

PROOF

STATE OF IOWA

House Journal

TUESDAY, APRIL 7, 2009

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JOURNAL OF THE HOUSE

Eighty-sixth Calendar Day - Fifty-seventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, April 7, 2009

The House met pursuant to adjournment at 9:02 a.m., Speaker Murphy in the chair.

Prayer was offered by Reverend Dennis Platt, pastor of the Cedar Falls Church of Christ. He was the guest of Representative Doris Kelley of Black Hawk County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Murphy.

The Journal of Monday, April 6, 2009 was approved.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 6, 2009, passed the following bill in which the concurrence of the Senate was asked:

[House File 481](#), a bill for an act providing an excess weight allowance for special trucks hauling distillers grains.

Also: That the Senate has on April 6, 2009, passed the following bill in which the concurrence of the Senate was asked:

[House File 505](#), a bill for an act requiring record checks for persons who are prospective or current volunteers for the Iowa veterans home.

Also: That the Senate has on April 6, 2009, passed the following bill in which the concurrence of the Senate was asked:

[House File 552](#), a bill for an act concerning the appointment of airport commissioners.

Also: That the Senate has on April 6, 2009, amended and passed the following bill in which the concurrence of the House is asked:

[House File 562](#), a bill for an act relating to the council on human services and the state child care advisory council.

Also: That the Senate has on April 6, 2009, amended and passed the following bill in which the concurrence of the House is asked:

[House File 670](#), a bill for an act relating to absentee voting by requiring the counting of absentee ballots to begin the day before the general election.

Also: That the Senate has on April 6, 2009, amended and passed the following bill in which the concurrence of the House is asked:

[House File 671](#), a bill for an act providing volunteer emergency services providers protection from employment termination.

Also: That the Senate has on April 6, 2009, passed the following bill in which the concurrence of the Senate was asked:

[House File 672](#), a bill for an act relating to individual development accounts available to certain persons with low income and providing effective and applicability date provisions.

Also: That the Senate has on April 6, 2009, amended and passed the following bill in which the concurrence of the House is asked:

[House File 705](#), a bill for an act concerning community safe rooms and storm shelters in newly constructed public buildings.

Also: That the Senate has on April 6, 2009, passed the following bill in which the concurrence of the House is asked:

[Senate File 470](#), 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 providing effective dates.

MICHAEL E. MARSHALL, Secretary

ADOPTION OF [HOUSE RESOLUTION 33](#)

Bell of Jasper and Upmeyer of Hancock called up for consideration [House Resolution 33](#), a resolution to recognize the Iowa landmark the Surf Ballroom, and moved its adoption.

The motion prevailed and the resolution was adopted.

SPECIAL PRESENTATION

Upmeyer of Hancock introduced to the House, Laura Leitz, Shane Cooney and Paul Stevenson from the Surf Ballroom.

The House rose and expressed its welcome.

On motion by McCarthy of Polk, the House was recessed at 9:10 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened at 1:11 p.m., Speaker Murphy in the chair.

SENATE MESSAGE CONSIDERED

[Senate File 470](#), by committee on appropriations, 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 providing effective dates.

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

SENATE AMENDMENT CONSIDERED

Palmer of Mahaska called up for consideration [House File 266](#), a bill for an act relating to recording proceedings before a magistrate, amended by the Senate, and moved that the House concur in the following Senate amendment [H-1361](#):

[H-1361](#)

- 1 Amend [House File 266](#), as passed by the House, as
- 2 follows:
- 3 1. Page 1, by striking lines 1 through 5.

The motion prevailed and the House concurred in the Senate amendment [H-1361](#).

Palmer of Mahaska 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. 266](#))

The ayes were, 95:

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

The nays were, none.

Absent or not voting, 5:

Chambers	Olson, R.	Rants	Steckman
Watts			

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:

Watts of Dallas, until his return, on request of Paulsen of Linn.

SENATE AMENDMENT CONSIDERED

Kressig of Black Hawk called up for consideration [House File 311](#), a bill for an act requiring health care benefit coverage for certain medically necessary prosthetic devices and providing an applicability

date, amended by the Senate, and moved that the House concur in the following Senate amendment [H-1390](#):

[H-1390](#)

1 Amend [House File 311](#), as amended, passed, and
 2 reprinted by the House, as follows:
 3 1. Page 1, by striking lines 8 through 12, and
 4 inserting the following: "licensed under chapter 148.
 5 Such coverage benefits for".
 6 2. Page 2, by inserting after line 9, the
 7 following:
 8 "3. Notwithstanding subsection 1, a policy,
 9 contract, or plan providing for third-party payment or
 10 prepayment of health or medical expenses that is
 11 issued for use in connection with a health savings
 12 account as authorized under Title XII of the Medicare
 13 Prescription Drug, Improvement, and Modernization Act
 14 of 2003, Pub. L. No. 108-173, may impose the same
 15 deductibles and out-of-pocket limits on the
 16 prosthetics coverage benefits required in this section
 17 that apply to substantially all health, medical, and
 18 surgical coverage benefits under the policy, contract,
 19 or plan."

D. Olson of Boone in the chair at 1:23 p.m.

The motion prevailed and the House concurred in the Senate amendment [H-1390](#).

