

PROOF

STATE OF IOWA

House Journal

MONDAY, APRIL 14, 2008

Printed daily by the State of Iowa during the sessions of the General Assembly.
An official corrected copy is available for reference in the office of the Chief Clerk.
(The official bound copy will be available after a reasonable time upon adjournment.)

JOURNAL OF THE HOUSE

Ninety-second Calendar Day - Sixty-third Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, April 14, 2008

The House met pursuant to adjournment at 10:11 a.m., Speaker Murphy in the chair.

Ava Maria was sung by Anthony Menendez, legislative secretary to Representative Ako Abdul-Samad of Polk County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Josie Rundlett, legislative secretary to Representative Bill Schickel of Cerro Gordo County.

The Journal of Friday, April 11, 2008 was approved.

PETITION FILED

The following petition was received and placed on filed:

By Alons of Sioux, from six hundred nineteen Iowa citizens favoring impeachment of District Court Judge Robert Hanson.

The House stood at ease at 10:18 a.m., until the fall of the gavel.

The House resumed session at 1:56 p.m., Speaker Murphy in the chair.

ADOPTION OF [HOUSE CONCURRENT RESOLUTION 105](#)

Huser of Polk, Swaim of Davis and Baudler of Adair called up for consideration [House Concurrent Resolution 105](#), a concurrent resolution designating May 2008 as Motorcycle Safety Awareness Month, and moved its adoption.

The motion prevailed and the resolution was adopted.

CONSIDERATION OF BILLS
Unfinished Business Calendar

Senate File 2216, a bill for an act concerning state and local measures for preparing a student for a career or for postsecondary education, including a statewide core curriculum for school districts and accredited nonpublic schools and a state-designated career information and decision-making system, with report of committee recommending amendment and passage, was taken up for consideration.

Winckler of Scott offered amendment [H-8289](#) filed by the committee on education as follows:

[H-8289](#)

1 Amend [Senate File 2216](#), as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 1, by striking lines 19 through 28 and
4 inserting the following: "through grade twelve in
5 those areas. The department shall further define the
6 twenty-first century learning skills components by
7 rule."

8 2. Page 2, by striking lines 5 through 7 and
9 inserting the following: "Neither the state board nor
10 the department shall require school districts or
11 accredited nonpublic schools to adopt a specific
12 textbook, textbook series, or specific instructional
13 methodology, or acquire specific textbooks, curriculum
14 materials, or educational products from a specific
15 vendor in order to meet the core curriculum
16 requirements of".

17 3. Page 2, line 30, by inserting after the figure
18 "57." the following: "a."

19 4. Page 2, by striking lines 33 and 34 and
20 inserting the following: "that school districts and
21 accredited nonpublic schools shall utilize, including
22 but not limited to the development and".

23 5. Page 2, line 35, by inserting before the word
24 "assessments" the following: "model".

25 6. Page 3, line 1, by striking the word "can" and
26 inserting the following: "may".

27 7. Page 3, by striking lines 3 and 4 and
28 inserting the following: "The department shall, in
29 collaboration with the advisory group convened in
30 accordance with paragraph "b" and educational
31 assessment providers, identify and make available to
32 school districts end-of-course and additional model".

33 8. Page 3, line 6, by inserting after the word
 34 "curriculum." the following: "The model assessments
 35 shall be suitable to meet the multiple assessment
 36 measures requirement specified in section 256.7,
 37 subsection 21, paragraph "c".

38 b. Convene an advisory group comprised of
 39 education stakeholders including but not limited to
 40 school district and accredited nonpublic school
 41 teachers, school administrators, higher education
 42 faculty who teach in the subjects for which the
 43 curriculum is being adopted, private sector employers,
 44 members of the boards of directors of school
 45 districts, and individuals representing the
 46 educational assessment providers. The task force
 47 shall review the national assessment of educational
 48 progress standards and assessments used by other
 49 states, and shall consider standards identified as
 50 best practices in the field of study by the national

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1 councils of teachers of English and mathematics, the
 2 national council for the social studies, the national
 3 science teachers association, and other recognized
 4 experts."

5 9. Page 3, by inserting after line 13 the
 6 following:

7 "Sec.____. Section 257.11, Code Supplement 2007,
 8 is amended by adding the following new subsection:
 9 **NEW SUBSECTION.** 8A. A school district shall
 10 ensure that any course made available to a student
 11 through any sharing agreement between the school
 12 district and a community college or any other entity
 13 providing course programming pursuant to this section
 14 to students enrolled in the school district meets the
 15 expectations contained in the core curriculum adopted
 16 pursuant to section 256.7, subsection 26. The school
 17 district shall ensure that any course that has the
 18 capacity to generate college credit shall be
 19 equivalent to college-level work."

20 10. Page 4, by inserting after line 12 the
 21 following:

22 "Sec.____. Section 280.2, Code 2007, is amended to
 23 read as follows:

24 280.2 DEFINITIONS.

25 The term "public school" means any school directly
 26 supported in whole or in part by taxation. The term
 27 "nonpublic school" means any other school which is
 28 accredited ~~or which uses licensed practitioners as~~
 29 ~~instructors pursuant to section 256.11."~~

30 11. Page 4, line 15, by striking the words
 31 "**DUTIES OF BOARD**" and inserting the following:

32 "DUTIES OF BOARD _".
33 12. Page 6, line 20, by inserting after the word
34 "The" the following: "study shall include an
35 examination of the possible future expansion of the
36 core curriculum to include content areas not currently
37 included under section 256.7, subsection 26, including
38 but not limited to fine arts, applied arts,
39 humanities, and world languages. The".
40 13. By renumbering, relettering, or redesignating
41 and correcting internal references as necessary.

Chambers of O'Brien offered the following amendment [H-8345](#), to the committee amendment [H-8289](#), filed by him and moved its adoption:

[H-8345](#)

1 Amend the amendment, [H-8289](#), to [Senate File 2216](#),
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 1, by inserting after line 2 the
5 following:
6 "_. Page 1, line 7, by striking the words "and
7 accredited nonpublic schools" and inserting the
8 following: "~~and accredited nonpublic schools~~"."
9 2. Page 1, line 7, by inserting after the word
10 "rule," the following: "Accredited nonpublic schools
11 are encouraged to meet the requirements of this
12 subsection".
13 3. Page 1, lines 10 and 11, by striking the words
14 "~~or accredited nonpublic schools~~".
15 4. Page 1, by inserting after line 16 the
16 following:
17 "_. Page 2, line 12, by striking the words "and
18 accredited nonpublic school" and inserting the
19 following: "~~and accredited nonpublic school~~".
20 _. Page 2, lines 19 and 20, by striking the
21 words: "and accredited nonpublic schools" and
22 inserting the following: "~~and accredited nonpublic~~
23 ~~schools~~".
24 _. Page 2, line 27, by inserting after the word
25 "appropriate." the following: "Accredited nonpublic
26 schools are encouraged to meet the requirements of
27 this subsection.""
28 5. Page 2, by inserting after line 32 the
29 following:
30 "_. Page 4, by striking line 25 and inserting
31 the following: "set forth in section 256.11,".
32 _. Page 4, line 31, by striking the words "and
33 the authorities in charge of each nonpublic school".
34 _. Page 5, line 5, by striking the words "and

35 school".
 36 ____ Page 6, line 18, by striking the words "and
 37 accredited nonpublic schools".
 38 6. By renumbering as necessary.

