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**STATE OF IOWA**

# **House Journal**

**FRIDAY, MARCH 19, 2010**

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

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## JOURNAL OF THE HOUSE

Sixty-eighth Calendar Day - Forty-ninth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Friday, March 19, 2010

The House met pursuant to adjournment at 9:26 a.m., Speaker Murphy in the chair.

Prayer was offered by the Honorable Mary Mascher, state representative from Johnson County.

### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Brent Smith, House Page from Pella.

The Journal of Thursday, March 18, 2010 was approved.

### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Huser of Polk on request of Struyk of Pottawattamie; Wendt of Woodbury on request of McCarthy of Polk.

### SENATE MESSAGE CONSIDERED

[Senate File 2381](#), by committee on appropriations, a bill for an act relating to and making transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund, providing for properly related matters, and making penalties applicable.

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

On motion by McCarthy of Polk, the House was recessed at 9:58 a.m., until 1:15 p.m.

AFTERNOON SESSION

The House reconvened at 1:24 p.m., Berry of Black Hawk in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

H. Miller of Webster on request of Speaker Murphy; Tjepkes of Webster on request of Roberts of Carroll.

QUORUM CALL

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

Speaker Murphy in the chair at 1:43 p.m.

CONSIDERATION OF BILLS

Appropriations Calendar

[Senate File 2367](#), a bill for an act relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters, and including effective date and retroactive applicability provisions, with report of committee recommending passage, was taken up for consideration.

Hunter of Polk offered amendment [H-8499](#) filed by him from the floor as follows:

[H-8499](#)

- 1 Amend [Senate File 2367](#), as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 3, line 7, by striking <S2> and inserting
- 4 <S4>
- 5 2. Page 7, by striking lines 5 through 7.
- 6 3. Page 13, after line 32 by inserting:
- 7 <7. DEPENDENT ADULT ABUSE. For costs associated
- 8 with implementing the requirements of 2010 Iowa Acts,
- 9 [Senate File 2333](#), if enacted:
- 10 ..... \$ 250,000>

11 4. By striking page 15, line 29, through page 16,  
12 line 1.  
13 5. Page 22, line 26, after ~~<procured contracts>~~ by  
14 inserting ~~<let by another participating agency>~~  
15 6. By striking page 23, line 28, through page 26,  
16 line 10, and inserting:  
17 <DIVISION \_\_\_\_\_  
18 MEDICATION THERAPY MANAGEMENT  
19 Sec. \_\_\_\_ MEDICATION THERAPY MANAGEMENT – PILOT  
20 – REPEAL.  
21 1. As used in this section unless the context  
22 otherwise requires:  
23 a. "Eligible employee" means an employee of the  
24 state, with the exception of an employee of the state  
25 board of regents or institutions under the state board  
26 of regents, for whom group health plans are established  
27 pursuant to chapter 509A providing for third-party  
28 payment or prepayment for health or medical expenses.  
29 b. "Medication therapy management" means a  
30 systematic process performed by a licensed pharmacist,  
31 designed to optimize therapeutic outcomes through  
32 improved medication use and reduced risk of adverse  
33 drug events, including all of the following services:  
34 (1) A medication therapy review and in-person  
35 consultation relating to all medications, vitamins, and  
36 herbal supplements currently being taken by an eligible  
37 individual.  
38 (2) A medication action plan, subject to the  
39 limitations specified in this section, communicated  
40 to the individual and the individual's primary care  
41 physician or other appropriate prescriber to address  
42 safety issues, inconsistencies, duplicative therapy,  
43 omissions, and medication costs. The medication action  
44 plan may include recommendations to the prescriber for  
45 changes in drug therapy.  
46 (3) Documentation and follow-up to ensure  
47 consistent levels of pharmacy services and positive  
48 outcomes.  
49 2. a. Prior to July 1, 2010, the department of  
50 administrative services shall utilize a request for

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1 proposals process to contract for the provision of  
2 medication therapy management services beginning July  
3 1, 2010, for eligible employees who meet any of the  
4 following criteria:  
5 (1) An individual who takes four or more  
6 prescription drugs to treat or prevent two or more  
7 chronic medical conditions.  
8 (2) An individual with a prescription drug therapy  
9 problem who is identified by the prescribing physician

10 or other appropriate prescriber, and referred to a  
11 pharmacist for medication therapy management services.

12 (3) An individual who meets other criteria  
13 established by the third-party payment provider  
14 contract, policy, or plan.

15 b. The contract shall require the company to  
16 provide annual reports to the general assembly  
17 detailing the costs, savings, estimated cost avoidance  
18 and return on investment, and patient outcomes  
19 related to the medication therapy management services  
20 provided. The company shall guarantee demonstrated  
21 annual savings, including any savings associated with  
22 cost avoidance at least equal to the program's costs  
23 with any shortfall amount refunded to the state. As  
24 a proof of concept in the program for the period  
25 beginning July 1, 2010, and ending June 30, 2011, the  
26 company shall offer a dollar-for-dollar guarantee for  
27 drug product costs savings alone. Prior to entering  
28 into a contract with a company, the department and  
29 the company shall agree on the terms, conditions,  
30 and applicable measurement standards associated  
31 with the demonstration of savings. The department  
32 shall verify the demonstrated savings reported by  
33 the company was performed in accordance with the  
34 agreed upon measurement standards. The company shall  
35 be prohibited from using the company's employees to  
36 provide the medication therapy management services and  
37 shall instead be required to contract with licensed  
38 pharmacies, pharmacists, or physicians.

39 c. The fees for pharmacist-delivered medication  
40 therapy management services shall be separate from  
41 the reimbursement for prescription drug product or  
42 dispensing services; shall be determined by each  
43 third-party payment provider contract, policy, or plan;  
44 and must be reasonable based on the resources and time  
45 required to provide the service.

46 d. A fee shall be established for physician  
47 reimbursement for services delivered for medication  
48 therapy management as determined by each third-party  
49 payment provider contract, policy, or plan, and must be  
50 reasonable based on the resources and time required to

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1 provide the service.

2 e. If any part of the medication therapy management  
3 plan developed by a pharmacist incorporates services  
4 which are outside the pharmacist's independent scope  
5 of practice including the initiation of therapy,  
6 modification of dosages, therapeutic interchange, or  
7 changes in drug therapy, the express authorization  
8 of the individual's physician or other appropriate

9 prescriber is required.

10 3. This section is repealed December 31, 2011.

11 Sec. \_\_\_\_ EFFECTIVE UPON ENACTMENT. This division  
12 of this Act, being deemed of immediate importance,  
13 takes effect upon enactment.>

14 7. Page 26, after line 17 by inserting:

15 <DIVISION \_\_\_\_\_

16 DEPARTMENT OF HUMAN RIGHTS PROVISIONS

17 Sec. \_\_\_\_ Section 216A.3, subsection 2, unnumbered  
18 paragraph 1, Code 2009, as amended by 2010 Iowa Acts,  
19 [Senate File 2088](#), section 103, is amended to read as  
20 follows:

21 The board shall consist of ~~fourteen sixteen~~ members,  
22 including ~~nine eleven~~ voting members and five nonvoting  
23 members and determined as follows:

24 Sec. \_\_\_\_ Section 216A.12, subsection 2, Code  
25 Supplement 2009, as amended by 2010 Iowa Acts, Senate  
26 File 2088, section 108, is amended to read as follows:

27 2. The members of the commission shall be appointed  
28 during the month of June and shall serve for staggered  
29 four-year terms ~~commencing July 1 of the year of~~  
30 ~~appointment which shall begin and end pursuant to~~  
31 ~~section 69.19.~~ Members appointed shall continue to  
32 serve until their respective successors are appointed.  
33 Vacancies in the membership of the commission shall be  
34 filled by the original appointing authority and in the  
35 manner of the original appointments. Members shall  
36 receive actual expenses incurred while serving in their  
37 official capacity. Members may also be eligible to  
38 receive compensation as provided in section 7E.6.

39 DIVISION \_\_\_\_\_

40 TREASURER OF STATE PROVISIONS

41 Sec. \_\_\_\_ NEW SECTION. 12G.1 Iowa financial  
42 literacy program – legislative intent.

43 The general assembly finds that the general welfare  
44 of this state and well-being of its citizens is  
45 directly related to the financial education of those  
46 citizens. While the state has limited resources  
47 to promote financial literacy, a vital and valid  
48 public purpose shall be served by the creation and  
49 implementation of programs which encourage and make  
50 possible the attainment of financial literacy by the

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1 largest possible number of citizens in this state, and  
2 particularly by low-income to moderate-income families.

3 Sec. \_\_\_\_ NEW SECTION. 12G.2 Program created.

4 1. An Iowa financial literacy program is created  
5 within the office of the treasurer of state. The  
6 treasurer of state shall have all powers necessary to  
7 carry out and effectuate the purposes, objectives, and

8 provisions pertaining to the program, including the  
9 authority to do all of the following:

10 a. Promote the advantages of personal savings  
11 and responsible borrowing and the viability and  
12 desirability of implementing a personal savings program  
13 and responsible borrowing practices regardless of an  
14 individual's or family's financial status.

15 b. Create an incentive program and awards ceremony  
16 whereby individuals and families who have made  
17 significant progress toward achieving personal savings  
18 goals and engaging in responsible borrowing practices  
19 shall be officially recognized.

20 c. Create strategies for coordination of the  
21 program with the Iowa educational savings plan trust  
22 established in chapter 12D.

23 d. Make presentations to groups including but not  
24 limited to schools, hospitals, civic organizations,  
25 and privately organized clubs and groups regarding the  
26 existence of the program.

27 e. Coordinate conferences, meetings, and events  
28 which promote financial literacy and education.

29 2. The treasurer of state shall not accept any  
30 moneys or materials for the program from any private  
31 source that will create the appearance that the  
32 treasurer of state endorses any particular financial  
33 product or any particular entity or otherwise will be  
34 deemed to create an unacceptable conflict of interest.

35 Sec. \_\_\_\_ NEW SECTION. 12G.3 Financial literacy  
36 fund.

37 1. A financial literacy fund is created within the  
38 state treasury under the control of the treasurer of  
39 state. The fund shall consist of moneys in the form  
40 of a devise, gift, bequest, donation, federal or other  
41 grant, reimbursement, repayment, judgment, transfer,  
42 payment, or appropriation from any source intended to  
43 be used for the purposes of the fund.

44 2. Moneys in the fund are appropriated to the  
45 treasurer of state for purposes of the Iowa financial  
46 literacy program established in section 12G.2.

47 3. Section 8.33 does not apply to any moneys in the  
48 fund. Notwithstanding section 12C.7, subsection 2,  
49 interest or earnings on moneys deposited in the fund  
50 shall be credited to the fund.

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1 DIVISION \_\_\_\_\_  
2 PUBLIC INFORMATION BOARD  
3 Sec. \_\_\_\_ PUBLIC INFORMATION BOARD. There is  
4 appropriated from the general fund of the state to  
5 the Iowa public information board for the fiscal year  
6 beginning July 1, 2010, and ending June 30, 2011, the

7 following amount, or so much thereof as is necessary,  
 8 to be used for the purposes designated:  
 9 For costs associated with establishing the Iowa  
 10 public information board, if enacted by 2010 Iowa Acts,  
 11 [House File 777](#):  
 12 ..... \$ 6,000>  
 13 8. By renumbering as necessary.

Raecker of Polk offered the following amendment [H-8504](#), to amendment [H-8499](#), filed by him and Cownie of Polk from the floor and moved its adoption:

[H-8504](#)

1 Amend the amendment, [H-8499](#), to [Senate File 2367](#),  
 2 as amended, passed, and reprinted by the Senate, as  
 3 follows:  
 4 1. Page 4, after line 34 by inserting:  
 5 <Sec. \_\_\_\_ **NEW SECTION.** 12G.3 Financial literacy  
 6 program – members of the general assembly.  
 7 The treasurer of state and auditor of state shall  
 8 develop a financial literacy program for newly elected  
 9 members of the general assembly, which program shall  
 10 include information on basic budgeting, financial  
 11 statements, an overview of the state's budget process,  
 12 and a review of the current financial condition of  
 13 the state. The treasurer of state and auditor of  
 14 state shall coordinate with the legislative council in  
 15 providing for the ability of newly-elected members of  
 16 the general assembly to attend the program prior to  
 17 being sworn in.>  
 18 2. Page 4, line 35, by striking <12G.3> and  
 19 inserting <12G.4>  
 20 3. Page 4, line 45, after <state> by inserting <and  
 21 auditor of state>  
 22 4. Page 4, line 46, by striking <program> and  
 23 inserting <programs>  
 24 5. Page 4, line 46, by striking <section 12G.2> and  
 25 inserting <sections 12G.2 and 12G.3>  
 26 6. By renumbering as necessary.