Kressig 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. 311](#))

The ayes were, 68:

Abdul-Samad	Anderson	Bailey	Baudler
Beard	Bell	Berry	Bukta
Burt	Cohoon	Ficken	Ford
Frevert	Gaskill	Gayman	Grassley
Heaton	Heddens	Hunter	Huser
Isenhart	Jacoby	Kaufmann	Kearns
Koester	Kressig	Kuhn	Lensing
Lykam	Marek	Mascher	May
McCarthy	Mertz	Miller, H.	Miller, L.

Murphy, Spkr.	Oldson	Olson, R.	Olson, T.
Palmer	Petersen	Quirk	Rants
Reasoner	Reichert	Schueller	Shomshor
Smith	Sorenson	Steckman	Struyk
Swaim	Taylor, D.	Taylor, T.	Thede
Thomas	Tjepkes	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Willems
Winckler	Windschitl	Zirkelbach	Olson, D., Presiding

The nays were, 30:

Alons	Arnold	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Hagenow	Helland	Horbach	Huseman
Kelley	Lukan	Olson, S.	Paulsen
Pettengill	Raeker	Rayhons	Roberts
Sands	Schulte	Schultz	Soderberg
Sweeney	Tymeson	Upmeyer	Van Engelenhoven
Wagner	Worthan		

Absent or not voting, 2:

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

SENATE AMENDMENT CONSIDERED

Heddens of Story called up for consideration [House File 488](#), a bill for an act relating to including the maintenance of service animals as an eligible service reimbursable under the home and community-based services waivers, amended by the Senate, and moved that the House concur in the following Senate amendment [H-1402](#):

[H-1402](#)

1 Amend [House File 488](#), as passed by the House, as
 2 follows:
 3 1. Page 1, by inserting before line 1 the
 4 following:
 5 "Section 1. Section 216C.11, subsection 2, Code
 6 2009, is amended to read as follows:
 7 2. A person with a disability ~~or~~ a person
 8 assisting a person with a disability by controlling an
 9 assistive animal, or a person training an assistive
 10 animal has the right to be accompanied by a service

11 dog or an assistive animal, under control, in any of
 12 the places listed in sections 216C.3 and 216C.4
 13 without being required to make additional payment for
 14 the service dog or assistive animal. A landlord shall
 15 waive lease restrictions on the keeping of animals for
 16 the service dog or assistive animal of a person with a
 17 disability. The person is liable for damage done to
 18 any premises or facility by a service dog or assistive
 19 animal."
 20 2. Title page, line 1, by inserting after the
 21 words "to" the following "assistive or service animals
 22 including provisions relating to persons controlling
 23 the assistive animal and".
 24 3. By renumbering as necessary.

The motion prevailed and the House concurred in the Senate amendment [H-1402](#).

Heddens of Story 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. 488](#))

The ayes were, 97:

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

Wessel-Kroeschell	Whitaker	Whitead	Willems
Winckler	Windschitl	Worthan	Zirkelbach
Olson, D.,			
Presiding			

The nays were, none.

Absent or not voting, 3:

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

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 266, 311 and 488.**

The House stood at ease at 1:36 p.m., until the fall of the gavel.

The House resumed session at 3:01 p.m., D. Olson of Boone in the chair.

Regular Calendar

[House File 313](#), a bill for an act relating to economic development by providing for an innovation and commercialization development fund, making the department of revenue responsible for approving certain tax credits for third-party developers, making appropriations, and providing an effective date, was taken up for consideration.

[SENATE FILE 142](#) SUBSTITUTED FOR [HOUSE FILE 313](#)

Wenthe of Fayette asked and received unanimous consent to substitute [Senate File 142](#) for [House File 313](#).

[Senate File 142](#), a bill for an act relating to economic development by providing for an innovation and commercialization development fund, making the department of revenue responsible for approving certain tax credits for third-party developers, making appropriations, and providing an effective date, was taken up for consideration.

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?" ([S.F. 142](#))

The ayes were, 56:

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

The nays were, 43:

Alons	Anderson	Arnold	Baudler
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	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Wagner
Watts	Windschitl	Worthan	

Absent or not voting, 1:

Chambers

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 7, 2009, passed the following bill in which the concurrence of the Senate was asked:

[House File 684](#), a bill for an act relating to the membership and administration of the Iowa propane education and research council.

Also: That the Senate has on April 7, 2009, passed the following bill in which the concurrence of the Senate was asked:

[House File 697](#), a bill for an act relating to interference with judicial acts, and providing a penalty.

Also: That the Senate has on April 7, 2009, passed the following bill in which the concurrence of the Senate was asked:

[House File 707](#), a bill for an act relating to eligible beneficiaries for a line of duty death benefit under the statewide fire and police retirement system and providing an effective date.

Also: That the Senate has on April 7, 2009, passed the following bill in which the concurrence of the Senate was asked:

[House File 708](#), a bill for an act relating to absentee ballots delivered to applicants who are patients or residents of hospitals or health care facilities.

Also: That the Senate has on April 7, 2009, passed the following bill in which the concurrence of the Senate was asked:

[House File 762](#), a bill for an act relating to reserve certified peace officers and training requirements.

Also: That the Senate has on April 7, 2009, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

[Senate File 187](#), a bill for an act providing for the issuance of special deer hunting licenses to residents who are nonambulatory.

Also: That the Senate has on April 7, 2009, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

[Senate File 291](#), a bill for an act providing for the recognition and promotion of certified retirement communities.

Also: That the Senate has on April 7, 2009, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

[Senate File 339](#), a bill for an act relating to wastewater treatment and providing an effective date.