Roll call was requested by Chambers of O'Brien and Tymeson of Madison.

Rule 75 was invoked.

On the question "Shall amendment [H-8345](#) be adopted?" ([S.F. 2216](#))

The ayes were, 48:

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

The nays were, 50:

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

Absent or not voting, 2:

Dandekar	Quirk
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Amendment [H-8345](#) lost.

Zirkelbach of Jones asked and received unanimous consent to withdraw amendment [H-8327](#), to the committee amendment [H-8289](#), filed by him on March 26, 2008.

On motion by Winkler of Scott, the committee amendment [H-8289](#) was adopted.

Raecker of Polk asked and received unanimous consent to withdraw amendment [H-8347](#) filed by him on March 27, 2008.

Tymeson of Madison asked and received unanimous consent that amendment [H-8429](#) be deferred.

Mascher of Johnson asked and received unanimous consent to withdraw amendment [H-8311](#) filed by her on March 25, 2008.

Alons of Sioux asked and received unanimous consent that amendment [H-8428](#) be deferred.

Raecker of Polk asked and received unanimous consent to withdraw amendment [H-8378](#) filed by Raecker of Polk et al., on April 1, 2008, placing out of order amendment [H-8390](#) filed by Raecker of Polk on April 2, 2008 and amendment [H-8434](#) filed by Raecker of Polk on April 7, 2008.

Raecker of Polk offered amendment [H-8432](#) filed by Raecker et al., as follows:

[H-8432](#)

- 1 Amend [Senate File 2216](#), as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 2, by striking lines 10 through 27 and
- 4 inserting the following:
- 5 "28. a. Adopt a set of minimum core content
- 6 standards applicable to all students in kindergarten
- 7 through grade twelve in every school district and
- 8 accredited nonpublic school. For purposes of this
- 9 subsection, "~~core~~ minimum content standards" include
- 10 reading, mathematics, and science. The minimum core
- 11 content standards shall be identical to the core
- 12 content standards included in Iowa's approved 2006

13 standards and assessment system under Title I of the
 14 federal Elementary and Secondary Education Act of
 15 1965, 20 U.S.C. § 6301 et seq., as amended by the
 16 federal No Child Left Behind Act of 2001, Pub. L. No.
 17 107-110. ~~School districts and accredited nonpublic~~
 18 ~~schools shall include, at a minimum, the core content~~
 19 ~~standards adopted pursuant to this subsection in any~~
 20 ~~set of locally developed content standards.~~ School
 21 districts and accredited nonpublic schools are
 22 strongly encouraged to ~~include the voluntary model~~
 23 ~~core curriculum or~~ set higher expectations in local
 24 standards. As changes in federal law or regulation
 25 occur, the state board is authorized to amend the
 26 minimum core content standards as appropriate.

27 b. School districts and accredited nonpublic
 28 schools shall include, at a minimum, the core content
 29 standards adopted in accordance with paragraph "a" in
 30 any set of locally developed content standards until
 31 June 30, 2012. School districts and accredited
 32 nonpublic schools shall include, at a minimum, the
 33 rigorous core content standards adopted in accordance
 34 with paragraph "c" in any set of locally developed
 35 content standards by July 1, 2012.

36 c. (1) By July 1, 2010, adopt by rule, for
 37 implementation by July 1, 2012, by school districts
 38 and accredited nonpublic schools, rigorous core
 39 content standards applicable to all students in
 40 prekindergarten through grade twelve in every school
 41 district and accredited nonpublic school. The board
 42 shall consider the recommendations of the task force
 43 convened by the director in accordance with
 44 subparagraph (2). The board shall establish criteria
 45 to ensure that the standards adopted are rigorous and
 46 support best practices. However, the standards
 47 adopted shall not exceed in scope or depth the
 48 curriculum that can be reasonably taught in the
 49 instructional time available. Prior to adoption, the
 50 board shall submit the proposed standards to an

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1 external nonprofit educational organization for an
 2 independent review. The results of the review shall
 3 be posted on the department's internet web site.
 4 (2) Recommended rigorous core content standards
 5 shall be developed by a task force convened by the
 6 director of the department. The task force shall be
 7 comprised of teachers, school administrators, higher
 8 education faculty who teach in the subjects for which
 9 the standards are being adopted, private sector
 10 employers, members of the boards of directors of
 11 school districts, and authorities in charge of

12 accredited nonpublic schools. The task force shall
13 review the national assessment of educational progress
14 standards, standards adopted by other states, and
15 standards identified as best practices in the field of
16 study by the national councils of teachers of English
17 and mathematics, the national council for the social
18 studies, the national science teachers association,
19 and other recognized experts. The director shall
20 provide at least one staff person who is qualified by
21 education and experience in developing rigorous
22 content standards to assist the task force. Members
23 of the task force shall be allowed their actual and
24 necessary expenses incurred in the performance of
25 their duties. All expenses shall be paid from
26 appropriations to the department. The task force
27 shall submit its recommendations to the state board of
28 education by January 2, 2009. The task force may be
29 reconvened whenever the director determines there is a
30 need to review or amend the rigorous core content
31 standards.

32 d. The rigorous core content standards for
33 prekindergarten through grade six shall include
34 reading and writing, mathematics, science, social
35 studies, and art. The core content standards for
36 grades seven through twelve shall include English and
37 language arts, mathematics, science, history, social
38 studies, and art. The core content standards shall be
39 more rigorous than the minimum core content standards
40 adopted pursuant to paragraph "a". School districts
41 and accredited nonpublic schools shall include, at a
42 minimum, the rigorous core content standards adopted
43 pursuant to this subsection in any set of locally
44 developed content standards.

45 e. The task force convened in accordance with
46 paragraph "c", subparagraph (2), shall develop
47 rigorous performance standards which shall be
48 grade-level expectations aligned to the rigorous core
49 content standards adopted pursuant to paragraph "c",
50 subparagraph (1), and the task force shall specify

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1 expectations for students' knowledge and performance
2 at the end of a given grade level. The rigorous
3 performance standards for kindergarten through grade
4 six shall include reading and writing, mathematics,
5 science, social studies, and art; and for grades seven
6 through twelve shall include English and language
7 arts, mathematics, science, history and social
8 studies, and art. The director shall provide at least
9 one staff person who is qualified by education and
10 experience on developing rigorous performance

11 standards to assist the task force. The task force
 12 shall submit its recommendations to the state board
 13 and the general assembly by January 2, 2012.
 14 f. The board shall require each school district to
 15 align the local curriculum, instructional materials,
 16 and classroom instruction to the standards adopted and
 17 to submit evidence of such alignment satisfactory to
 18 the department.
 19 g. A student shall not be denied curriculum or
 20 instruction consistent with the rigorous core content
 21 standards adopted pursuant to this subsection."
 22 2. By renumbering as necessary.

