321.196, subsection 1,
16 paragraph "b". Moneys collected from the fee assessed
17 under this subsection are appropriated to the state
18 department of transportation for the costs associated
19 with the first-class mailings.

20 Sec. ___. Section 321.196, subsection 1, Code
21 2007, is amended to read as follows:

22 1. a. Except as otherwise provided, a driver's
23 license, other than an instruction permit, chauffeur's
24 instruction permit, or commercial driver's instruction
25 permit issued under section 321.180, expires five
26 years from the licensee's birthday anniversary
27 occurring in the year of issuance if the licensee is
28 between the ages of seventeen years eleven months and
29 seventy years on the date of issuance of the license.
30 If the licensee is under the age of seventeen years
31 eleven months or age seventy or over, the license is
32 effective for a period of two years from the
33 licensee's birthday anniversary occurring in the year
34 of issuance. A licensee whose license is restricted
35 due to vision or other physical deficiencies may be
36 required to renew the license every two years. If a
37 licensee is a foreign national who is temporarily
38 present in this state, the license shall be issued
39 only for the length of time the foreign national is
40 authorized to be present as determined by the

41 department, not to exceed two years.
 42 b. On or about the first day of each month, the
 43 department shall notify each licensee whose driver's
 44 license is due to expire in the following month of the
 45 need to renew the license and the period for renewal.
 46 Upon implementation of the requirements of the federal
 47 real ID Act of 2005, Pub. L. No. 109-13, Division B,
 48 by the department, the notice shall also include
 49 information regarding documentation requirements for
 50 renewal, consistent with the provisions of the federal

Page 6

1 real ID Act of 2005, Pub L. No. 109-13, Division B, if
 2 applicable. The notice shall be mailed to the most
 3 recent address of record provided by the licensee
 4 pursuant to section 321.182, or the notice may be sent
 5 electronically by prior arrangement with the licensee.
 6 Failure to receive a renewal notice shall not affect
 7 the expiration of a license or the requirements for
 8 renewal of an expired license."

9 32. By renumbering, relettering, or redesignating
 10 and correcting internal references as necessary.

Paulsen of Linn asked and received unanimous consent that amendment [H-2138](#), to Senate amendment [H-2114](#), be deferred.

Huser of Polk offered amendment [H-2133](#), to the Senate amendment [H-2114](#), filed by Huser, Smith of Marshall, Chambers of O'Brien, Granzow of Hardin and Wise of Lee from the floor and requested division as follows:

[H-2133](#)

1 Amend the Senate amendment, H-2114, to House File
 2 911, as amended, passed, and reprinted by the House,
 3 as follows:

[H-2133A](#)

4 1. Page 2, by inserting after line 35 the
 5 following:
 6 " _____. Page 8, line 11, by striking the figure
 7 "50,000" and inserting the following: "100,000".
 8 _____. Page 8, line 14, by striking the figure
 9 "50,000" and inserting the following: "100,000".
 10 2. Page 2, line 39, by striking the figure
 11 "200,000" and inserting the following: "100,000".

[H-2133B](#)

12 3. Page 2, by striking lines 44 through 46 and
13 inserting the following:
14 "Grants".

[H-2133](#)

15 4. By renumbering as necessary.

Huser of Polk asked and received unanimous consent to withdraw amendment [H-2133B](#) to the Senate amendment [H-2114](#).

Huser of Polk moved the adoption of amendment [H-2133A](#) to the Senate amendment [H-2114](#).

Amendment [H-2133A](#) was adopted.

Huser of Polk offered the following amendment [H-2135](#), to the Senate amendment [H-2114](#), filed by her from the floor and moved its adoption:

[H-2135](#)

1 Amend the Senate amendment, H-2114, to House File
2 911, as amended, passed, and reprinted by the House,
3 as follows:
4 1. Page 2, by striking lines 44 through 48 and
5 inserting the following:
6 "Priority for funding shall be given to those
7 regional emergency response training centers whose
8 initial plans were submitted and approved by the fire
9 service training bureau and who have demonstrated
10 progress in implementing their plans including but not
11 limited to bid letting, conducting training, and
12 obligating a portion of their first year's allocation.
13 Grants awarded pursuant to this lettered paragraph
14 shall not exceed \$300,000 each."
15 2. By renumbering as necessary.

Amendment [H-2135](#) was adopted.

Jacobs of Polk offered the following amendment [H-2124](#), to the Senate amendment [H-2114](#), filed by her and moved its adoption:

[H-2124](#)

- 1 Amend the Senate amendment, H-2114, to House File
- 2 911, as amended, passed, and reprinted by the House,
- 3 as follows:
- 4 1. Page 3, by striking lines 2 and 3.

A non-record roll call was requested.

The ayes were 42, nays 47.

Amendment [H-2124](#) lost.

Hoffman of Crawford asked and received unanimous consent to withdraw amendment [H-2123](#), to the Senate amendment [H-2114](#), filed by him on April 27, 2007.

Cohon of Des Moines offered the following amendment [H-2134](#), to the Senate amendment [H-2114](#), filed by him and Hoffman of Crawford from the floor and moved its adoption:

[H-2134](#)

- 1 Amend the Senate amendment, [H-2114](#), to House File
- 2 911, as amended, passed, and reprinted by the House,
- 3 as follows:
- 4 1. Page 3, line 15, by striking the figure
- 5 "215,000" and inserting the following: "185,000".
- 6 2. Page 3, by striking line 18 and inserting the
- 7 following: "right-of-way, \$200,000 shall be allocated
- 8 to the".
- 9 3. Page 3, by striking line 20 and inserting the
- 10 following: "loop trail, and \$30,000 shall be
- 11 allocated for general infrastructure improvements for
- 12 the Crawford county trail."
- 13 4. By renumbering as necessary.

Amendment [H-2134](#) was adopted.

Alons of Sioux offered the following amendment [H-2126](#), to the Senate amendment [H-2114](#), filed by him from the floor and moved its adoption:

[H-2126](#)

- 1 Amend the Senate amendment, H-2114, to House File
- 2 911, as amended, passed, and reprinted by the House,

- 3 as follows:
- 4 1. Page 4, by striking lines 14 and 15.
- 5 2. By renumbering as necessary.

Amendment [H-2126](#) lost.

Huser of Polk offered the following amendment [H-2132](#), to the Senate amendment [H-2114](#), filed by her from the floor and moved its adoption:

[H-2132](#)

- 1 Amend the Senate amendment, H-2114, to House File
- 2 911, as amended, passed, and reprinted by the House,
- 3 as follows:
- 4 1. By striking page 5, line 7, through page 6,
- 5 line 8.

Amendment [H-2132](#) was adopted.

Paulsen of Linn offered amendment [H-2138](#), previously deferred, to the Senate amendment [H-2114](#), filed by him from the floor and requested division as follows:

[H-2138](#)

- 1 Amend the Senate amendment, H-2114, to House File
- 2 911, as amended, passed, and reprinted by the House,
- 3 as follows:

[H-2138A](#)

- 4 1. Page 1, by striking lines 9 through 28.
- 5 2. Page 1, by striking lines 33 through 36.
- 6 3. Page 1, by inserting after line 49 the
- 7 following:
- 8 "____. Page 5, by inserting after line 29 the
- 9 following:
- 10 ____ DEPARTMENT OF MANAGEMENT
- 11 For funding an additional allocation for the
- 12 maximum adjusted additional property tax levy rate
- 13 calculation for providing adjusted additional property
- 14 tax levy aid in the same manner as provided in section
- 15 257.4, subsection 1, paragraph "b":
- 16 \$ 3,080,000"
- 17 4. Page 2, by striking lines 29 through 33.

[H-2138B](#)

18 5. Page 2, line 35, by striking the figure
19 "1,400,000" and inserting the following: "1,200,000".

[H-2138](#)

20 6. Page 4, by striking lines 24 and 25.
21 7. By renumbering as necessary.

Paulsen of Linn asked and received unanimous consent to withdraw amendment [H-2138B](#).

Paulsen of Linn moved the adoption of amendment [H-2138A](#) to the Senate amendment [H-2114](#).

Roll call was requested by Paulsen of Linn and Van Fossen of Scott.

On the question "Shall amendment [H-2138A](#) be adopted?" ([H.F. 911](#))

The ayes were, 39:

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

The nays were, 51:

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

Wendt Winckler	Wenthe Wise	Wessel-Kroeschell Mr. Speaker Murphy	Whitead
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Absent or not voting, 10:

Dolecheck Horbach Whitaker	Gipp McCarthy Zirkelbach	Greiner Raecker	Hoffman Tomenga
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Amendment [H-2138A](#) lost.

Cohon of Des Moines moved that the House concur in the Senate amendment [H-2114](#), as amended.

A non-record roll call was requested.

The ayes were 48, nays 40.

The Senate amendment [H-2114](#), as amended, was adopted.

Cohon of Des Moines moved that the bill, as amended by the Senate, further amended and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

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

The ayes were, 55:

Abdul-Samad Bukta Foege Gayman Huser Kressig Mascher Oldson Palmer Rayhons Shomshor Taylor, D. Wenthe Winckler	Bailey Cohon Ford Heddens Jacoby Kuhn McCarthy Olson, D. Petersen Reasoner Smith Taylor, T. Wessel-Kroeschell Wise	Bell Dandekar Frevert Hoffman Jochum Lensing Mertz Olson, R. Pettengill Reichert Staed Thomas Whitaker Mr. Speaker Murphy	Berry Davitt Gaskill Hunter Kelley Lykam Miller, H. Olson, T. Quirk Schueller Swaim Wendt Whitead
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The nays were, 40:

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

Absent or not voting, 5:

Dolecheck	Gipp	Raecker	Tomenga
Zirkelbach			

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

IMMEDIATE MESSAGE

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

The House stood at ease at 5:04 p.m., until the fall of the gavel.

The House resumed session at 5:11 p.m., Speaker Murphy in the chair.

Appropriations Calendar

[Senate File 601](#), a bill for an act relating to state and local finances by providing for funding of property tax credits and reimbursements, by making, increasing and reducing appropriations, providing for salaries and compensation of state employees, providing for tax credits, providing for fees and penalties, and providing for properly related matters, and including effective date provisions, with report of committee recommending amendment and passage, was taken up for consideration.

Oldson of Polk offered the following amendment [H-2004](#) filed by the committee on appropriations and moved its adoption:

H-2004

- 1 Amend [Senate File 601](#), as amended, passed, and
2 reprinted by the Senate, as follows:
- 3 1. Page 27, by inserting after line 31 the
4 following:
5 "Sec. _____. STATE BOARD OF REGENTS – ARTICULATION
6 WEBSITE. The general assembly finds that as college
7 costs increase, Iowa's community college students need
8 access to resources that allow the students to make
9 informed, cost-effective decisions regarding their
10 postsecondary education plans. It is the intent of
11 the general assembly to provide for a seamless
12 transition for students transferring from Iowa's
13 community colleges to Iowa's state universities.
14 Therefore, the state board of regents shall, in
15 cooperation with the department of education and the
16 community colleges, develop, maintain, and promote a
17 user-friendly credit transfer and articulation
18 internet website that allows Iowans to know at the
19 time of enrollment in a community college course
20 whether the credit will be accepted by the state
21 university of the student's choice, the category in
22 which the university will apply the credit, and to
23 which degree program or programs the university will
24 apply the credit. The board and the community
25 colleges shall continuously strive to improve upon the
26 coordinating efforts between the state universities
27 and the community colleges to map and articulate
28 community college courses for college credit with the
29 degree programs offered at the state universities.
30 The website shall be operational not later than July
31 1, 2008."
- 32 2. Page 44, by striking lines 25 and 26.
- 33 3. Page 57, by striking lines 7 and 8.
- 34 4. Page 59, by striking lines 9 and 10 and
35 inserting the following:
36 "Sec. _____. Section 811.2A, Code 2007, is
37 repealed."

The committee amendment [H-2004](#) was adopted.

Bailey of Hamilton asked and received unanimous consent to withdraw amendment [H-2121](#) filed by Bailey of Hamilton, et al., on April 27, 2007.

Oldson of Polk asked and received unanimous consent that amendment [H-2139](#) be deferred.

Gaskill of Wapello asked and received unanimous consent to withdraw amendment [H-2074](#) filed by her on April 27, 2007.

Paulsen of Linn asked and received unanimous consent that amendment [H-2068](#) be deferred.

Quirk of Chickasaw asked and received unanimous consent to withdraw amendment [H-2129](#) filed by him from the floor.

Alons of Sioux asked and received unanimous consent that amendment [H-2057](#) be deferred.

Jochum of Dubuque asked and received unanimous consent to withdraw amendment [H-2032](#) filed by her on April 25, 2007.

Kaufmann of Cedar asked and received unanimous consent that amendment [H-2108](#) be deferred.

Granzow of Hardin asked and received unanimous consent that amendment [H-2031](#) be deferred.

Worthan of Buena Vista asked and received unanimous consent that amendment [H-2049](#) be deferred.

The following amendments were deferred by unanimous consent.

Amendments [H-2062](#), [H-2131](#), [H-2130](#), [H-2035](#), [H-2012](#), [H-2084](#), [H-2013](#), [H-2058](#), [H-2064](#), [H-2009](#), [H-2116](#), [H-2048](#) and [H-2137](#).

The following amendments were withdrawn by unanimous consent.

Amendment [H-2015](#) filed by Sands of Louisa on April 25, 2007.

Amendment [H-2036](#) filed by Kressig of Black Hawk on April 25, 2007.

Amendment [H-2109](#) filed by Swaim of Davis on April 27, 2007.

Amendment [H-2033](#) filed by Winckler of Scott on April 25, 2007.

Amendment [H-2053](#) filed by Winckler of Scott on April 26, 2007.

Amendment [H-2055](#) filed by Heddens of Story and Frevert of Palo Alto on April 26, 2007.

Amendment [H-2063](#) filed by Frevert of Palo Alto on April 26, 2007.

Amendment [H-2105](#) filed by Wessel-Kroeschell of Story on April 27, 2007.

Amendment [H-2122](#) filed by Bailey of Hamilton and Granzow of Hardin on April 27, 2007.

Amendment [H-2050](#) filed by Wessel-Kroeschell of Story on April 26, 2007, placing out of order amendments [H-2060](#) filed by Thomas of Clayton on April 26, 2007 and [H-2085](#) filed by T. Olson of Linn on April 27, 2007.

Amendment [H-2073](#) filed by Watts of Dallas on April 27, 2007.

Amendment [H-2008](#) filed by Alons of Sioux and Lukan of Dubuque on April 25, 2007.

Amendment [H-2047](#) filed by Whitaker of Van Buren on April 26, 2007.

Amendment [H-2127](#) filed by Reichert of Muscatine from the floor.

Amendment [H-2067](#) filed by Staed of Linn on April 26, 2007.

Amendment [H-2025](#) filed by Jochum of Dubuque and Raecker of Polk on April 25, 2007, placing out of order amendment [H-2071](#) filed by Ford of Polk on April 27, 2007 and amendment [H-2059](#) filed by Ford of Polk on April 26, 2007.

Amendment [H-2106](#) filed by Ford of Polk on April 27, 2007.

Amendment [H-2128](#) filed by Reichert of Muscatine, May of Dickinson, D. Olson of Boone and Davitt of Warren from the floor.

Van Fossen of Scott offered the following amendment [H-2039](#) filed by him and moved its adoption:

[H-2039](#)

- 1 Amend [Senate File 601](#), as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 37, by inserting after line 19 the
- 4 following:
- 5 "Sec. ____. Section 15F.303, subsection 3,
- 6 paragraph b, Code 2007, is amended to read as follows:
- 7 b. The project supports or is strategically
- 8 aligned with other existing regional or statewide
- 9 cultural, recreational, entertainment, or educational
- 10 activities or with communities adjacent to cultural
- 11 and entertainment districts whose existing or planned
- 12 amenity base will augment or complement the cultural
- 13 and entertainment venues of such districts."

Amendment [H-2039](#) was adopted.

The following amendments were withdrawn by unanimous consent:

Amendment [H-2072](#) filed by Thomas of Clayton and Hunter of Polk on April 27, 2007.

Amendment [H-2054](#) filed by Rants of Woodbury on April 26, 2007.

Amendment [H-2125](#) filed by Hunter of Polk and Abdul-Samad of Polk from the floor.

Amendment [H-2135](#) filed by Huser of Polk from the floor.

Amendment [H-2069](#) filed by Heddens of Story, et al., on April 27, 2007.

Dandekar of Linn offered the following amendment [H-2005](#) filed by Dandekar, et al., and moved its adoption:

[H-2005](#)

- 1 Amend [Senate File 601](#), as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 40, by striking lines 4 through 16.

Amendment [H-2005](#) was adopted.

Oldson of Polk asked and received unanimous consent that amendment [H-2139](#), previously deferred, be deferred.

Rants of Woodbury offered the following amendment [H-2068](#) filed by him and Raecker of Polk and moved its adoption:

[H-2068](#)

- 1 Amend [Senate File 601](#), as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 5, by striking lines 6 through 9.

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

On the question "Shall amendment [H-2068](#) be adopted?" ([S.F. 601](#))

The ayes were, 42:

Alons	Anderson	Baudler	Boal
Chambers	Clute	De Boef	Deyoe
Drake	Forristall	Granzow	Grassley

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

The nays were, 53:

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

Absent or not voting, 5:

Arnold	Dolecheck	Gipp	Raecker
Zirkelbach			

Amendment [H-2068](#) lost.

Alons of Sioux offered the following amendment [H-2057](#) filed by him and moved its adoption:

[H-2057](#)

1 Amend [Senate File 601](#), as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. By striking page 18, line 22, through page 19,
 4 line 3, and inserting the following:
 5 "Sec.____. ESL CLASSES. There is appropriated
 6 from the general fund of the state to the department
 7 of education for the fiscal year beginning July 1,
 8 2007, and ending June 30, 2008, the following amount,
 9 or so much thereof as is necessary, to be used for the
 10 purpose designated:
 11 For providing grants to faith-based organizations
 12 to assist the organization in offering and teaching

- 13 English as a second language classes to non-English
- 14 speaking persons:
- 15 \$ 120,000
- 16 The grants pursuant to this section may be awarded
- 17 to organizations already offering and teaching such
- 18 classes and to organizations that would like to offer
- 19 these classes."