Roll call was requested by Paulsen of Linn and Windschitl of Harrison.

On the question "Shall amendment [H-8504](#) to amendment [H-8499](#) be adopted?" ([S.F. 2367](#))



The ayes were, 44:

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

The nays were, 51:

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

Absent or not voting, 5:

Bailey	Huser	Miller, H.	Tjepkes
Wendt			

Amendment [H-8504](#) lost, placing out of order amendment [H-8498](#) filed by Raecker of Polk from the floor.

Hunter of Polk moved the adoption of amendment [H-8499](#).

Amendment [H-8499](#) was adopted.

Gaskill of Wapello asked and received unanimous consent that amendment [H-8440](#) be deferred.

Watts of Dallas asked and received unanimous consent to withdraw amendment [H-8439](#) filed by him on March 17, 2010.

Watts of Dallas offered the following amendment [H-8454](#) filed by him and moved its adoption:

[H-8454](#)

- 1 Amend [Senate File 2367](#), as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 14, by striking lines 6 through 12.
- 4 2. By striking page 19, line 35, through page 20,
- 5 line 5.
- 6 3. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 50, nays 41.

Amendment [H-8454](#) was adopted, placing out of order amendment [H-8440](#), previously deferred, filed by Gaskill of Wapello on March 17, 2010.

Lensing of Johnson offered the following amendment [H-8408](#) filed by her and moved its adoption:

[H-8408](#)

- 1 Amend [Senate File 2367](#), as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 26, after line 17 by inserting:
- 4 <DIVISION \_\_\_\_\_
- 5 ALCOHOLIC BEVERAGES DIVISION – HIGH ALCOHOLIC CONTENT
- 6 BEER
- 7 Sec. \_\_\_\_ NEW SECTION. 123.126 High alcoholic
- 8 content beer.
- 9 Unless otherwise provided by this chapter, the
- 10 provisions of this chapter applicable to beer shall
- 11 also apply to high alcoholic content beer.
- 12 Sec. \_\_\_\_ EFFECTIVE UPON ENACTMENT AND RETROACTIVE
- 13 APPLICABILITY. This division of this Act, being deemed
- 14 of immediate importance, takes effect upon enactment
- 15 and applies retroactively to March 10, 2010.>
- 16 2. By renumbering as necessary.

Amendment [H-8408](#) was adopted, placing out of order amendment [H-8421](#) filed by Kressig of Black Hawk on March 15, 2010.

Gaskill of Wapello asked and received unanimous consent to withdraw amendment [H-8452](#) filed by her on March 17, 2010.

Gaskill of Wapello offered the following amendment [H-8458](#) filed by her and moved its adoption:

[H-8458](#)

1 Amend [Senate File 2367](#), as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. Page 26, after line 17 by inserting:  
4 <DIVISION \_\_\_\_\_  
5 REVENUE COLLECTIONS BY COUNTY TREASURERS

6 Sec. \_\_\_\_ Section 321.40, subsection 6, Code  
7 Supplement 2009, is amended to read as follows:

8 6. a. The department or the county treasurer  
9 shall refuse to renew the registration of a vehicle  
10 registered to the applicant if the department or  
11 the county treasurer knows that the applicant has a  
12 delinquent account, charge, fee, loan, taxes, or other  
13 indebtedness owed to or being collected by the state,  
14 from information provided pursuant to sections 8A.504  
15 and 421.17. An applicant may contest this action by  
16 requesting a contested case proceeding from the agency  
17 that referred the debt for collection pursuant to  
18 section 8A.504. The department of revenue and the  
19 department of transportation shall notify the county  
20 treasurers through the distributed teleprocessing  
21 network of persons who owe such a charge, fee, loan,  
22 taxes, or other indebtedness.

23 b. The county treasurer of the county of the  
24 person's residence and in which the person's vehicle  
25 is registered, in cooperation with the department  
26 of revenue, may collect delinquent taxes including  
27 penalties and interest owed to the state from a person  
28 applying for renewal of a vehicle registration. The  
29 applicant may remit full payment of the taxes including  
30 applicable penalties and interest, along with a  
31 processing fee of five dollars, to the county treasurer  
32 at the time of registration renewal. Upon full payment  
33 of the required taxes including applicable penalties  
34 and interest, the processing fee, and the vehicle  
35 registration fee, the county treasurer shall issue  
36 the registration to the person. A county treasurer  
37 collecting on behalf of the department of revenue shall  
38 update the vehicle registration records through the  
39 distributed teleprocessing network on a daily basis  
40 for all persons who have paid taxes pursuant to this  
41 subsection. A county treasurer shall forward all  
42 funds collected for the department of revenue to the  
43 department of revenue.

44 Sec. \_\_\_\_ Section 321.152, Code 2009, is amended by  
45 adding the following new subsection:

46 NEW SUBSECTION. 2A. a. Except as provided in

47 paragraph "b", the five dollar processing fee charged  
48 by a county treasurer for collection of tax debt  
49 owed to the department of revenue pursuant to section  
50 321.40, subsection 6, shall be retained for deposit in

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1 the county general fund.

2 b. From each five dollar processing fee charged  
3 by a county treasurer pursuant to section 321.40,  
4 subsection 6, the county treasurer shall retain  
5 two dollars and fifty cents and shall forward the  
6 remaining two dollars and fifty cents to the treasurer  
7 of state to be used to reimburse the department  
8 of transportation for actual costs incurred by the  
9 department to implement provisions relating to the  
10 collection of tax debt by the county treasurers  
11 as provided in section 321.40, subsection 6. The  
12 department shall certify its costs to the treasurer of  
13 state for approval and payment. The treasurer of state  
14 shall notify the county treasurers and the department  
15 when the department's costs have been paid in full.  
16 Upon such notification, the county treasurers shall  
17 retain processing fees as provided in paragraph "a".

18 Sec. \_\_\_\_ Section 321.153, Code 2009, is amended to  
19 read as follows:

20 321.153 Treasurer's report to department.

21 1. The county treasurer on the tenth day of each  
22 month shall certify to the department a full and  
23 complete statement of all fees and penalties received  
24 by the county treasurer during the preceding calendar  
25 month and shall remit all moneys not retained for  
26 deposit under section 321.152 to the treasurer of  
27 state.

28 2. The distributed teleprocessing network shall be  
29 used in the collection, receipting, accounting, and  
30 reporting of any fee collected through the registration  
31 renewal or title process, with sufficient time and  
32 financial resources provided for implementation.

33 3. This section does not apply to fees collected  
34 or retained by a county treasurer pursuant to  
35 participation in county issuance of driver's licenses  
36 under chapter 321M.

37 4. This section does not apply to processing fees  
38 charged by a county treasurer for the collection of  
39 tax debt owed to the department of revenue pursuant to  
40 section 321.40.

41 Sec. \_\_\_\_ Section 421.17, subsection 27, Code 2009,

42 is amended by adding the following new paragraph:  
43 NEW PARAGRAPH. k. A county treasurer may collect  
44 delinquent taxes, including penalties and interest,  
45 administered by the department in conjunction with

46 renewal of a vehicle registration as provided in  
47 section 321.40, subsection 6, paragraph "b", and rules  
48 adopted pursuant to this paragraph. County treasurers  
49 shall be given access to information required for the  
50 collection of delinquent taxes, including penalties

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1 and interest, as necessary to accomplish the purposes  
2 of section 321.40, subsection 6, paragraph "b". The  
3 confidentiality provisions of sections 422.20 and  
4 422.72 do not apply to information provided to a  
5 county treasurer pursuant to this paragraph. A county  
6 treasurer collecting taxes, penalties, and interest  
7 administered by the department is subject to the  
8 requirements and penalties of the confidentiality  
9 laws of this state regarding tax or indebtedness  
10 information. The director shall adopt rules to  
11 implement the collection of tax debt as authorized in  
12 section 321.40 and this paragraph.

13 Sec. \_\_\_\_ Section 422.20, subsection 3, paragraph  
14 a, Code 2009, is amended to read as follows:

15 a. Unless otherwise expressly permitted by  
16 section 8A.504, section 421.17, subsections 22, 23,  
17 and 26, ~~sections and subsection 27, paragraph "k",~~  
18 section 252B.9, section 321.40, subsection 6, paragraph  
19 "b", sections 321.120, 421.19, 421.28, 422.72, and  
20 452A.63, and this section, a tax return, return  
21 information, or investigative or audit information  
22 shall not be divulged to any person or entity,  
23 other than the taxpayer, the department, or internal  
24 revenue service for use in a matter unrelated to tax  
25 administration.

26 Sec. \_\_\_\_ Section 422.72, subsection 3, paragraph  
27 a, Code 2009, is amended to read as follows:

28 a. Unless otherwise expressly permitted by  
29 section 8A.504, section 421.17, subsections 22, 23,  
30 and 26, ~~sections and subsection 27, paragraph "k",~~  
31 section 252B.9, section 321.40, subsection 6, paragraph  
32 "b", sections 321.120, 421.19, 421.28, 422.20, and  
33 452A.63, and this section, a tax return, return  
34 information, or investigative or audit information  
35 shall not be divulged to any person or entity,  
36 other than the taxpayer, the department, or internal  
37 revenue service for use in a matter unrelated to tax  
38 administration.

39 Sec. \_\_\_\_ INTENT – COLLECTION OF COURT DEBT BY  
40 COUNTY TREASURERS – STUDY.

41 1. It is the intent of the general assembly to  
42 implement the collection of court debt on behalf of the  
43 clerk of the district court at the time a person renews  
44 a motor vehicle registration beginning July 1, 2011.

45 2. The state court administrator, or the state  
46 court administrator's designee, in cooperation with  
47 the Iowa state county treasurers association shall  
48 develop a plan to allow county treasurers to collect  
49 restitution and delinquent court debt on behalf of  
50 the clerk of the district court at the time a person

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1 appears before the county treasurer to renew a vehicle  
2 registration. The state court administrator shall  
3 submit a report of the plan to the general assembly on  
4 or before December 1, 2010.  
5 Sec. \_\_\_\_ EFFECTIVE DATE. The sections of this  
6 division of this Act amending sections 321.40, 321.152,  
7 321.153, 421.17, 422.20, and 422.72 take effect January  
8 1, 2011.>  
9 2. By renumbering as necessary.

Amendment [H-8458](#) was adopted.

Kuhn of Floyd offered amendment [H-8467](#) filed by him as follows:

[H-8467](#)

1 Amend [Senate File 2367](#), as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. Page 26, after line 17 by inserting:  
4 <DIVISION \_\_\_\_\_  
5 PUBLIC FINANCING OF ELECTIONS STUDY  
6 Sec. \_\_\_\_ STUDY – PUBLIC FINANCING OF ELECTIONS  
7 IN IOWA. The executive director of the ethics and  
8 campaign disclosure board, in consultation with the  
9 board, shall do all of the following:  
10 1. Study the level of public and other stakeholder  
11 support for public financing of state and local  
12 elections in Iowa.  
13 2. Investigate and report on the implementation of  
14 public financing in other jurisdictions.  
15 3. Make recommendations to the general assembly  
16 and the governor regarding the feasibility of public  
17 financing.  
18 4. If feasible, recommend appropriate legislation.>  
19 2. By renumbering as necessary.

Alons of Sioux rose on a point of order that amendment [H-8467](#)  
was not germane.

The Speaker ruled the point not well taken and amendment [H-8467](#) germane.

Kuhn of Floyd asked and received unanimous consent to withdraw amendment [H-8467](#) filed by him on March 18, 2010.