Raecker of Polk offered the following amendment [H-8474](#), to amendment [H-8432](#), filed by him and Wise of Lee and moved its adoption:

[H-8474](#)

1 Amend the amendment, [H-8432](#), to [Senate File 2216](#),
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 1, line 31, by striking the figure "2012"
 5 and inserting the following: "2014".
 6 2. Page 1, line 35, by striking the figure "2012"
 7 and inserting the following: "2014".
 8 3. Page 1, line 37, by striking the figure "2012"
 9 and inserting the following: "2014".
 10 4. Page 1, line 41, by inserting after the word
 11 "school," the following: "School districts and
 12 accredited nonpublic schools are encouraged to
 13 implement the rigorous core content standards between
 14 July 1, 2012, and June 30, 2014."

Amendment [H-8474](#) was adopted.

Raecker of Polk moved the adoption of amendment [H-8432](#), as amended.

Roll call was requested by Raecker of Polk and Roberts of Carroll.

On the question "Shall amendment [H-8432](#), as amended, be adopted?" ([S.F. 2216](#))

The ayes were, 56:

Alons
Baudler

Anderson
Bell

Arnold
Boal

Bailey
Chambers

Clute	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Granzow	Grassley	Greiner
Heaton	Horbach	Huseman	Huser
Jacobs	Kaufmann	Kelley	Lukan
May	Mertz	Miller, L.	Olson, S.
Paulsen	Pettengill	Quirk	Raecker
Rants	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Staed
Struyk	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wienczek	Windschitl	Wise	Worthan

The nays were, 41:

Abdul-Samad	Berry	Bukta	Cphoon
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Jacoby
Jochum	Kressig	Kuhn	Lensing
Lykam	Mascher	McCarthy	Miller, H.
Oldson	Olson, D.	Olson, R.	Olson, T.
Palmer	Reasoner	Reichert	Schueller
Shomshor	Smith	Swaim	Taylor, D.
Thomas	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Zirkelbach
Mr. Speaker Murphy			

Absent or not voting, 3:

Hoffman	Petersen	Taylor, T.
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Amendment [H-8432](#), as amended, was adopted.

Raecker of Polk asked and received unanimous consent to withdraw amendment [H-8346](#) filed by him on March 27, 2008.

Tymeson of Madison offered amendment [H-8429](#), previously deferred, filed by her as follows:

[H-8429](#)

- 1 Amend [Senate File 2216](#), as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, by striking line 9 and inserting the
- 4 following: "~~arts; three years of mathematics;~~
- 5 including algebra and higher mathematics; three years
- 6 of science; including biology, chemistry, and physics;
- 7 and".

Tymeson of Madison offered the following amendment [H-8517](#), to amendment [H-8429](#), filed by her from the floor and moved its adoption:

[H-8517](#)

- 1 Amend the amendment, [H-8429](#), to [Senate File 2216](#),
- 2 as amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 1, line 4, by striking the word "~~arts~~"
- 5 and inserting the following: "arts".

Amendment [H-8517](#) was adopted.

Tymeson of Madison asked and received unanimous consent to withdraw amendment [H-8429](#), as amended, filed by her on April 7, 2008.

Alons of Sioux offered the following amendment [H-8428](#), previously deferred, filed by him and moved its adoption:

[H-8428](#)

- 1 Amend [Senate File 2216](#), as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 2, by inserting after line 9 the
- 4 following:
- 5 "If fifty percent or more of the students enrolled
- 6 in secondary school in the school district or
- 7 accredited nonpublic school take the college admission
- 8 examination administered by the American college
- 9 testing program, inc., and the average composite score
- 10 on the most recently administered examination for the
- 11 school district or school for which results are
- 12 available is higher than the combined state average
- 13 score on the same test, the school district or school
- 14 qualifies for an exemption from the core curriculum
- 15 requirements of this subsection for the next
- 16 succeeding school year."

Amendment [H-8428](#) lost.

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

On the question “Shall the bill pass?” ([S.F. 2216](#))

The ayes were, 97:

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

The nays were, 3:

Alons	Swaim	Wendt
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Absent or not voting, none.

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

McCarthy of Polk asked and received unanimous consent for the immediate consideration of [House Resolution 150](#).

ADOPTION OF [HOUSE RESOLUTION 150](#)

Ford of Polk and Raecker of Polk called up for consideration [House Resolution 150](#), a resolution to honor Drake University's men's and women's basketball teams, and moved its adoption.

The motion prevailed and the resolution was adopted.

McCarthy of Polk asked and received unanimous consent for the immediate consideration of [House Resolution 152](#).

ADOPTION OF [HOUSE RESOLUTION 152](#)

Jacobs of Polk called up for consideration [House Resolution 152](#), a resolution to honor the Drake University men's basketball coach Keno Davis, and moved its adoption.

The motion prevailed and the resolution was adopted.

Jacobs of Polk introduced to the House the captains for the Drake men and women's basketball team, Adam Emmenecker and Lindsey Whorton, whom addressed the House briefly thanking the members for their support.

The House rose and expressed its welcome.

INTRODUCTION OF BILL

[House File 2692](#), by McCarthy and Rants, a bill for an act relating to animal feeding operations by regulating livestock markets, open feedlot operations, and the stockpiling of manure, providing for applicability and enforcement, making penalties applicable, and providing effective dates.

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

Appropriations Calendar

[House File 2679](#), 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, providing for related matters and including effective date provisions, was taken up for consideration.

Rants of Woodbury asked and received unanimous consent that amendment [H-8476](#) be deferred.

Heaton of Henry asked and received unanimous consent to withdraw amendment [H-8508](#) filed by him from the floor.

Winckler of Scott offered the following amendment [H-8519](#) filed by her and Foege of Linn from the floor and moved its adoption:

[H-8519](#)

- 1 Amend [House File 2679](#) as follows:
- 2 1. Page 8, by striking line 33 and inserting the
- 3 following:
- 4 "..... \$ 22,302,006"
- 5 2. By striking page 12, line 8, through page 13,
- 6 line 9.
- 7 3. Page 14, by striking line 23 and inserting the
- 8 following:
- 9 "..... \$ 2,192,351"
- 10 4. By renumbering as necessary.

Amendment [H-8519](#) was adopted, placing out of order amendment [H-8495](#) filed by Winkler of Scott on April 10, 2008.

Mascher of Johnson in the chair at 4:36 p.m.

Winckler of Scott offered the following amendment [H-8515](#) filed by her from the floor and moved its adoption:

[H-8515](#)

- 1 Amend [House File 2679](#) as follows:
- 2 1. Page 9, line 13, by inserting after the word
- 3 "colleges" the following: ", the university of
- 4 northern Iowa, ".
- 5 2. Page 11, line 32, by inserting after the word
- 6 "economics" the following: ", the university of
- 7 northern Iowa, ".
- 8 3. Page 16, line 28, by inserting after the word
- 9 "committees" the following: ", the state board of
- 10 regents, ".

Amendment [H-8515](#) was adopted.