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

On the question "Shall amendment [H-2057](#) be adopted?" ([S.F. 601](#))

The ayes were, 38:

Alons	Baudler	Boal	Chambers
Clute	De Boef	Deyoe	Drake
Forristall	Granzow	Grassley	Greiner
Heaton	Horbach	Huseman	Jacobs
Kaufmann	Lukan	May	Miller, L.
Olson, S.	Paulsen	Rants	Rasmussen
Rayhons	Roberts	Sands	Schickel
Soderberg	Staed	Struyk	Tjepkes
Tymeson	Upmeyer	Watts	Wiencek
Windschitl	Worthan		

The nays were, 52:

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

Absent or not voting, 10:

Anderson	Arnold	Dolecheck	Gipp
Hoffman	Pettengill	Raecker	Van Engelenhoven
Van Fossen	Zirkelbach		

Amendment [H-2057](#) lost.

The following previously deferred amendments were withdrawn by unanimous consent.

Amendment [H-2108](#) filed by Kaufmann of Cedar on April 27, 2007, placing out of order amendment [H-2117](#) filed by Kaufmann of Cedar on April 27, 2007.

Amendment [H-2031](#) filed by Granzow of Hardin, et al., on April 25, 2007.

Amendment [H-2049](#) filed by Worthan of Buena Vista on April 26, 2007.

Grassley of Butler offered the following amendment [H-2062](#), previously deferred, filed by him and moved its adoption:

[H-2062](#)

1 Amend [Senate File 601](#), as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 26, by inserting after line 2 the
4 following:

5 "Sec. ____ DEPARTMENT OF PUBLIC SAFETY – ILLEGAL
6 IMMIGRATION TASK FORCE. There is appropriated from
7 the general fund of the state to the department of
8 public safety for the fiscal year beginning July 1,
9 2007, and ending June 30, 2008, the following amount,
10 or so much thereof as is necessary, to be used for the
11 purposes designated:

12 For establishing an illegal immigration task force,
13 including salaries, support, maintenance,
14 miscellaneous purposes, and for not more than the
15 following full-time equivalent positions:

16	\$ 565,000
17	FTEs 12.00

18 Of the moneys appropriated in this section, the
19 department shall hire twelve state troopers for
20 purposes of the task force."

21 2. Page 27, by inserting after line 25 the
22 following:

23 "Sec. ____ 2007 Iowa Acts, [House File 874](#), section
24 9, subsection 2, if enacted, is amended to read as
25 follows:

26 2. TERRACE HILL QUARTERS

27 For salaries, support, maintenance, and
28 miscellaneous purposes for the governor's quarters at
29 Terrace Hill, and for not more than the following
30 full-time equivalent positions:

31	\$ 466,310
32	401,310
33	FTEs 40.00
34	<u>8.00</u>

35 Sec. ____ 2007 Iowa Acts, [House File 874](#), section
36 17, unnumbered paragraph 2, if enacted, is amended to
37 read as follows:

38 For salaries, support, maintenance, and
39 miscellaneous purposes, and for not more than the
40 following full-time equivalent positions:

41	\$ <u>25,301,646</u>
42	<u>24,801,646</u>
43	FTEs <u>385.03</u>
44	<u>375.03"</u>

45 3. By renumbering as necessary.

Roll call was requested by Grassley of Butler and Granzow of Hardin.

On the question "Shall amendment [H-2062](#) be adopted?" ([S.F. 601](#))

The ayes were, 39:

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

The nays were, 50:

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

Absent or not voting, 11:

Arnold	Dolecheck	Forristall	Gipp
Hoffman	Pettengill	Raecker	Smith
Van Engelenhoven	Wenthe	Zirkelbach	

Amendment [H-2062](#) lost.

The following previously deferred amendments were withdrawn by unanimous consent:

Amendment [H-2131](#) filed by Watts of Dallas from the floor.

Amendment [H-2130](#) filed by Watts of Dallas from the floor.

Amendment [H-2035](#) filed by Rants of Woodbury on April 25, 2007.

Amendment [H-2012](#) filed by May of Dickinson on April 25, 2007.

Amendment [H-2084](#) filed by Tymeson of Madison on April 27, 2007.

Amendment [H-2013](#) filed by Alons of Sioux on April 25, 2007.

Amendment [H-2058](#) filed by Lukan of Dubuque on April 26, 2007.

Amendment [H-2064](#) filed by Alons of Sioux, et al., on April 26, 2007.

Alons of Sioux offered the following amendment [H-2009](#), previously deferred, filed by him and moved its adoption:

[H-2009](#)

1 Amend [Senate File 601](#), as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 54, by inserting after line 13 the
4 following:

5 "Sec.____. Section 423.6, subsection 10,
6 unnumbered paragraph 3, Code 2007, is amended to read
7 as follows:

8 This exemption ~~applies to corporations that have~~
9 ~~been in existence for not longer than twenty four~~
10 ~~months~~ also applies where the vehicle subject to
11 registration is transferred from an S corporation to
12 another S corporation that continues the business of
13 the transferring S corporation when all of the
14 incidents of the ownership are owned by the same
15 person who is the sole stockholder of the S
16 corporation."

17 2. Page 57, by inserting after line 29 the
18 following:

19 "Sec.____. REFUNDS. Refunds of taxes, interest,
20 or penalties which arise from claims resulting from

21 the amendment of section 423.6, subsection 10, in this
 22 division of this Act, for the exemption of transfer of
 23 vehicles subject to registration between corporations
 24 occurring between May 1, 2001, and the effective date
 25 of this section of this division of this Act, shall be
 26 limited to twenty-five thousand dollars in the
 27 aggregate and shall not be allowed unless refund
 28 claims are filed prior to October 1, 2007,
 29 notwithstanding any other provision of law. If the
 30 amount of claims totals more than twenty-five thousand
 31 dollars in the aggregate, the department of revenue
 32 shall prorate the twenty-five thousand dollars among
 33 all claimants in relation to the amounts of the
 34 claimants' valid claims. Claimants shall not be
 35 entitled to interest on any refunds."
 36 3. Page 59, by inserting after line 4 the
 37 following:
 38 "Sec.____. EFFECTIVE AND RETROACTIVE APPLICABILITY
 39 DATE. The section of this division of this Act
 40 amending section 423.6, subsection 10, being deemed of
 41 immediate importance, takes effects upon enactment and
 42 applies retroactively to May 1, 2001."

Amendment [H-2009](#) lost.

Whitaker of Van Buren asked and received unanimous consent to withdraw amendment [H-2116](#) filed by him on April 27, 2007.

Whitaker of Van Buren asked and received unanimous consent to withdraw amendment [H-2048](#), previously deferred, filed by him on April 26, 2007, placing out of order amendment [H-2118](#) filed by Whitaker of Van Buren on April 27, 2007.

Struyk of Pottawattamie offered amendment [H-2137](#), previously deferred, filed by him from the floor as follows:

[H-2137](#)

1 Amend [Senate File 601](#), as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 96, by inserting after line 31 the
 4 following:
 5 "DIVISION____
 6 PROPERTY TAX RELIEF
 7 Sec.____. Section 257.15, subsection 4, Code 2007,
 8 is amended by adding the following new paragraph:
 9 [NEW PARAGRAPH](#). e. In addition to the amounts
 10 appropriated in paragraphs "b" through "d", there is

11 appropriated from the general fund of the state for
 12 the fiscal year beginning July 1, 2007, and subsequent
 13 fiscal years, the sum of ten million dollars to be
 14 allocated for the purpose of calculating the statewide
 15 maximum adjusted additional property tax levy rate and
 16 providing adjusted additional property tax levy aid as
 17 provided in section 257.4, subsection 1, paragraph
 18 "b".

19 Sec.____. Section 411.20, Code 2007, is amended to
 20 read as follows:

21 411.20 STATE APPROPRIATION.

22 1. There is appropriated from the general fund of
 23 the state for each fiscal year an amount necessary to
 24 be distributed to the statewide fire and police
 25 retirement system, or to the cities participating in
 26 the system, to finance the cost of benefits provided
 27 in this chapter by amendments of the Acts of the
 28 Sixty-sixth General Assembly, chapter 1089. The
 29 method of distribution shall be determined by the
 30 board of trustees based on information provided by the
 31 actuary of the statewide retirement system.

32 2. In addition to the amount appropriated in
 33 subsection 1, there is appropriated annually from the
 34 general fund of the state for the fiscal year
 35 beginning July 1, 2007, and subsequent fiscal years,
 36 the sum of three million dollars to be distributed to
 37 the statewide fire and police retirement system, or to
 38 the cities participating in the system, to finance the
 39 cost of benefits provided in this chapter.

40 3. Moneys appropriated by the state shall not be
 41 used to reduce the normal rate of contribution of any
 42 city below seventeen percent.

43 Sec.____. Section 426B.1, Code 2007, is amended by
 44 adding the following new subsection:

45 NEW SUBSECTION. 4. There is appropriated annually
 46 from the general fund of the state for the fiscal year
 47 beginning July 1, 2007, and subsequent fiscal years,
 48 the sum of seven million dollars to provide additional
 49 property tax relief and to pay increased mental
 50 health, mental retardation, and developmental

Page 2

1 disabilities services costs.

2 Sec.____. NEW SECTION. 426C.1 COMMERCIAL
 3 RESIDENTIAL PROPERTY TAX CREDIT – FUND –
 4 APPORTIONMENT – PAYMENT – APPROPRIATION.

5 1. A commercial residential property tax credit
 6 fund is created. There is appropriated from the
 7 general fund of the state to the department of revenue
 8 to be credited to the commercial residential property
 9 tax credit fund for the fiscal year beginning July 1,

10 2007, and for each subsequent fiscal year, the sum of
 11 five million dollars to pay the warrants required
 12 under this chapter.

13 The director of the department of administrative
 14 services shall issue warrants on the commercial
 15 residential property tax credit fund payable to the
 16 county treasurers of the several counties of the state
 17 under this chapter.

18 2. The commercial residential property tax credit
 19 fund shall be apportioned each year so as to give a
 20 credit against the tax on eligible commercial
 21 residential property in the state in an amount equal
 22 to ten percent of the actual levy on the actual value
 23 of such property.

24 3. The amount due each county shall be paid in two
 25 payments on November 15 and March 15 of each fiscal
 26 year, drawn upon warrants payable to the respective
 27 county treasurers. The two payments shall be as
 28 nearly equal as possible.

29 4. The amount of credits shall be apportioned by
 30 each county treasurer to the several taxing districts
 31 as provided by law, in the same manner as though the
 32 amount of the credit had been paid by the owners.
 33 However, the several taxing districts shall not draw
 34 the funds so credited until after the semiannual
 35 allocations have been received by the county
 36 treasurer, as provided in this chapter.

37 5. a. For purposes of this chapter, "commercial
 38 residential property" means commercial property that
 39 is an apartment building, a mobile home park, a
 40 manufactured home community, or a land-leased
 41 community.

42 b. As used in paragraph "a":

43 (1) "Apartment building" means the land and
 44 building used primarily for human habitation and
 45 containing three or more separate living quarters, as
 46 well as structures and improvements used primarily as
 47 a part of or in conjunction with such land and
 48 building. "Apartment building" does not include a
 49 hotel, motel, inn, or other building where rooms are
 50 usually rented for less than one month, a nursing

Page 3

1 home, or a rest home.

2 (2) "Land-leased community" means the same as
 3 defined in sections 335.30A and 414.28A.

4 (3) "Manufactured home community" means the same
 5 as a land-leased community.

6 (4) "Mobile home park" means the same as defined
 7 in section 435.1.

8 Sec. ____. NEW SECTION. 426C.2 COMPUTATION BY

9 AUDITOR.

10 On or before June 1, the county auditor shall
 11 compute the amount of property taxes to be levied on
 12 or estimated to be levied on all property eligible for
 13 the commercial residential property tax credit which
 14 are due and payable in the ensuing fiscal year and on
 15 or before June 1 shall certify the total amount to the
 16 department of revenue.

17 Sec.____. NEW SECTION. 426C.3 WARRANTS
 18 AUTHORIZED BY DIRECTOR.

19 After receiving from the county auditors the
 20 certifications provided for in section 426C.2, and
 21 during the following fiscal year, the director of
 22 revenue shall authorize the department of
 23 administrative services to draw warrants on the
 24 commercial residential property tax credit fund
 25 payable to the county treasurers as provided in
 26 section 426C.1. If the commercial residential
 27 property tax credit fund is insufficient to pay in
 28 full the total of the amount certified to the director
 29 of revenue, the director shall prorate the fund to the
 30 county treasurers and notify the county auditors of
 31 the pro rata percentage on or before June 15.

32 Sec.____. NEW SECTION. 426C.4 APPORTIONMENT BY
 33 AUDITOR.

34 The county auditor shall determine the amount to be
 35 credited to each parcel of commercial residential
 36 property, and shall enter upon tax lists as a credit
 37 against the tax levied on each parcel of commercial
 38 residential property on which there has been made an
 39 allowance of credit before delivering said tax lists
 40 to the county treasurer. Upon receipt of the warrant
 41 by the county auditor, the auditor shall deliver the
 42 warrant to the county treasurer for apportionment.
 43 The county treasurer shall show on each tax receipt
 44 the amount of tax credit for each parcel of business
 45 property. In case of change of ownership the credit
 46 shall follow the title.

47 Sec.____. NEW SECTION. 426C.5 RULES.

48 The director of revenue shall prescribe forms and
 49 rules, not inconsistent with this chapter, necessary
 50 to carry out its purposes.

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1 Sec.____. NEW SECTION. 444.25 PROPERTY TAX
 2 LIMITATION FOR COUNTIES AND CITIES.

3 1. COUNTY LIMITATION. For fiscal years beginning
 4 on or after July 1, 2008, the maximum amount of
 5 property tax dollars that may be certified by a county
 6 for a fiscal year shall not exceed the amount of
 7 property tax dollars certified by the county for taxes

8 payable in the previous fiscal year times the
9 inflation factor, for each of the levies for the
10 following:

- 11 a. General county services under section 331.422,
12 subsection 1.
- 13 b. Rural county services under section 331.422,
14 subsection 2.
- 15 c. Other taxes under section 331.422, subsection
16 4.

17 The limitation provided in this subsection does not
18 apply to the levies on the increase in taxable
19 valuation due to new construction, additions or
20 improvements to existing structures, remodeling of
21 existing structures for which a building permit is
22 required, annexation, and phasing out of tax
23 exemptions, and on the increase in valuation of
24 taxable property as a result of a comprehensive
25 revaluation by a private appraiser under a contract
26 entered into prior to January 1, 2007, or as a result
27 of a comprehensive revaluation directed or authorized
28 by the conference board prior to January 1, 2007, with
29 documentation of the contract, authorization, or
30 directive on the revaluation provided to the director
31 of revenue, if the levies are equal to or less than
32 the levies for the previous year; levies on that
33 portion of the taxable property located in an urban
34 renewal project the tax revenues from which are no
35 longer divided as provided in section 403.19,
36 subsection 2; or as otherwise provided in this
37 section.

38 2. CITY LIMITATION. For fiscal years beginning on
39 or after July 1, 2008, the maximum amount of property
40 tax dollars that may be certified by a city for a
41 fiscal year shall not exceed the amount in property
42 tax dollars certified by the city for taxes payable in
43 the previous fiscal year times the inflation factor,
44 for each of the levies for the following:

- 45 a. City government purposes under section 384.1.
- 46 b. Capital improvements reserve fund under section
47 384.7.
- 48 c. Emergency fund purposes under section 384.8.
- 49 d. Other city government purposes under section
50 384.12.

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1 The limitation provided in this subsection does not
2 apply to the levies on the increase in taxable
3 valuation due to new construction, additions or
4 improvements to existing structures, remodeling of
5 existing structures for which a building permit is
6 required, annexation, and phasing out of tax

7 exemptions, and on the increase in valuation of
 8 taxable property as a result of a comprehensive
 9 revaluation by a private appraiser under a contract
 10 entered into prior to January 1, 2007, or as a result
 11 of a comprehensive revaluation directed or authorized
 12 by the conference board prior to January 1, 2007, with
 13 documentation of the contract, authorization, or
 14 directive on the revaluation provided to the director
 15 of revenue, if the levies are equal to or less than
 16 the levies for the previous year; levies on that
 17 portion of the taxable property located in an urban
 18 renewal project the tax revenues from which are no
 19 longer divided as provided in section 403.19,
 20 subsection 2; or as otherwise provided in this
 21 section.

22 3. EXCEPTIONS. The limitations provided in
 23 subsections 1 and 2 do not apply to the levies made
 24 for the following:

25 a. Debt service to be deposited into the debt
 26 service fund pursuant to section 331.430 or 384.4.

27 b. Taxes approved by a vote of the people which
 28 are payable during fiscal years beginning on or after
 29 July 1, 2008.

30 c. Hospitals pursuant to chapters 37, 347, and
 31 347A.

32 4. INFLATION FACTOR. For purposes of subsection
 33 1, the "inflation factor" is one plus the percent
 34 change in the price index for government purchases by
 35 type for state and local governments computed for the
 36 calendar year ending immediately prior to July 1 of
 37 the fiscal year. The price index used shall be the
 38 state and local government chain-type price index used
 39 in the quantity and price indexes for gross domestic
 40 product as published by the United States department
 41 of commerce.

42 5. COUNTY AUDITOR ADJUSTMENT. In addition to the
 43 requirement of the county auditor in section 444.3 to
 44 establish a rate of tax which does not exceed the rate
 45 authorized by law, the county auditor shall also
 46 adjust the rate if the amount of property tax dollars
 47 to be raised is in excess of the amount specified in
 48 subsection 1 or 2, as adjusted pursuant to subsection
 49 4.

50 Sec.____. NEW SECTION. 444.25A PROPERTY TAX LEVY

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1 LIMITATIONS NOT AFFECTED.