Mascher of Johnson asked and received unanimous consent to withdraw amendment [H-8491](#) filed by her and Abdul-Samad of Polk, placing out of order amendment [H-8497](#) filed by Raecker of Polk on March 18, 2010 and amendment [H-8506](#) filed by Reichert of Muscatine from the floor.

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

On the question "Shall the bill pass?" ([S.F. 2367](#))

The ayes were, 51:

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

The nays were, 45:

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

Van Engelenhoven Wagner Watts Windschitl  
Worthan

Absent or not voting, 4:

Huser Miller, H. Tjepkes Wendt

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

The House stood at ease at 3:51 p.m., until the fall of the gavel.

The House resumed session at 4:34 p.m., Speaker Murphy in the chair.

### Ways and Means Calendar

[House File 2527](#), a bill for an act relating to taxation, including the administration and review of certain economic development programs and certain tax incentive programs and the reenactment of the estate tax and including effective date and retroactive and other applicability provisions, was taken up for consideration.

Sands of Louisa asked and received unanimous consent to withdraw amendment [H-8482](#) filed by him on March 18, 2010.

Shomshor of Pottawattamie offered amendment [H-8451](#) filed by him as follows:

#### [H-8451](#)

- 1 Amend [House File 2527](#) as follows:
- 2 1. Page 10, line 7, by striking <two> and inserting
- 3 <three>

Sweeney of Hardin asked and received unanimous consent to withdraw amendment [H-8478](#), to amendment [H-8451](#), filed by her on March 18, 2010.

On motion by Shomshor of Pottawattamie, amendment [H-8451](#) was adopted.



Sweeney of Hardin asked and received unanimous consent to withdraw amendment [H-8480](#) filed by Sweeney of Hardin, et al., on March 18, 2010.

Schulte of Linn asked and received unanimous consent to withdraw amendment [H-8479](#) filed by Schulte of Linn, et al., on March 18, 2010.

Helland of Polk asked and received unanimous consent to withdraw amendment [H-8481](#) filed by him and Wagner of Linn on March 18, 2010.

[SENATE FILE 2380](#) SUBSTITUTED FOR [HOUSE FILE 2527](#)

Shomshor of Pottawattamie asked and received unanimous consent to substitute [Senate File 2380](#) for [House File 2527](#).

[Senate File 2380](#), a bill for an act relating to taxation, including the administration and review of certain economic development programs and certain tax incentive programs and the reenactment of the estate tax and including effective date and retroactive and other applicability provisions, was taken up for consideration.

Sands of Louisa offered the following amendment [H-8485](#) filed by him and moved its adoption:

[H-8485](#)

- 1 Amend [Senate File 2380](#), as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. By striking page 1, line 1, through page 5, line
- 4 3, and inserting:
- 5 <DIVISION \_\_I
- 6 REVIEW AND REAUTHORIZATION OF PROGRAMS
- 7 Section 1. INTENT AND PURPOSE.
- 8 1. It is the intent of the general assembly that
- 9 each tax credit, withholding credit, and revenue
- 10 division program should effectuate the purposes for
- 11 which it was enacted and that the cost of such programs
- 12 should be included more readily in the yearly budgeting
- 13 process.
- 14 2. The purposes of this Act are to provide for the
- 15 regular review of all tax credit, withholding credit,
- 16 and revenue division programs in order to facilitate
- 17 the reauthorization of successful programs and to do

18 so at a cost that can be accommodated by the state's  
19 annual budget.

20 DIVISION \_\_II

21 LEGISLATIVE TAX EXPENDITURE COMMITTEE

22 Sec. 2. Section 2.45, Code Supplement 2009, is  
23 amended by adding the following new subsection:

24 NEW SUBSECTION. 5. a. The legislative tax  
25 expenditure committee which shall be composed of  
26 ten members of the general assembly, consisting of  
27 five members from each house, to be appointed by the  
28 legislative council. In appointing the five members of  
29 each house to the committee, the council shall appoint  
30 three members from the majority party and two members  
31 from the minority party.

32 b. The legislative tax expenditure committee shall  
33 have the powers and duties described in section 2.48.

34 Sec. 3. NEW SECTION. 2.48 Legislative tax  
35 expenditure committee – review of tax incentive  
36 programs.

37 1. Duties of committee. The legislative tax  
38 expenditure committee shall do all of the following:

39 a. Evaluate any tax expenditure available  
40 under Iowa law and assess its equity, simplicity,  
41 competitiveness, public purpose, adequacy, and extent  
42 of conformance with the original purposes of the  
43 legislation that enacted the tax expenditure, as those  
44 issues pertain to taxation in Iowa. For purposes of  
45 this section, "tax expenditure" means an exclusion  
46 from the operation or collection of a tax imposed in  
47 this state. Tax expenditures include tax credits,  
48 exemptions, deductions, and rebates. Tax expenditures  
49 also include sales tax refunds issued pursuant to  
50 section 423.3 or section 423.4.

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1 b. Establish and maintain a system for making  
2 available to the public information about the amount  
3 and effectiveness of tax expenditures, and the extent  
4 to which tax expenditures comply with the original  
5 intent of the legislation that enacted the tax  
6 expenditure.

7 2. Review of tax expenditures – budget  
8 estimates. The legislative tax expenditure committee  
9 shall do all of the following:

10 a. Engage in the regular review of the state's tax  
11 expenditures.

12 (1) In reviewing tax expenditures, the committee  
13 may review any tax expenditure at any time, but  
14 shall at a minimum perform the reviews described in  
15 subsection 3.

16 (2) For each tax expenditure reviewed, the

17 committee shall submit a report to the legislative  
18 council containing the results of the review. The  
19 report shall contain a statement of the policy goals  
20 of the tax expenditure and a return on investment  
21 calculation for the tax expenditure. For purposes of  
22 this subparagraph, "return on investment calculation"  
23 means analyzing the cost to the state of providing  
24 the tax expenditure, analyzing the benefits realized  
25 by the state from providing the tax expenditure, and  
26 reaching a conclusion as to whether the benefits of  
27 the tax expenditure are worth the cost to the state of  
28 providing the tax expenditure.

29 (3) The report described in subparagraph (2)  
30 may include recommendations for better aligning  
31 tax expenditures with the original intent of the  
32 legislation that enacted the tax expenditure.

33 b. (1) Estimate for each fiscal year, in  
34 conjunction with the legislative services agency  
35 and the department of revenue, the cost of each  
36 individual tax expenditure and the total cost of all  
37 tax expenditures, and by December 15 provide those  
38 estimates to the governor for use in the preparation  
39 of the budget message under section 8.22 and to the  
40 general assembly to be used in the budget process.

41 (2) The estimates provided pursuant to subparagraph  
42 (1) may include the committee's recommendations for  
43 the imposition of a limitation on a specified tax  
44 expenditure, a limitation on the total amount of  
45 tax expenditures, or any other recommendation for a  
46 specific tax expenditure or the program under which the  
47 tax expenditure is provided.

48 3. Schedule of review of all tax expenditures. The  
49 committee shall review the following tax expenditures  
50 and incentives according to the following schedule:

Page 3

1 a. In 2011:

2 (1) The high quality jobs program under chapter 15,  
3 subchapter II, part 13.

4 (2) The tax credits for increasing research  
5 activities available under sections 15.335, 15A.9,  
6 422.10, and 422.33.

7 (3) The franchise tax credits available under  
8 sections 422.11 and 422.33.

9 (4) The earned income tax credit available under  
10 section 422.12B.

11 b. In 2012:

12 (1) The Iowa fund of funds program in chapter 15E,  
13 division VII.

14 (2) Property tax revenue divisions for urban  
15 renewal areas under section 403.19.

16 (3) The targeted jobs withholding credits available  
17 under section 403.19A.  
18 (4) Funding of urban renewal projects with  
19 increased local sales and services tax revenues under  
20 section 423B.10.  
21 (5) School tuition organization tax credits under  
22 sections 422.11S and 422.33.  
23 (6) Tuition and textbook tax credits under section  
24 422.12.  
25 c. In 2013:  
26 (1) The child and dependent care and early  
27 childhood development tax credits under section  
28 422.12C.  
29 (2) The endow Iowa tax credits authorized under  
30 section 15E.305.  
31 (3) The redevelopment tax credits available under  
32 section 15.293A.  
33 (4) The disaster recovery housing tax credits  
34 available under sections 16.211 and 16.212.  
35 (5) The tax credits available for film, television,  
36 and video project promotion under section 15.393.  
37 d. In 2014:  
38 (1) Tax credits for investments in qualifying  
39 businesses and community-based seed capital funds under  
40 chapter 15E, division V.  
41 (2) Historic preservation and cultural and  
42 entertainment district tax credits under chapter 404A.  
43 (3) Wind energy production tax credits under  
44 chapter 476B.  
45 (4) Renewable energy tax credits under chapter  
46 476C.  
47 (5) The ethanol promotion tax credits available  
48 under section 422.11N.  
49 (6) The E-85 gasoline promotion tax credits  
50 available under section 422.11O.

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1 (7) The biodiesel blended fuel tax credits  
2 available under section 422.11P.  
3 e. In 2015:  
4 (1) The agricultural assets transfer tax credit  
5 under section 175.37.  
6 (2) The claim of right tax credit under section  
7 422.5.  
8 (3) The reduction in allocating income to Iowa by S  
9 corporation shareholders under section 422.8.  
10 (4) The minimum tax credit under sections 422.11B,  
11 422.33, and 422.60.  
12 (5) The assistive device corporate tax credit under  
13 section 422.33.  
14 (6) The charitable conservation contribution tax

15 credit under sections 422.11W and 422.33.  
 16 (7) The motor vehicle fuel tax credit under section  
 17 422.110.  
 18 (8) The new jobs tax credits available under  
 19 section 422.11A.  
 20 (9) The financial assistance available under the  
 21 enterprise zones program in chapter 15E, division  
 22 XVIII.  
 23 4. A tax expenditure or incentive reviewed pursuant  
 24 to subsection 3 shall be reviewed again not more than  
 25 five years after the tax expenditure or incentive was  
 26 most recently reviewed.>  
 27 2. Page 5, line 26, by striking <2012> and  
 28 inserting <2013>  
 29 3. By renumbering as necessary.

Roll call was requested by Sands of Louisa and Paulsen of Linn.

On the question "Shall amendment [H-8485](#) be adopted?" ([S.F. 2380](#))

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Beard	Bell
Bukta	Burt	Chambers	Cohoon
Cownie	De Boef	Deyoe	Dolecheck
Drake	Ficken	Ford	Forristall
Frevert	Gaskill	Gayman	Grassley
Hagenow	Hanson	Heaton	Heddens
Helland	Horbach	Hunter	Huseman
Isenhart	Jacoby	Kaufmann	Kearns
Kelley	Koester	Kressig	Kuhn
Lensing	Lukan	Lykam	Marek
Mascher	May	McCarthy	Mertz
Miller, L.	Oldson	Olson, D.	Olson, R.
Olson, S.	Olson, T.	Palmer	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rants	Rayhons	Reasoner	Reichert
Roberts	Running-Marquardt	Sands	Schueller
Schulte	Schultz	Shomshor	Smith
Soderberg	Sorenson	Steckman	Struyk
Swaim	Sweeney	Taylor	Thede
Thomas	Tymeson	Upmeyer	Van Engelenhoven
Wagner	Watts	Wenthe	Wessel-Kroeschell
Whitead	Willems	Winckler	Windschitl
Worthan	Zirkelbach	Mr. Speaker	
		Murphy	

The nays were, none.

Absent or not voting, 5:

Berry                    Huser                    Miller, H.                    Tjepkes  
Wendt

Amendment [H-8485](#) was adopted.

Sweeney of Hardin offered the following amendment [H-8484](#) filed by Sweeney, et al., and moved its adoption:

[H-8484](#)

- 1 Amend [Senate File 2380](#), as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3     1. Page 10, by striking lines 2 through 9.
- 4     2. By renumbering as necessary.