Grassley of Butler offered the following amendment [H-8512](#) filed by him, Upmeyer of Hancock, Kaufmann of Cedar, Boal of Polk, Forristall of Pottawattamie and Baudler of Adair from the floor and moved its adoption:

H-8512

1 Amend [House File 2679](#) as follows:

2 1. Page 14, by striking line 27 and inserting the
3 following:

4 "..... \$186,866,657"

5 2. By striking page 14, line 31, through page 15,
6 line 10, and inserting the following:

- 7 "a. Merged Area I \$9,267,463
- 8 b. Merged Area II \$9,938,280
- 9 c. Merged Area III \$9,124,834
- 10 d. Merged Area IV \$4,490,986
- 11 e. Merged Area V \$10,234,103
- 12 f. Merged Area VI \$8,747,911
- 13 g. Merged Area VII \$13,010,598
- 14 h. Merged Area IX \$16,233,769
- 15 i. Merged Area X \$28,708,344
- 16 j. Merged Area XI \$28,503,448
- 17 k. Merged Area XII \$10,684,153
- 18 l. Merged Area XIII \$10,907,533
- 19 m. Merged Area XIV \$4,547,736
- 20 n. Merged Area XV \$14,273,002
- 21 o. Merged Area XVI \$8,194,497"

22 3. Page 15, by inserting before line 11 the
23 following:

24 "Notwithstanding unnumbered paragraph 1 of this
25 subsection and notwithstanding section 469.9, of the
26 moneys appropriated in this subsection, the sum of
27 \$6,404,243 is allocated from the moneys appropriated
28 to the office of energy independence for deposit in
29 the Iowa power fund for the fiscal year beginning July
30 1, 2008, and ending June 30, 2009."

Roll call was requested by Grassley of Butler and Rants of Woodbury.

On the question "Shall amendment [H-8512](#) be adopted?" ([H.F. 2679](#))

The ayes were, 48:

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

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

The nays were, 52:

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

Absent or not voting, none.

Amendment [H-8512](#) lost.

Kaufmann of Cedar offered the following amendment [H-8492](#) filed by him and moved its adoption:

[H-8492](#)

- 1 Amend [House File 2679](#) as follows:
- 2 1. Page 15, by inserting after line 18 the
- 3 following:
- 4 "Sec.____. STUDY OF POSTSECONDARY RIGOR. The
- 5 legislative council shall commission a study by an
- 6 independent entity to evaluate and compare the rigor
- 7 of the first two years of study at community colleges
- 8 and institutions of higher education governed by the
- 9 state board of regents. The legislative council shall
- 10 make the commission's report available to the public
- 11 by July 1, 2009."
- 12 2. By renumbering as necessary.

Amendment [H-8492](#) was adopted.

Chambers of O'Brien offered the following amendment [H-8510](#) filed by him from the floor and moved its adoption:

[H-8510](#)

- 1 Amend [House File 2679](#) as follows:
2 1. Page 15, by inserting after line 18 the
3 following:
4 "Sec.____. DUTIES RELATED TO CHILDREN AND
5 FAMILIES. The departments of education, human
6 services, and public health shall coordinate their
7 efforts in carrying out their respective duties
8 related to children and families. The departments
9 shall also coordinate their efforts regarding
10 applications for federal grants and other funding
11 resources which are available for the assistance of
12 Iowa's children and families."
13 2. By renumbering as necessary.

Amendment [H-8510](#) was adopted.

Pettengill of Benton offered the following amendment [H-8509](#) filed by her and Sands of Louisa from the floor and moved its adoption:

[H-8509](#)

- 1 Amend [House File 2679](#) as follows:
2 1. Page 26, by inserting after line 13 the
3 following:
4 "Sec.____. Section 256.11, subsections 2, 3, and
5 4, Code Supplement 2007, are amended to read as
6 follows:
7 2. The kindergarten program shall include
8 experiences designed to develop healthy emotional and
9 social habits and growth in the language arts and
10 communication skills, as well as a capacity for the
11 completion of individual tasks, and protect and
12 increase physical well-being with attention given to
13 experiences relating to the development of life
14 skills, including but not limited to personal finance
15 skills, and human growth and development. A
16 kindergarten teacher shall be licensed to teach in
17 kindergarten. An accredited nonpublic school must
18 meet the requirements of this subsection only if the
19 nonpublic school offers a kindergarten program.
20 3. The following areas shall be taught in grades
21 one through six: English-language arts, social
22 studies, personal finance literacy, mathematics,
23 science, health, age-appropriate and research-based
24 human growth and development, physical education,
25 traffic safety, music, and visual art. The health
26 curriculum shall include the characteristics of
27 communicable diseases including acquired immune

28 deficiency syndrome. The state board as part of
 29 accreditation standards shall adopt curriculum
 30 definitions for implementing the elementary program.
 31 4. The following shall be taught in grades seven
 32 and eight: English-language arts; social studies;
 33 personal finance literacy; mathematics; science;
 34 health; age-appropriate and research-based human
 35 growth and development; family, consumer, career, and
 36 technology education; physical education; music; and
 37 visual art. The health curriculum shall include
 38 age-appropriate and research-based information
 39 regarding the characteristics of sexually transmitted
 40 diseases, including HPV and the availability of a
 41 vaccine to prevent HPV, and acquired immune deficiency
 42 syndrome. The state board as part of accreditation
 43 standards shall adopt curriculum definitions for
 44 implementing the program in grades seven and eight.
 45 However, this subsection shall not apply to the
 46 teaching of family, consumer, career, and technology
 47 education in nonpublic schools. For purposes of this
 48 section, "age-appropriate", "HPV", and
 49 "research-based" mean the same as defined in section
 50 279.50.

Page 2

1 Sec.____. Section 256.11, subsection 5, Code
 2 Supplement 2007, is amended by adding the following
 3 new paragraph:
 4 NEW PARAGRAPH. k. One-half unit of personal
 5 finance literacy."

Roll call was requested by Pettengill of Benton and Sands of
 Louisa.

Rule 75 was invoked.

On the question "Shall amendment [H-8509](#) be adopted?" ([H.F.](#)
[2679](#))

The ayes were, 48:

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

Rayhons	Roberts	Sands	Schickel
Soderberg	Struyk	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Windschitl	Worthan	Zirkelbach

The nays were, 51:

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

Absent or not voting, none.

RULE 76 INVOKED

Under the provision of Rule 76, conflict of interest, Wiencek of Black Hawk refrained from voting.

Amendment [H-8509](#) lost.

Horbach of Tama asked and received unanimous consent to withdraw amendment [H-8513](#) filed by him on floor.

Kaufmann of Cedar offered amendment [H-8493](#) filed by Kaufmann et al., and requested division as follows:

[H-8493](#)

- 1 Amend [House File 2679](#) as follows:
- 2 1. Page 27, by inserting after line 4 the

[H-8493A](#)

- 3 following:
- 4 "Sec.____. NEW SECTION. 256.42 STATE
- 5 POSTSECONDARY TRANSFER AND ARTICULATION OVERSIGHT
- 6 COMMITTEE.
- 7 1. A state postsecondary transfer and articulation
- 8 oversight committee is established within the
- 9 department. The committee shall consist of five

10 voting members, one of whom shall be the director of
 11 the department of education or the director's
 12 designee. The governor shall appoint four members as
 13 follows:

14 a. Two persons who shall be members of boards of
 15 directors of community colleges.