2 Section 444.25 shall not be construed as removing
 3 or otherwise affecting the property tax limitations
 4 otherwise provided by law for any tax levy of the
 5 political subdivision, except that, upon an appeal

6 from the political subdivision, the state appeal board
7 may approve a tax levy consistent with the provisions
8 of section 24.48 or 331.426.
9 Sec.____. NEW SECTION. 444.25B SECTIONS VOID.
10 Sections 24.48 and 331.426 are void for fiscal
11 years beginning on or after July 1, 2008.
12 Sec.____. EFFECTIVE AND APPLICABILITY DATES. The
13 sections of this division of this Act enacting chapter
14 426C, being deemed of immediate importance, take
15 effect upon enactment and apply to property taxes due
16 and payable in fiscal years beginning on or after July
17 1, 2007."
18 2. By renumbering, redesignating, and correcting
19 internal references as necessary.

Struyk of Pottawattamie offered the following amendment [H-2142](#), to amendment [H-2137](#), filed by him from the floor and moved its adoption:

H--2142

1 Amend the amendment, H-2137, to [Senate File 601](#), as
2 amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 2, line 40, by striking the word "or".
5 2. Page 2, line 41, by inserting after the word
6 "community" the following: ", or assisted living
7 property".
8 3. Page 3, by inserting after line 1 the
9 following:
10 "() "Assisted living property" means land and
11 buildings of an assisted living program, as assisted
12 living is defined in section 231C.2, that are subject
13 to property taxation."
14 4. By renumbering, redesignating, and correcting
15 internal references as necessary.

Amendment [H-2142](#) was adopted.

Struyk of Pottawattamie moved the adoption of amendment [H-2137](#), as amended.

Reasoner of Union rose on a point of order that amendment [H-2137](#), as amended, was not germane.

The Speaker ruled the point well taken and amendment [H-2137](#), as amended, not germane.

Struyk of Pottawattamie asked for unanimous consent to suspend the rules to consider amendment [H-2137](#), as amended.

Objection was raised.

Struyk of Pottawattamie moved to suspend the rules to consider amendment [H-2137](#), as amended.

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

On the question "Shall the rules be suspended to consider amendment [H-2137](#), as amended?" ([S.F. 601](#))

The ayes were, 40:

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

The nays were, 52:

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

Absent or not voting, 8:

Abdul-Samad	Arnold	Dolecheck	Ford
Gipp	Raecker	Van Engelenhoven	Zirkelbach

The motion to suspend the rules lost.

Oldson of Polk offered amendment [H-2139](#), previously deferred, filed by her from the floor as follows:

[H-2139](#)

1 Amend [Senate File 601](#), as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 3, line 11, by striking the figure
4 "157,868,964" and inserting the following:
5 "131,868,964".

6 2. Page 3, line 24, by striking the figure
7 "2,000,000" and inserting the following:
8 "28,000,000".

9 3. Page 4, by striking line 1 the inserting the
10 following:

11 "..... \$ 99,254,781"

12 4. Page 4, by striking line 10 and inserting the
13 following:

14 "..... \$ 23,204,000"

15 5. Page 5, by inserting after line 5 the
16 following:

17 "Sec. ___. UNDERGROUND STORAGE TANK FUND.

18 Notwithstanding section 455G.3, subsection 1, there is
19 transferred from the Iowa comprehensive petroleum
20 underground storage tank fund created in section
21 455G.3, subsection 1, to the general fund of the state
22 during the fiscal year beginning July 1, 2007, and
23 ending June 30, 2008, the following amount:

24 \$ 3,000,000"

25 6. By striking page 6, line 23, through page 7,
26 line 10, and inserting the following:

27 "a. Chief justice of the supreme court:

28 \$ 153,109

29 b. Each justice of the supreme court:

30 \$ 146,890

31 c. Chief judge of the court of appeals:

32 \$ 141,731

33 d. Each associate judge of the court of appeals:

34 \$ 136,739

35 e. Each chief judge of a judicial district:

36 \$ 133,619

37 f. Each district judge except the chief judge of a
38 judicial district:

39 \$ 128,544

40 g. Each district associate judge:

41 \$ 113,214

42 h. Each associate juvenile judge:

43 \$ 113,214

44 i. Each associate probate judge:

45	\$	113,214
46	j. Each judicial magistrate:		
47	\$	34,882
48	k. Each senior judge:		
49	\$	7,238"
50	7. Page 10, line 31, by striking the figure		

Page 2

1 "108,598,094" and inserting the following:
2 "106,848,094".
3 8. Page 12, line 10, by striking the figure
4 "8,171,248" and inserting the following: "6,771,248".
5 9. Page 15, line 27, by striking the figure
6 "750,000" and inserting the following: "400,000".
7 10. Page 16, by striking lines 15 through 23.
8 11. Page 19, by striking lines 4 through 12.
9 12. Page 21, line 1, by striking the figure
10 "75,000" and inserting the following: "50,000".
11 13. Page 21, by striking lines 21 through 31.
12 14. Page 22, line 10, by striking the figure
13 "2,000,000" and inserting the following: "500,000".
14 15. Page 23, line 9, by striking the figure
15 "500,000" and inserting the following: "200,000".
16 16. By striking page 25, line 29, through page
17 26, line 2.
18 17. By striking page 26, line 35, through page
19 27, line 13.
20 18. Page 27, by inserting after line 25 the
21 following:
22 "Sec.____. 2007 Iowa Acts, [House File 874](#), section
23 7, subsection 4, paragraph a, if enacted, is amended
24 to read as follows:
25 a. For salaries, support, maintenance, and
26 miscellaneous purposes, and for not more than the
27 following full-time equivalent positions:
28 \$ 4,655,809
29 FTEs ~~100.50~~
30 101.00
31 Sec.____. OFFICE OF ENERGY INDEPENDENCE. If 2007
32 Iowa Acts, [House File 927](#), is enacted and provides for
33 an appropriation from the general fund of the state to
34 the office of energy independence for the fiscal year
35 beginning July 1, 2006, and ending June 30, 2007,
36 allocations from that appropriation for administrative
37 costs shall be for not more than the following
38 full-time equivalent positions:
39 FTEs 4.00"
40 19. By striking page 30, line 21, through page
41 31, line 17.
42 20. Page 33, by inserting after line 6 the
43 following:

44 "Sec.____. Section 469.10, subsection 2, if
 45 enacted by 2007 Iowa Acts, [House File 927](#), is amended
 46 to read as follows:
 47 2. Of the moneys appropriated to the office and
 48 deposited in the fund, the office shall utilize up to
 49 one and five-tenths percent of the amount appropriated
 50 from the fund for a fiscal year for administrative

Page 3

1 costs. From the funds available for administrative
 2 costs, the office shall not employ more than four
 3 full-time equivalent positions."

4 21. Page 35, by inserting after line 11 the
 5 following:

6 "DIVISION____
 7 APPROPRIATION ADJUSTMENTS
 8 Sec.____. VETERANS HOME OWNERSHIP ASSISTANCE
 9 PROGRAM.

10 1. There is appropriated from the rebuild Iowa
 11 infrastructure fund to the department of veterans
 12 affairs for the fiscal year beginning July 1, 2007,
 13 and ending June 30, 2008, the following amount, or so
 14 much thereof as is necessary, to be used for the
 15 purpose designated:

16 For transfer to the Iowa finance authority to be
 17 used for continuation of the home ownership assistance
 18 program for persons who are or were eligible members
 19 of the armed forces of the United States, in
 20 accordance with section 35A.15, as enacted by 2007
 21 Iowa Acts, [Senate File 407](#), notwithstanding section
 22 8.57, subsection 6, paragraph "c":

23 \$ 1,000,000

24 2. Of the funds transferred pursuant to this
 25 section, the Iowa finance authority may retain not
 26 more than \$20,000 for administrative purposes.

27 3. Of the amount transferred to the Iowa finance
 28 authority pursuant to this section, not more than
 29 \$50,000 shall be transferred to the department of
 30 public defense to be used for the enduring families
 31 program.

32 4. Notwithstanding section 8.33, moneys
 33 appropriated or transferred in this section that
 34 remain unencumbered or unobligated at the close of the
 35 fiscal year shall not revert but shall remain
 36 available for expenditure for the purposes designated
 37 until the close of the succeeding fiscal year.

38 Sec.____. 2007 Iowa Acts, [Senate File 562](#), section
 39 3, subsection 3, paragraphs a and d, if enacted, are
 40 amended to read as follows:

41 a. Community development programs
 42 For salaries, support, maintenance, miscellaneous

43 purposes, community economic development programs,
 44 tourism operations, community assistance, the
 45 mainstreet and rural mainstreet programs, the
 46 school-to-career program, the community development
 47 block grant, and housing and shelter-related programs
 48 and for not more than the following full-time
 49 equivalent positions:

50 \$ 6,422,654

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1 6,322,654
 2 FTEs 58.26

3 d. From the moneys appropriated in this
 4 subsection, the department shall use at least
 5 ~~\$1,046,000~~ \$946,000 for purposes of the mainstreet an
 6 rural mainstreet programs.

7 Sec.____. 2007 Iowa Acts, [Senate File 562](#), section
 8 3, subsection 4, unnumbered paragraph 1, if enacted,
 9 is amended to read as follows:

10 For allocating moneys for the world food prize:
 11 \$ 650,000
 12 450,000

13 Sec.____. 2007 Iowa Acts, [Senate File 562](#), section
 14 14, subsections 1 and 3, if enacted, are amended to
 15 read as follows:

16 1. There is appropriated from the general fund of
 17 the state to the university of northern Iowa for the
 18 fiscal year beginning July 1, 2007, and ending June
 19 30, 2008, the following amount, or so much thereof as
 20 is necessary, to be used for the metal casting
 21 institute, for the myentrenet internet application,
 22 and for the institute of decision making, including
 23 salaries, support, maintenance, miscellaneous
 24 purposes, and for not more than the following
 25 full-time equivalent positions:

26 \$ 661,291
 27 561,291
 28 FTE 6.75

29 3. From the moneys appropriated in this section,
 30 the university of northern Iowa shall use at least
 31 ~~\$300,000~~ \$200,000 for purposes of expanding the
 32 service area of the myentrenet internet application.

33 Sec.____. 2007 Iowa Acts, [Senate File 575](#), section
 34 4, subsection 1, paragraph b, unnumbered paragraph 1,
 35 if enacted, is amended to read as follows:

36 For educational programs for inmates at state penal
 37 institutions:
 38 \$ 2,070,358
 39 1,570,350

40 Sec.____. 2007 Iowa Acts, [Senate File 575](#), section
 41 5, subsection 1, paragraph f, unnumbered paragraph 1,

42 if enacted, is amended to read as follows:

43 For the sixth judicial district department of
44 correctional services:

45 \$ ~~12,203,000~~

46 2,003,009

47 Sec.____. 2007 Iowa Acts, [House File 874](#), section
48 19, subsection 1, if enacted, is amended to read as
49 follows:

50 1. ADMINISTRATION AND ELECTIONS

Page 5

1 For salaries, support, maintenance, and
2 miscellaneous purposes, and for not more than the
3 following full-time equivalent positions:

4 \$ 1,431,015

5 1,331,015

6 FTEs 17.0

7 The state department or state agency which provides
8 data processing services to support voter registration
9 file maintenance and storage shall provide those
10 services without charge."

11 22. By striking page 35, line 26, through page
12 36, line 20, and inserting the following:

13 "**NEW SUBSECTION.** 21. a. The director may
14 authorize the procurement of goods and services in
15 which a contractual limitation of vendor liability is
16 provided for and set forth in the documents initiating
17 the procurement. The director, in consultation with
18 the department of management, shall adopt rules
19 setting forth the circumstances in which such
20 procurement will be permitted and what types of
21 contractual limitations of liability are permitted.
22 Rules adopted by the director shall establish criteria
23 to be considered in making a determination of whether
24 to permit a contractual limitation of vendor liability
25 with regard to any procurement of goods and services.
26 The criteria, at a minimum, shall include all of the
27 following:

28 (1) Whether authorizing a contractual limitation
29 of vendor liability is necessary to prevent harm to
30 the state from a failure to obtain the goods or
31 services sought, or from obtaining the goods or
32 services at a higher price if the state refuses to
33 allow a contractual limitation of vendor liability.

34 (2) Whether the contractual limitation of vendor
35 liability is commercially reasonable when taking into
36 account any risk to the state created by the goods or
37 services to be procured and the purpose for which they
38 will be used.

39 b. Notwithstanding paragraph "a", a contractual
40 limitation of vendor liability shall not include any

41 limitation on the liability of any vendor for
42 intentional torts, criminal acts, or fraudulent
43 conduct.
44 c. The rules shall provide for the negotiation of
45 a contractual limitation of vendor liability
46 consistent with the requirements of this section and
47 any other requirements of the department as provided
48 in any related documents associated with a procurement
49 of goods and services."
50 23. Page 39, by striking lines 18 through 23.

Page 6

1 24. Page 40, by inserting after line 3 the
2 following:
3 "Sec.____. Section 135.105D, subsection 1A, as
4 enacted by 2007 Iowa Acts, [House File 158](#), section 2,
5 is amended by adding the following new paragraph:
6 NEW PARAGRAPH. d. Notwithstanding any other
7 provision to the contrary, nothing in this section
8 shall subject a parent, guardian, or legal custodian
9 of a child of compulsory attendance age to any
10 penalties under chapter 299."
11 25. By striking page 47, line 19, through page
12 48, line 2.
13 26. Page 48, by striking lines 3 through 12.
14 27. Page 52, by striking lines 5 through 12.
15 28. Page 55, by inserting after line 22 the
16 following:
17 "Sec.____. Section 505.8, Code 2007, is amended by
18 adding the following new subsection:
19 NEW SUBSECTION. 8. The commissioner may, after a
20 hearing conducted pursuant to chapter 17A, assess
21 fines or penalties, order restitution, or take other
22 corrective action as the commissioner deems necessary
23 and appropriate to accomplish compliance with the laws
24 of the state relating to all insurance business
25 transacted in the state."
26 29. Page 55, by striking lines 23 through 30.
27 30. By striking page 56, line 13, through page
28 57, line 6.
29 31. Page 57, by inserting after line 35 the
30 following:
31 "Sec.____. LEGISLATIVE PROPERTY TAX STUDY
32 COMMITTEE.
33 1. A legislative property tax study committee is
34 established. The study committee shall conduct a
35 comprehensive review of property taxation in Iowa
36 including but not limited to the continued use of
37 property taxes as a major funding source for local
38 governments and for local school districts in Iowa,
39 the classification and assessment of property for

40 property tax purposes and the impact of the tie
41 between residential and agricultural property
42 assessments, the level of consistency employed in
43 classifying and assessing property for property tax
44 purposes, the various exemptions and credits currently
45 available to property taxpayers and the impact on
46 local government and state budgets and on other
47 taxpayers of providing those credits and exemptions,
48 and the use of property taxes as an economic
49 development tool and the impact on local and state
50 government budgets and on other taxpayers of such use.

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1 In its study, the committee shall address the goals of
2 property tax simplification and equity.
3 2. a. The committee shall be comprised of the
4 following voting members:
5 (1) Five members who are members of the senate,
6 three of whom shall be appointed by the majority
7 leader of the senate and two of whom shall be
8 appointed by the minority leader of the senate.
9 (2) Five members who are members of the house of
10 representatives, three of whom shall be appointed by
11 the speaker of the house of representatives and two of
12 whom shall be appointed by the minority leader of the
13 house of representatives.
14 b. The committee shall be comprised of the
15 following nonvoting members who shall be appointed by
16 the majority leader of the senate and the speaker of
17 the house of representatives in consultation with the
18 minority leaders of the senate and the house of
19 representatives:
20 (1) One member from an association representing
21 Iowa counties.
22 (2) One member from an association representing
23 Iowa cities.
24 (3) One member from an association representing
25 Iowa school boards.
26 (4) One member from an association representing
27 agricultural property taxpayers.
28 (5) One member from an association representing
29 Iowa commercial property taxpayers.
30 (6) One member from an association representing
31 Iowa industrial taxpayers.
32 (7) One member representing residential taxpayers.
33 (8) One member from an association representing
34 Iowa telecommunications property taxpayers.
35 (9) Representatives of other interests as
36 designated by the legislative council.
37 c. The committee shall be comprised of the
38 following nonvoting members who shall be appointed by

39 the governor:

40 (1) A representative employed by the department of
41 management.

42 (2) A representative employed by the department of
43 revenue.

44 (3) A representative employed by the department of
45 economic development.

46 3. The property tax study committee shall meet
47 during the 2007 and 2008 legislative interims at the
48 call of the chairperson. The committee is authorized
49 to hold as many meetings as the committee deems
50 necessary.

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1 4. The property tax study committee may contract
2 with one or more tax consultants or experts familiar
3 with the Iowa property tax system. The legislative
4 council, pursuant to its authority in section 2.42,
5 may allocate to the study committee funding from
6 moneys available to it in section 2.12 for the purpose
7 of contracting with the consultant or expert.

8 5. The property tax study committee shall submit a
9 final report to the general assembly on or before
10 January 5, 2009. The final report shall include but
11 not be limited to findings, analyses, and
12 recommendations by the committee."

13 32. By renumbering, relettering, or redesignating
14 and correcting internal references as necessary.

Hunter of Polk asked and received unanimous consent to withdraw amendment [H-2141](#), to amendment [H-2139](#), filed by him from the floor.

The House stood at ease at 6:28 p.m., until the fall of the gavel.

The House resumed session at 6:31 p.m., Speaker Murphy in the chair.

Greiner of Washington offered the following amendment [H-2143](#), to amendment [H-2139](#), filed by Greiner and T. Taylor of Linn from the floor and moved its adoption:

H-2143

1 Amend the amendment, H-2139, to [Senate File 601](#), as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 6, by striking lines 26 through 28.

A non-record roll call was requested.

The ayes were 50, nays 42.

Amendment [H-2143](#) was adopted.

Oldson of Polk moved the adoption of amendment [H-2139](#), as amended.

Amendment [H-2139](#), as amended was adopted.