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

On the question "Shall amendment [H-8484](#) be adopted?" ([S.F. 2380](#))

The ayes were, 94:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Beard	Bell
Berry	Bukta	Burt	Chambers
Cohoon	Cownie	De Boef	Deyoe
Dolecheck	Drake	Ficken	Ford
Forristall	Frevert	Gaskill	Gayman
Grassley	Hagenow	Hanson	Heaton
Heddens	Helland	Horbach	Huseman
Huser	Isenhart	Jacoby	Kaufmann
Kearns	Kelley	Koester	Kressig
Kuhn	Lensing	Lukan	Lykam
Marek	Mascher	May	McCarthy
Mertz	Miller, L.	Oldson	Olson, D.
Olson, S.	Olson, T.	Palmer	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rants	Rayhons	Reasoner	Reichert
Roberts	Running-Marquardt	Sands	Schueller
Schulte	Schultz	Shomshor	Smith
Soderberg	Sorenson	Steckman	Struyk
Swaim	Sweeney	Taylor	Thede
Thomas	Tymeson	Upmeyer	Van Engelenhoven
Wagner	Watts	Wenthe	Wessel-Kroeschell
Willems	Winckler	Windschitl	Worthan
Zirkelbach	Mr. Speaker		
	Murphy		

The nays were, 3:

Hunter                      Olson, R.                      Whitead

Absent or not voting, 3:

Miller, H.                      Tjepkes                      Wendt

Amendment [H-8484](#) was adopted.

Schulte of Linn offered the following amendment [H-8483](#) filed by Schulte of Linn, et al., and moved its adoption:

[H-8483](#)

- 1 Amend [Senate File 2380](#), as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3     1. Page 11, by striking lines 9 through 18.
- 4     2. By renumbering as necessary.

Roll call was requested by Schulte of Linn and Koester of Polk.

On the question "Shall amendment [H-8483](#) be adopted?" ([S.F. 2380](#))

The ayes were, 87:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Beard	Bell
Berry	Bukta	Burt	Chambers
Cownie	De Boef	Deyoe	Dolecheck
Drake	Ficken	Ford	Forristall
Frevert	Gaskill	Gayman	Grassley
Hagenow	Hanson	Heaton	Helland
Horbach	Huseman	Huser	Isenhart
Jacoby	Kaufmann	Kearns	Kelley
Koester	Kressig	Kuhn	Lukan
Lykam	Marek	May	McCarthy
Mertz	Miller, L.	Oldson	Olson, D.
Olson, S.	Olson, T.	Palmer	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rants	Rayhons	Reasoner	Roberts
Running-Marquardt	Sands	Schueller	Schulte
Schultz	Shomshor	Smith	Soderberg
Sorenson	Steckman	Struyk	Swaim
Sweeney	Taylor	Thede	Thomas
Tymeson	Upmeyer	Van Engelenhoven	Wagner
Watts	Wenthe	Winckler	Windschitl
Worthan	Zirkelbach	Mr. Speaker	
		Murphy	

The nays were, 10:

Cohoon	Heddens	Hunter	Lensing
Mascher	Olson, R.	Reichert	Wessel-Kroeschell
Whitead	Willems		

Absent or not voting, 3:

Miller, H.	Tjepkes	Wendt
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Amendment [H-8483](#) was adopted.

Isenhart of Dubuque offered amendment [H-8462](#) filed by him, Schueller of Jackson and Struyk of Pottawattamie as follows:

[H-8462](#)

1 Amend [Senate File 2380](#), as amended, passed, and  
 2 reprinted by the Senate, as follows:  
 3 1. Page 24, after line 5 by inserting:  
 4 <DIVISION \_\_\_\_\_  
 5 DIVISION \_\_\_OF PROPERTY TAX REVENUE  
 6 <Sec. \_\_\_. Section 331.502, Code Supplement 2009,  
 7 is amended by adding the following new subsection:  
 8 **NEW SUBSECTION.** 42A. Prepare and submit the report  
 9 required under section 403.19, subsection 9.  
 10 Sec. \_\_\_. Section 403.19, subsection 2, Code 2009,  
 11 is amended to read as follows:  
 12 2. a. That portion of the taxes each year in  
 13 excess of such amount shall be allocated to and  
 14 when collected be paid into a special fund of the  
 15 municipality to pay the principal of and interest on  
 16 loans, moneys advanced to, or indebtedness, whether  
 17 funded, refunded, assumed, or otherwise, including  
 18 bonds issued under the authority of section 403.9,  
 19 subsection 1, incurred by the municipality to finance  
 20 or refinance, in whole or in part, an urban renewal  
 21 project within the area, and to provide assistance for  
 22 low and moderate income family housing as provided  
 23 in section 403.22, ~~except that~~. However, except as  
 24 provided in paragraph "b", taxes for the instructional  
 25 support program of a school district imposed pursuant  
 26 to section 257.19 and taxes for the regular and  
 27 voter-approved physical plant and equipment levy of a  
 28 school district imposed pursuant to section 298.2 and  
 29 taxes for the payment of bonds and interest of each  
 30 taxing district must be collected against all taxable  
 31 property within the taxing district without limitation  
 32 by the provisions of this subsection.  
 33 ~~b. (1) However, all~~ All or a portion of the taxes  
 34 for the physical plant and equipment levy shall be



35 paid by the school district to the municipality if  
36 the auditor certifies to the school district by July  
37 1 the amount of such levy that is necessary to pay  
38 the principal and interest on bonds issued by the  
39 municipality to finance an urban renewal project, which  
40 bonds were issued before July 1, 2001. Indebtedness  
41 incurred to refund bonds issued prior to July 1, 2001,  
42 shall not be included in the certification. Such  
43 school district shall pay over the amount certified  
44 by November 1 and May 1 of the fiscal year following  
45 certification to the school district.  
46 (2) (a) All or a portion of the taxes for the  
47 instructional support program levy of a school  
48 district shall be paid by the school district to the  
49 municipality if the auditor, pursuant to subsection 8,  
50 certifies to the school district by July 1 the amount

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1 of such levy that is necessary to pay the principal and  
2 interest on bonds issued or other indebtedness incurred  
3 by the municipality to finance an urban renewal project  
4 that was approved at a public hearing on or before the  
5 effective date of this division of this Act, if the  
6 urban renewal project or the applicable urban renewal  
7 plan has not been amended following such approval  
8 and if the bonds issued or indebtedness incurred  
9 has not been refinanced by the municipality. Such  
10 school district shall pay over the amount certified  
11 by November 1 and May 1 of the fiscal year following  
12 certification to the school district.  
13 (b) In lieu of payment to a municipality under  
14 subparagraph division (a), a school district may by  
15 resolution of the board of directors of the school  
16 district approve at a regular meeting of the board  
17 of directors the payment of all or a portion of the  
18 instructional support program property tax revenue  
19 excluded under paragraph "a", to the municipality for  
20 the payment of principal and interest on bonds issued  
21 or other indebtedness incurred by the municipality for  
22 an urban renewal project approved before, on, or after  
23 the effective date of this division of this Act.  
24 c. Unless and until the total assessed valuation of  
25 the taxable property in an urban renewal area exceeds  
26 the total assessed value of the taxable property in  
27 such area as shown by the last equalized assessment  
28 roll referred to in subsection 1, all of the taxes  
29 levied and collected upon the taxable property in  
30 the urban renewal area shall be paid into the funds  
31 for the respective taxing districts as taxes by or  
32 for the taxing districts in the same manner as all  
33 other property taxes. When such loans, advances,

34 indebtedness, and bonds, if any, and interest thereon,  
35 have been paid, all moneys thereafter received from  
36 taxes upon the taxable property in such urban renewal  
37 area shall be paid into the funds for the respective  
38 taxing districts in the same manner as taxes on all  
39 other property.

40 d. In those instances where a school district  
41 has entered into an agreement pursuant to section  
42 279.64 for sharing of school district taxes levied and  
43 collected from valuation described in this subsection  
44 and released to the school district, the school  
45 district shall transfer the taxes as provided in the  
46 agreement.

47 Sec. \_\_\_\_ Section 403.19, Code 2009, is amended by  
48 adding the following new subsections:

49 NEW SUBSECTION. 8. For any fiscal year, a  
50 municipality may certify to the county auditor for

Page 3

1 instructional support program property tax revenue  
2 necessary for payment of principal and interest on  
3 bonds issued or other indebtedness incurred for an  
4 urban renewal project that was approved at a public  
5 hearing on or before the effective date of this  
6 division of this Act, if the urban renewal project or  
7 the applicable urban renewal plan has not been amended  
8 following such approval and if the bonds issued or  
9 indebtedness incurred has not been refinanced by the  
10 municipality. If for any fiscal year a municipality  
11 fails to certify to the county auditor by July 1 the  
12 amount of instructional support program property tax  
13 revenue necessary for payment of principal and interest  
14 on such bonds, as provided in subsection 2, the school  
15 district is not required to pay over the revenue to the  
16 municipality. If a school district and a municipality  
17 are unable to agree on the amount of instructional  
18 support program property tax revenue certified by the  
19 municipality, either party may request that the state  
20 appeal board review and finally pass upon the amount  
21 that may be certified. Such appeals must be presented  
22 in writing to the state appeal board no later than  
23 July 31 following certification. The burden shall be  
24 on the municipality to prove that the instructional  
25 support program property tax revenue is necessary to  
26 pay principal and interest on the applicable bonds. A  
27 final decision must be issued by the state appeal board  
28 no later than the following October 1.

29 NEW SUBSECTION. 9. The county auditor shall  
30 prepare an annual report of all urban renewal projects  
31 or urban renewal plans within the county that utilized  
32 a division of revenue under this section and that were

33 terminated or that expired during the previous fiscal  
 34 year. Such report shall be submitted to the department  
 35 of management each year on or before October 1.  
 36 Sec. \_\_\_\_ EFFECTIVE UPON ENACTMENT AND  
 37 APPLICABILITY. This division of this Act, being deemed  
 38 of immediate importance, takes effect upon enactment  
 39 and applies to property taxes due and payable in fiscal  
 40 years beginning on or after July 1, 2010.>  
 41 2. By renumbering as necessary.

Shomshor of Pottawattamie rose on a point of order that amendment [H-8462](#) was not germane.

The Speaker ruled the point well taken and amendment [H-8462](#) not germane.

Helland of Polk offered the following amendment [H-8486](#) filed by him and Wagner of Linn and moved its adoption:

[H-8486](#)

1 Amend [Senate File 2380](#), as amended, passed, and  
 2 reprinted by the Senate, as follows:  
 3 1. Page 24, before line 6 by inserting:  
 4 <DIVISION \_\_\_\_\_  
 5 REVENUES FOR SCHOOL AID  
 6 Sec. \_\_\_\_ NEW SECTION. 421.18 Certification of tax  
 7 credit savings – appropriation to property tax equity  
 8 relief fund.  
 9 1. The department shall annually calculate the  
 10 amount of tax credit savings realized from 2010 Iowa  
 11 Acts, [Senate File 2380](#), and shall certify that amount  
 12 to the treasurer of state. For purposes of this  
 13 section, "tax credit savings" means the amount of  
 14 revenues actually collected in the most recent fiscal  
 15 year minus the amount of tax revenues that would have  
 16 been collected without enactment of 2010 Iowa Acts,  
 17 [Senate File 2380](#).  
 18 2. There is appropriated each fiscal year from the  
 19 general fund of the state to the property tax equity  
 20 and relief fund created in section 257.16A an amount  
 21 equal to the amount certified pursuant to subsection  
 22 1.>  
 23 2. Title page, line 3, after <programs> by  
 24 inserting <, the appropriation of certified tax credit  
 25 savings for school aid purposes,>  
 26 3. By renumbering as necessary.

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

On the question "Shall amendment [H-8486](#) be adopted?" ([S.F. 2380](#))

The ayes were, 45:

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

The nays were, 52:

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

Absent or not voting, 3:

Miller, H.	Tjepkes	Wendt
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Amendment [H-8486](#) lost.

Shomshor of Pottawattamie 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. 2380](#))

The ayes were, 54:

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

The nays were, 43:

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

Absent or not voting, 3:

Miller, H.	Tjepkes	Wendt
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

[HOUSE FILE 2527](#) WITHDRAWN

Shomshor of Pottawattamie asked and received unanimous consent to withdraw [House File 2527](#) from further consideration by the House.

## IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 2367** and **2380**.

## Unfinished Business Calendar

[House File 2417](#), a bill for an act relating to assignment of visitation of a child to a family member when a parent is serving active duty in the military service of the United States and including effective date provisions, was taken up for consideration.

Gayman of Scott asked and received unanimous consent to withdraw amendment [H-8117](#) filed by her on February 16, 2010.

Gayman of Scott offered the following amendment [H-8219](#) filed by her and moved its adoption:

[H-8219](#)

1 Amend [House File 2417](#) as follows:  
2 1. By striking everything after the enacting clause  
3 and inserting:  
4 <Section 1. Section 598.41C, subsection 1, Code  
5 2009, is amended to read as follows:  
6 1. a. If an application for modification of a  
7 decree or a petition for modification of an order  
8 regarding child custody or physical care is filed prior  
9 to or during the time a parent is serving active duty  
10 in the military service of the United States, the court  
11 may only enter an order or decree temporarily modifying  
12 the existing child custody or physical care order or  
13 decree if there is clear and convincing evidence that  
14 the modification is in the best interest of the child.  
15 b. If the active duty of a parent affects the  
16 parent's ability or anticipated ability to appear at a  
17 regularly scheduled hearing, the court shall provide  
18 for an expedited hearing in matters instituted under  
19 this section.  
20 c. If the active duty or anticipated active duty of  
21 a parent prevents the parent from appearing in person  
22 at a hearing, the court shall provide, upon reasonable  
23 advance notice, for the parent to present testimony  
24 and evidence by electronic means in matters instituted  
25 under this section. For the purposes of this  
26 paragraph, "electronic means" includes communication by

27 telephone, video teleconference, or the internet.  
28 d. Upon the parent's completion of active duty,  
29 the court shall reinstate the custody or physical  
30 care order or decree that was in effect immediately  
31 preceding the period of active duty. If an application  
32 for modification of a decree or a petition for  
33 modification of an order is filed after a parent  
34 completes active duty, the parent's absence due to  
35 active duty does not constitute a substantial change  
36 in circumstances, and the court shall not consider a  
37 parent's absence due to that active duty in making a  
38 determination regarding the best interest of the child.  
39 Sec. 2. NEW SECTION. 598.41D Assignment of  
40 visitation – parent serving active duty – family  
41 member.  
42 1. Notwithstanding any provision to the contrary, a  
43 parent who has been granted court-ordered visitation  
44 with the parent's minor child may file an application  
45 for modification of a decree or a petition for  
46 modification of an order regarding child visitation,  
47 prior to or during the time the parent is serving  
48 active duty in the military service of the United  
49 States, to temporarily assign that parent's visitation  
50 rights to a family member of the minor child, as

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1 specified by the parent. The application or petition  
2 shall be accompanied by an affidavit from the family  
3 member indicating the family member's knowledge of the  
4 application or petition and willingness to exercise the  
5 parent's visitation rights during the parent's absence.  
6 The application or petition shall also request any  
7 change in the visitation schedule necessitated by the  
8 assignment.  
9 2. a. If the active duty of a parent affects the  
10 parent's ability or anticipated ability to appear at a  
11 regularly scheduled hearing, the court shall provide  
12 for an expedited hearing in matters instituted under  
13 this section.  
14 b. If the active duty or anticipated active duty of  
15 a parent prevents the parent from appearing in person  
16 at a hearing, the court shall provide, upon reasonable  
17 advance notice, for the parent to present testimony  
18 and evidence by electronic means in matters instituted  
19 under this section. For the purposes of this  
20 paragraph, "electronic means" includes communication by  
21 telephone, video teleconference or the internet.  
22 3. a. The court may grant the parent's request for  
23 temporary assignment of visitation and any change in  
24 the visitation schedule requested if the court finds  
25 that such visitation is in the best interest of the

26 child.

27 b. In determining the best interest of the child,  
28 the court shall ensure all of the following:

29 (1) That the specified family member is not a sex  
30 offender as defined in section 692A.101.

31 (2) That the specified family member does not have  
32 a history of domestic abuse, as defined in section  
33 236.2. In determining whether a history of domestic  
34 abuse exists, the court's consideration shall include  
35 but is not limited to commencement of an action  
36 pursuant to section 236.3, the issuance of a protective  
37 order against the individual or the issuance of a  
38 court order or consent agreement pursuant to section  
39 236.5, the issuance of an emergency order pursuant to  
40 section 236.6, the holding of an individual in contempt  
41 pursuant to section 664A.7, the response of a peace  
42 officer to the scene of alleged domestic abuse or the  
43 arrest of an individual following response to a report  
44 of alleged domestic abuse, or a conviction for domestic  
45 abuse assault pursuant to section 708.2A.

46 (3) That the specified family member does not have  
47 a record of founded child or dependent adult abuse.

48 (4) That the specified family member has an  
49 established relationship with the child.

50 (5) That the specified family member is able to

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1 personally and financially support the child during  
2 visitation.

3 4. An order granting assignment of visitation  
4 rights under this section does not create separate  
5 rights to visitation for a person other than the  
6 parent.

7 5. The parent shall provide a copy of the order  
8 granting assignment of visitation to the school and  
9 school district of the child to whom the order applies.

10 6. An order granting temporary assignment of  
11 visitation rights pursuant to this section shall  
12 terminate upon notification of the court by the parent  
13 or automatically upon the parent's completion of active  
14 duty, whichever occurs first.

15 7. After a parent completes active duty, if an  
16 application for modification of a decree or a petition  
17 for modification of an order is filed, the parent's  
18 absence due to active duty or the assignment of  
19 visitation rights does not constitute a substantial  
20 change in circumstances, and the court shall not  
21 consider a parent's absence due to that active duty  
22 or the assignment of visitation rights in making a  
23 determination regarding the best interest of the child  
24 relative to such an application or petition filed after



25 a parent completes active duty.  
26 8. As used in this section, "active duty" means  
27 active military duty pursuant to orders issued under  
28 Tit. X of the United States Code. However, this  
29 section shall not apply to active guard and reserve  
30 duty or similar full-time military duty performed by  
31 a parent when the child remains in actual custody of  
32 the parent.  
33 Sec. 3. EFFECTIVE UPON ENACTMENT. This Act, being  
34 deemed of immediate importance, takes effect upon  
35 enactment.>  
36 2. Title page, by striking lines 1 through 4 and  
37 inserting <An Act relating to custody, physical care,  
38 and visitation provisions relating to a child of a  
39 parent who is serving active duty in the military  
40 service of the United States and including effective  
41 date provisions.>

Amendment [H-8219](#) was adopted.

[SENATE FILE 2226](#) SUBSTITUTED FOR [HOUSE FILE 2417](#)

Gayman of Scott asked and received unanimous consent to substitute [Senate File 2226](#) for [House File 2417](#).

[Senate File 2226](#), a bill for an act relating to custody, physical care, and visitation provisions relating to a child of a parent who is serving active duty in the military service of the United States and including effective date provisions, was taken up for consideration.

Gayman of Scott asked and received unanimous consent to withdraw amendment [H-8223](#) filed by her on February 24, 2010.

Gayman of Scott offered the following amendment [H-8257](#) filed by her and moved its adoption:

[H-8257](#)

1 Amend [Senate File 2226](#), as passed by the Senate, as  
2 follows:

3 1. Page 3, line 14, after <child> by inserting <and  
4 assigning visitation to the specified family member  
5 will provide the child the opportunity to maintain an  
6 ongoing family relationship that is important to the  
7 child>

8 2. Page 3, line 20, after <parent> by inserting  
9 <whose visitation rights are temporarily assigned>

Amendment [H-8257](#) was adopted.

Gayman 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. 2226](#))

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Beard	Bell
Berry	Bukta	Burt	Chambers
Cohoon	Cownie	De Boef	Deyoe
Dolecheck	Drake	Ficken	Ford
Forristall	Frevert	Gaskill	Gayman
Grassley	Hagenow	Hanson	Heaton
Heddens	Helland	Horbach	Hunter
Huseman	Huser	Isenhardt	Jacoby
Kaufmann	Kearns	Kelley	Koester
Kressig	Kuhn	Lensing	Lukan
Lykam	Marek	Mascher	May
McCarthy	Mertz	Miller, L.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants	Rayhons
Reasoner	Reichert	Roberts	Running-Marquardt
Sands	Schueller	Schulte	Schultz
Shomshor	Smith	Soderberg	Sorenson
Steckman	Struyk	Swaim	Sweeney
Taylor	Thede	Thomas	Tymeson
Upmeyer	Van Engelenhoven	Wagner	Watts
Wenthe	Wessel-Kroeschell	Whitead	Willems
Winckler	Windschitl	Worthan	Zirkelbach
Mr. Speaker			
Murphy			

The nays were, none.

Absent or not voting, 3:

Miller, H.	Tjepkes	Wendt
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 2417 WITHDRAWN

Heaton of Henry asked and received unanimous consent to withdraw House File 2417 from further consideration by the House.

Senate File 2192, a bill for an act prohibiting the running of a transfer fee covenant with the title to real property and including effective date and applicability provisions, with report of committee recommending passage, was taken up for consideration.

Reichert of Muscatine 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. 2192)

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Beard	Bell
Berry	Bukta	Burt	Chambers
Cohoon	Cownie	De Boef	Deyoe
Drake	Ficken	Ford	Forristall
Frevert	Gaskill	Gayman	Grassley
Hagenow	Hanson	Heaton	Heddens
Helland	Horbach	Hunter	Huseman
Huser	Isenhardt	Jacoby	Kaufmann
Kearns	Kelley	Koester	Kressig
Kuhn	Lensing	Lukan	Lykam
Marek	Mascher	May	McCarthy
Mertz	Miller, L.	Murphy, Spkr.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants	Rayhons
Reichert	Roberts	Running-Marquardt	Sands
Schueller	Schulte	Schultz	Shomshor
Smith	Soderberg	Sorenson	Steckman
Struyk	Swaim	Sweeney	Taylor
Thede	Thomas	Upmeyer	Van Engelenhoven
Wagner	Watts	Wenthe	Wessel-Kroeschell
Whitead	Willems	Winckler	Windschitl
Worthan	Zirkelbach	Tymeson, Presiding	

The nays were, 2:

Dolecheck            Reasoner

Absent or not voting, 3:

Miller, H.            Tjepkes            Wendt

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

[House File 2451](#), a bill for an act relating to the due process rights of persons to be placed on the child abuse registry or the dependent adult abuse registry, was taken up for consideration.

Hunter of Polk offered the following amendment [H-8305](#) filed by him and moved its adoption:

[H-8305](#)

1 Amend [House File 2451](#) as follows:  
2 1. By striking everything after the enacting clause  
3 and inserting:  
4 <Section 1. Section 135B.9, Code 2009, is amended  
5 to read as follows:  
6 135B.9 Inspections and qualifications for  
7 hospital inspectors – protection and advocacy agency  
8 investigations.  
9 1. The department shall make or cause to be made  
10 inspections as it deems necessary in order to determine  
11 compliance with applicable rules. Hospital inspectors  
12 shall meet the following qualifications:  
13 a. Be free of conflicts of interest. A hospital  
14 inspector shall not participate in an inspection or  
15 complaint investigation of a hospital in which the  
16 inspector or a member of the inspector's immediate  
17 family works or has worked within the last two years.  
18 For purposes of this paragraph, "immediate family  
19 member" means a spouse; natural or adoptive parent,  
20 child, or sibling; or stepparent, stepchild, or  
21 stepsibling.  
22 b. Complete a yearly conflict of interest  
23 disclosure statement.  
24 c. Biennially, complete a minimum of ten hours of  
25 continuing education pertaining to hospital operations  
26 including but not limited to quality and process  
27 improvement standards, trauma system standards, and  
28 regulatory requirements.  
29 2. In the state resource centers and state mental  
30 health institutes operated by the department of human  
31 services, the designated protection and advocacy  
32 agency as provided in section 135C.2, subsection 4,  
33 shall have the authority to investigate all complaints

34 of abuse and neglect of persons with developmental  
35 disabilities or mental illnesses if the complaints are  
36 reported to the protection and advocacy agency or if  
37 there is probable cause to believe that the abuse has  
38 occurred. Such authority shall include the examination  
39 of all records pertaining to the care provided to the  
40 residents and contact or interview with any resident,  
41 employee, or any other person who might have knowledge  
42 about the operation of the institution.