16 b. Two persons who shall represent the
 17 institutions of higher education governed by the state
 18 board of regents.

19 2. The committee shall meet to resolve the credit
 20 and transfer or articulation disputes between the
 21 community colleges, the regents universities, and
 22 students who wish to transfer community college
 23 credits to a regents university.

24 3. The committee shall designate a chairperson,
 25 and may change the designation. The committee shall
 26 meet no less than four times per year and may meet at
 27 the call of the chairperson or upon the written
 28 request to the chairperson of two or more members.
 29 The members appointed by the governor shall serve a
 30 term of four years, except that the initial term of
 31 one member appointed pursuant to subsection 1,
 32 paragraph "a", and one member appointed pursuant to
 33 subsection 1, paragraph "b", shall be for two years.
 34 Members appointed by the governor shall be appointed
 35 in each odd-numbered year to succeed members whose
 36 terms expire as provided by section 69.19. If a
 37 vacancy occurs, a successor shall be appointed in the
 38 same manner as the original appointment to serve the
 39 unexpired term. A member designated to represent the
 40 director of the department shall serve at the pleasure
 41 of the director. A majority of the voting members of
 42 the committee constitutes a quorum, and the
 43 concurrence of a majority of the voting members of the
 44 committee in any matter within their duties is
 45 required for its determination. Members are entitled
 46 to actual expenses necessarily incurred in the
 47 discharge of their duties as members of the committee.
 48 The expenses paid to the committee members shall be
 49 paid from funds appropriated to the department."

[H-8493B](#)

50 2. Page 28, by inserting after line 5 the

Page 2

1 following:

2 "Sec.____. Section 260C.14, Code 2007, is amended
 3 by adding the following new subsection:

4 NEW SUBSECTION. 22. Enter into a collective
 5 statewide articulation agreement with the state board

6 of regents pursuant to section 262.9, subsection 32.
 7 The agreement shall provide for the creation of a
 8 bachelor of applied science degree and equivalent
 9 recognition for an applied science degree offered at
 10 the community college level. The cooperation of each
 11 community college in abiding by the terms of the
 12 agreement shall be reviewed and considered by the
 13 general assembly when making the annual appropriation
 14 for the community college."

15 3. Page 36, by inserting after line 25 the
 16 following:

17 "Sec. _____. Section 262.9, Code Supplement 2007, is
 18 amended by adding the following new subsection:
 19 NEW SUBSECTION. 32. a. In consultation with the
 20 state board for community colleges established
 21 pursuant to section 260C.3, establish and enter into a
 22 collective statewide articulation agreement with the
 23 community colleges established pursuant to chapter
 24 260C. The agreement shall provide for the creation of
 25 a bachelor of applied science degree and equivalent
 26 recognition for an applied science degree offered at
 27 the community college level. An accredited private
 28 institution as defined in section 261.9 may elect to
 29 enter into the agreement. The policies and procedures
 30 set forth in the agreement shall be fully operational
 31 at each of the institutions of higher education under
 32 the board's control by July 1, 2009. The articulation
 33 agreement shall provide for the seamless transfer of
 34 academic credits from a completed associate of arts or
 35 associate of science degree program to a baccalaureate
 36 degree program offered by the institutions of higher
 37 education under the control of the state board of
 38 regents, and shall include the following:

- 39 (1) A listing of the general education core
 40 courses for the associate of arts and associate of
 41 science degrees.
 42 (2) Policies and procedures for the seamless
 43 transfer and application of academic credits from a
 44 completed associate degree program to a baccalaureate
 45 degree program, including a guarantee that an
 46 associate of arts degree or an associate of science
 47 degree awarded by a community college established
 48 pursuant to chapter 260C, shall be fully transferable
 49 and credited as the first two years of a baccalaureate
 50 degree program at the institutions of higher education

Page 3

- 1 under the board's control to which a student is
 2 admitted.
 3 (3) Policies and procedures for the implementation
 4 of an appeals process for students and institutions to

5 resolve disputes regarding the transfer of academic
6 credits.

7 (4) Policies and procedures for the annual review
8 and updating of the agreement.

9 (5) Policies and procedures for the collection of
10 data by the board to ensure that its institutions of
11 higher education are in compliance with the provisions
12 of this subsection and to ensure that the agreement is
13 fostering both a seamless transfer process and the
14 academic success of transfer students at the board's
15 institutions of higher education. The board shall
16 annually determine the data to be collected and shall
17 notify each institution in a timely manner of the data
18 to be collected.

19 b. Direct the institutions of higher education
20 under its control to allow for the transfer of up to
21 eighty hours of the credits earned by a student who
22 has completed an associate degree program prior to
23 transferring into a baccalaureate degree program at
24 the institution.

25 c. Prepare an annual report summarizing the data
26 collected pursuant to paragraph "a", subparagraph (5),
27 and including an analysis of the effect of the
28 agreement on the transfer process and on the academic
29 success of transfer students at the institutions of
30 higher education under its control, and an analysis of
31 each institution's compliance with the provisions of
32 this subsection. The board shall submit the report to
33 the general assembly and the governor by January 15 of
34 each year. The cooperation of each institution of
35 higher education under the board's control in abiding
36 by the terms of the agreement shall be reviewed and
37 considered by the general assembly when making the
38 annual appropriation for the institution. However,
39 this subsection shall not be construed to require any
40 of the institutions of higher education to admit any
41 student or to waive its admission standards and
42 application procedures for any student."

43 4. By renumbering as necessary.

Kaufmann of Cedar moved the adoption of amendment [H-8493A](#).

Amendment [H-8493A](#) was adopted.

Kaufmann of Cedar asked and received unanimous consent to
withdraw amendment [H-8493B](#).

Tymeson of Madison offered the following amendment [H-8511](#) filed by her, Chambers of O'Brien, Baudler of Adair and Alons of Sioux, from the floor and moved its adoption:

[H-8511](#)

- 1 Amend [House File 2679](#) as follows:
- 2 1. Page 36, by inserting after line 25 the
- 3 following:
- 4 "Sec.____. Section 262.9, Code Supplement 2007, is
- 5 amended by adding the following new subsection:
- 6 NEW SUBSECTION. 32. Disclose to the general
- 7 assembly any federal, state, or privately funded
- 8 activities or studies undertaken by any of the
- 9 institutions of higher education under its control
- 10 that would involve actions which meet the standards
- 11 for a violation of the laws of this state."
- 12 2. By renumbering as necessary.

Roll call was requested by Rants of Woodbury and Horbach of Tama.