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

On the question "Shall the bill pass?" ([S.F. 601](#))

The ayes were, 52:

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

The nays were, 43:

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

Absent or not voting, 5:

Arnold
Zirkelbach

Dolecheck

Gipp

Raecker

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

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that [Senate File 601](#) be immediately messaged to the Senate.

On motion by McCarthy of Polk, the House was recessed at 7:50 p.m., until 9:00 p.m.

The House resumed session at 11:21 p.m., Speaker Murphy in the chair.

QUORUM CALL

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Van Engelenhoven of Marion on request of Rants of Woodbury.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 28, 2007, concurred in the House amendment to the Senate amendment, and passed the following bill in which the concurrence of the Senate was asked:

[House File 641](#), a bill for an act relating to judicial branch practices and procedures, including distribution of court revenue to cities and counties, and the state, and including applicability provisions.

Also: That the Senate has on April 28, 2007, passed the following bill in which the concurrence of the Senate was asked:

[House File 908](#), a bill for an act relating to the licensing and regulation of plumbers and mechanical professionals, and providing an appropriation and penalties and providing an effective date..

Also: That the Senate has on April 28, 2007, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

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

Also: That the Senate has on April 28, 2007, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

[Senate File 510](#), a bill for an act concerning electrical and mechanical amusement devices and providing penalties.

Also: That the Senate has on April 28, 2007, amended the House amendment, concurred in the House amendment as amended and passed the following bill in which the concurrence of the House is asked:

[Senate File 601](#), a bill for an act relating to state and local finances by providing for funding of property tax credits and reimbursements, by making, increasing and reducing appropriations, providing for salaries and compensation of state employees, providing for tax credits, providing for fees and penalties, and providing for properly related matters, and including effective dates.

Also: That the Senate has on April 28, 2007, passed the following bill in which the concurrence of the House is asked:

[Senate File 607](#), a bill for an act relating to increases in the reimbursement rates or amounts for certain providers under the purview of the department of human services or the department of public health, and providing appropriations.

MICHAEL E. MARSHALL, Secretary

REMARKS BY MINORITY LEADER RANTS

Minority Leader Rants offered the following remarks:

Thank you Mr. Speaker: Good evening Ladies and Gentlemen of the House.

This session has been a learning experience for me. Each day has taught me something new. Some lessons were more pleasant than others.

For instance, I learned who my real friends are – and I was neither disappointed nor surprised.

I learned that when in doubt, file an amendment – you can always withdraw later.

I learned that there are two sets of rules and you better know which ones you are using – Representative Paulsen says you can play Spades and bid zero – Representative Struyk says you have to take a minimum bid of three. No matter which set of rules is used, I might take a trick or two, but I never win the game. And that's ok. Doesn't matter if I go set or double set, I'm going to keep bidding and looking for a way drop a trump card.

I learned, that the House Republican caucus staff continues to exceed my expectations. You really have. Jeff, Bruce, Mary, Kelly, Lon, Brad, Ann, Kristin and Lew – you manage to stay half a step ahead of me, and make my job, and those of our caucus so much easier.

I learned that some of the most un-assuming people have more resolve and courage than I ever would have imagined.

I've learned to lean on a whole new set of friends; and want to thank Kraig, Doug, Linda, Rod and Jeff for your excellent work in guiding our caucus this year. I'm so proud of the way House Republicans conducted themselves this year. Many people thought after last falls elections that Republicans would just go away. Not true. We took principled positions – to do the things necessary to grow our economy, improve the quality of our schools, and protect Iowa's taxpayers – and we fought tirelessly for those things we believe in.

I've learned to lower my expectations. Mr. Speaker, one hundred and eleven days ago you said quote "we must find a way to reduce property taxes on Iowa businesses without shifting the burden onto homeowners and farmers." I fully expected that something would be accomplished this year – even if it was just the first step on a long road. Instead, nothing was even attempted, let alone accomplished. Taxpayers will not be satisfied. Republicans have offered suggestions and proposals all session long. We will continue to work over the interim with anyone who is serious about reducing Iowa's property tax burden.

I've learned that I am the most fortunate leader in the General Assembly – I am surrounded with great people. Liz – my page who has already left for her senior prom; Josie, the newest member of my team, and of course Allison, who has been sticking with me and keeping me straight for years now. I can't tell you how thankful I am for your help and service.

I've learned that my job is to ensure there is sunshine on the legislative process, to make sure the public knows what we are doing. I know that at times the majority party has not enjoyed my method of ensuring that sunshine, or providing that information to the body. But whether it be your party or my party – none of us should be afraid of letting the public know what we is going on because what we do can have a profound impact on the people of this state.

Thomas Jefferson described democracy as nothing more than mob rule, where fifty one percent of the people may take away the rights of the other forty-nine. That is an awesome power – and the forty nine percent – or in this case the forty-six – deserve to know what is being done to them and the majority should know precisely what they are doing.

Lastly, I've learned that not only should you file the amendment, but you should never withdraw it.

Ladies and gentlemen, enjoy your interim. We will have plenty of work to do next year.

REMARKS BY MAJORITY LEADER MCCARTHY

Majority Leader McCarthy offered the following remarks:

Mr. Speaker, ladies and gentlemen of the house, good morning as we pass midnight. I'll be very brief, because I know everyone is tired and it's been a long year and we want to get home. Let me first thank our democratic caucus staff for the fantastic work that they do. So often it seems we end up relying on the other party's caucus staff memos and sharing those as we work in the committee process. The two together help the policy product that we are able to do. We both have excellent caucus staffs and I want to thank ours from the bottom of my heart. The chief clerk and his staff have been fantastic, as we've learned that new role and my staff and the speaker's staff for all of the long nights.

The purpose of my speech is to judge the success of the legislative session from the majority party's perspective. I think there have been some successes and I think there have been some failures, to be frank with you. I guess, to be reasonable, to judge a session effectively from my perspective, you have to judge it based upon what you campaigned on and what you said you were going to do. The Democrats had a plan, some people liked it, some people didn't. We said we would increase the minimum wage. We said we would allow small businesses to share their work force, pooling, to help lower the future health care costs that they would be effected by. We said we would expand voluntary access to early childhood education. We said we would try to limit what has been a trend in the explosion of tuition in our universities and colleges. We said we would try to work on, as we make the transition from what has been largely an agricultural economy to a renewable economy, that we would try to focus on how to make Iowa the energy capital of the world, creating high quality jobs and a cleaner environment. We have done that by creating the power fund. We have done that and much more. All in all, we put out 16 points that we wanted to accomplish. We accomplished 15 of them. That's not too bad.

Commercial property taxes remains, as it has been the last several years, a vexing problem made more complicated by late in the session disagreements, but we are passing a study. Let us hope that, as has occurred in the past years, this study does not lead to more studies. We have to roll up our sleeves and try to get something done. We are going to have to deal with the larger issue of the formula.

Let me talk briefly about the tone. This I believe would be one of the failures of this session. We've had successes. I think both the majority and minority parties have to look inward to increase the tone, the civility, and how we treat each other. I've been fortunate, I think, this year to develop a good relationship with a number of folk on the other side of the aisle that I didn't know very well before.

I think we always have to take a step back. We're not as important as the rhetoric we spew out. An example of the good, bi-partisan work that I think we can be proud of is the Iowa Power Fund. Ten years or twenty years from now, some of the major pieces of legislation that folks are going to look back on are the Iowa Values Fund and the

Iowa Power Fund. Representative Hoffman is a member of the minority party. Rep. Hoffman's name will be used as it relates to the values fund and the power fund. Someone will say he was a member of the majority party with one and the minority party on the other, but they won't know the difference because of bi-partisanship.

So with that, it's getting late. I think we've had a good session. We've got a lot of work to do next year, and have a great interim. Thank you.

REMARKS BY SPEAKER MURPHY

Speaker Murphy offered the following remarks:

Ladies and gentlemen of the House, the first thing I'd like to do is thank my wife. Without her, and my kids, the opportunity to do this, and the green light to do it 18 years ago, wouldn't have occurred. So I want to thank them first for what they've done for me.

The second part I would like to do is thank every member of this body. You've made me the Speaker of the House. It's been an honor and privilege to do this for the last four months.

I want to thank my caucus for electing me as a leader. I questioned your judgment at times because of that, but I do appreciate that you've given me that opportunity.

I also want to thank the staff in the back – Carolyn, Dean, Ed – for the job they've done for me. They made sure that bills got to the right committees, that I got to the right places at the right time, and handled my schedule. The job is more than I expected when I took it in January, even though I thought I knew what I was getting into. Without the three of them, I wouldn't have had the success I have this year.

I also want to thank Abby – Abby Finkenauer, my page. She was in our Dubuque paper dubbed the "most powerful teenager in Iowa." And she'll continue to have that power for about another 24 hours.

I also want to thank the caucus staff, who's done a very good job over the years for me and for the caucus. It doesn't matter if it's Democrat or Republican caucus staff, the bottom line is they make us look successful, make us look intelligent, and do a good job of handling the details for all of us.

I also want to thank the people in the row in front of me – the Chief Clerk's office and their staff. Mark, you've been great to me over the years and you've done a great job this year. I really want to thank you for the work you've done here in the row in front of us.

The other group that sometimes gets overlooked is the LSA staff. They do a great job of making sure bills get drafted. They make sure the fiscal notes get done. And I think sometimes people don't understand the pressures that get put on them. Sometimes you have Democrats that think the fiscal note is too high, and you have Republicans on that same fiscal note that think the fiscal note is too low. They do a very good job of doing it in a non-partisan way. I think they do an excellent job, and we owe them a great amount of gratitude.

The last group I'd like to thank is the assistant leaders: Mike, Polly, John, Helen, and Lisa as well as Majority Leader McCarthy. I appreciate the work that you've done behind the scenes this year to make things successful. Quite frankly, when you hear the names Murphy and McCarthy and if you heard they're running something, you'd think they run a successful pub or tap and not the Iowa House. I appreciate the work and the help you've given me this year as well.

Now, when I sat here on Jan. 8, Democrats talked about our Plan for Prosperity. We talked about putting a re-focus on education, and I think we've accomplished that this year. Rep. Mary Mascher ran a bill that will be looked at years from now where this state became the first state to make early childhood education accessible for every four-year-old. That's very important because it goes to show that we are focusing on children and we are focusing on families.

I think another piece that's very important is our educators. We wanted to put a value on them. Our kids perform great in the state and we've made sure that teachers are rewarded for their hard work. We also focused on higher education as well, trying to make sure the rising cost of tuition at a Regents University wasn't rising at an astronomical rate that would deny the opportunity for higher education for people that may not be able to afford it. So I feel pretty good about what we've done in the area of education. We met every piece of the Plan for Prosperity in the state.

Turning to "Iowa: The Green State," we worked to make Iowa a world leader in renewable fuels. The Power Fund that we passed – I'm afraid to mention all the names for the power fund because we had probably eight or 10 people in our caucus that worked very hard on that all through the session – was a very bipartisan effort with some legislators from the other side of the aisle working very hard with our people to get something that everybody could embrace for the future.

When you think for a moment that we have an empty desk sitting next to McKinley Bailey for Ray Zirkelbach, who is currently serving in Iraq, and of our dependency on foreign oil -- this state needs to lead the country in renewable fuels. This state has the answers for what we're going to do in the

future. And now we have every other state copying what Iowa does because they realize the best way to make this country strong is by using our natural resources to make us less dependent on foreign oil. Hopefully, next year, Rep. Zirkelbach will be sitting here with us and we will be able to depend more on our corn crops than on fossil fuels from abroad.

The last piece that we talked about is rewarding hard work. We raised the minimum wage and focused on businesses in regard to health insurance, allowing the group pooling. But I think the other part we need to focus on is property taxes. We're going to look at that through an interim committee so that we can complete that 16th point on our plan.

I would also like to talk briefly tonight about some of the other things we did that are not part of the Plan for Prosperity, but that makes us a better Iowa. We focused on safe schools so every child has a safe learning environment and teachers have the tools they need to enforce discipline in the classroom. We also ended up at \$15.5 million for REAP, getting closer to its full level of \$20 million, to improve our environment.

I know that we had a very long and hard debate on stem cell research. But I really do believe that this state could be the leader some day in finding cures for cancer, diabetes, and other illnesses. I was proud of the respectful, good debate that night. Some day when we all get old or sick or ill, I'm optimistic the new innovations at the University of Iowa will give us new hope.

We also did some expansions in healthcare, and continued to do what we could to make Iowa a better state by passing the civil rights law.

We didn't accomplish everything this year, but I think we made a lot of great steps and a lot of great strides in different areas.

But our time is done, and it's time for us to spend time back in our districts, spend time with our families. Again, I thank you for the opportunity to have served you as Speaker. I look forward to seeing you all here in the future, and wish you the best during the summer and the fall.

Thank you.

SENATE AMENDMENT CONSIDERED

Oldson of Polk called up for consideration [Senate File 601](#), a bill for an act relating to state and local finances by providing for funding of property tax credits and reimbursements, by making, increasing and reducing appropriations, providing for salaries and compensation

of state employees, providing for tax credits, providing for fees and penalties, and providing for properly related matters, and including effective date provisions, amended by the House, further amended by the Senate and moved that the House concur in the following Senate amendment [H-2144](#) to the House amendment:

[H-2144](#)

1 Amend the House amendment, S-3532, to Senate File
2 601, as amended, passed, and reprinted by the Senate,
3 as follows:

4 1. Page 2, by inserting after line 15 the
5 following:

6 "____. Page 23, by striking line 35 and inserting
7 the following:

8 "..... \$ 14,200.00"

9 2. Page 2, by inserting after line 17 the
10 following:

11 "____. Page 26, by inserting after line 34 the
12 following:

13 "Sec. _____. The section of 2007 Iowa Acts, House
14 File 641, which is titled "processing of installment
15 agreements", and which refers to section 602.8107,
16 subsection 4, and allocates moneys to the judicial
17 branch, if enacted, is repealed."

18 3. Page 2, by striking lines 18 and 19.

19 4. Page 7, by inserting after line 2 the
20 following:

21 "____. By striking page 45, line 24, through page
22 46, line 7, and inserting the following:

23 "272.27 STUDENT TEACHING AND OTHER EDUCATIONAL
24 EXPERIENCES.

25 If the rules adopted by the board of educational
26 examiners for issuance of any type or class of license
27 require an applicant to complete work in student
28 teaching, ~~an accredited college or university located~~
29 ~~within the state of Iowa and states conterminous with~~
30 ~~Iowa may offer a program or programs of teacher~~
31 ~~education approved by the director of the department~~
32 ~~of education or the appropriate authority in states~~
33 ~~conterminous with Iowa by entering prestudent teaching~~
34 ~~experiences, field experiences, practicums, clinicals,~~
35 ~~or internships, an institution with a practitioner~~
36 ~~preparation program approved by the state board of~~
37 ~~education under section 256.7, subsection 3, shall~~
38 ~~enter into a written contract with any accredited~~
39 ~~school district or private, accredited nonpublic~~
40 ~~school, preschool registered or licensed by the~~
41 ~~department of human services, or area education agency~~
42 ~~in Iowa under terms and conditions as agreed upon by~~

43 the contracting parties. The terms and conditions of
44 a written contract entered into with a preschool
45 pursuant to this section shall provide that a student
46 teacher be under the direct supervision of an
47 appropriately licensed cooperating teacher who is
48 employed to teach at the preschool. Students actually
49 teaching or engaged in preservice licensure activities
50 in a school district under the terms of such a

Page 2

1 contract are entitled to the same protection, under
2 section 670.8, as is afforded by that section to
3 officers and employees of the school district, during
4 the time they are so assigned.

5 Sec. _____. Section 279.13, subsection 1, paragraph
6 b, if enacted by 2007 Iowa Acts, [Senate File 277](#),
7 section 11, is amended to read as follows:

8 b. (1) Prior to entering into an initial contract
9 with a teacher who holds a license other than an
10 initial license issued by the board of educational
11 examiners under chapter 272, the school district shall
12 either request the division of criminal investigation
13 of the department of public safety to conduct a
14 background investigation of the applicant or request a
15 qualified background screening company accredited by
16 the national association of professional background
17 check screeners to conduct a background check on the
18 applicant. ~~The~~

19 (2) If the school district submits a request to
20 the division of criminal investigation pursuant to
21 subparagraph (1), the school district shall require
22 the teacher to submit a completed fingerprint packet,
23 which shall be used to facilitate a national criminal
24 history check. The school district shall submit the
25 packet to the division of criminal investigation ~~of~~
26 ~~the department of public safety~~ which shall conduct a
27 thorough background investigation of the teacher. The
28 superintendent of a school district or the
29 superintendent's designee shall have access to and
30 shall review the sex offender registry information
31 under section 692A.13, the central registry for child
32 abuse information established under section 235A.14,
33 and the central registry for dependent adult abuse
34 information established under section 235B.5 for
35 information regarding applicants for employment as a
36 teacher.

37 (3) If the school district submits a request to a
38 qualified background screening company pursuant to
39 subparagraph (1), the background check shall include a
40 national criminal history check, a review of the sex
41 offender registry information under section 692A.13,

42 the central registry for child abuse information
 43 established under section 235A.14 as the
 44 superintendent's designee under section 235A.15, and
 45 the central registry for dependent adult abuse
 46 information established under section 235B.5 as the
 47 superintendent's designee under section 235B.6 for
 48 information regarding applicants for employment as a
 49 teacher.

50 (4) The school district may charge the teacher a

Page 3

1 fee for the background investigation, which shall not
 2 exceed the fee charged by the division of criminal
 3 investigation for conducting the background
 4 investigation."