43 Sec. 2. Section 235E.2, subsection 1, paragraph a,  
44 Code Supplement 2009, is amended to read as follows:

45 a. The department shall receive and evaluate  
46 reports of dependent adult abuse in facilities and  
47 programs. The department shall inform the department  
48 of human services of such evaluations and dispositions  
49 ~~for inclusion in~~ and those individuals who should be  
50 placed on the central registry for dependent adult

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1 ~~abuse information~~ pursuant to section ~~235B.5, 25E.7.~~  
2 If the department believes the situation involves  
3 an immediate danger to the public health, safety,  
4 or welfare requiring immediate agency action to  
5 seek emergency placement on the central registry,  
6 the department may utilize emergency adjudicative  
7 proceedings pursuant to section 17A.18A.

8 Sec. 3. Section 235E.2, subsection 10, Code  
9 Supplement 2009, is amended to read as follows:

10 10. The department shall adopt rules which require  
11 facilities and programs to separate an alleged  
12 dependent adult abuser from a victim following an  
13 allegation of perpetration of dependent adult abuse  
14 and prior to the completion of an investigation of  
15 the allegation. Independent of the department's  
16 investigation, the facility or program employing  
17 the alleged dependent adult abuser shall conduct an  
18 investigation of the alleged dependent adult abuse and  
19 determine, what, if any, employment action should be  
20 taken including but not limited to placing the alleged  
21 dependent adult abuser on administrative leave or  
22 reassigning or terminating the alleged dependent adult  
23 abuser as a result of the department's investigation.  
24 If the facility or program terminates the alleged  
25 dependent adult abuser as a result of the department's  
26 investigation, the alleged dependent adult abuser shall  
27 disclose such termination to any prospective facility  
28 or program employer.

29 Sec. 4. Section 235E.2, subsection 12, Code  
30 Supplement 2009, is amended to read as follows:

31 12. An inspector of the department may enter any  
32 facility or program without a warrant and may examine

33 all records pertaining to residents, employees, former  
34 employees, and the alleged dependent adult abuser as  
35 long as the inspector informs the person in charge  
36 of the facility or program, or the person's designee,  
37 that the inspector is investigating an alleged case of  
38 dependent adult abuse. If upon entry, the inspector  
39 has knowledge of or learns during the course of an  
40 investigation that alleged dependent adult abuse is  
41 suspected or is being investigated, the inspector  
42 shall inform the person in charge that the inspector  
43 is investigating an alleged case of dependent adult  
44 abuse. An inspector of the department may contact or  
45 interview any resident, employee, former employee, or  
46 any other person who might have knowledge about the  
47 alleged dependent adult abuse. Prior to the interview,  
48 the department shall provide written notification to  
49 the person under investigation for dependent adult  
50 abuse that the person is under investigation for

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1 dependent adult abuse, the fact situation and the  
2 nature of the abuse being investigated, the possible  
3 civil consequences of founded abuse, the requirement  
4 that the department forward a report to law enforcement  
5 if the department's investigation reveals a potential  
6 criminal offense, that the person has the right to  
7 retain legal counsel at the person's expense and may  
8 choose to have legal counsel, union representation,  
9 or any other desired representative employed by  
10 the facility present during the interview, and the  
11 fact that the person has the right to decline to  
12 be interviewed or to terminate an interview at any  
13 time. The person under investigation shall inform the  
14 department of the representatives desired to be present  
15 during the interview and not unreasonably delay the  
16 interview to organize their representatives' presence  
17 at the interview. An inspector may take or cause to  
18 be taken photographs of the dependent adult abuse  
19 victim and the vicinity involved. The department shall  
20 obtain consent from the dependent adult abuse victim  
21 or guardian or other person with a power of attorney  
22 over the dependent adult abuse victim prior to taking  
23 photographs of the dependent adult abuse victim.  
24 Sec. 5. NEW SECTION. 235E.6 Dependent adult abuse  
25 finding – notification to employer and employee.  
26 Upon a finding of founded dependent adult abuse  
27 by a caretaker, the department shall provide written  
28 notification of the department's findings to the  
29 caretaker and the caretaker's employer. In addition,  
30 the written notification shall detail the consequences  
31 of the findings and placement on the dependent adult

32 abuse registry, the caretaker's appeal rights, and  
33 include a separate appeal request form. The written  
34 appeal request form shall clearly set forth that the  
35 caretaker shall not be placed on the dependent adult  
36 abuse registry until final agency action is taken if an  
37 appeal is filed within fifteen days.

38 Sec. 6. NEW SECTION. 235E.7 Appeal process –  
39 dependent adult abuse.

40 1. Upon the department's finding of dependent adult  
41 abuse, the caretaker shall file an appeal request with  
42 the department within fifteen days of receiving the  
43 notification of the finding of abuse. If a request  
44 for an appeal is filed within fifteen days of the  
45 notification of the finding, the department shall not  
46 place the caretaker on the registry until final agency  
47 action is taken. For a request for an appeal filed  
48 within fifteen days of the notification of the finding,  
49 the contested case hearing shall be held within sixty  
50 days of the request. The caretaker may extend the

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1 hearing timeframe by thirty days one time. Additional  
2 requests for an extension must be agreed upon by  
3 all parties or for good cause. The department shall  
4 issue a determination of final agency action within  
5 forty-five days of the contested case hearing. Upon  
6 final agency action, further appeal rights shall be  
7 governed by chapter 17A.

8 2. If a caretaker fails to request an appeal within  
9 fifteen days, the caretaker shall have an additional  
10 forty-five days to file an appeal pursuant to chapter  
11 17A. However, the caretaker's name shall be placed on  
12 the registry pending the outcome of the appeal.

13 3. If the caretaker requests an appeal within  
14 fifteen days, the caretaker may waive the expedited  
15 hearing under subsection 1 to proceed under chapter  
16 17A, but the caretaker's name shall be placed on the  
17 registry pending the outcome of the appeal.

18 Sec. 7. STUDY. The legislative council is  
19 requested to establish an interim study committee to  
20 evaluate due process requirements relating to child  
21 abuse and dependent adult abuse under Code chapters  
22 235A and 235B. The committee shall issue a report of  
23 its recommendations to the general assembly by January  
24 15, 2011.>

25 2. Title page, by striking lines 1 through 3 and  
26 inserting: <An Act relating to health care facilities  
27 and programs, including hospital inspector requirements  
28 and dependent adult abuse.>

Amendment [H-8305](#) was adopted.

[SENATE FILE 2333](#) SUBSTITUTED FOR [HOUSE FILE 2451](#)

Hunter of Polk asked and received unanimous consent to substitute [Senate File 2333](#) for [House File 2451](#).

[Senate File 2333](#), a bill for an act relating to health care facilities and programs, including hospital inspector requirements and dependent adult abuse, was taken up for consideration.

Hunter of Polk offered the following amendment [H-8403](#) filed by him and moved its adoption:

[H-8403](#)

- 1 Amend [Senate File 2333](#), as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 2, by striking line 27 and inserting <the
- 4 investigation by the facility or program. If the
- 5 facility or program>
- 6 2. Page 2, by striking line 29 and inserting <the
- 7 investigation by the facility or program or the alleged
- 8 dependent adult abuser resigns, the alleged dependent
- 9 adult>
- 10 3. Page 2, line 30, after <termination> by
- 11 inserting <or investigation>
- 12 4. Page 2, line 31, after <employer.> by inserting
- 13 <An alleged dependent adult abuser who fails to
- 14 disclose such termination or investigation is guilty
- 15 of a simple misdemeanor.>
- 16 5. Page 3, by striking lines 2 through 10 and
- 17 inserting <the alleged dependent adult abuser. If upon
- 18 entry, the inspector has knowledge of or learns during
- 19 the course of an investigation that alleged dependent
- 20 adult abuse is suspected or is being investigated, the
- 21 inspector shall inform the facility or program that the
- 22 inspector is investigating an alleged case of dependent
- 23 adult abuse. An inspector of the department>
- 24 6. Page 3, line 16, by striking <the fact>
- 25 7. Page 3, line 17, by striking <situation and>
- 26 8. Page 3, line 18, after <civil> by inserting
- 27 <administrative>
- 28 9. Page 3, by striking lines 29 and 30 and
- 29 inserting <and not delay the interview by more than
- 30 five working days to make arrangements for the person's
- 31 representatives to be present at the interview. Any
- 32 employer representative shall be informed of the
- 33 requirement to maintain strict confidentiality and
- 34 of the prohibition against redissemination of such
- 35 information pursuant to chapter 235B. At the interview,



36 the department shall request and the alleged dependent  
37 adult abuser shall provide the alleged dependent adult  
38 abuser's most current contact information to facilitate  
39 provision of the findings to the alleged dependent  
40 adult abuser. An inspector>  
41 10. Page 4, by striking line 8 and inserting <the  
42 consequences of placement on the central>  
43 11. Page 4, line 9, by striking <adult>  
44 12. Page 4, line 12, by striking <dependent adult>  
45 and inserting <central>  
46 13. Page 4, by striking lines 17 through 22 and  
47 inserting:  
48 <1. If a request for an appeal is filed within  
49 fifteen days of the issuance of the written  
50 notification of a finding of dependent adult abuse, the

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1 department shall not place the caretaker on the central  
2 abuse registry until final>  
3 14. Page 4, by striking line 24 and inserting  
4 <within fifteen days of the issuance of the written  
5 notification of the finding, the>  
6 15. Page 4, by striking lines 29 and 30 and  
7 inserting <administrative law judge's proposed decision  
8 shall be issued within thirty days of the contested  
9 case hearing. If further review of the decision is  
10 not requested before the proposed decision becomes  
11 final, the proposed decision shall be deemed final  
12 agency action. If further review is requested, the  
13 department's final agency action shall occur within  
14 thirty days of the issuance of the administrative law  
15 judge's proposed decision. Upon>  
16 16. Page 4, by striking lines 34 and 35 and  
17 inserting <days, the caretaker shall have sixty days  
18 from the issuance of the written notification of the  
19 abuse findings to file an appeal pursuant to chapter  
20 17A. However, the>  
21 17. Page 5, line 6, after <on the> by inserting  
22 <central abuse>  
23 18. Title page, line 3, after <abuse> by inserting  
24 <and providing penalties>  
25 19. By renumbering as necessary.

Amendment [H-8403](#) was adopted.

Hunter of Polk offered the following amendment [H-8420](#) filed by him and moved its adoption:

[H-8420](#)

- 1 Amend [Senate File 2333](#), as amended, passed, and  
 2 reprinted by the Senate, as follows:  
 3 1. Page 5, line 1, after <on the> by inserting  
 4 <central abuse>

Amendment [H-8420](#) was adopted.

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

On the question "Shall the bill pass?" ([S.F. 2333](#))

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Beard	Bell
Berry	Bukta	Burt	Chambers
Cohoon	Cownie	De Boef	Deyoe
Dolecheck	Drake	Ficken	Ford
Forristall	Frevert	Gaskill	Gayman
Grassley	Hagenow	Hanson	Heaton
Heddens	Helland	Horbach	Hunter
Huseman	Huser	Isenhart	Jacoby
Kaufmann	Kearns	Kelley	Koester
Kressig	Kuhn	Lensing	Lukan
Lykam	Marek	Mascher	May
McCarthy	Mertz	Miller, L.	Murphy, Spkr.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Palmer	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rants
Rayhons	Reasoner	Reichert	Roberts
Running-Marquardt	Sands	Schueller	Schulte
Schultz	Shomshor	Smith	Soderberg
Sorenson	Steckman	Struyk	Swaim
Sweeney	Taylor	Thede	Thomas
Upmeyer	Van Engelenhoven	Wagner	Watts
Wenthe	Wessel-Kroeschell	Willems	Winckler
Windschitl	Worthan	Zirkelbach	Tymeson, Presiding

The nays were, none.