On the question "Shall amendment [H-8511](#) be adopted?" ([H.F. 2679](#))

The ayes were, 93:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Ford	Forristall
Frevert	Gaskill	Gayman	Gipp
Granzow	Grassley	Greiner	Heaton
Heddens	Hoffman	Horbach	Hunter
Huseman	Huser	Jacobs	Jacoby
Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lukan	Lykam	May
McCarthy	Mertz	Miller, H.	Miller, L.
Oldson	Olson, D.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	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
Zirkelbach

Winckler

Windschitl

Worthan

The nays were, 7:

Cohoon
Olson, R.

Foege
Wise

Lensing
Mascher,
Presiding

Murphy, Spkr.

Absent or not voting, none.

Amendment [H-8511](#) was adopted.

Speaker Murphy in the chair at 5:54 p.m.

Lukan of Dubuque offered the following amendment [H-8487](#) filed by Lukan et al., and moved its adoption:

[H-8487](#)

- 1 Amend [House File 2679](#) as follows:
- 2 1. Page 37, by inserting after line 14 the
- 3 following:
- 4 "Sec. ____ Section 301.1, subsection 3, Code 2007,
- 5 is amended to read as follows:
- 6 3. As used in subsection 2, "textbooks" means
- 7 ~~books any of the following:~~
- 8 a. Books and loose-leaf or bound manuals, systems
- 9 of reusable instructional materials or combinations of
- 10 books and supplementary instructional materials which
- 11 convey information to the student or otherwise
- 12 contribute to the learning process, ~~or electronic,~~
- 13 b. Electronic textbooks, including but not limited
- 14 to computer software, applications using
- 15 computer-assisted instruction, interactive videodisc,
- 16 and other computer courseware and magnetic media.
- 17 c. Computer hardware, including but not limited to
- 18 personal computing devices."
- 19 2. By renumbering as necessary.

Roll call was requested by Lukan of Dubuque and Van Fossen of Scott.

On the question "Shall amendment [H-8487](#) be adopted?" ([H.F. 2679](#))

The ayes were, 48:

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

The nays were, 51:

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

Absent or not voting, 1:

Anderson

Amendment [H-8487](#) lost.

Baudler of Adair offered amendment [H-8507](#) filed by him from the floor as follows:

[H-8507](#)

- 1 Amend [House File 2679](#) as follows:
- 2 1. Page 37, by inserting after line 14 the
- 3 following:
- 4 "Sec.____. **NEW SECTION.** 279.60 DISPLAY OF UNITED
- 5 STATES FLAG IN CLASSROOMS.
- 6 In addition to the requirements of section 280.5,
- 7 the board of directors of each school district shall
- 8 cause a United States flag, manufactured in the United

- 9 States and in good condition to be displayed during
 10 school hours in each public school gymnasium or
 11 assembly hall in the district. The size of the flag
 12 shall be not less than two feet by three feet."
 13 2. By renumbering as necessary.

Winckler of Scott rose on a point of order that amendment [H-8507](#) was not germane.

The Speaker ruled the point well taken and amendment [H-8507](#) not germane.

Baudler of Adair moved to suspend the rules to consider amendment [H-8507](#).

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

On the question "Shall the rules be suspended to consider amendment [H-8507](#)?" ([H.F. 2679](#))

The ayes were, 49:

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

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
Lensing	Lykam	Mascher	McCarthy
Mertz	Miller, H.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Quirk	Reasoner	Reichert	Schueller

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

Absent or not voting, none.

The motion to suspend the rules lost.

Van Fossen of Scott offered amendment [H-8496](#) filed by him and Lukan of Dubuque as follows:

[H-8496](#)

- 1 Amend [House File 2679](#) as follows:
- 2 1. Page 37, by inserting after line 19 the
- 3 following:
- 4 "Sec.____. Section 422.11S, subsection 7,
- 5 paragraph a, subparagraph (2), Code Supplement 2007,
- 6 is amended to read as follows:
- 7 (2) "Total approved tax credits" means for the tax
- 8 year beginning in the 2006 calendar year, two million
- 9 five hundred thousand dollars, for the tax year
- 10 beginning in the 2007 calendar year, five million
- 11 dollars, ~~and for tax years beginning on or after~~
- 12 ~~January 1, 2008 for the tax year beginning in the 2008~~
- 13 ~~calendar year~~, seven million five hundred thousand
- 14 dollars, ~~and for tax years beginning on or after~~
- 15 ~~January 1, 2009, ten million dollars."~~
- 16 2. By renumbering as necessary.

Winckler of Scott rose on a point of order that amendment [H-8496](#) was not germane.

The Speaker ruled the point well taken and amendment [H-8496](#) not germane.

Van Fossen of Scott moved to suspend the rules to consider amendment [H-8496](#).

Roll call was requested by Van Fossen of Scott and Lukan of Dubuque.

On the question "Shall the rules be suspended to consider amendment [H-8496](#)?" ([H.F. 2679](#))

The ayes were, 47:

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

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, 1:

Granzow

The motion to suspend the rules lost.

Kaufmann of Cedar offered the following amendment [H-8505](#) filed by him from the floor and moved its adoption:

[H-8505](#)

- 1 Amend [House File 2679](#) as follows:
- 2 1. Page 51, line 22, by inserting after the word
- 3 "instructors" the following: "hold a master's degree
- 4 from an accredited college or university,".
- 5 2. Page 51, line 24, by striking the figure "272"
- 6 and inserting the following: "272,".

Amendment [H-8505](#) was adopted.

May of Dickinson offered the following amendment [H-8518](#) filed by him from the floor and moved its adoption:

[H-8518](#)

- 1 Amend [House File 2679](#) as follows:
- 2 1. Page 60, by striking lines 2 through 13 and
- 3 inserting the following: "succeeding fiscal years, an
- 4 amount up to one million dollars to the department for
- 5 distribution to school districts for purposes of
- 6 paying college entrance examination fees for students
- 7 enrolled in the district who are taking a college
- 8 entrance examination provided by the American college
- 9 testing program, inc."
- 10 2. Page 60, by striking lines 16 through 18 and
- 11 inserting the following: "dollars to the department
- 12 for distribution to school districts for purposes of
- 13 paying advanced placement course examination fees for
- 14 students enrolled in the district."
- 15 3. By renumbering as necessary.

Roll call was requested by May of Dickinson and Paulsen of Linn.

On the question "Shall amendment [H-8518](#) be adopted?" ([H.F. 2679](#))

The ayes were, 48:

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

The nays were, 52:

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

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

Absent or not voting, none.

Amendment [H-8518](#) lost.

Struyk of Pottawattamie offered the following amendment [H-8476](#), previously deferred, filed by him and Pettengill of Benton and moved its adoption:

[H-8476](#)

- 1 Amend [House File 2679](#) as follows:
- 2 1. Page 4, by striking line 27 and inserting the
- 3 following:
- 4 "..... \$ 8,417,427"
- 5 2. Page 22, by striking line 32 and inserting the
- 6 following:
- 7 "..... \$ 10,077,191"
- 8 3. Page 23, by striking line 3 and inserting the
- 9 following:
- 10 "..... \$ 5,674,351"

Roll call was requested by Struyk of Pottawattamie and Pettengill of Benton.

Rule 75 was invoked.