Also: That the Senate has on April 7, 2009, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

[Senate File 380](#), a bill for an act relating to the practices and procedures of the department of public safety including school inspections, gaming floor or wagering area restrictions, interception of communications, and peace officers acting with federal agents, and providing penalties.

Also: That the Senate has on April 7, 2009, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

[Senate File 423](#), a bill for an act providing for the dispensing of ethanol blended gasoline by authorizing the use of secondary containment, and providing an effective date.

Also: That the Senate has on April 7, 2009, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

[Senate File 436](#), a bill for an act relating to observers at satellite absentee voting stations.

Also: That the Senate has on April 7, 2009, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

[Senate File 441](#), a bill for an act relating to local emergency management by modifying provisions of the statewide mutual aid compact and by making changes to certain funding provisions.

MICHAEL E. MARSHALL, Secretary

[HOUSE FILE 313](#) WITHDRAWN

Wenthe of Fayette asked and received unanimous consent to withdraw [House File 313](#) from further consideration by the House.

[Senate File 225](#), a bill for an act allowing the purchase of service credit under the statewide fire and police retirement system for prior service under the retirement system, with report of committee recommending passage, was taken up for consideration.

Frevert of Palo Alto 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. 225](#))

The ayes were, 99:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Beard	Bell
Berry	Bukta	Burt	Cphoon

Cownie	De Boef	Deyoe	Dolecheck
Drake	Ficken	Ford	Forristall
Frevert	Gaskill	Gayman	Grassley
Hagenow	Heaton	Heddens	Helland
Horbach	Hunter	Huseman	Huser
Isenhardt	Jacoby	Kaufmann	Kearns
Kelley	Koester	Kressig	Kuhn
Lensing	Lukan	Lykam	Marek
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Murphy, Spkr.	Oldson
Olson, R.	Olson, S.	Olson, T.	Palmer
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rants	Rayhons	Reasoner
Reichert	Roberts	Sands	Schueller
Schulte	Schultz	Shomshor	Smith
Soderberg	Sorenson	Steckman	Struyk
Swaim	Sweeney	Taylor, D.	Taylor, T.
Thede	Thomas	Tjepkes	Tymeson
Upmeyer	Van Engelenhoven	Wagner	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Willems	Winckler	Windschitl
Worthan	Zirkelbach	Olson, D., Presiding	

The nays were, none.

Absent or not voting, 1:

Chambers

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

[Senate File 279](#), a bill for an act providing for the establishment of an abbreviated electric transmission franchise process, and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Reichert of Muscatine offered the following amendment [H-1325](#) filed by the committee on commerce and moved its adoption:

[H-1325](#)

- 1 Amend [Senate File 279](#), as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, line 15, by inserting after the word
- 4 "notification." the following: "The petitioner shall
- 5 provide written notice concerning the anticipated
- 6 construction to the last known address of the owners

7 of record of the property where construction will
8 occur and to the parties residing on such property."

The committee amendment [H-1325](#) was adopted.

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. 279](#))

The ayes were, 97:

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

The nays were, 2:

Forristall Sweeney

Absent or not voting, 1:

Chambers

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

[Senate File 334](#), a bill for an act relating to the legislative committees charged with providing government oversight, with report of committee recommending passage, was taken up for consideration.

Wessel-Kroeschell of Story 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. 334](#))

The ayes were, 99:

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

The nays were, none.

Absent or not voting, 1:

Chambers

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

Senate File 430, a bill for an act relating to appointments to statutory boards, commissions, councils, and committees that involve the general assembly, and including effective date and applicability provisions, with report of committee recommending passage, was taken up for consideration.

Wessel-Kroeschell of Story 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. 430](#))

The ayes were, 98:

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

The nays were, none.

Absent or not voting, 2:

Chambers Murphy, Spkr.

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

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 142, 225, 279, 334 and 430.**

[Senate File 226](#), a bill for an act concerning the statewide fire and police retirement system by establishing a presumption that cancer and infectious diseases are work-related for purposes of disability and death benefits for fire fighters and by increasing the contribution rate for fire fighters, with report of committee recommending passage, was taken up for consideration.

Frevert of Palo Alto offered the following amendment [H-1372](#) filed by her and moved its adoption:

[H-1372](#)

1 Amend [Senate File 226](#), as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. By striking page 1, line 1, through page 2,
4 line 3, and inserting the following:
5 "Section 1. Section 411.1, Code 2009, is amended
6 by adding the following new subsections:
7 NEW SUBSECTION. 5A. "Cancer" means prostate
8 cancer, primary brain cancer, breast cancer, ovarian
9 cancer, cervical cancer, uterine cancer, malignant
10 melanoma, leukemia, non-Hodgkin's lymphoma, bladder
11 cancer, colorectal cancer, multiple myeloma,
12 testicular cancer, and kidney cancer.
13 NEW SUBSECTION. 9A. "Infectious disease" means
14 HIV or AIDS as defined in section 141A.1, all strains
15 of hepatitis, meningococcal meningitis, and
16 mycobacterium tuberculosis.
17 Sec. _____. Section 411.6, subsection 5, paragraph
18 c, Code 2009, is amended to read as follows:
19 c. (1) Disease under this ~~section~~ subsection
20 shall mean heart disease or any disease of the lungs
21 or respiratory tract and shall be presumed to have
22 been contracted while on active duty as a result of

23 strain or the inhalation of noxious fumes, poison, or
24 gases.