5 5. Page 9, by inserting after line 6 the
 6 following:

7 "_. Page 96, by inserting after line 31 the
 8 following:

9 "DIVISION____
 10 ABSENTEE BALLOT AFFIDAVITS

11 Sec.____. Section 39A.4, subsection 1, paragraph
 12 c, subparagraphs (11) and (12), Code 2007, as amended
 13 by 2007 Iowa Acts, [House File 848](#), section 20, are
 14 amended to read as follows:

15 (11) Returning a voted absentee ballot, by mail or
 16 in person, to the commissioner's office and the person
 17 returning the ballot is not the voter, ~~an immediate~~
 18 ~~family member authorized by the voter to return the~~
 19 ~~ballot, an absentee ballot courier~~ the voter's
 20 designee, or a special precinct election official
 21 designated pursuant to section 53.22, subsection 1, ~~or~~
 22 ~~the designee of a voter described in section 53.22,~~
 23 ~~subsection 5.~~

24 (12) Making a false or untrue statement reporting
 25 that a voted absentee ballot was returned to the
 26 commissioner's office, by mail or in person, by a
 27 person other than the voter, ~~an immediate family~~
 28 ~~member authorized by the voter to return the ballot,~~
 29 ~~an absentee ballot courier~~ the voter's designee, or a
 30 special precinct election official designated pursuant
 31 to section 53.22, subsection 1, ~~or the designee of a~~
 32 ~~voter described in section 53.22, subsection 5.~~

33 Sec.____. Section 53.8, subsection 2, Code 2007,
 34 as amended by 2007 Iowa Acts, [House File 848](#), section
 35 25, is amended to read as follows:

36 2. a. The commissioner shall enclose with the
 37 absentee ballot a statement informing the applicant
 38 that the sealed carrier envelope may be mailed to the
 39 commissioner by the registered voter or the voter's
 40 designee or may be personally delivered to the

41 commissioner's office by the registered voter or the
 42 voter's designee. The statement shall also inform the
 43 voter that the voter may request that the voter's
 44 designee complete a receipt when retrieving the ballot
 45 from the voter. A blank receipt shall be enclosed
 46 with the absentee ballot.
 47 b. If an application is received so late that it
 48 is unlikely that the absentee ballot can be returned
 49 in time to be counted on election day, the
 50 commissioner shall enclose with the absentee ballot a

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1 statement to that effect. ~~The statement shall also~~
 2 ~~point out that it is possible for the applicant, an~~
 3 ~~immediate family member of the applicant, or the~~
 4 ~~applicant's designee if the absentee ballot is voted~~
 5 ~~by a voter described in section 53.22, subsection 5,~~
 6 ~~to personally deliver the completed absentee ballot to~~
 7 ~~the office of the commissioner at any time before the~~
 8 ~~closing of the polls on election day. The statement~~
 9 ~~shall also point out that it is possible for an~~
 10 ~~absentee ballot courier to personally deliver the~~
 11 ~~completed absentee ballot to the office of the~~
 12 ~~commissioner within seventy-two hours of retrieving~~
 13 ~~the completed ballot or before the closing of the~~
 14 ~~polls on election day, whichever is earlier.~~

15 Sec.____. Section 53.10, unnumbered paragraph 2,
 16 Code 2007, is amended to read as follows:

17 Each person who wishes to vote by absentee ballot
 18 at the commissioner's office shall first sign an
 19 application for a ballot including the following
 20 information: name, current address, and the election
 21 for which the ballot is requested. The person may
 22 report a change of address or other information on the
 23 person's voter registration record at that time. The
 24 registered voter shall immediately mark the ballot;
 25 enclose the ballot in a secrecy envelope, if
 26 necessary, and seal it in ~~a ballot~~ an affidavit
 27 envelope; subscribe to the affidavit on the reverse
 28 side of the envelope; and return the absentee ballot
 29 to the commissioner. The commissioner shall record
 30 the numbers appearing on the application and ~~ballot~~
 31 affidavit envelope along with the name of the
 32 registered voter.

33 Sec.____. Section 53.17, subsection 1, paragraph
 34 a, Code 2007, as amended by 2007 Iowa Acts, House File
 35 848, section 27, is amended by striking the paragraph
 36 and inserting in lieu thereof the following:

37 a. The sealed carrier envelope may be delivered by
 38 the registered voter, by the voter's designee, or by
 39 the special precinct election officials designated

40 pursuant to section 53.22, subsection 1, to the
 41 commissioner's office no later than the time the polls
 42 are closed on election day. However, if delivered by
 43 the voter's designee, the envelope shall be delivered
 44 within seventy-two hours of retrieving it from the
 45 voter or before the closing of the polls on election
 46 day, whichever is earlier.

47 Sec.____. Section 53.17, subsection 1, paragraphs
 48 b and c, Code 2007, are amended to read as follows:

49 b. The sealed carrier envelope may be mailed to
 50 the commissioner by the registered voter, ~~by an~~

Page 5

1 ~~immediate family member of the voter, or by the~~
 2 ~~voter's designee if the ballot is voted by a voter~~
 3 ~~described in section 53.22, subsection 5. If mailed~~
 4 by the voter's designee, the envelope must be mailed
 5 within seventy-two hours of retrieving it from the
 6 voter or within time to be postmarked not later than
 7 the day before the election, whichever is earlier.

8 ~~e. The sealed carrier envelope may be delivered to~~
 9 ~~the commissioner by an absentee ballot courier, but~~
 10 ~~only as provided in subsection 4.~~

11 Sec.____. Section 53.17, subsection 4, Code 2007,
 12 is amended by striking the subsection and inserting in
 13 lieu thereof the following:

14 4. When a person designated by the voter retrieves
 15 a completed absentee ballot from the voter, the
 16 designee shall, upon request of the voter, fill out a
 17 receipt to be retained by the voter. The state
 18 commissioner shall prescribe a form for receipts
 19 required by this subsection. The receipt shall
 20 include all of the following:

21 a. The name of the voter's designee.

22 b. The date and time the completed absentee ballot
 23 was received from the voter.

24 c. The name and date of the election for which the
 25 absentee ballot is being voted.

26 d. The name of the political party, candidate, or
 27 committee for which the designee is acting as an
 28 actual or implied agent, if applicable.

29 e. A telephone number at which the voter's
 30 designee may be contacted.

31 f. A statement that the completed absentee ballot
 32 will be delivered to the commissioner's office within
 33 seventy-two hours of retrieving it from the voter or
 34 before the closing of the polls on election day,
 35 whichever is earlier, or that the completed absentee
 36 ballot will be mailed to the commissioner within
 37 seventy-two hours of retrieving it from the voter or
 38 within time to be postmarked not later than the day

39 before the election, whichever is earlier.

40 Sec.____. Section 53.17, subsection 5, Code 2007,
41 is amended by striking the subsection.

42 Sec.____. Section 53.18, Code 2007, is amended to
43 read as follows:

44 53.18 MANNER OF PRESERVING BALLOT AND APPLICATION
45 -- REVIEW OF AFFIDAVIT - REPLACEMENT BALLOTS.

46 1. Upon receipt of When the return carrier
47 envelope containing the completed absentee ballot is
48 received by the commissioner, the commissioner shall
49 at once record the number appearing on the application
50 and return carrier envelope and time of receipt of

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1 such ballot ~~and attach the elector's application to~~
2 ~~the unopened envelope.~~ Absentee ballots shall be
3 stored in a secure place until they are delivered to
4 the absentee and special voters precinct board.

5 2. If the commissioner receives the return carrier
6 envelope containing the completed absentee ballot by
7 five p.m. on the Saturday before the election for
8 general and primary elections and by five p.m. on the
9 Friday before the election for all other elections,
10 the commissioner shall open the envelope to review the
11 affidavit for any deficiencies. If the affidavit
12 contains a deficiency that would cause the ballot to
13 be rejected, the commissioner shall, within
14 twenty-four hours of the time the envelope was
15 received, notify the voter of that fact and that the
16 voter may correct the deficiency by five p.m. on the
17 day before the election.

18 3. If the affidavit envelope is open when received
19 by the commissioner, or has been opened and resealed,
20 or if the ballot is not enclosed in the affidavit
21 envelope, the commissioner shall immediately notify
22 the voter of that fact and that the voter's absentee
23 ballot shall not be counted unless the voter applies
24 for a replacement ballot and returns the replacement
25 ballot in the time permitted under section 53.17,
26 subsection 2. The replacement ballot application
27 shall be the same as is required for an application
28 under section 53.2. If the information on the
29 replacement ballot application matches the information
30 on the original application, the voter shall be
31 allowed to complete a replacement absentee ballot. The
32 same serial number that was assigned to the records of
33 the original absentee ballot application shall be used
34 on the envelope and records of the replacement ballot.
35 The affidavit envelope containing the completed
36 replacement ballot shall be marked "Replacement
37 ballot". The affidavit envelope containing the

38 original ballot shall be marked "Defective ballot" and
39 the replacement ballot and replacement ballot
40 application shall be attached to the original
41 application and affidavit envelope containing the
42 original ballot and shall be stored in a secure place
43 until they are delivered to the absentee and special
44 voters precinct board, notwithstanding sections 53.26
45 and 53.27.

46 4. The state commissioner of elections shall adopt
47 rules for implementation of this section.

48 Sec.____. Section 53.19, unnumbered paragraph 3,
49 Code 2007, is amended to read as follows:

50 However, any registered voter who has received an

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1 absentee ballot and not returned it may surrender the
2 absentee ballot to the precinct officials and vote in
3 person at the polls. The precinct officials shall
4 mark the uncast absentee ballot "void" and return it
5 to the commissioner. Any registered voter who has
6 been sent an absentee ballot by mail but for any
7 reason has not received it or who has not brought the
8 ballot to the polls may appear at the voter's precinct
9 polling place on election day and shall cast a ballot
10 in accordance with section 49.81. Any registered
11 voter who has been notified by the commissioner
12 pursuant to section 53.18 of the need to correct a
13 deficiency on the affidavit or to apply for and vote a
14 replacement absentee ballot and who has not corrected
15 the deficiency or voted a replacement absentee ballot
16 may appear at the voter's precinct polling place on
17 election day and shall cast a ballot in accordance
18 with section 49.81.

19 Sec.____. Section 53.21, unnumbered paragraph 4,
20 Code 2007, is amended to read as follows:

21 The voter shall enclose one copy of the above
22 statement in the return carrier envelope with the
23 ~~ballot~~ affidavit envelope and retain a copy for the
24 voter's records.

25 Sec.____. Section 53.23, subsection 3, Code 2007,
26 is amended to read as follows:

27 3. a. The commissioner shall set the convening
28 time for the board, allowing a reasonable amount of
29 time to complete counting all absentee ballots by ten
30 p.m. on election day. The commissioner may direct the
31 board to meet on the day before the election solely
32 for the purpose of reviewing the absentee voters'
33 affidavits appearing on the sealed ~~ballot~~ affidavit
34 envelopes. If in the commissioner's judgment this
35 procedure is necessary due to the number of absentee
36 ballots received, the members of the board may open

37 the sealed ~~ballot affidavit~~ envelopes and remove the
 38 secrecy envelope containing the ballot, but under no
 39 circumstances shall a secrecy envelope be opened
 40 before the board convenes on election day. If the
 41 ~~ballot affidavit~~ envelopes are opened before election
 42 day, two observers, one appointed by each of the two
 43 political parties referred to in section 49.13,
 44 subsection 2, shall witness the proceedings.
 45 b. If the board finds any ballot not enclosed in a
 46 secrecy envelope and the ballot is folded in such a
 47 way that any of the votes cast on the ballot are
 48 visible, the two special precinct election officials,
 49 one from each of the two political parties referred to
 50 in section 49.13, subsection 2, shall place the ballot

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1 in a secrecy envelope. No one shall examine the
 2 ballot. Each of the special precinct election
 3 officials shall sign the secrecy envelope.
 4 Sec ____. Section 53.24, Code 2007, is amended to
 5 read as follows:
 6 53.24 COUNTIES USING VOTING MACHINES.
 7 In counties which provide the special precinct
 8 election board with voting machines, the ~~absentee~~
 9 ~~ballot affidavit~~ envelopes shall be opened by the
 10 board and the ballots shall, without being unfolded,
 11 be thoroughly intermingled, after which they shall be
 12 unfolded and, under the personal supervision of
 13 precinct election officials of each of the political
 14 parties, be registered on voting machines the same as
 15 if the absent voter had been present and voted in
 16 person, except that a tally of the write-in votes may
 17 be kept in the tally list rather than on the machine.
 18 When two or more political subdivisions in the county
 19 are holding separate elections simultaneously, the
 20 commissioner may arrange the machine so that the
 21 absentee and provisional ballots for more than one
 22 election may be recorded on the same machine.
 23 Sec ____. Section 53.25, Code 2007, is amended to
 24 read as follows:
 25 53.25 REJECTING BALLOT.
 26 ~~In case~~ If the absentee voter's affidavit is found
 27 to be insufficient, ~~or that if~~ the applicant is not a
 28 duly registered voter in such precinct, ~~or that the~~
 29 ~~ballot envelope is open, or has been opened and~~
 30 ~~resealed, or that if~~ the ballot affidavit envelope
 31 contains more than one ballot of any one kind, or ~~that~~
 32 ~~said if the~~ voter has voted in person, such vote shall
 33 not be accepted or counted. If the affidavit envelope
 34 is open, or has been opened and resealed, or if the
 35 ballot is not enclosed in the affidavit envelope, and

36 an affidavit envelope with the same serial number and
37 marked "Replacement ballot" is not attached as
38 provided in section 53.18, the vote shall not be
39 accepted or counted.

40 If the absentee ballot is rejected prior to the
41 opening of the ~~ballot~~ affidavit envelope, the voter
42 casting the ballot shall be notified by a precinct
43 election official by the time the canvass is completed
44 of the reason for the rejection on a form prescribed
45 by the state commissioner of elections.

46 Sec.____. Section 53.27, Code 2007, is amended to
47 read as follows:

48 53.27 REJECTION OF BALLOT – RETURN OF ENVELOPE.

49 If the ballot is rejected, ~~said ballot~~ the
50 affidavit envelope, with the affidavit of the voter

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1 endorsed thereon, shall be returned with ~~said the~~ the
2 rejected ballot in the envelope endorsed "Defective
3 ballots".

4 Sec.____. Section 53.32, Code 2007, is amended to
5 read as follows:

6 53.32 BALLOT OF DECEASED VOTER.

7 When it shall be made to appear by due proof to the
8 precinct election officials that any elector, who has
9 so marked and forwarded a ballot, has died before the
10 ~~ballot~~ affidavit envelope is opened, then the ballot
11 of such deceased voter shall be endorsed, "Rejected
12 because voter is dead", and be returned to the
13 commissioner; but the casting of the ballot of a
14 deceased voter shall not invalidate the election.

15 Sec.____. Section 53.38, Code 2007, is amended to
16 read as follows:

17 53.38 WHAT CONSTITUTES REGISTRATION.

18 Whenever a ballot is requested pursuant to section
19 53.39 or 53.45 on behalf of a voter in the armed
20 forces of the United States, the affidavit upon the
21 ~~ballot~~ affidavit envelope of such voter, if the voter
22 is found to be an eligible elector of the county to
23 which the ballot is submitted, shall constitute a
24 sufficient registration under chapter 48A. A
25 completed federal postcard registration and federal
26 absentee ballot request form submitted by such
27 eligible elector shall also constitute a sufficient
28 registration under chapter 48A. The commissioner
29 shall place the voter's name on the registration
30 record as a registered voter if it does not already
31 appear there.

32 Sec.____. Section 53.40, unnumbered paragraph 5,
33 Code 2007, is amended to read as follows:

34 If the affidavit on the ~~ballot~~ affidavit envelope

35 shows that the affiant is not a qualified voter on the
 36 day of the election at which the ballot is offered for
 37 voting, the envelope shall not be opened, but the
 38 envelope and ballot contained in the envelope shall be
 39 preserved and returned by the precinct election
 40 officials to the commissioner, who shall preserve them
 41 for the period of time and under the conditions
 42 provided for in sections 50.12 through 50.15 and
 43 section 50.19.

44 Sec.____. Section 53.44, unnumbered paragraph 1,
 45 Code 2007, is amended to read as follows:

46 The affidavit on the affidavit envelope used in
 47 connection with voting by absentee ballot under this
 48 division by members of the armed forces of the United
 49 States need not be notarized or witnessed, but the
 50 affidavit on ~~the ballot~~ such envelope shall be

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1 completed and signed by the voter."

2 6. By renumbering as necessary.

The motion prevailed and the House concurred in the Senate
 amendment [H-2144](#), to the House amendment.

Oldson of Polk moved that the bill, as amended by the House,
 further amended by the Senate and concurred in by the House, be
 read a last time now and placed upon its passage which motion
 prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([S.F. 601](#))

The ayes were, 52:

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

The nays were, 40:

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

Absent or not voting, 8:

Anderson	Arnold	Dolecheck	Gipp
Raecker	Rayhons	Van Engelenhoven	Zirkelbach

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

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that [Senate File 601](#) be immediately messaged to the Senate.

CONSIDERATION OF [HOUSE CONCURRENT RESOLUTION 11](#)

McCarthy of Polk asked and received unanimous consent for the immediate consideration of [House Concurrent Resolution 11](#).

- 1 [HOUSE CONCURRENT RESOLUTION 11](#)
- 2 By McCarthy and Rants
- 3 A House Concurrent Resolution to provide for
- 4 adjournment sine die.
- 5 *Be It Resolved By The House Of Representatives, The Senate*
- 6 *Concurring,* That when adjournment is had on Saturday, April
- 7 28, 2007, it shall be the final adjournment of the 2007
- 8 Regular Session of the Eighty-second General Assembly.

[SENATE CONCURRENT RESOLUTION 8](#) SUBSTITUTED FOR [HOUSE CONCURRENT RESOLUTION 11](#)

- 1 SENATE CONCURRENT RESOLUTION
- 2 By: Committee on Rules and Administration
- 3 A Senate Concurrent Resolution to provide for
- 4 adjournment sine die.
- 5 *Be It Resolved By The Senate, The House Concurring,*
- 6 That when adjournment is had on Sunday, April 29,
- 7 2007, it be the final adjournment of the 2007 Regular
- 8 Session of the Eighty-second General Assembly.

The motion prevailed and the resolution was adopted.