On the question "Shall amendment [H-8476](#) be adopted?" ([H.F. 2679](#))

The ayes were, 50:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	Dandekar
De Boef	Deyoe	Dolecheck	Drake
Forristall	Gipp	Granzow	Grassley
Greiner	Heaton	Hoffman	Horbach
Huseman	Jacobs	Kaufmann	Lukan

May	Mertz	Miller, L.	Olson, S.
Paulsen	Pettengill	Raecker	Rants
Rasmussen	Rayhons	Roberts	Sands
Schickel	Shomshor	Soderberg	Struyk
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wiencek
Windschitl	Worthan		

The nays were, 50:

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

Absent or not voting, none.

Amendment [H-8476](#) lost.

Tymeson of Madison offered the following amendment [H-8521](#) filed by her from the floor and moved its adoption:

[H-8521](#)

- 1 Amend [House File 2679](#) as follows:
- 2 1. By striking page 25, line 9, through page 26,
- 3 line 13.
- 4 2. Page 39, line 23, by striking the word "DATES"
- 5 and inserting the following: "DATE".
- 6 3. Page 39, line 24, by striking the figure "1."
- 7 4. Page 39, by striking lines 28 through 30.
- 8 5. Title page, line 5, by striking line 5 and
- 9 inserting the following: "including an effective date
- 10 provision."
- 11 6. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 45, nays 49.

Amendment [H-8521](#) lost.

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

On the question "Shall the bill pass?" ([H.F. 2679](#))

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	Lukan	Lykam
Mascher	McCarthy	Mertz	Miller, H.
Oldson	Olson, R.	Olson, T.	Palmer
Petersen	Quirk	Reasoner	Reichert
Schueller	Shomshor	Smith	Staed
Taylor, D.	Taylor, T.	Thomas	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Winckler	Wise	Zirkelbach	Mr. Speaker Murphy

The nays were, 48:

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

Absent or not voting, none.

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 2679](#) be immediately messaged to the Senate.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 14, 2008, passed the following bill in which the concurrence of the House is asked:

[Senate File 2416](#), a bill for an act relating to wage payment collection and employment classification issues arising between employers and individuals who provide services to employers and including an appropriation and an effective date.

Also: That the Senate has on April 14, 2008, passed the following bill in which the concurrence of the House is asked:

[Senate File 2418](#), a bill for an act relating to notice provided to certain households about the availability of volunteer or free income tax assistance programs and the federal and state earned income tax credits.

Also: That the Senate has on April 14, 2008, passed the following bill in which the concurrence of the House is asked:

[Senate File 2419](#), a bill for an act relating to the property tax exemption for speculative shell buildings and including effective and retroactive applicability date provisions.

Also: That the Senate has on April 14, 2008, adopted the following resolution in which the concurrence of the House is asked:

[Senate Concurrent Resolution 105](#), a concurrent resolution designating May 2008 as Motorcycle Safety Awareness Month.

MICHAEL E. MARSHALL, Secretary

INTRODUCTION OF BILL

[House Joint Resolution 2007](#), by McCarthy, a house joint resolution a joint resolution authorizing the temporary use and consumption of wine and beer in the State Capitol, and the temporary display of ceremonial banners, in conjunction with the awards ceremony of the World Food Prize Foundation.

Read first time and referred to committee on **administration and rules**.

HOUSE FILE 2678 REREFERRED

The Speaker announced that House File 2678, previously referred to committee on **ethics** was rereferred to committee on **state government**.

MOTION TO RECONSIDER
(Senate File 2216)

I move to reconsider the vote by which Senate File 2216 passed the House on April 14, 2008.

MCCARTHY of Polk

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on April 10, 2008. Had I been present, I would have voted "aye" on House Files 2283, 2651, 2668, 2669 and Senate Files 2134, 2269, 2276 and 2321.

PAULSEN of Linn

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 14th day of April, 2008: House Files 2212, 2390, 2392, 2542, 2547, 2591 and 2646.

MARK W. BRANDSGARD
Chief Clerk of the House

Report adopted.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 11, 2008, he approved and transmitted to the Secretary of State the following bills:

[House File 247](#), an Act providing voting member representation on joint E911 service boards for cities or townships providing fire protection services through a volunteer fire department.

[House File 2164](#), an Act relating to voluntary diversity or court-ordered school desegregation plans under the state's open enrollment law.

[House File 2328](#), an Act relating to services associated with the family investment program by moving the family development and self-sufficiency council and grant program to the department of human rights and revising confidentiality provisions involving the programs.

[House File 2372](#), an Act limiting the scope of the electronic benefits transfer program maintained by the department of human services.

[House File 2383](#), an Act making nonsubstantive corrections to certain provisions relating to insurance and making repeals.

[House File 2385](#), an Act relating to allowable investments by the treasurer of state and other authorized state agencies.

[House File 2410](#), an Act relating to alarm system installer or contractor certification and electrician licensure provisions, and providing an effective date.

[House File 2411](#), an Act providing for changes in electrician licensure requirements for specified licensure classifications, and providing an effective date.

[House File 2564](#), an Act concerning the disaster aid individual assistance grant program.

[House File 2568](#), an Act relating to the calculation of certain weekly workers' compensation benefits by requiring certain weekly workers' compensation benefits to be calculated by including an employee's shift differential pay and by changing the basis for calculating the weekly rate for certain injured inmates.

[House File 2580](#), an Act providing for a sustainable natural resource funding advisory committee.

[House File 2581](#), an Act relating to the donation of food to the department of natural resources or county conservation boards.

[House File 2603](#), an Act authorizing certain advanced registered nurse practitioners and psychiatrists to file certain periodic court reports on chronic substance abusers and persons with mental illness who do not require full-time placement in a treatment facility.

[House File 2606](#), an Act relating to the regulation of transactions involving grain, by providing for the regulation of grain dealers and warehouse operators, and providing for the administration of the grain indemnity fund.

[Senate File 473](#), an Act allowing a competent adult to execute a written instrument designating a person to have sole responsibility and discretion concerning the final

disposition of that adult's remains, including coordinating provisions, and providing applicability dates.

[Senate File 505](#), an Act relating to civil liability for damages relating to the use of an automated external defibrillator in sudden cardiac arrest emergencies.

[Senate File 2089](#), an Act relating to applications for absentee ballots.

[Senate File 2108](#), an Act relating to the designation of a Gift to Iowa's Future Recognition Day.

[Senate File 2117](#), an Act relating to coverage of closing protection letters in real estate transactions and providing an effective date.

[Senate File 2157](#), an Act relating to amusement ride safety inspection fees and special inspectors authorized by the division of labor services in the department of workforce development and providing an effective date.

[Senate File 2176](#), an Act relating to cultural affairs by providing for the preservation of electronic records, establishing local cultural committees, and creating a civil war sesquicentennial advisory committee.

[Senate File 2177](#), an Act relating to health-related activities and regulation by the department of public health.

[Senate File 2179](#), an Act making specified changes relating to professional licensing and regulation under the purview of the banking division of the department of commerce.

[Senate File 2214](#), an Act relating to modification of a child custody order during the time a parent is serving active duty.