25 (2) Disease under this subsection shall also mean
26 cancer or infectious disease and shall be presumed to
27 have been contracted while on active duty as a result
28 of that duty.

29 (3) However, if a person's membership in the
30 system first commenced on or after July 1, 1992, and
31 the heart disease, ~~or~~ disease of the lungs or
32 respiratory tract, cancer, or infectious disease would
33 not exist, but for a medical condition that was known
34 to exist on the date that membership commenced, the
35 presumption established in this paragraph "c" shall
36 not apply.

37 Sec. _____. Section 411.6, subsection 9, paragraph
38 a, Code 2009, is amended to read as follows:

39 a. (1) If, upon the receipt of evidence and proof
40 from the chief of the police or fire department that
41 the death of a member in service was the natural and
42 proximate result of an injury or disease incurred in
43 or aggravated by the actual performance of duty at
44 some definite time and place, or while acting pursuant
45 to order, outside of the city by which the member is
46 regularly employed, the system decides that death was
47 so caused in the performance of duty, there shall be
48 paid, in lieu of the ordinary death benefit provided
49 in subsection 8, an accidental death benefit as set
50 forth in this subsection.

Page 2

1 (2) (a) Disease under this subsection shall mean
2 heart disease or any disease of the lungs or
3 respiratory tract and shall be presumed to have been
4 contracted while on active duty as a result of strain
5 or the inhalation of noxious fumes, poison, or gases.

6 (b) Disease under this subsection shall also mean
7 cancer or infectious disease and shall be presumed to
8 have been contracted while on active duty as a result
9 of that duty."

10 2. Page 3, line 6, by inserting after the word
11 and figure "and 9." the following: "In collecting and
12 reporting data, the system shall provide information
13 as to the actuarial cost to the system of the
14 requirements of this Act and shall collect data from
15 the cities relative to any associated medical,
16 insurance, or other costs incurred by the cities as a
17 result of this Act."

18 3. Page 3, line 8, by striking the word and
19 figures "January 1, 2014," and inserting the
20 following: "October 1, 2013,".

21 4. By renumbering as necessary.

Amendment [H-1372](#) was adopted.

SPECIAL PRESENTATION

Wendt of Woodbury introduced to the House the women's Morningside College Basketball team.

The House rose and expressed its welcome.

Frevert of Palo Alto 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. 226](#))

The ayes were, 68:

Abdul-Samad	Anderson	Arnold	Bailey
Beard	Bell	Berry	Bukta
Burt	Cohoon	Cownie	Ficken
Ford	Frevert	Gayman	Grassley
Hagenow	Heaton	Heddens	Hunter
Huser	Isenhardt	Jacoby	Kaufmann
Kearns	Kelley	Koester	Kressig
Kuhn	Lensing	Lukan	Lykam
Marek	Mascher	McCarthy	Mertz
Miller, H.	Murphy, Spkr.	Oldson	Olson, R.
Olson, T.	Palmer	Petersen	Quirk
Raecker	Reasoner	Reichert	Schueller
Shomshor	Smith	Sorenson	Steckman
Struyk	Swaim	Taylor, D.	Taylor, T.
Thede	Thomas	Tymeson	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Willems	Winckler	Zirkelbach	Olson, D., Presiding

The nays were, 30:

Alons	De Boef	Deyoe	Dolecheck
Drake	Forristall	Gaskill	Helland
Horbach	Huseman	May	Miller, L.
Olson, S.	Paulsen	Pettengill	Rants
Rayhons	Roberts	Sands	Schulte
Schultz	Soderberg	Sweeney	Tjepkes
Upmeyer	Van Engelenhoven	Wagner	Watts
Windschitl	Worthan		

Absent or not voting, 2:

Baudler Chambers

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 7, 2009, passed the following bill in which the concurrence of the Senate was asked:

[House File 400](#), a bill for an act relating to the licensing of persons installing fire protection systems.

Also: That the Senate has on April 7, 2009, passed the following bill in which the concurrence of the Senate was asked:

[House File 676](#), a bill for an act modifying provisions relating to a final hearing in a civil commitment proceeding for a sexually violent predator.

Also: That the Senate has on April 7, 2009, amended the House amendment, concurred in the House amendment as amended, and passed the following bill in which the concurrence of the House is asked:

[Senate File 137](#), a bill for an act providing that wage discrimination is an unfair employment practice under the Iowa civil rights Act and providing an enhanced remedy.

Also: That the Senate has on April 7, 2009, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

[Senate File 254](#), a bill for an act requiring the preparation of a report by the department of veterans affairs relating to the activities of county commissions of veteran affairs.

Also: That the Senate has on April 7, 2009, passed the following bill in which the concurrence of the House is asked:

[Senate File 472](#), a bill for an act relating to and making appropriations to the judicial branch, and providing an effective date.

MICHAEL E. MARSHALL, Secretary

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that [Senate File 226](#) be immediately messaged to the Senate.

COMMITTEE RECOMMENDATION

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

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON WAYS AND MEANS

[Senate File 81](#), a bill for an act relating to assisting schools to recover from disaster by changing the approval method for transfers of emergency fund moneys, by modifying certain funding provisions to relate to disaster recovery, and by allowing area education agency boards greater authority to purchase and lease-purchase property.

Fiscal Note is not required.

Recommended **Do Pass** April 7, 2009.