HOUSE AND SENATE FILES REREFERRED TO COMMITTEES

Under the provision of House Rule 45, the following House Files and Senate Files were rereferred to the committees listed:

House File 81	Transportation
House File 247	Local Government
House File 256	State Government
House File 283	Judiciary
House File 320	Transportation
House File 393	Commerce
House File 459	Education
House File 469	Education
House File 474	Public Safety
House File 503	Human Resources
House File 562	Natural Resources
House File 582	Transportation
House File 609	Environmental Protection
House File 646	Transportation
House File 652	State Government
House File 675	Labor
House File 676	Labor
House File 677	Labor
House File 743	Labor
House File 754	Education
House File 756	Public Safety
House File 757	State Government
House File 760	Public Safety
House File 761	Public Safety
House File 762	Public Safety
House File 763	Economic Growth
House File 769	Human Resources
House File 778	Local Government
House File 779	Education
House File 789	Commerce
House File 791	Commerce
House File 796	Public Safety
House File 797	Labor
House File 799	Economic Growth

House File 804	Education
House File 806	State Government
House File 818	Judiciary
House File 843	Environmental Protection
House File 847	Transportation
House File 852	Public Safety
House File 861	Labor
House File 863	State Government
House File 866	Environmental Protection
House File 876	Appropriations
House File 881	Ways and Means
House File 882	Ways and Means
House File 885	Agriculture
House File 886	Labor
House File 887	Labor
House File 891	Appropriations
House File 895	Ways and Means
House File 898	Ways and Means
House File 900	Appropriations
House File 902	Ways and Means
House File 903	Ways and Means
House File 917	Government Oversight
House File 919	Ways and Means
House File 921	Ways and Means
House File 922	Appropriations
House File 929	Ways and Means
House File 931	Ways and Means
House File 933	Government Oversight
Senate Joint Resolution 2	Natural Resources
Senate File 48	Natural Resources
Senate File 62	Education
Senate File 199	Judiciary
Senate File 203	Natural Resources
Senate File 208	Local Government
Senate File 248	Human Resources
Senate File 249	Human Resources
Senate File 260	Human Resources
Senate File 264	Judiciary
Senate File 308	Natural Resources
Senate File 341	Labor
Senate File 348	State Government

Senate File 373	Judiciary
Senate File 413	Labor
Senate File 429	Judiciary
Senate File 445	Judiciary
Senate File 446	State Government
Senate File 465	State Government
Senate File 466	Commerce
Senate File 482	State Government
Senate File 487	State Government
Senate File 488	Labor
Senate File 493	Environmental Protection
Senate File 505	Judiciary
Senate File 514	Commerce
Senate File 517	Commerce
Senate File 527	Commerce
Senate File 534	Judiciary
Senate File 544	Commerce

The following Senate Files that were previously passed on file were referred to the following committees:

Senate File 25	Judiciary
Senate File 138	Judiciary
Senate File 236	Local Government
Senate File 261	Environmental Protection
Senate File 310	Natural Resources
Senate File 508	Commerce
Senate File 572	Ways and Means
Senate File 587	Ways and Means
Senate File 599	Appropriations

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on April 27 and 28, 2007. Had I been present, I would have voted "aye" on House Files 641, 897, 908, 923, 932; [House Resolution 53](#); Senate Joint Resolutions 4, 5, 6; Senate Files 499, 510, 512, 578, 579, 590, 593; amendments [H-2124](#), [H-2138](#) to amendment [H-2114](#) to [House File 911](#); amendments [H-1510](#), [H-1511](#) to [Senate File 369](#); amendments [H-2057](#), [H-2062](#), [H-2068](#) to [Senate File 601](#) and [H-2143](#) to amendment [H-2139](#) to [Senate File 601](#). Also: on the motion to suspend the rules to consider amendments [H-2075](#), [H-2077](#), [H-2078](#), [H-2080](#), [H-2081](#), [H-2083](#) to [Senate File 590](#) and [H-2137](#) to [Senate File 601](#). I would have voted "nay" on House Files 556,

909, 911, 920; Senate Files 369, 551, 588, 601; amendment [H-2114](#) to [House File 911](#) and amendment [H-2112](#) to [Senate File 588](#).

RAECKER of Polk

I was necessarily absent from the House chamber on Friday, April 27, 2007. Had I been present, I would have voted "aye" on House Files 641, 897, 908, 923, 924 and Senate Files 499, 512, 578, 590, 593; amendments [H-1971](#) and [H-2088](#) to [House File 641](#); amendment [H-1978](#) to [House File 897](#); amendments [H-1791](#), [H-1937](#), [H-1977](#) and [H-2119](#) to [House File 908](#); amendment [H-2111](#) to [House File 924](#); amendments [H-2075](#), [H-2076](#), [H-2077](#), [H-2078](#), [H-2080](#), [H-2081](#) and [H-2083](#) to [Senate File 590](#) and amendment [H-1924](#) to [Senate File 593](#). I would have voted "nay" on House Files 556, 920 and amendment [H-1980](#) to [House File 920](#)

ROBERTS of Carroll

I was necessarily absent from the House chamber on March 27 and April 9, 10, 11 and 12, 2007. Had I been present, I would have voted "aye" on House Files 451, 559, 566, 744, 759, 793, 830, 892 and Senate Files 41, 42, 137, 140, 155, 161, 175, 200, 205, 265, 270, 311, 333, 337, 351, 354, 360, 381, 406, 407, 444, 448, 463, 477, 479, 489, 502, 528 and 529. I would have voted "nay" on [Senate File 563](#).

SCHICKEL of Cero Gordo

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 28th day of April, 2007: House Files 368, 396, 397, 499, 546, 556, 608, 641, 648, 651, 671, 718, 742, 749, 752, 767, 773, 783, 793, 808, 817, 830, 864, 874, 877, 890, 892, 896, 897, 904, 906, 907, 908, 909, 910, 911, 912, 918, 920, 923, 924, 925, 927 and 932.

MARK W. BRANDSGARD
Chief Clerk of the House

Report adopted.

CERTIFICATES OF RECOGNITION

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

MARK W. BRANDSGARD
Chief Clerk of the House

- 2007\3106 Dorothy Anderson, Marshalltown – For celebrating her 79th birthday.
- 2007\3107 Mary Jane Ecklor, Marshalltown – For celebrating her 76th birthday.
- 2007\3108 Charles Ethington, Marshalltown – For celebrating his 76th birthday.
- 2007\3109 Arvella Goodman, Marshalltown – For celebrating her 92nd birthday.
- 2007\3110 Herbert Langland, Marshalltown – For celebrating his 86th birthday.
- 2007\3111 Darwin Lynch, Marshalltown – For celebrating his 80th birthday.
- 2007\3112 Harold Wilkening, Marshalltown – For celebrating his 91st birthday.
- 2007\3113 Betty Worsfold, Marshalltown – For celebrating her 76th birthday.
- 2007\3114 Harold Aringdale, Marshalltown – For celebrating his 77th birthday.
- 2007\3115 Betty Arterburn, Marshalltown – For celebrating her 80th birthday.
- 2007\3116 George Hinshaw, Marshalltown – For celebrating his 80th birthday.
- 2007\3117 Donald Hunst, Marshalltown – For celebrating his 80th birthday.
- 2007\3118 Betty Lewis, Marshalltown – For celebrating her 78th birthday.
- 2007\ 3119 Florence McCown, Marshalltown – For celebrating her 99th birthday.
- 2007\3120 Donald Viers, Sr, Marshalltown – For celebrating his 82nd birthday.
- 2007\3121 Ruth Walkup, Marshalltown – For celebrating her 84th birthday.
- 2007\3122 Ralph and Agnes Ward, Marshalltown – For celebrating their 50th wedding anniversary.
- 2007\3123 Ronald Wilkening, Marshalltown – For celebrating his 81st birthday.

- 2007\3124 Edwin Wignall, Marshalltown – For celebrating his 76th birthday.
- 2007\3125 Dorothy Olsen, Marshalltown – For celebrating her 85th birthday.
- 2007\3126 Lowell Keeler, Marshalltown – For celebrating his 83rd birthday.
- 2007\3127 Ralph Hill, Albion – For celebrating his 77th birthday.
- 2007\3128 Kathleen Garland, Marshalltown – For celebrating her 84th birthday.
- 2007\3129 Gene Beilke, Marshalltown – For celebrating his 84th birthday.
- 2007\3130 Kathy Andersen, Davenport – For receiving the Iowa School Nurse of the Year Award.
- 2007\3131 Harry Hunter, Milton – For 60 years of continuous membership in the American Legion.
- 2007\3132 Melvin Keller, Cantril – For 50 years of continuous membership in the American Legion.
- 2007\3133 Laurie Johnson, Fairfield – For being named a United States National Leadership and Service Award winner by the United States Achievement Academy.
- 2007\3134 Glenn McDole, Ankeny – For receiving the Iowa Daughters of the American Revolution Medal of Honor.
- 2007\3135 Jeffrey Chenhall, Iowa City – For receiving first place nationally on the Junior Engineering Technical Society's Test of Engineering Aptitude in Math and Science.
- 2007\3136 Darren Look, Iowa City – For receiving first place nationally on the Junior Engineering Technical Society's Test of Engineering Aptitude in Math and Science.
- 2007\3137 Kyle Shatzer, Iowa City – For receiving first place nationally on the Junior Engineering Technical Society's Test of Engineering Aptitude in Math and Science.
- 2007\3138 Gray Thomas, Iowa City – For receiving first place nationally on the Junior Engineering Technical Society's Test of Engineering Aptitude in Math and Science.
- 2007\3139 Luzia Zhang, Iowa City – For receiving first place nationally on the Junior Engineering Technical Society's Test of Engineering Aptitude in Math and Science.
- 2007\3140 Roy Zhang, Iowa City – For receiving first place nationally on the Junior Engineering Technical Society's Test of Engineering Aptitude in Math and Science.

- 2007\3141 Shuo Zhang, Iowa City – For receiving first place nationally on the Junior Engineering Technical Society's Test of Engineering Aptitude in Math and Science.
- 2007\3142 Clarence Balcom, Jr., Marshalltown – For celebrating his 78th birthday.
- 2007\3143 Helen Berg, Marshalltown – For celebrating her 84th birthday.
- 2007\3144 Vera Cutler, Marshalltown – For celebrating her 91st birthday.
- 2007\3145 Richard Drew, Marshalltown – For celebrating his 79th birthday.
- 2007\3146 Opal Funke, Marshalltown – For celebrating her 83rd birthday.
- 2007\3147 Doris Jay, Albion – For celebrating her 77th birthday.
- 2007\3148 Evan Jones, Marshalltown – For celebrating his 87th birthday.
- 2007\3149 Mary Naughton, Marshalltown – For celebrating her 89th birthday.

AMENDMENTS FILED

H-2136	HCR	10	Kuhn of Floyd
H-2140	S.F.	488	T. Taylor of Linn

RESOLUTION FILED

[HR 54](#), by Heaton, Foege, Palmer, Whitaker, Bukta, Lykam, D. Taylor, Whitead, Gaskill, Stead, Bell, Swaim, Gayman, Abdul-Samad, Berry, Frevert, Heddens, Mertz, T. Taylor, Jochum, Mascher, Bailey, Wessel-Kroeschell, Ford, Lensing, Hunter, Kuhn, H. Miller, Shomshor, Davitt, D. Olson, Smith, Reichert, Wise, Petersen, Kressig, Wenthe, Wendt, Jacoby, Schueller, Quirk, Dandekar, T. Olson, Upmeyer, Wiencek, Soderberg, Grassley, Alons, Worthan, Boal, Clute, Baudler, Rayhons, Raecker, Horbach, Kaufmann, Arnold, Windschitl, Tomenga, May, Chambers, Tymeson, Watts, Rasmussen, L. Miller, De Boef, Granzow, Greiner, Forristall, Jacobs, Tjepkes, Deyoe, S. Olson, Dolecheck, Roberts, Hoffman, Struyk, Sands, S. Olson, Dolecheck, Roberts, Hoffman, Struyk, Sands, Rants and Paulsen, a resolution encouraging the Iowa congressional delegation to support legislation to improve Medicare payments to Iowa physicians under Medicare Part B program.

Laid over under rule 25.

FINAL ADJOURNMENT

By virtue of [Senate Concurrent Resolution 8](#), duly adopted, the day of April 28, 2007 having arrived, the Speaker of the House of Representative declared the 2007 Regular Session of the Eighty-second General Assembly adjourned sine die at 12:39 a.m.

SUPPLEMENTAL TO HOUSE JOURNAL**BILLS APPROVED, VETOED, OR ITEM VETOED
SUBSEQUENT TO ADJOURNMENT**

The following is a record of the action of the Governor on bills passed by the 2007 Regular Session of the Eighty-second General Assembly and which action was had subsequent to the date of final adjournment.

[H.F. 368](#)— Relating to the boiler and pressure vessel safety program enforced by the division of labor services of the department of workforce development. Approved 5-09-07.

[H.F. 396](#)— Expanding the scope of services under an existing appropriation for the community empowerment initiative involving preschool services and providing effective date and applicability provisions. Approved 5-24-07.

[H.F. 397](#)— Relating to the expenditures allowable from medical assistance income trusts. Approved 5-9-07.

[H.F. 499](#)— Relating to various matters under the purview of the insurance division of the department of commerce including workers' compensation self-insurance, premium taxes, the uniform securities Act, powers and duties of the insurance division, regulation of insurance sales to military personnel, domestic insurance companies, life insurance companies, nonprofit health service corporations, external review of health care coverage decisions, investment limitations on insurers other than life insurers, property and casualty insurers' reserves, motor vehicle service contracts, county and state mutual associations, reciprocal or interinsurance contracts, protected cell companies, licensing of insurance producers and public adjusters, and life and fire insurance company boards of directors, and providing penalties. Approved 5-9-07.

[H.F. 546](#)— Relating to membership on election boards. Approved 5-9-07.

[H.F. 556](#)— Establishing the Iowa propane education and research council, providing for the development of programs and projects related to propane, providing for an assessment on the sale of odorized propane, providing criminal penalties, and providing for a future repeal and for effective dates. Approved 5-24-07.

[H.F. 608](#)— Relating to notice of meetings of the board of township trustees. Approved 5-9-07.

- [H.F. 641](#)— Relating to judicial branch practices and procedures, including distribution of court revenue to cities and counties, and the state, and including applicability provisions. Approved 5-25-07.
- [H.F. 648](#)— Relating to distress criteria for enterprise zones. Approved 5-24-07.
- [H.F. 651](#)— Relating to business corporations, by providing for information required to be filed with the secretary of state and providing for shares and instruments associated with such corporations. Approved 5-9-07.
- [H.F. 671](#)— Prohibiting remote control or internet hunting of wild animals, or game birds or ungulates or preserve whitetail kept on hunting preserves, and providing penalties. Approved 5-11-07.
- [H.F. 718](#)— Relating to cigarette fire safety standards, and providing penalties. Approved 5-21-07.
- [H.F. 742](#)— Relating to the regulation of snowmobiles and all-terrain vehicles, and providing fees and penalties. Approved 5-9-07.
- [H.F. 749](#)— Concerning existing and new special motor vehicle registration plates associated with military service, crediting fees from the sale of certain special motor vehicle registration plates to the emergency medical services fund and the veterans license fee fund, and providing effective dates. Approved 5-24-07.
- [H.F. 767](#)— Relating to eligible veterans for purposes of the injured veterans grant program. Approved 5-9-07.
- [H.F. 773](#)— Establishing an energy city designation program. Approved 5-11-07.
- [H.F. 793](#)— Relating to administration of regional transportation by regional transit districts and of highways and regulation of motor vehicles by the state department of transportation, including provisions relating to the placement of advertising devices along primary highways, qualifications of property appraisers, state standards for land surveying, destruction of suspended or revoked driver's licenses, requirements for a temporary restricted driver's license, registration and titling of vehicles, legion of merit special registration plates, antique motor vehicle registration plates and fees, licensing of motor vehicle dealers, motor carrier registration and fuel tax liability, the maximum length limitation for single trucks, requirements for operation of certain self-propelled implements of husbandry on secondary roads, and disposition of regional transit district tax revenues collected by a county treasurer, and providing effective dates. Approved 5-9-07.
- [H.F. 808](#)— Concerning accountability requirements for entities and boards created for joint exercise of governmental powers and providing an effective date. Approved 5-11-07.

- [H.F. 817](#)– Concerning the flag and veterans by providing for a study of regional veterans affairs offices, providing for the duties of the department of veterans affairs and the commission on veterans affairs, prohibiting certain acts involving the flag, establishing a counseling program for veterans, and providing a penalty. Approved 5-29-07.
- [H.F. 830](#)– Relating to the construction bidding procedures Act by modifying procedures and requirements for letting public improvement contracts, and making corrections. Approved 5-9-07.
- [H.F. 864](#)– Providing for candidate physical ability tests for fire fighter applicants under the statewide fire and police retirement system and providing an effective date. Approved 5-21-07.
- [H.F. 877](#)– Creating a statewide voluntary preschool program for four-year-old children and making appropriations. Approved 5-10-07.
- [H.F. 890](#)– Relating to assistance for small businesses, making appropriations, and providing an effective date provision. Approved 5-22-07.
- [H.F. 892](#)– Creating a film, television, and video project promotion program, providing tax credits and income exclusions, and including effective and retroactive applicability dates. Approved 5-17-07.
- [H.F. 896](#)– Creating a disaster aid individual assistance grant fund. Approved 5-9-07.
- [H.F. 897](#)– Establishing statewide licensure and certification of electricians and installers, providing for inspections, establishing fees, and providing penalties. Approved 5-25-07.
- [H.F. 904](#)– Relating to withholding tax and the repeal of the loan agencies tax. Approved 5-24-07.
- [H.F. 906](#)– Requiring children enrolling in elementary or high school to have a dental screening and providing an effective date. Approved 5-9-07.
- [H.F. 908](#)– Relating to the licensing and regulation of plumbers and mechanical professionals, and providing an appropriation and penalties and providing an effective date. Approved 5-25-07.
- [H.F. 910](#)– Relating to the creation of a task force on postnatal tissue and fluid banking, related postnatal procedures, and providing an effective date. Approved 5-9-07.
- [H.F. 912](#)– Relating to providing sales, use, and property tax exemptions and refunds for certain computer-related service businesses. Approved 5-25-07.