Absent or not voting, 4:

Miller, H.	Tjepkes	Wendt	Whitead
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The bill having received a constitutional majority was declared to have passed the House, the title, as amended, was agreed to.

[HOUSE FILE 2451](#) WITHDRAWN

Hunter of Polk asked and received unanimous consent to withdraw [House File 2451](#) from further consideration by the House.

[HOUSE FILE 2192](#) WITHDRAWN

Huser of Polk asked and received unanimous consent to withdraw [House File 2192](#) from further consideration by the House.

SENATE AMENDMENT CONSIDERED

Burt of Black Hawk called up for consideration [House File 674](#), a bill for an act relating to reporting the treatment of serious wounds received as the result of a crime to a law enforcement agency and making penalties applicable, amended by the Senate, and moved that the House concur in the following Senate amendment [H-8414](#):

[H-8414](#)

- 1 Amend [House File 674](#), as passed by the House, as
- 2 follows:
- 3 1. Page 1, line 4, before <Any> by inserting <1.>
- 4 2. Page 1, by striking line 5 and inserting <who
- 5 ~~shall~~>
- 6 3. Page 1, by striking lines 21 through 24
- 7 and inserting <the gunshot or stab wound or other
- 8 serious injury. ~~Any provision of law or rule of~~
- 9 ~~evidence relative to confidential communications is~~
- 10 ~~suspended insofar as the provisions of this section are~~
- 11 ~~concerned.~~>
- 12 4. Page 1, after line 24 by inserting:
- 13 <2. A person certified under the provisions of
- 14 chapter 147A who administers any treatment to any
- 15 person suffering a gunshot or stab wound or other
- 16 serious injury, as defined in section 702.18, which
- 17 appears to have been received in connection with
- 18 the commission of a criminal offense, or a motor
- 19 vehicle accident or crash, or to whom an application
- 20 is made for treatment of any nature because of
- 21 any such gunshot or stab wound or other serious
- 22 injury, may report that fact to the law enforcement
- 23 agency within whose jurisdiction the treatment was
- 24 administered or application for treatment was made.

25 or if ascertainable, to the law enforcement agency  
 26 in whose jurisdiction the gunshot or stab wound or  
 27 other serious injury occurred, stating the name of the  
 28 person, the person's residence if ascertainable, and  
 29 giving a brief description of the gunshot or stab wound  
 30 or other serious injury.  
 31 3. Any provision of law or rule of evidence  
 32 relating to a confidential communication is suspended  
 33 for communications under this section.>

The motion prevailed and the House concurred in the Senate amendment [H-8414](#).

Burt of Black Hawk moved that the bill, as 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?" ([H.F. 674](#))

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Beard	Bell
Berry	Bukta	Burt	Chambers
Cohoon	Cownie	De Boef	Deyoe
Dolecheck	Drake	Ficken	Ford
Frevert	Gaskill	Gayman	Grassley
Hagenow	Hanson	Heaton	Heddens
Helland	Horbach	Hunter	Huseman
Huser	Isenhardt	Jacoby	Kaufmann
Kearns	Kelley	Koester	Kressig
Kuhn	Lensing	Lukan	Lykam
Marek	Mascher	May	McCarthy
Mertz	Miller, L.	Murphy, Spkr.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants	Rayhons
Reasoner	Reichert	Roberts	Running-Marquardt
Sands	Schueller	Schulte	Schultz
Shomshor	Smith	Soderberg	Sorenson
Steckman	Struyk	Swaim	Sweeney
Taylor	Thede	Thomas	Upmeyer
Van Engelenhoven	Wagner	Watts	Wenthe
Wessel-Kroeschell	Willems	Winckler	Windschitl
Worthan	Zirkelbach	Tymeson, Presiding	

The nays were, 1:

Forristall

Absent or not voting, 4:

Miller, H.            Tjepkes            Wendt            Whitead

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

#### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Rants of Woodbury on request of Paulsen of Linn.

[Senate File 2215](#), a bill for an act relating to the use of genetic information and samples for genetic testing and providing for civil enforcement, with report of committee recommending amendment and passage, was taken up for consideration.

Running-Marquardt of Linn offered the following amendment [H-8344](#) filed by the committee on state government and moved its adoption:

#### [H-8344](#)

- 1 Amend [Senate File 2215](#), as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, line 23, after <analysis,> by inserting
- 4 <a biopsy, autopsy, or clinical specimen obtained
- 5 solely for the purpose of conducting an immediate
- 6 clinical or diagnostic test to detect an existing
- 7 disease, illness, impairment, or disorder,>

The committee amendment [H-8344](#) was adopted.

Running-Marquardt of Linn offered the following amendment [H-8495](#) filed by her and Soderberg of Plymouth and moved its adoption:

#### [H-8495](#)

- 1 Amend [Senate File 2215](#), as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, before line 1 by inserting:
- 4 <Section 1. Section 507B.4, Code 2009, is amended
- 5 by adding the following new subsection:

6 NEW SUBSECTION. 7A. Release or use of genetic  
7 information. Failure of a person to comply with  
8 section 729.6, subsection 2B.>  
9 2. Page 1, by striking lines 3 through 5 and  
10 inserting:  
11 <NEW PARAGRAPH. Ob. "Genetic information" means the  
12 same as defined in 29 U.S.C. § 1191b(d)(6).>  
13 3. Page 1, by striking lines 9 through 24 and  
14 inserting:  
15 <c. "Genetic testing" means the same as genetic test  
16 as defined in 29 U.S.C. § 1191b(d)(7).  
17 Sec. \_\_\_\_\_. Section 729.6, subsection 1, Code 2009,  
18 is amended by adding the following new paragraphs:  
19 NEW PARAGRAPH. Od. "Health insurance" means  
20 a contract, policy, or plan providing for health  
21 insurance coverage as defined in section 513B.2.  
22 NEW PARAGRAPH. OOd. "Health insurer" means a  
23 carrier, as defined in section 513B.2.  
24 NEW PARAGRAPH. Of. "Third-party administrator"  
25 means the same as defined in section 510.11.>  
26 4. Page 2, by striking lines 15 and 16 and  
27 inserting:  
28 <NEW SUBSECTION. 2B. a. (1) With respect to  
29 health insurance, a third-party administrator or health  
30 insurer shall not release genetic>  
31 5. Page 2, line 32, by striking <An insurer> and  
32 inserting <With respect to health insurance, a health  
33 insurer>  
34 6. Page 3, by striking line 2 and inserting <the  
35 terms of the health insurer's plan or coverage. With  
36 respect to health insurance, a health insurer>  
37 7. Page 3, line 7, by striking <An insurer> and  
38 inserting <With respect to health insurance, a health  
39 insurer>  
40 8. Page 3, after line 9 by inserting:  
41 <c. The commissioner of insurance shall adopt rules  
42 as necessary for the administration of this subsection.  
43 d. A violation of this subsection is an unfair  
44 insurance trade practice under section 507B.4.>  
45 9. Page 3, line 12, by striking <This> and  
46 inserting <This Subsections 2, 2A, 3, 4, and 5 of this>  
47 10. Page 3, line 13, after <violates> by inserting  
48 <subsection 2, 2A, 3, 4, or 5 of>  
49 11. Page 3, line 14, after <of> by inserting  
50 <subsection 2, 2A, 3, 4, or 5 of>

Page 2

1 12. Page 3, line 15, by striking <insured.>  
2 13. Page 3, line 16, by striking <insured.>  
3 14. Page 3, line 22, after <of> by inserting  
4 <subsection 2, 2A, 3, 4, or 5 of>

- 5 15. Page 3, line 25, by striking <insured.>  
 6 16. Page 3, line 27, by striking <insured.>  
 7 17. By striking page 3, line 31, through page 4,  
 8 line 3, and inserting <organization, or licensing  
 9 agency has ~~required or requested a genetic test in~~  
 10 ~~violation of~~ violated subsection 2, 2A, 3, 4, or 5 of  
 11 this section shall establish that sufficient evidence  
 12 exists upon>  
 13 18. Page 4, lines 8 and 9, by striking <insurance  
 14 administrator, health plan, health insurer.>  
 15 19. Title page, line 2, by striking <enforcement>  
 16 and inserting <and administrative enforcement and  
 17 providing penalties>  
 18 20. By renumbering as necessary.

Amendment [H-8495](#) was adopted, placing the committee amendment [H-8344](#), previously adopted, out of order.

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

On the question "Shall the bill pass?" ([S.F. 2215](#))

The ayes were, 94:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Beard	Bell
Berry	Bukta	Burt	Chambers
Cohoon	Cownie	De Boef	Deyoe
Dolecheck	Drake	Ficken	Ford
Forristall	Frevert	Gaskill	Gayman
Grassley	Hagenow	Hanson	Heaton
Heddens	Helland	Horbach	Hunter
Huseman	Huser	Isenhardt	Jacoby
Kaufmann	Kearns	Kelley	Koester
Kressig	Kuhn	Lensing	Lukan
Lykam	Marek	Mascher	May
McCarthy	Mertz	Miller, L.	Murphy, Spkr.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Palmer	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rayhons
Reasoner	Reichert	Roberts	Running-Marquardt
Sands	Schueller	Schulte	Schultz
Shomshor	Smith	Soderberg	Sorenson
Steckman	Struyk	Swaim	Sweeney
Taylor	Thede	Thomas	Upmeyer
Van Engelenhoven	Wagner	Watts	Wenthe





19 simple misdemeanor punishable by a fine of one thousand  
20 eight hundred dollars.>  
21 2. Title page, line 2, after <highways> by  
22 inserting <and containing penalty provisions>  
23 3. By renumbering as necessary.

Amendment [H-8450](#) lost.

Struyk of Pottawattamie offered the following amendment [H-8475](#)  
filed by him and moved its adoption:

[H-8475](#)

1 Amend [House File 2512](#) as follows:  
2 1. Page 1, before line 1 by inserting:  
3 <Section 1. Section 321.176A, subsection 1, Code  
4 2009, is amended to read as follows:  
5 1. a. A farmer or a person working for a farmer  
6 while operating a commercial motor vehicle controlled  
7 by the farmer within one hundred fifty air miles  
8 of the farmer's farm to transport the farmer's own  
9 agricultural products, farm machinery, or farm supplies  
10 to or from the farm. The exemption provided in this  
11 subsection shall apply to farmers who assist each other  
12 through an exchange of services and shall include  
13 operation of a commercial motor vehicle between the  
14 farms of the farmers who are exchanging services.  
15 b. In the course of enforcing this section  
16 and rules adopted pursuant to this section, the  
17 department's peace officers are authorized to inspect  
18 and copy records of information reported at the time  
19 a vehicle is weighed relating to the owner of the  
20 vehicle, the weight of the vehicle, the product hauled,  
21 the person on whose behalf the product is hauled, and  
22 the intended point of delivery.>  
23 2. By renumbering as necessary.

Amendment [H-8475](#) lost.

Huser of Polk asked and received unanimous consent to withdraw  
amendment [H-8453](#) filed by her on March 17, 2010.

Huser of Polk offered the following amendment [H-8517](#) filed by  
her from the floor:

[H-8517](#)

1 Amend [House File 2512](#) as follows:  
2 1. Page 1, line 3, after <(1)> by inserting <(a)>

- 3 2. Page 1, line 5, by striking <, provided the>  
 4 3. Page 1, by striking lines 6 through 8 and  
 5 inserting <is as follows:>  
 6 4. Page 1, after line 33 by inserting:  
 7 < (b) Unless section 321.176A applies, a person  
 8 who operates a vehicle with a maximum gross weight  
 9 of not more than ninety-five thousand five hundred  
 10 pounds pursuant to this subparagraph (1) shall have  
 11 a commercial driver's license valid for the vehicle  
 12 operated. Notwithstanding section 321.176A, a  
 13 person who operates a vehicle with a maximum gross  
 14 weight exceeding ninety-five thousand five hundred  
 15 pounds pursuant to this subparagraph (1) shall have  
 16 a commercial driver's license valid for the vehicle  
 17 operated.>  
 18 5. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 27, nays 57.