[Senate File 81](#), a bill for an act relating to assisting schools to recover from disaster by changing the approval method for transfers of emergency fund moneys, by modifying certain funding provisions to relate to disaster recovery, and by allowing area education agency boards greater authority to purchase and lease-purchase property, with report of committee recommending passage, was taken up for consideration.

Willems 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. 81](#))

The ayes were, 56:

Abdul-Samad	Bailey	Beard	Bell
Berry	Bukta	Burt	Cohoon
Ficken	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Isenhart	Jacoby	Kearns	Kelley
Kressig	Kuhn	Lensing	Lykam
Marek	Mascher	McCarthy	Mertz
Miller, H.	Murphy, Spkr.	Oldson	Olson, R.
Olson, T.	Palmer	Petersen	Quirk

Reasoner	Reichert	Schueller	Shomshor
Smith	Steckman	Swaim	Taylor, D.
Taylor, T.	Thede	Thomas	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Willems	Winckler	Zirkelbach	Olson, D., Presiding

The nays were, 43:

Alons	Anderson	Arnold	Baudler
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	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Wagner
Watts	Windschitl	Worthan	

Absent or not voting, 1:

Chambers

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

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that [Senate File 81](#) be immediately messaged to the Senate.

Appropriations Calendar

[House File 805](#), 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, was taken up for consideration.

Wagner of Linn offered the following amendment [H-1344](#) filed by Huseman of Cherokee and moved its adoption:

[H-1344](#)

1 Amend [House File 805](#) as follows:

- 2 1. Page 1, line 19, by striking the figure
 3 "6,657,336" and inserting the following: "6,654,962".
 4 2. Page 1, line 21, by striking the figure
 5 "506,515" and inserting the following: "506,127".
 6 3. Page 3, line 1, by striking the figure
 7 "40,890,860" and inserting the following:
 8 "40,876,274".
 9 4. Page 3, line 4, by striking the figure
 10 "9,611,696" and inserting the following: "9,610,960".
 11 5. Page 3, line 7, by striking the figure
 12 "236,263,176" and inserting the following:
 13 "236,262,726".

Roll call was requested by Wagner of Linn and Struyk of Pottawattamie.

On the question "Shall amendment [H-1344](#) be adopted?" ([H.F. 805](#))

The ayes were, 98:

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

The nays were, none.

Absent or not voting, 2:

Chambers Huser

Amendment [H-1344](#) was adopted, placing out of order amendment [H-1362](#) filed by Windschitl of Harrison on March 31, 2009.

Hagenow of Polk offered the following amendment [H-1343](#) filed by him and moved its adoption:

[H-1343](#)

- 1 Amend [House File 805](#) as follows:
- 2 1. Page 4, line 19, by striking the figure
- 3 "3,000,000" and inserting the following: "2,922,000".

Roll call was requested by Hagenow of Polk and Helland of Polk.

On the question "Shall amendment [H-1343](#) be adopted?" ([H.F. 805](#))

The ayes were, 42:

Alons	Anderson	Arnold	Baudler
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		

The nays were, 57:

Abdul-Samad	Bailey	Beard	Bell
Berry	Bukta	Burt	Cohoon
Ficken	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Isenhardt	Jacoby	Kearns	Kelley
Kressig	Kuhn	Lensing	Lykam
Marek	Mascher	McCarthy	Mertz
Miller, H.	Murphy, Spkr.	Oldson	Olson, R.
Olson, T.	Palmer	Petersen	Quirk
Reasoner	Reichert	Schueller	Shomshor
Smith	Steckman	Swaim	Taylor, D.
Taylor, T.	Thede	Thomas	Tjepkes
Wendt	Wenthe	Wessel-Kroeschell	Whitaker

Whitead Willems Winckler Zirkelbach
 Olson, D.
 Presiding

Absent or not voting, 1:

Chambers

Amendment [H-1343](#) lost.

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

On the question "Shall the bill pass?" ([H.F. 805](#))

The ayes were, 56:

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

The nays were, 43:

Alons	Anderson	Arnold	Baudler
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	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Wagner
Watts	Windschitl	Worthan	

Absent or not voting, 1:

Chambers

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

On motion by McCarthy of Polk, the House was recessed at 4:43 p.m., until 5:30 p.m.

EVENING SESSION

The House reconvened at 5:51 p.m., Speaker Murphy in the chair.

D. Olson of Boone in the chair at 5:58 p.m.

QUORUM CALL

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

H. Miller of Webster on request of McCarthy of Polk.

Appropriations Calendar

[House File 809](#), 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 providing effective and retroactive applicability dates, was taken up for consideration.

Alons of Sioux offered the following amendment [H-1422](#) filed by Alons, et al., and moved its adoption:

[H-1422](#)

- 1 Amend [House File 809](#) as follows:
 2 1. Page 2, by inserting after line 17 the
 3 following:
 4 "d. The department shall implement a request for
 5 proposal process for the purposes of entering into a
 6 contract, by August 1, 2009, with a private company to
 7 provide grass cutting and hedge trimming at the state
 8 capitol complex."
 9 2. By renumbering as necessary.

Roll call was requested by Paulsen of Linn and Horbach of Tama.

On the question "Shall amendment [H-1422](#) be adopted?" ([H.F. 809](#))

The ayes were, 43:

Alons	Anderson	Arnold	Baudler
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	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Wagner
Watts	Windschitl	Worthan	

The nays were, 55:

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

Absent or not voting, 2:

Chambers Miller, H.

Amendment [H-1422](#) lost.