- [H.F. 918](#)— Establishing the office of energy independence and the Iowa power fund and related provisions, and providing an effective date. Approved 5-23-07.
- [H.F. 920](#)— Authorizing the state board of regents to borrow moneys and issue revenue bonds to finance the costs of certain building and facility improvement programs. Approved 5-11-07.
- [H.F. 923](#)— Relating to the policy and technical administration of the tax and related laws by the department of revenue, including administration of income, sales, use, cigarette, and tobacco taxes, providing an effective date, and providing retroactive applicability date provisions. Approved 5-24-07.
- [H.F. 924](#)— Relating to qualifications for licensure as a real estate broker or salesperson upon conviction of specified offenses. Approved 5-24-07.
- [H.F. 925](#)— Relating to health-related activities and regulation, including the practices of optometry and mortuary science, establishment of a state public health dental director and an oral health bureau, dependent adult abuse, membership on the child death review team, and immunity for emergency response, and providing for the revision of fees. Approved 5-11-07.
- [H.F. 927](#)— Making appropriations for specified energy-related purposes and providing an effective date. Approved 5-23-07.
- [H.F. 932](#)— Relating to revenue for the construction and maintenance of roads. Approved 5-25-07.
- [S.J.R. 4](#)— Authorizing the temporary use and consumption of wine in the State Capitol, and the temporary display of ceremonial banners, in conjunction with the awards ceremony of the World Food Prize Foundation. Approved 5-24-07.
- [S.J.R. 5](#)— Authorizing the temporary use and consumption of alcoholic beverages on the state capitol complex grounds in conjunction with the Hy-Vee BG World Cup Triathlon, and providing an effective date. Approved 5-24-07.
- [S.J.R. 6](#)— Approving the permanent acknowledgement of elementary and secondary schools and individual citizens of this state for their contributions of foliage and items to be permanently located on the west capitol terrace and other capitol grounds and providing an effective date. Approved 5-24-07.
- [S.F. 90](#)— Concerning local emergency management commission communications. Approved 5-11-07.
- [S.F. 212](#)— Relating to county offices, by protecting certain identity information contained in documents recorded with the county recorder and by

increasing salary limits for certain deputy officers and providing an applicability date. Approved 5-9-07.

- [S.F. 254](#)– Revising family investment program requirements. Approved 5-9-07.
- [S.F. 263](#)– Concerning gambling games on gambling structures. Approved 5-25-07.
- [S.F. 265](#)– Relating to asbestos removal and encapsulation regulations as enforced by the labor commissioner. Approved 5-9-07.
- [S.F. 278](#)– Relating to changes in the utility replacement tax law by redefining a new electric power generating plant, extending the life of the utility replacement tax task force, and requiring notification by the taxpayer to the department of revenue and local taxing district upon transfer of utility property. Approved 5-11-07.
- [S.F. 304](#)– Relating to the exercise of regulatory authority by the department of natural resources and the natural resource commission within the boundaries of the Sac and Fox tribe settlement in Tama county, and providing for applicability and effective dates. Approved 5-25-07.
- [S.F. 333](#)– Relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and including effective and retroactive applicability date provisions. Approved 5-9-07.
- [S.F. 336](#)– Allowing certain cities to appoint additional civil service commissioners. Approved 5-9-07.
- [S.F. 340](#)– Relating to the consideration of inherited or gifted property in dissolution-of-marriage property division proceedings and including an effective date and an applicability provision. Approved 5-21-07.
- [S.F. 344](#)– Relating to enforcement of certain solid waste disposal requirements and providing civil penalties. Approved 5-11-07.
- [S.F. 346](#)– Providing for the development of a uniform health insurance application form for use by small employers. Approved 5-24-07.
- [S.F. 360](#)– Relating to the regulatory duties of the division of banking of the department of commerce regarding banking, debt management, mortgage banking, industrial loan companies, and professional licensing. Approved 5-24-07.
- [S.F. 369](#)– Relating to voting machines and optical scan voting systems. Approved 5-25-07.

- [S.F. 421](#)— Relating to workers' compensation laws by regulating insurance policy exclusions and debt collection practices. Approved 5-9-07.
- [S.F. 427](#)— Relating to the Iowa civil rights Act and discrimination based upon a person's sexual orientation or gender identity. Approved 5-25-07.
- [S.F. 430](#)— Relating to a civil judgment, decree, or order of a court of a federally recognized Indian tribe and including an applicability provision. Approved 5-25-07.
- [S.F. 435](#)— Relating to youth deer hunting licenses. Approved 5-9-07.
- [S.F. 447](#)— Relating to incentives for school district reorganizations and shared operational functions, and making an appropriation. Approved 5-9-07.
- [S.F. 457](#)— Relating to the rights of peace officers and public safety and emergency personnel. Approved 5-15-07.
- [S.F. 469](#)— Concerning financial and regulatory matters, including by providing for the sale of motor homes by a manufacturer at a camping rally sponsored and conducted by the manufacturer and providing for applicability to a pilot project, and providing an effective date. Approved 5-9-07.
- [S.F. 472](#)— Requiring the posting of close-clearance warning devices along railroad tracks and providing a penalty. Approved 5-21-07.
- [S.F. 499](#)— Relating to regulation of underground storage tanks by the department of natural resources, making appropriations, and providing contingent effective date provisions. Approved 5-24-07.
- [S.F. 503](#)— Relating to regulation of children's services by the department of human services by increasing the age for certain children receiving child care regulated by the department and revising child welfare and juvenile justice service provisions. Approved 5-24-07.
- [S.F. 510](#)— Concerning electrical and mechanical amusement devices and providing penalties. Approved 5-24-07.
- [S.F. 512](#)— Relating to the regulation of pharmacy benefits managers and making penalties applicable, and providing an effective date. Approved 5-25-07.
- [S.F. 518](#)— Reorganizing Code chapter provisions relating to the authority to engage in the business of insurance other than life insurance by transferring provisions, eliminating outdated provisions, and amending corresponding provisions, as necessary. Approved 5-11-07.
- [S.F. 530](#)— Relating to prohibited business practices by a real estate broker or salesperson. Approved 5-11-07.

- [S.F. 538](#)— Relating to a parent's cause of action for the recovery of expenses and actual loss of services, companionship, and society resulting from the injury to or death of a child and including an applicability date provision. Approved 5-9-07.
- [S.F. 539](#)— Establishing uniform finance procedures for obligations issued by the state. Approved 5-9-07.
- [S.F. 540](#)— Relating to trusts and estates including fiduciaries and beneficiaries and including applicability provisions. Approved 5-9-07.
- [S.F. 546](#)— Relating to a hospital lien. Approved 5-11-07.
- [S.F. 554](#)— Relating to franchises for the provision of cable service or video service including providing for fees and providing an effective date. Approved 5-29-07.
- [S.F. 557](#)— Relating to the regulation of credit unions by revising and reorganizing the Iowa credit union Act, making conforming changes, and providing for taxes, fees, and penalties. Approved 5-24-07.
- [S.F. 558](#)— Providing for an increase in the wildlife habitat fee, making an appropriation, and creating a game bird habitat development program. Approved 5-25-07.
- [S.F. 559](#)— Relating to cemetery and funeral merchandise, funeral services, and cemeteries and providing fees and penalties. Approved 5-24-07.
- [S.F. 563](#)— Relating to and making appropriations to the judicial branch. Approved 5-24-07.
- [S.F. 564](#)— Regulating dangerous wild animals, including their ownership and possession, requiring registration, providing for fees and appropriations, and providing penalties. Approved 5-25-07.
- [S.F. 566](#)— Relating to historic preservation and cultural and entertainment district tax credits, and providing applicability date provisions. Approved 5-21-07.
- [S.F. 578](#)— Creating a Vietnam Conflict veterans bonus for a certain period of active duty military service, making an appropriation, providing a tax exemption and a penalty, and including a retroactive applicability provision. Approved 5-24-07.
- [S.F. 579](#)— Relating to a pharmaceutical collection and disposal pilot project and including an effective date provision. Approved 5-11-07.
- [S.F. 580](#)— Relating to a tax amnesty program, making appropriations, and including an effective date provision. Approved 5-24-07.

- [S.F. 586](#)— Creating a special gold star motor vehicle registration plate and providing fees and an effective date. Approved 5-24-07.
- [S.F. 590](#)— Relating to the state earned income tax credit by increasing the amount of the tax credit and making the tax credit refundable and including effective and retroactive applicability date provisions. Approved 5-15-07.
- [S.F. 592](#)— Relating to the streamlined sales and use tax agreement and administration of the tax and related laws by the department of revenue, including administration of sales and use taxes, and providing an effective date. Approved 5-24-07.
- [S.F. 593](#)— Relating to court procedures including conciliation proceedings and civil and criminal fees, penalties, and protective orders. Approved 5-24-07.

GOVERNOR'S VETO MESSAGE

A copy of the following communication was received and placed on file:

May 29, 2007

The Honorable Michael Mauro
Secretary of State
State Capitol Building
L O C A L

Dear Mr. Secretary:

[House File 783](#) is a bill written to make a number of changes to Iowa Code section 384.84 that this Administration fully supports. For example, if enacted into law, the bill would clarify the status of potential liens on real property arising from unpaid bills and charges assessed for providing non-electric city services for residential properties.

However, the bill creates a new subsection 384.84(2)(e), which, if enacted, would allow the governing body of a city utility, combined utility system, city enterprise, or combined city enterprise to impose a new deposit fee upon residential rental tenants up to the usual cost of ninety days of sanitary sewer, storm water drainage, sewage treatment, solid waste collection and / or solid waste services. The bill makes no instruction as to what party—the service provider who has received the deposit, or the residential rental tenant who has paid the deposit—is entitled to keep the interest accruing on the deposited amount.

The Culver-Judge Administration is committed to what we have called “One Iowa.” By that, we mean that our laws and policies shall be inclusive and shall not bar any citizens who are willing to work hard and play by the rules from our most basic services or opportunities. A special concern of ours is that government not act to impose or to increase economic burdens upon, or barriers before, our lower income citizens, a disproportionate share of whom comprise the residential rental community.

Persons seeking to rent apartments in Iowa already face a number of potential economic challenges unique to rental property. Rental real estate is subject to nearly twice the burden of real estate taxes than are owner-occupied residential properties. The Iowa Uniform Residential Landlord and Tenant Law, Iowa Code section 562A.12, allows a landlord to demand as a security deposit an amount or value of up to two months' rent. Already, under Iowa Code section 384.84(3)(d), a city utility or enterprise may require a deposit not exceeding the usual cost of ninety days of water service to be paid to the utility or enterprise. This bill, if enacted into law, would increase that potential burden upon at least some citizens seeking the shelter of a rented residential housing. A citizen unable to come up with a ninety-day deposit can be denied completely access to these essential services.

The concern felt by this Administration as to the potential adverse and regressive effects that this well-intended legislation could have on an undeniably vulnerable segment of our citizens outweighs the significant merits that this bill would otherwise clearly offer. Insofar as this is not an appropriation bill, Iowa law does not permit the

Governor to item veto only those provisions with which the Administration takes exception.

Therefore, because I am convinced that [House File 783](#), an Act relating to certain city utilities or city enterprises by making changes to procedures for notice and collection of delinquent charges and by making changes to billing notifications for water service and other services provided to certain residential rental property, could potentially burden citizens and / or deprive them of access to essential municipal services, I hereby disapprove and transmit to you that bill, without my signature, in accordance with Article III, Section 16, of the Constitution of the State of Iowa.

Sincerely,
Chester J. Culver
Governor

GOVERNOR'S ITEM VETO MESSAGE

A copy of the following communications were received and placed on file:

May 21, 2007

The Honorable Michael Mauro
Secretary of State
State Capitol Building
L O C A L

Dear Mr. Secretary:

I hereby transmit [Senate File 403](#), an Act addressing financial and regulatory matters by making and revising appropriations, providing for properly related matters, and providing effective dates.

[Senate File 403](#) is approved on this date, with the exceptions noted below, which I hereby disapprove.

I am unable to approve the item designated as Section 26 in its entirety, which provides a standing limited General Fund appropriation of \$160,000 to fund the operational expenses of the Real Estate Education Program at the University of Northern Iowa. Funding the day-to-day expenses of this program with a standing appropriation effectively removes this function from annual oversight by the Governor, the Board of Regents and the Legislature. I recommend that the Board of Regents or the presidents of the Iowa community colleges provide funding for this program from the General Fund appropriations for their operating budgets if the Real Estate Education Fund is insufficient to cover the expansion of this program contained in other sections of Division VII of [Senate File 403](#) and if the program fits within the mission of the respective institution.

Finally, I am unable to approve the item designated as Division VIII in its entirety, including Sections 30, 31, 32, 33, 34, 35, 36, 37 and 38. This division deals with the Executive Branch's authority to dispose of real property with a fair market value of at least \$5,000,000 and imposes an additional requirement that such transactions must be approved by not only the Governor but also by a majority of each House of the General Assembly. It imposes an unnecessary legislative requirement on the Executive Branch's authority to manage state property in the best interests of the State and could, for instance, adversely affect the timing of certain transactions for the Department of Transportation and the Department of Natural Resources. For this reason, these sections of this division are unacceptable.

For the above reasons, I respectfully disapprove of the designated items in accordance with Article III, Section 16 of the Constitution of the State of Iowa. All other items in [Senate File 403](#) are hereby approved this date.

Sincerely,
Chester J. Culver
Governor

May 23, 2007

The Honorable Michael Mauro
Secretary of State
State Capitol Building
L O C A L

Dear Mr. Secretary:

I hereby transmit [House File 907](#), an Act relating to and making appropriations from the Healthy Iowans Tobacco Trust and the Tobacco Settlement Trust Fund and providing an effective date. [House File 907](#) is approved on this date, with the exceptions noted below, which I hereby disapprove.

I am unable to approve item designated as Section 1, Subsection 2a (4) in its entirety. This designated language continues general language on substance abuse treatment expenditures. These directives are already in place and, therefore, this language is not needed.

Finally, I am unable to approve item designated as Section 1, Subsection 2b, paragraphs (1) through (6) in their entirety. This designated language continues general language on substance abuse treatment expenditures. These directives are in place and, therefore, this annual report language is not needed.

For the above reasons, I respectfully disapprove of the designated items in accordance with Article III, Section 16 of the Constitution of the State of Iowa. All other items in [House File 907](#) are hereby approved this date.

Sincerely,
Chester J. Culver
Governor

May 29, 2007

The Honorable Michael Mauro
Secretary of State
State Capitol Building
L O C A L

Dear Mr. Secretary:

I hereby transmit [House File 752](#), an Act making transportation and other infrastructure-related appropriations to the Department of Transportation. [House File 752](#) is approved on this date, with the exception noted below, which I hereby disapprove.

I am unable to approve the item designated as Section 3 in its entirety. This provision requires the director of a department or state agency included in [House File 752](#) to examine employee telecommuting options, develop a telecommuter employment policy, and implement a plan designed to increase the number of telecommuting employees. Many departments currently maintain employee telecommuting policies. These policies and procedures have been in place for several years and are well

established. The designated language in Section 3 directing a department or state agency to conduct an assessment of its telecommuting policy is duplicative and unnecessary and introduces a legislatively mandated management process into what is appropriately an executive branch decision. I will direct the Department of Administrative Services and the Department of Management to review the current state government telecommuting policy and make recommendations for any improvements as part of our overall executive branch strategic planning process.

For the reasons above, I respectfully disapprove of the designated item in accordance with Article III, Section 16 of the Constitution of the State of Iowa. All other items in [House File 752](#) are hereby approved this date.

Sincerely,
Chester J. Culver
Governor

May 29, 2007

The Honorable Michael Mauro
Secretary of State
State Capitol Building
L O C A L

Dear Mr. Secretary:

I hereby transmit [House File 874](#), an Act relating to and making appropriations to certain state departments, agencies, funds, and certain other entities and providing an effective date. [House File 874](#) is approved on this date, with the exceptions noted below, which I hereby disapprove.

I am unable to approve the designated portion of Section 19, unnumbered paragraph 2. This paragraph exempts the Office of the Secretary of State from paying State departments and State agencies for data processing services. There have been occasions in the past where the State has assisted with the development of electronic voter registration file maintenance projects. These projects have been completed and, therefore, this language is no longer needed. If a State agency or department performs service for the Secretary of State, they should be adequately compensated.

I am unable to approve the item designated as Section 25 in its entirety. This provision requires all the director of a department or state agency in [House File 874](#) to examine employee telecommuting options, develop a telecommuter employment policy and implement a plan designed to increase the number of telecommuting employees. Many departments maintain employee telecommuting policies currently. These policies and procedures have been in place for several years and are well established. The designated language in Section 25 directing a department or agency to conduct an assessment of its telecommuting policy is duplicative and unnecessary and introduces a legislatively mandated management process into what is appropriately an executive branch decision. I will direct the Department of Administrative Services and the Department of Management to review the current state government telecommuting policy and make recommendations for any improvements as part of our overall executive branch strategic planning process.

For the above reasons, I respectfully disapprove of the designated items in accordance with Article III, Section 16 of the Constitution of the State of Iowa. All other items in [House File 874](#) are hereby approved this date.

Sincerely,
Chester J. Culver
Governor

May 29, 2007

The Honorable Michael Mauro
Secretary of State
State Capitol Building
L O C A L

Dear Mr. Secretary:

I hereby transmit [House File 909](#), an Act relating to and making appropriations for health and human services and including other related provisions and appropriations, and including effective date provisions. [House File 909](#) is approved on this date, with the exceptions noted below, which I hereby disapprove.

I am unable to approve the designated portion of Section 3, subsection 1, unnumbered paragraph 2. This paragraph transfers funds from the Gambler's Assistance Fund for other purposes, such as adult drug courts, the family development and sufficiency grant program, and the energy utility assessment and resolution program. This designated paragraph would divert revenues from the purposes for which the Gambler's Assistance Fund was established to accomplish. Furthermore, this designated language would use these one-time carry-over funds for on-going programs, thereby creating future expectations of additional funding. While adult drug courts, the family development and sufficiency grant program, and the utility assessment and resolution program are worthwhile, diverting these funds would be inconsistent with the statutorily mandated purposes of the Gambler's Assistance Fund.