[Senate File 2217](#), an Act relating to providing legal representation to an eligible indigent person and the appointment of a guardian ad litem.

[Senate File 2248](#), an Act modifying provisions relating to the application for a certificate of franchise authority applicable to the provision of cable or video services by an existing provider.

[Senate File 2277](#), an Act relating to offenses against identity by establishing a procedure to secure credit information and providing a penalty.

[Senate File 2289](#), an Act concerning state educational assistance to children of deceased veterans and the war orphans educational assistance fund, and including an effective date and retroactive applicability provision.

[Senate File 2301](#), an Act making revisions and modifications to uniform finance procedures for bonds issued by the state.

[Senate File 2316](#), an Act creating the Iowa uniform prudent management of institutional funds Act and including an applicability provision.

[Senate File 2333](#), an Act relating to the regulation of veterans commemorative property.

[Senate File 2335](#), an Act relating to the rights of a victim of an alleged sexual assault and notification of these rights by a peace officer.

[Senate File 2380](#), an Act establishing a low head dam public hazard program.

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

- 2008\2806 Inez Wolford, Burlington – For celebrating her 90th birthday.
- 2008\2807 William and Barbara Lafferty, Burlington – For celebrating their 50th wedding anniversary.
- 2008\2808 Dwight and Cathy Brown, Burlington – For celebrating their 50th wedding anniversary.
- 2008\2809 Richard and Ellen Eckhardt, Burlington – For celebrating their 50th wedding anniversary.
- 2008\2810 Sherman and Mary Smith, Burlington – For celebrating their 65th wedding anniversary.
- 2008\2811 Marilyn Adams, Earlham – For being named America's Greatest Hometown Hero of the Sixth Annual Volvo for Life Awards.
- 2008\2812 Kay and Charles Derr, Fairfield – For celebrating their 50th wedding anniversary.
- 2008\2813 Earl Hesse, Sioux City – For celebrating his 80th birthday.
- 2008\2814 Pearl Fulton, Sioux City – For celebrating her 80th birthday.
- 2008\2815 Sylvia Kuennen, Sioux City – For being chosen the Social Worker of the Year for the State of Iowa.
- 2008\2816 Samuel Tucker Beernink, Sioux City – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2008\2817 Jerry Alan Pickell, Sioux Center – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.

- 2008\2818 Charlie and Viola Van Schepen, Hull – For celebrating their 60th wedding anniversary.
- 2008\2819 John and Grach Schuurman, Rock Rapids – For celebrating their 65th wedding anniversary.
- 2008\2820 Jim and Marlene Michaud, Ames – For celebrating their 50th wedding anniversary.
- 2008\2821 Ken and Jo Noble, West Liberty – For celebrating their 50th wedding anniversary.
- 2008\2822 E. Wayne and Vivian Sissel, Tipton – For celebrating their 55th wedding anniversary.
- 2008\2823 Dale and Judy Wulff, Clarence – For celebrating their 55th wedding anniversary.
- 2008\2824 Fred Kummerfeldt, Wilton – For celebrating his 90th birthday.
- 2008\2825 Dorothy Beinke, West Liberty – For celebrating her 100th birthday.
- 2008\2826 Ann Gottschalk, Lowden – For celebrating her 90th birthday.
- 2008\2827 Anna Juffer, Doon – For celebrating her 90th birthday.
- 2008\2828 Mavis Porter, Rock Rapids – For celebrating her 90th birthday.
- 2008\2829 Emily Leuthold, Rock Rapids – For celebrating her 90th birthday.
- 2008\2830 Margaret Altena, Sioux Center – For celebrating her 90th birthday.
- 2008\2831 Lois Vande Garde, Rock Valley – For celebrating her 90th birthday.
- 2008\2832 Molly Nelson, Panorama – For receiving the Outstanding Performer Award at the Class 2A State Solo and Small Group contest.
- 2008\2833 Larry and Kay Calkins, Greenfield – For celebrating their 50th wedding anniversary.
- 2008\2834 Raymond and Leanne Miller, Oxford – For celebrating their 50th wedding anniversary.
- 2008\2835 Kenneth and Eleanore Miller, Fontanelle – For celebrating their 67th wedding anniversary.
- 2008\2836 Manley Young, Fontanelle – For celebrating his 80th birthday.
- 2008\2837 LaVera Burns, Latimer – For celebrating her 95th birthday.

COMMITTEE RECOMMENDATION

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

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON LABOR

[House File 2675](#), a bill for an act pertaining to qualifications for and payment of unemployment compensation benefits, and including effective and applicability date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass with Amendment [H-8527](#)** April 14, 2008.

RESOLUTION FILED

[HR 151](#), by Petersen, a resolution recognizing April 13 through 19, 2008, as the Week of the Young Child.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-8498	S.F. 2404	Kaufmann of Cedar
H-8499	H.F. 2686	Wessel-Kroeschell of Story
H-8500	H.F. 2628	R. Olson of Polk
H-8501	H.F. 2628	R. Olson of Polk
H-8502	H.F. 2684	Ford of Polk
H-8503	S.F. 517	Reichert of Muscatine
H-8504	S.F. 517	Reichert of Muscatine
H-8506	H.F. 2239	Lukan of Dubuque
H-8514	H.F. 2688	Gaskill of Wapello
H-8516	S.F. 2382	R. Olson of Polk
		Swaim of Davis
H-8520	H.F. 2688	Whitaker of Van Buren
		Frevert of Palo Alto
		Whitead of Woodbury
H-8522	S.F. 2402	Van Fossen of Scott

<u>H-8523</u>	<u>H.F.</u>	<u>2688</u>	May of Dickinson
<u>H-8524</u>	<u>H.F.</u>	<u>2688</u>	Kuhn of Floyd
			May of Dickinson
			Whitead of Woodbury
<u>H-8525</u>	<u>H.F.</u>	<u>2688</u>	Frevert of Palo Alto
			Jochum of Dubuque
			Kuhn of Floyd
			Whitaker of Van Buren
			Kelley of Black Hawk
<u>H-8526</u>	<u>H.F.</u>	<u>2688</u>	Kuhn of Floyd
			Frevert of Palo Alto
			Ford of Polk
			Mascher of Johnson
			Jochum of Dubuque
			Gaskill of Wapello
<u>H-8527</u>	<u>H.F.</u>	<u>2675</u>	Committee on Labor
<u>H-8528</u>	<u>H.F.</u>	<u>2672</u>	Kaufmann of Cedar
<u>H-8529</u>	<u>H.F.</u>	<u>2688</u>	Kuhn of Floyd
			T. Taylor of Linn
			D. Taylor of Linn
			Jochum of Dubuque
			Smith of Marshall
			Gaskill of Wapello
			Kressig of Black Hawk
			Whitead of Woodbury
			Hunter of Polk
			Petersen of Polk
			Jacoby of Johnson
			Swaim of Davis
			H. Miller of Webster
			Heddens of Story
			Winckler of Scott
			Staed of Linn

On motion by McCarthy of Polk the House adjourned at 7:50 p.m., until 9:00 a.m., Tuesday, April 15, 2008.