Alons of Sioux asked and received unanimous consent to withdraw amendment [H-1421](#) filed by him and Drake of Cass on April 2, 2009.

Raecker of Polk offered amendment [H-1410](#) filed by Raecker, et al., as follows:

[H-1410](#)

1 Amend [House File 809](#) as follows:

2 1. Page 19, by inserting after line 11 the
3 following:

4 "Sec. ____ DEPARTMENT OF ADMINISTRATIVE SERVICES

5 - STATE-OWNED PASSENGER VEHICLES - DISPOSITION AND
6 SALE - FLEET PRIVATIZATION.

7 1. Consistent with the requirements of section
8 8A.361, the department of administrative services
9 shall be the sole department authorized to operate a
10 pool of passenger vehicles located in Polk county for
11 temporary assignment to multiple drivers of a state
12 department or agency that is located within Polk
13 county. By September 30, 2009, all passenger vehicles
14 located in Polk county and designated for use by
15 multiple drivers that are assigned to a state
16 department or agency within Polk county on January 1,
17 2009, or later shall be returned to the department of
18 administrative services for use and disposition as
19 provided by this section.

20 2. On or before December 31, 2009, the department
21 of administrative services shall sell at auction
22 passenger vehicles returned to the department of
23 administrative services pursuant to subsection 1 and
24 passenger vehicles otherwise under the control of the
25 department for use by multiple drivers of state
26 departments or agencies within Polk county.

27 3. On or before December 31, 2009, the department
28 of administrative services shall implement a request
29 for proposal process and shall enter into a contract
30 for the purposes of outsourcing state vehicle leasing
31 to a private entity."

32 2. By renumbering as necessary.

Raecker of Polk asked and received unanimous consent to withdraw amendment [H-1436](#), to amendment [H-1410](#), filed by him on April 6, 2009.

Raecker of Polk offered the following amendment [H-1451](#), to amendment [H-1410](#), filed by him from the floor and moved its adoption:

[H-1451](#)

- 1 Amend the amendment, [H-1410](#), to [House File 809](#), as
- 2 follows:
- 3 1. Page 1, line 26, by inserting after the word
- 4 "county." the following: "Notwithstanding the
- 5 provisions of section 8A.364 to the contrary, proceeds
- 6 from the sale of motor vehicles as provided by this
- 7 subsection shall be credited to the fund from which
- 8 the motor vehicles were purchased."
- 9 2. Page 1, line 31, by striking the word
- 10 "entity."" and inserting the following: "entity."
- 11 3. Page 1, by inserting after line 31 the
- 12 following:
- 13 "4. For purposes of this section, "passenger
- 14 vehicles" means United States environmental protection
- 15 agency designated compact sedans, compact wagons,
- 16 midsize sedans, midsize wagons, full-size sedans, and
- 17 passenger minivans. "Passenger vehicles" does not
- 18 mean utility vehicles, vans other than passenger
- 19 minivans, fire trucks, ambulances, motor homes, buses,
- 20 medium-duty and heavy-duty trucks, heavy construction
- 21 equipment, and other highway maintenance vehicles,
- 22 vehicles assigned for law enforcement purposes, and
- 23 any other classes of vehicles of limited application
- 24 approved by the director of the department of
- 25 administrative services.""
- 26 4. By renumbering as necessary.

Amendment [H-1451](#) was adopted.

Raecker of Polk moved the adoption of amendment [H-1410](#), as amended.

Roll call was requested by Raecker of Polk and Wagner of Linn.

On the question "Shall amendment [H-1410](#), as amended, be adopted?" ([H.F. 809](#))

The ayes were, 45:

Alons	Anderson	Arnold	Baudler
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	Steckman	Struyk	Sweeney
Thede	Tjepkes	Tymeson	Upmeyer
Van Engelenhoven	Wagner	Watts	Windschitl
Worthan			

The nays were, 51:

Abdul-Samad	Bailey	Beard	Bell
Berry	Bukta	Cphoon	Ficken
Ford	Frevert	Gaskill	Gayman
Heddens	Hunter	Huser	Isenhart
Jacoby	Kearns	Kelley	Kressig
Kuhn	Lensing	Lykam	Marek
Mascher	McCarthy	Mertz	Murphy, Spkr.
Oldson	Olson, T.	Palmer	Petersen
Quirk	Reasoner	Reichert	Schueller
Shomshor	Smith	Swaim	Taylor, D.
Taylor, T.	Thomas	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Willems
Winckler	Zirkelbach	Olson, D., Presiding	

Absent or not voting, 4:

Burt	Chambers	Miller, H.	Olson, R.
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Amendment [H-1410](#), as amended, lost.

Raecker of Polk asked and received unanimous consent that amendment [H-1412](#) be deferred.

Wagner of Linn asked and received unanimous consent that amendment [H-1413](#) be deferred.