Amendment [H-8517](#) lost.

Struyk of Pottawattamie asked and received unanimous consent to withdraw amendment [H-8476](#) filed by him on March 18, 2010.

Schueller of Jackson offered the following amendment [H-8438](#) filed by him and moved its adoption:

[H-8438](#)

- 1 Amend [House File 2512](#) as follows:  
 2 1. Page 2, after line 5 by inserting:  
 3 <Sec. \_\_\_\_ Section 321.463, subsection 10,  
 4 paragraph a, Code Supplement 2009, is amended to read  
 5 as follows:  
 6 a. A person who operates a vehicle in violation  
 7 of this section, and an owner, or any other person,  
 8 employing or otherwise directing the operator of  
 9 a vehicle, who requires or knowingly permits the  
 10 operation of a vehicle in violation of this section  
 11 shall be fined according to the following schedule:  
 12 AXLE, TANDEM AXLE,  
 13 AND GROUP OF AXLES  
 14 WEIGHT VIOLATIONS  
 15 Pounds Overloaded Amount of Fine SYUL  
 16 Up to and including  
 17 1,000 pounds \$~~12~~  
 18 \$24

20	Over 1,000 pounds up to and	
21	including 2,000 pounds	<del>\$22</del>
22	<u>\$44</u>	
23	Over 2,000 pounds up to and	
24	including 3,000 pounds	<del>\$155</del>
25	<u>\$310</u>	
26	Over 3,000 pounds up to and	
27	including 4,000 pounds	<del>\$240</del>
28	<u>\$480</u>	
29	Over 4,000 pounds up to and	
30	including 5,000 pounds	<del>\$375</del>
31	<u>\$750</u>	
32	Over 5,000 pounds up to and	
33	including 6,000 pounds	<del>\$585</del>
34	<u>\$1,170</u>	
35	Over 6,000 pounds up to and	
36	including 7,000 pounds	<del>\$850</del>
37	<u>\$1,700</u>	
38	Over 7,000 pounds up to and	
39	including 8,000 pounds	<del>\$950</del>
40	<u>\$1,900</u>	
41	Over 8,000 pounds up to and	
42	including 9,000 pounds	<del>\$1,050</del>
43	<u>\$2,100</u>	
44	Over 9,000 pounds up to and	
45	including 10,000 pounds	<del>\$1,150</del>
46	<u>\$2,300</u>	
47	Over 10,000 pounds up to and	
48	including 11,000 pounds	<del>\$1,300</del>
49	<u>\$2,600</u>	
50	Over 11,000 pounds up to and	

Page 2

1	including 12,000 pounds	<del>\$1,400</del>
2	<u>\$2,800</u>	
3	Over 12,000 pounds up to and	
4	including 13,000 pounds	<del>\$1,500</del>
5	<u>\$3,000</u>	
6	Over 13,000 pounds up to and	
7	including 14,000 pounds	<del>\$1,600</del>
8	<u>\$3,200</u>	
9	Over 14,000 pounds up to and	
10	including 15,000 pounds	<del>\$1,700</del>
11	<u>\$3,400</u>	
12	Over 15,000 pounds up to and	
13	including 16,000 pounds	<del>\$1,800</del>
14	<u>\$3,600</u>	
15	Over 16,000 pounds up to and	
16	including 17,000 pounds	<del>\$1,900</del>
17	<u>\$3,800</u>	
18	Over 17,000 pounds up to and	

19 including 18,000 pounds           ~~\$2,000~~  
 20           \$4,000  
 21 Over 18,000 pounds up to and  
 22 including 19,000 pounds       ~~\$2,100~~  
 23           \$4,200  
 24 Over 19,000 pounds up to and  
 25 including 20,000 pounds       ~~\$2,200~~  
 26           \$4,400  
 27 Over 20,000 pounds           ~~\$2,200~~ \$4,400  
 28 plus ~~ten~~ twenty  
 29 cents per pound  
 30 in excess of  
 31 20,000 pounds>  
 32 2. Title page line 2, after <highways> by inserting  
 33 <and containing penalty provisions>  
 34 3. By renumbering as necessary.

Amendment [H-8438](#) lost.

Wenthe of Fayette 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. 2512](#))

The ayes were, 69:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Beard	Berry
Chambers	Cohoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Ficken
Ford	Forristall	Frevert	Gayman
Grassley	Hagenow	Hanson	Heaton
Horbach	Huseman	Kaufmann	Kelley
Koester	Kressig	Lukan	Marek
May	McCarthy	Mertz	Miller, L.
Murphy, Spkr.	Oldson	Olson, D.	Olson, S.
Olson, T.	Palmer	Paulsen	Petersen
Pettengill	Rayhons	Reasoner	Reichert
Roberts	Running-Marquardt	Sands	Schulte
Schultz	Shomshor	Soderberg	Sorenson
Swaim	Sweeney	Thede	Thomas
Upmeyer	Van Engelenhoven	Wagner	Watts
Wenthe	Willems	Windschitl	Worthan
Tymeson, Presiding			

The nays were, 24:

Bell	Bukta	Burt	Gaskill
Heddens	Helland	Hunter	Huser
Isenhardt	Jacoby	Kearns	Kuhn
Lensing	Mascher	Olson, R.	Quirk
Raecker	Schueller	Smith	Steckman
Struyk	Taylor	Wessel-Kroeschell	Winckler

Absent or not voting, 7:

Lykam	Miller, H.	Rants	Tjepkes
Wendt	Whitead	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 2512](#) be immediately messaged to the Senate.

#### 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 19<sup>th</sup> day of March, 2010: House Files 426, 681, 734, 2137, 2144, 2148, 2183, 2273, 2295, 2307, 2402, 2406, 2422, 2452, 2460, 2461 and 2478.

MARK W. BRANDSGARD  
Chief Clerk of the House

Report adopted.

#### BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 19, 2010, he approved and transmitted to the Secretary of State the following bills:

[House File 2076](#), an Act relating to economic development by establishing an Iowa innovation council in the department of economic development and by providing for certain reports on innovation and commercialization within certain targeted industries.

[House File 2233](#), an Act relating to expunging the conviction for certain alcohol-related offenses.

[House File 2372](#), an Act relating to an assault causing serious injury.

[House File 2374](#), an Act relating to the definition of serious injury for purposes of criminal offenses.

[House File 2392](#), an Act relating to the abuse of a corpse and providing penalties.

[House File 2466](#), an Act relating to the license or authorization issued to a person who qualifies as a driver education instructor and including effective date and retroactive applicability provisions.

[House File 2488](#), an Act relating to the appointment of young adults to appointive boards, commissions, committees, and councils.

[Senate File 205](#), an Act relating to required testing for infectious diseases of persons under supervision of judicial district departments of correctional services.

[Senate File 358](#), an Act relating to the recognition and enforcement of foreign-country money judgments and providing for the Act's applicability.

[Senate File 2067](#), an Act relating to ethics regulations for the executive branch, legislative branch, and local officials and employees and including effective date provisions.

[Senate File 2073](#), an Act relating to the practice of accounting and to the organization and operation of the licensing boards included within the professional licensure and regulation bureau of the banking division in the department of commerce.

[Senate File 2075](#), an Act requiring reasonable exceptions to insurance rates for consumers whose credit information is influenced by extraordinary life circumstances and providing an applicability date.

[Senate File 2095](#), an Act relating to the authority of a certified law enforcement officer.

[Senate File 2157](#), an Act relating to the recording requirements for certain residential real estate installment sales contracts and including applicability provisions.

[Senate File 2190](#), an Act relating to an exemption for a debtor's personal property from execution by creditors in a bankruptcy action.

[Senate File 2218](#), an Act relating to elections by eliminating double election boards and by requiring the commissioner of elections, upon petition, to use automatic tabulating equipment in certain elections and including effective date provisions.

[Senate File 2237](#), an Act relating to nonsubstantive Code corrections and providing effective dates and for retroactive applicability.

[Senate File 2263](#), an Act relating to the office of the long-term care resident's advocate, and providing penalties.

[Senate File 2272](#), an Act relating to the Iowa life and health insurance guaranty association regarding coverage, benefits, duties, powers, rights, the operation of the Iowa life and health insurance guaranty association, and the coordination of coverage and benefits with those of similar associations of other states, and to the Iowa insurance guaranty association with respect to covered claims, benefits, limitations, duties, and powers of the Iowa insurance guaranty association, and coordination and cooperation by it with similar associations of other states.

[Senate File 2289](#), an Act relating to deaccreditation of a school district by the state board of education and to the disposition of certain former school district funds, and including effective date, validation, and retroactive applicability provisions.

[Senate File 2298](#), an Act relating to the attendance of a child at juvenile court hearings or meetings during the pendency of a child in need of assistance case.

[Senate File 2303](#), an Act relating to detainers lodged against parolees in this state.

[Senate File 2325](#), an Act relating to the practice of mortuary science and to the preneed sale of cemetery and funeral merchandise and funeral services and providing a penalty.

[Senate File 2326](#), an Act modifying disciplinary provisions applicable to real estate brokers and salespersons.

[Senate File 2340](#), an Act 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 date and applicability provisions.

#### SUBCOMMITTEE ASSIGNMENTS

##### [House File 2445](#)

Appropriations: Wenthe, Chair; Gayman and Heaton.

##### [House File 2528](#)

Public Safety: R. Olson, Chair; Baudler and Lykam.

#### HOUSE STUDY BILL COMMITTEE ASSIGNMENT

##### [H.S.B. 739](#) **Ways and Means**

Relating to the utilization of energy by authorizing the establishment of an energy finance program to finance certain energy improvements, and providing a penalty.

## 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 APPROPRIATIONS

[Senate File 2376](#), 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 and applicability provisions.

Fiscal Note is not required.

Recommended **Do Pass** March 18, 2010.

## RESOLUTIONS FILED

[HR 128](#), by Committee on Ethics, a resolution amending the House Code of Ethics.

Placed on the **calendar**.

[HR 129](#), by Heddens and Wessel-Kroeschell, a resolution congratulating the Ames High School boys basketball team on winning the 2010 Boys' State Basketball Tournament.

Laid over under **Rule 25**.

## AMENDMENTS FILED

<a href="#">H-8500</a>	<a href="#">H.F. 2229</a>	Helland of Polk
<a href="#">H-8501</a>	<a href="#">H.F. 2229</a>	Helland of Polk
<a href="#">H-8502</a>	<a href="#">H.F. 2229</a>	Helland of Polk
<a href="#">H-8503</a>	<a href="#">S.F. 2375</a>	Shomshor of Pottawattamie
<a href="#">H-8507</a>	<a href="#">H.F. 777</a>	Lensing of Johnson
<a href="#">H-8508</a>	<a href="#">S.F. 2201</a>	Roberts of Carroll
		Sorenson of Warren
<a href="#">H-8509</a>	<a href="#">S.F. 2356</a>	Roberts of Carroll
		Sorenson of Warren



<a href="#">H-8510</a>	<a href="#">S.F. 2201</a>	Upmeyer of Hancock
<a href="#">H-8511</a>	<a href="#">S.F. 2201</a>	Schulte of Linn
<a href="#">H-8512</a>	<a href="#">S.F. 2201</a>	Pettengill of Benton
<a href="#">H-8513</a>	<a href="#">S.F. 2324</a>	Quirk of Chickasaw
<a href="#">H-8514</a>	<a href="#">S.F. 2381</a>	Quirk of Chickasaw
<a href="#">H-8515</a>	<a href="#">S.F. 2376</a>	Bailey of Hamilton Chambers of O'Brien
<a href="#">H-8516</a>	<a href="#">S.F. 2376</a>	Bailey of Hamilton
<a href="#">H-8518</a>	<a href="#">S.F. 2376</a>	Ford of Polk
<a href="#">H-8519</a>	<a href="#">H.F. 2229</a>	Helland of Polk
<a href="#">H-8520</a>	<a href="#">H.F. 2438</a>	T. Olson of Linn Heaton of Henry Anderson of Page

On motion by McCarthy of Polk the House adjourned at 7:40 p.m., until 10:30 a.m., Monday, March 22, 2010.