I am unable to approve the designated portion of Section 4, subsection 3, unnumbered paragraph 2. This paragraph transfers \$150,000 to the Department of Cultural Affairs from the Veterans Trust Fund to staff and support the conservation lab facility. I am unable to support this subsection because it creates expectations for new or ongoing funding that is not sustainable. These funds are more appropriately used in the Veterans Trust Fund. Diverting these funds would be inconsistent with the statutorily mandated purposes of the Veterans Trust Fund, even though these other designated programs are worthwhile.

I am unable to approve the designated portion of Section 97, subsection 3, paragraph e. This paragraph allocates \$10,000 to the Department of Public Health to provide extracorporeal support for donation after cardiac death. I am unable to support this subsection because it creates expectations for new or ongoing funding that is not sustainable. Within the Fiscal year 2008 appropriations for the Board of Regents-University of Iowa Hospitals and Clinics, I believe there are sufficient funds available to cover this important program.

I am unable to approve the item designated as Section 100 in its entirety. This designated section requires the Department of Public Health to expedite volunteer health care provider program registration. I am unable to approve this language because no funds were provided to implement this provision and it places an unreasonable requirement on the Department of Public Health. I will direct the Director of the Department of Public Health to develop a more streamlined registration process.

I am unable to approve the item designated as Division XX, Section 190 in its entirety. This provision requires a director of a department or agency included in [House File 909](#) to examine employee telecommuting options, develop a telecommuter employment policy, and implement a plan designed to increase the number of telecommuting employees. Many departments maintain employee telecommuting policies currently. These policies and procedures have been in place for several years and are well established. The designated language in Section 190 directing a department or agency to conduct an assessment of its telecommuting policy is duplicative and unnecessary and introduces a legislatively mandated management process into what is appropriately an executive branch decision. I will direct the Department of Administrative Services and the Department of Management to review the current state government telecommuting policy and make recommendations for any improvements as part of our overall executive branch strategic planning process.

For the above reasons, I respectfully disapprove of the designated items in accordance with Article III, Section 16 of the Constitution of the State of Iowa. All other items in [House File 909](#) are hereby approved this date.

Sincerely,
Chester J. Culver
Governor

May 29, 2007

The Honorable Michael Mauro
Secretary of State
State Capitol Building
L O C A L

Dear Mr. Secretary:

I hereby transmit [House File 911](#), an Act relating to and making appropriations to state departments and agencies from the Rebuild Iowa Infrastructure Fund, Vertical Infrastructure Fund, the Endowment for Iowa's Health Restricted Capitals Fund, and the Technology Reinvestment Fund. [House File 911](#) is approved on this date, with the exceptions noted below, which I hereby disapprove.

I am unable to approve the designated portion of Section 1, subsection 1, paragraph g. This designated paragraph appropriates \$120,000 for the purchase and installation of decorative planters on the west side of the West Capitol Terrace Project. Since Fiscal Year 2006, the West Capitol Terrace Project has received nearly \$2.8 million in state funding, and I am approving an additional \$1.6 million for this project again in Fiscal Year 2008. I also believe that the local community interests should be able to contribute to the cost of these planters.

I am unable to approve the designated portion of Section 1, subsection 4, paragraph c. This designated item appropriates \$80,000 for repair of the Kimball organ located in Clermont, Iowa. The Department of Cultural Affairs has submitted an application to the Save America's Treasures organization to obtain the necessary funding to restore this important piece of Iowa history. With approval of this application pending, it is premature to approve limited state funding at this time.

I am unable to approve the item designated as Section 4 in its entirety. This designated section appropriates \$500,000 in Fiscal Year 2009 for equal distribution to regional sports authority districts. I am unable to approve this item because it provides second-year funding in advance for this project. I will re-evaluate the feasibility of a Fiscal Year 2009 appropriation for this project after the first year of funding appropriated in [HF 911](#).

Finally, I am unable to approve the item designated as Section 5 in its entirety. This designated provision provides for Fiscal Year 2009 appropriations of \$750,000 for the continuation of the Volga River State Recreation Area project and \$500,000 for the Levi Carter Lake project. I am unable to approve this designated item because it provides second-year funding in advance for these two projects. I will re-evaluate the feasibility of a Fiscal Year 2009 appropriation for these projects after the first year of funding appropriated in House file 911.

For the above reasons, I respectfully disapprove of the designated items in accordance with Article III, Section 16 of the Constitution of the State of Iowa. All other items in [House File 911](#) are hereby approved this date.

Sincerely,
Chester J. Culver
Governor

May 29, 2007

The Honorable Michael Mauro
Secretary of State
State Capitol Building
L O C A L

Dear Mr. Secretary:

I hereby disapprove and transmit to you [Senate File 543](#), without my signature, in accordance with Article III, section 16 of the Constitution of the State of Iowa. [Senate File 543](#), an Act relating to the state Interagency Missouri River Authority (Authority), amends provisions of Iowa Code section 28L.1, so as to alter the means by which the authority would be governed.

There is no question that our state needs an effective Authority if we are to coordinate the important work that must be done to assure that the economic and environmental potentials of the Missouri River basin are viably and legally managed. I appreciate the efforts of the General Assembly to achieve that end. However, I believe the changes to the Authority's governance structure, as set forth in [Senate File 543](#), would reduce our government's effectiveness in managing this vital natural resource.

As presently constituted, the governor or the governor's designee serves as the Authority's chairperson. The director of the Department of Natural Resources is responsible for coordinating the Authority's activities and serves as chairperson in the absence of the governor. Other members of the Authority—including our Secretary of Agriculture, the chairperson of the Iowa Utilities Board, and the directors of the Department of Economic Development and the Department of Transportation—add their valuable expertise to allow the Authority to arrive at policy decisions that serve the long-term best interests of our State.

Under [Senate File 543](#), if enacted into law, this structure and process of governance would be fundamentally and, in my view, adversely affected. The bill provides for the appointment of a vice chairperson, a position that would rotate on a yearly basis, thereby depriving the Authority of a stability and efficiency of administration that have served it well over a period of years.

Further, [Senate File 543](#) imposes an express unanimity requirement upon the Authority, thereby allowing potential political deadlock and thereby impeding the State of Iowa's ability to participate meaningfully in interstate organizations that have been created to assure better management of the Missouri River's economic and environmental potentials.

For example, former Governor Thomas J. Vilsack, in June 2006, directed the Authority's members to join the newly-created Missouri River Association of States and Tribes (MoRAST), an organization established to assist states and tribes that border the Missouri River to address commonly-shared ecosystem concerns. Under that arrangement, the State of Iowa appoints two department representatives from the Authority to MoRAST's Board of Directors.

[Senate File 543](#) proscribes a "split" vote by Iowa's representatives on such bodies. It is anticipated that, in most instances, Iowa's departmental representatives will agree on matters of policy and practice. However, it is also true that we are governed most effectively when our distinguished departmental directors are allowed to present their view openly and to cast their votes, in good faith, with the best interests of our state as their only polestars, and not with statutory provisions that would threaten policy gridlock.

Members of the Iowa General Assembly can be assured that the Culver-Judge Administration is committed to developing and implementing a balanced approach to the Missouri River, taking into account all interests, including environmental, recreational, agricultural and economic. To that end, I have directed Lt. Governor Judge to convene a summit of interested stakeholders and state government agencies to consider future policies and practices with respect to how the vast resources of the Missouri River basin can be most effectively utilized in the interest of all Iowans.

Further, it should be noted that if our Administration concludes that Iowa's best interests are not being represented by actions taken by MoRAST, or any other interstate agency focused on Missouri River issues, we will reserve the right to withdraw from such organizations.

Achieving our goals with respect to the Missouri River does not require—in fact, may be impeded by—the amendments to Iowa Code chapter 28L.1 that are set forth in [Senate File 543](#). Accordingly, I hereby forward that bill to you, without my signature.

Sincerely,
Chester J. Culver
Governor

May 29, 2007

The Honorable Michael Mauro
Secretary of State
State Capitol Building
L O C A L

Dear Mr. Secretary:

I hereby transmit [Senate File 551](#), an Act relating to and making appropriations involving state government, by providing for agriculture, natural resources, and environmental protection. [Senate File 551](#) is approved on this date, with the exception noted below, which I hereby disapprove.

I am unable to approve the item designated as Division XII, Section 50 in its entirety. This provision requires the director of a department or state agency included in [Senate File 551](#) to examine employee telecommuting options, develop a telecommuter employment policy, and implement a plan designed to increase the number of telecommuting employees. Many departments maintain employee telecommuting policies currently. These policies and procedures have been in place for several years and are well established. The designated language in Section 50 directing a department or state agency to conduct an assessment of its telecommuting policy is duplicative and unnecessary and introduces a legislatively mandated management process into what is appropriately an executive branch decision. I will direct the Department of Administrative Services and the Department of Management to review the current state government telecommuting policy and make recommendations for any improvements as part of our overall executive branch strategic planning process.

For the above reasons, I respectfully disapprove of the designated item in accordance with Article III, Section 16 of the Constitution of the State of Iowa. All other items in [Senate File 551](#) are hereby approved this date.

Sincerely,
Chester J. Culver
Governor

May 29, 2007

The Honorable Michael Mauro
Secretary of State
State Capitol Building
L O C A L

Dear Mr. Secretary:

I hereby transmit [Senate File 562](#), an Act relating to and making appropriations to the Department of Cultural Affairs, the Department Of Economic Development, certain Board of Regents Institutions, the Department of Workforce Development, the Iowa Finance Authority, and the Public Employment Relations Board and related matters. [Senate File 562](#) is approved on this date, with the exception noted below, which I hereby disapprove.

I am unable to approve the item designated as Section 26 in its entirety. This provision requires the directors of a department or state agency included in [Senate File 562](#) to examine employee telecommuting options, develop telecommuter employment policies, and implement plans designed to increase the number of telecommuting employees. Many departments maintain employee telecommuting policies currently. These policies and procedures have been in place for several years and are well established. The designated language in Section 26 directing a department or state agency to conduct an assessment of its telecommuting policy is duplicative and unnecessary and introduces a legislatively mandated management process into what is appropriately an executive branch decision. I will direct the Department of Administrative Services and the Department of Management to review the current state government telecommuting policy and make recommendations for any improvements as part of our overall executive branch strategic planning process.

For the above reasons, I respectfully disapprove the designated item in accordance with Article III, Section 16 of the Constitution of the State of Iowa. All other items in [Senate File 562](#) are hereby approved this date.

Sincerely,
Chester J. Culver
Governor

May 29, 2007

The Honorable Michael Mauro
Secretary of State
State Capitol Building
L O C A L

Dear Mr. Secretary:

I hereby transmit [Senate File 575](#), an Act relating to and making appropriations to the justice system. [Senate File 575](#) is approved on this date, with the exception noted below, which I hereby disapprove.

I am unable to approve the item designated as Section 20 in its entirety. This provision requires the director of a department or a state agency included in [Senate File 575](#) to examine employee telecommuting options, develop a telecommuter employment policy, and implement a plan designed to increase the number of telecommuting employees. Many departments maintain employee telecommuting policies currently. These policies and procedures have been in place for several years and are well established. The designated language in Section 20 directing a department or state agency to conduct an assessment of its telecommuting policy is duplicative and unnecessary and introduces a legislatively mandated management process into what is appropriately an executive branch decision. I will direct the Department of Administrative Services and the Department of Management to review the current state government telecommuting policy and make recommendations for any improvements as part of our overall executive branch strategic planning process.

For the above reasons, I respectfully disapprove of the designated item in accordance with Article III, Section 16 of the Constitution of the State of Iowa. All other items in [Senate File 575](#) are hereby approved this date.

Sincerely,
Chester J. Culver
Governor

May 29, 2007

The Honorable Michael Mauro
Secretary of State
State Capitol Building
L O C A L

Dear Mr. Secretary:

I hereby transmit [Senate File 588](#), an Act relating to and making appropriations to certain state departments, agencies, funds, and certain other entities and providing an effective date. [Senate File 588](#) is approved on this date, with the exceptions noted below, which I hereby disapprove.

I am unable to approve the item designated as Section 5 in its entirety. Iowa Code 261.20 states that the moneys in the Scholarship and Grant Reserve Fund shall only be used to alleviate a current fiscal year shortfall in appropriations for scholarship or tuition grant programs that have the same nature as the programs for which the moneys were originally appropriated. There is not a state student-aid program that serves barber schools and schools of cosmetology arts. Therefore, an allocation from the reserve fund for this purpose does not meet the requirements as defined in Iowa [Code 261.20](#).

I am unable to approve the item designated as Section 15 in its entirety. This provision requires the director of a department or state agency included in [Senate File 588](#) to examine employee telecommuting options, develop telecommuter employment policies, and implement plans designed to increase the number of telecommuting employees. Many departments and agencies maintain employee telecommuting policies currently. These policies and procedures have been in place for several years and are well established. The designated language in Section 15 directing a

department or state agency to conduct assessments of its telecommuting policy is duplicative and unnecessary and introduces a legislatively mandated management process into what is appropriately an executive branch decision. I will direct the Department of Administrative Services and the Department of Management to review the current state government telecommuting policy and make recommendations for any improvements as part of our overall executive branch strategic planning process.

For the above reasons, I respectfully disapprove of the designated items in accordance with Article III, Section 16 of the Constitution of the State of Iowa. All other items in [Senate File 588](#) are hereby approved this date.

Sincerely,
Chester J. Culver
Governor

May 29, 2007

The Honorable Michael Mauro
Secretary of State
State Capitol Building
L O C A L

Dear Mr. Secretary:

I hereby transmit [Senate File 601](#), an Act relating to state and local finances by providing for funding of property tax credits and reimbursements, by making, increasing and reducing appropriations, providing for salaries and compensation of state employees, providing for tax credits, providing for fees and penalties, and providing for properly related matters, and including effective date provisions. [Senate File 601](#) is approved this date, with the exceptions noted below, which I hereby disapprove.

I am unable to approve the item designated as Section 28 in its entirety. I am unable to approve this item because it requires the Supreme Court to submit a detailed listing of requested increases in salaries of all judges and magistrates annually before December 1. This designated language runs counter to budget guidelines which ask that departments or agencies not include salary increases in their budget requests. Furthermore, this provision could impact the collective-bargaining process by requiring the Supreme Court to submit salary changes prior to the completion of collective bargaining.

I am unable to approve the item designated as Section 42 in its entirety. This provision appropriates \$150,000 from the General Fund for a Fiscal Year 2007 supplemental appropriation to the Department of Natural Resources for a feasibility study on the use of plasma arc technology for the disposal of solid waste. I recommend that an application for funds for such a study be made through the Iowa Power Fund because it is important to determine the feasibility of plasma arc technology. The Iowa Power Fund Board needs to provide the proper due diligence to review this and other technologies to fulfill its mission to expand sources of alternative energy.

I am unable to approve the item designated as Section 43 in its entirety. This provision requires the director of a department or state agency who is subject to a

requirement to develop a telecommuter employment policy to also develop such a policy and plans in conjunction with representatives of the collective bargaining units of the affected employees. Departmental telecommuting policies and procedures have been in place for several years and are well established. I will direct the Department of Administrative Services and the Department of Management to review the current state government telecommuting policy and make recommendations for any improvements as part of our overall executive branch strategic planning process.

I am unable to approve the item designated as Section 48 in its entirety. This provision increases the Department of Transportations' operations budget by \$16,800. This additional funding is no longer needed by the Department of Transportation.

I am unable to approve the item designated as Section 49 in its entirety. This provision increases the appropriation for the Department of Transportations' operations budget by \$103,200. This additional funding is no longer needed by the Department of Transportation.

I am unable to approve the item designated as Section 56 in its entirety. This provision creates a standing appropriation for the World Food Prize of \$1,000,000 annually. While I strongly support the World Food Prize, I do not believe this appropriation should be a standing appropriation not subject to annual review. This appropriation should be reviewed annually during the budgetary process. Further, I would encourage greater private sector contributions for this program.

I am unable to approve the item designated as Section 57 in its entirety. This provision statutorily creates the World Food Prize Youth Institute. While I strongly support this program, it is already in existence and does not need to receive statutory commitment.

I am unable to approve the item designated as Section 59 in its entirety. This designated provision expands the Community Attraction and Tourism Program from Fiscal Year 2011 through Fiscal Year 2013 and raises the maximum multi-year commitment to an applicant from \$4 million to \$6 million. Despite this designated language, the Community Attraction and Tourism Program is still authorized for another three years with a total remaining appropriation of \$36 million. I strongly support attracting tourism to our state and want to work with community and business leaders and the Legislature to develop improvements to this program or create a new program before the current program expires in Fiscal Year 2010. I am unable to support a new commitment for additional out-year spending until I have been able to evaluate this program more fully. Furthermore, I do not believe the maximum multi-year commitment to an applicant should be increased because it would reduce the number of projects and communities that can participate in this program.

I am unable to approve the item designated as Section 80 in its entirety. This provision specifies that the reimbursement rate for use of personal vehicles while on state business must fall within a range of not less than 90.0% or more than 110.0% of the maximum allowable under the federal Internal Revenue Service rules. I believe the authority to determine this rate should remain with the Director of the Department of Administrative Services, and this language would establish a large unfunded mandate on state agencies. I also do not want to set the precedent of making

a statutory tie to federal rates and remove this matter from the discretion of the Department of Administrative Services. I recognize the impact that rising fuel costs have on state government employees, and I will direct the Director of the Department of Administrative Services to develop more effective policies to encourage state government employees to use fuel-efficient state vehicles more frequently.

For the above reasons, I respectfully disapprove of the designated items in accordance with Article III, Section 16 of the Constitution of the State of Iowa. All other items in [Senate File 601](#) are hereby approved this date.

Sincerely,
Chester J. Culver
Governor