Wagner of Linn offered the following amendment [H-1414](#) filed by Wagner, et al., and moved its adoption:

[H-1414](#)

- 1 Amend [House File 809](#) as follows:
- 2 1. Page 19, by inserting after line 11 the
- 3 following:
- 4 "Sec. ____ OFFICE EXPENSES – MANDATORY REDUCTION.
- 5 For the fiscal year beginning July 1, 2009, and ending

6 June 30, 2010, the appropriations from the general
 7 fund of the state to a state department or state
 8 agency to which appropriations are made pursuant to
 9 this Act are reduced by such amount, as necessary to
 10 effect a 50 percent reduction in the amount
 11 appropriated for expenditures for office supplies,
 12 service contracts, and equipment purchases. The
 13 reduction of the individual appropriations shall be
 14 determined by the department of management in
 15 consultation with the affected departments and
 16 agencies on the basis of the expected expenditures for
 17 such items by the affected state department or agency
 18 for the fiscal year without the reduction required by
 19 this section. The specific amount that each
 20 individual appropriation is reduced shall be outlined
 21 in a memorandum prepared by the department of
 22 management which shall be submitted to the general
 23 assembly and legislative services agency within 30
 24 days of the effective date of this section of this
 25 Act. The reduction of an individual appropriation
 26 pursuant to this section shall be in addition to any
 27 other reduction required by law and general fund
 28 appropriations reduced pursuant to this section shall
 29 not be expended for any other purposes but shall be
 30 retained in the general fund of the state."
 31 2. By renumbering as necessary.

Roll call was requested by Wagner of Linn and Lukan of Dubuque.

On the question "Shall amendment [H-1414](#) be adopted?" ([H.F. 809](#))

The ayes were, 45:

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

The nays were, 52:

Abdul-Samad	Bailey	Beard	Bell
Berry	Burt	Cphoon	Ford
Frevert	Gaskill	Gayman	Heddens
Hunter	Huser	Isenhart	Jacoby
Kearns	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Mertz	Murphy, Spkr.	Oldson	Olson, R.
Olson, T.	Palmer	Petersen	Quirk
Reasoner	Reichert	Schueller	Shomshor
Smith	Steckman	Swaim	Taylor, D.
Taylor, T.	Thede	Thomas	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Willems	Winckler	Zirkelbach	Olson, D., Presiding

Absent or not voting, 3:

Bukta Chambers Miller, H.

Amendment [H-1414](#) lost.

Alons of Sioux offered the following amendment [H-1415](#) filed by Alons, et al., and moved its adoption:

[H-1415](#)

1 Amend [House File 809](#) as follows:
 2 1. Page 19, by inserting after line 11 the
 3 following:
 4 "Sec. ____ MISCELLANEOUS DEPARTMENT EXPENSES –
 5 MANDATORY REDUCTION. For the fiscal year beginning
 6 July 1, 2009, and ending June 30, 2010, the
 7 appropriations from the general fund of the state to a
 8 state department or state agency to which
 9 appropriations are made pursuant to this Act are
 10 reduced by such amount, as necessary to effect a 20
 11 percent reduction in the amount appropriated for
 12 expenditures for printing, binding, and
 13 communications, and a 50 percent reduction in the
 14 amount appropriated for expenditures for advertising
 15 and publicity. The reduction of the individual
 16 appropriations shall be determined by the department
 17 of management in consultation with the affected
 18 departments and agencies on the basis of the expected
 19 expenditures for such items by the affected state
 20 department or agency for the fiscal year without the
 21 reductions required by this section. The specific
 22 amount that each individual appropriation is reduced
 23 shall be outlined in a memorandum prepared by the

24 department of management which shall be submitted to
 25 the general assembly and legislative services agency
 26 within 30 days of the effective date of this section
 27 of this Act. The reduction of an individual
 28 appropriation pursuant to this section shall be in
 29 addition to any other reduction required by law and
 30 general fund appropriations reduced pursuant to this
 31 section shall not be expended for any other purposes
 32 but shall be retained in the general fund of the
 33 state."
 34 2. By renumbering as necessary.

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

On the question "Shall amendment [H-1415](#) be adopted?" ([H.F. 809](#))

The ayes were, 42:

Alons	Anderson	Arnold	Baudler
Cownie	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	Tjepkes	Tymeson
Upmeyer	Van Engelenhoven	Wagner	Watts
Windschitl	Worthan		

The nays were, 53:

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

Absent or not voting, 5:

Chambers De Boef Miller, H. Murphy, Spkr.
Petersen

Amendment [H-1415](#) lost.

Drake of Cass asked and received unanimous consent that amendment [H-1416](#) be deferred.

Helland of Polk offered the following amendment [H-1417](#) filed by Raecker, et al., and moved its adoption:

[H-1417](#)

1 Amend [House File 809](#) as follows:
2 1. Page 19, by inserting after line 11 the
3 following:
4 "Sec. ____ EXPENDITURES FOR CELLULAR TELEPHONES
5 AND PERSONAL DIGITAL ASSISTANTS PROHIBITED.
6 Notwithstanding any provision to the contrary, other
7 than for employees performing inspections or who are
8 otherwise normally performing their primary duties
9 away from a fixed location more than 70 percent of the
10 time, for the fiscal year beginning July 1, 2009, a
11 department receiving appropriations in this Act shall
12 not expend moneys appropriated from the general fund
13 of the state to pay for or reimburse the initial or
14 associated service costs for cellular telephones,
15 personal digital assistant devices, or handheld
16 computers. However, the executive council may
17 authorize an exception on a case-by-case basis, to
18 address an emergency situation for a period of time
19 not more than three consecutive calendar months in
20 length or to complete the minimum period specified
21 under the terms of a lease or contract."
22 2. By renumbering as necessary.

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

On the question "Shall amendment [H-1417](#) be adopted?" ([H.F. 809](#))

The ayes were, 45:

Alons	Anderson	Arnold	Baudler
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Grassley	Hagenow
Heaton	Helland	Horbach	Huseman
Kaufmann	Koester	Lukan	Marek

May	Miller, L.	Olson, S.	Paulsen
Pettengill	Raecker	Rants	Rayhons
Roberts	Sands	Schulte	Schultz
Soderberg	Sorenson	Struyk	Sweeney
Thede	Tjepkes	Tymeson	Upmeyer
Van Engelenhoven	Wagner	Watts	Windschitl
Worthan			

The nays were, 50:

Abdul-Samad	Bailey	Beard	Bell
Berry	Bukta	Burt	Cohoon
Ficken	Ford	Frevert	Gayman
Heddens	Hunter	Huser	Isenhart
Kearns	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Mertz	Murphy, Spkr.	Oldson	Olson, R.
Olson, T.	Palmer	Petersen	Reasoner
Reichert	Schueller	Shomshor	Smith
Steckman	Swaim	Taylor, D.	Taylor, T.
Thomas	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Willems	Winckler
Zirkelbach	Olson, D., Presiding		

Absent or not voting, 5:

Chambers	Gaskill	Jacoby	Miller, H.
Quirk			

Amendment [H-1417](#) lost.

Raecker of Polk offered the following amendment [H-1418](#) filed by Raecker, et al., and moved its adoption:

[H-1418](#)

1 Amend [House File 809](#) as follows:
 2 1. Page 19, by inserting after line 11 the
 3 following:
 4 "Sec.____. VEHICLE PURCHASES DEFERRED.
 5 Notwithstanding any provision to the contrary, except
 6 as otherwise provided by this section, the department
 7 of administrative services shall defer the purchase of
 8 replacement motor vehicles paid for from the general
 9 fund of the state or from such moneys credited to the
 10 depreciation fund maintained pursuant to section
 11 8A.365. The purchase deferral is applicable to the
 12 remainder of the fiscal year beginning July 1, 2008,
 13 commencing on the effective date of this section and
 14 to the succeeding fiscal year. However, the executive

15 council may authorize an exception to allow purchase
 16 of a replacement vehicle when the purchase is less
 17 costly than all other alternatives.
 18 Sec.____. EFFECTIVE DATE. The section of this
 19 division of this Act providing for vehicle purchases
 20 to be deferred, being deemed of immediate importance,
 21 takes effect upon enactment."
 22 2. By renumbering as necessary.

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

On the question "Shall amendment [H-1418](#) be adopted?" ([H.F. 809](#))

The ayes were, 45:

Alons	Anderson	Arnold	Baudler
Beard	Cownie	De Boef	Deyoe
Dolecheck	Drake	Ficken	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	Tjepkes	Tymeson	Upmeyer
Van Engelenhoven	Wagner	Watts	Windschitl
Worthan			

The nays were, 51:

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

Absent or not voting, 4:

Chambers	Miller, H.	Quirk	Olson, D., Presiding
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Amendment [H-1418](#) lost.

Alons of Sioux asked and received unanimous consent that amendment [H-1420](#) be deferred.

Watts of Dallas offered the following amendment [H-1423](#) filed by Watts, et al., and moved its adoption:

[H-1423](#)

- 1 Amend [House File 809](#) as follows:
- 2 1. Page 19, by inserting after line 11 the
- 3 following:
- 4 "Sec. ____ . SALE OR LEASE OF IOWA COMMUNICATIONS
- 5 NETWORK. The Iowa telecommunications and technology
- 6 commission shall implement a request for proposals
- 7 process to sell or lease the Iowa communications
- 8 network. The request for proposals shall provide for
- 9 the sale to be closed or the lease to commence during
- 10 the fiscal year beginning July 1, 2009. The
- 11 commission shall implement the sale or lease with
- 12 terms that will allow existing users of the network to
- 13 continue such use at a lower overall long-term cost as
- 14 compared to the anticipated operation and maintenance
- 15 overall long-term cost if state ownership and control
- 16 were to continue."
- 17 2. By renumbering as necessary.

Roll call was requested by Watts of Dallas and Paulsen of Linn.

On the question "Shall amendment [H-1423](#) be adopted?" ([H.F. 809](#))

The ayes were, 44:

Alons	Anderson	Arnold	Baudler
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	Taylor, D.
Tjepkes	Tymeson	Upmeyer	Van Engelenhoven
Wagner	Watts	Windschitl	Worthan

The nays were, 52:

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

Absent or not voting, 4:

Bailey	Chambers	Miller, H.	Quirk
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Amendment [H-1423](#) lost.

Hunter of Polk asked and received unanimous consent to withdraw amendment [H-1435](#) filed by him on April 6, 2009.

Helland of Polk offered amendment [H-1419](#) filed by him as follows:

[H-1419](#)

- 1 Amend [House File 809](#) as follows:
- 2 1. Page 22, by inserting after line 33 the
- 3 following:
- 4 "DIVISION____
- 5 VACANT STATE EMPLOYEE POSITIONS
- 6 Sec.____. Section 8.62, Code 2009, is amended by
- 7 adding the following new subsection:
- 8 NEW SUBSECTION. 4. Notwithstanding any provision
- 9 of this section and section 8.39 to the contrary, if a
- 10 full-time equivalent position funded with an
- 11 appropriation from the general fund of the state
- 12 remains vacant for a period of at least six months,
- 13 the agency to which the appropriation was made shall
- 14 revert to the general fund of the state at the close
- 15 of the fiscal year the salary and benefits cost of
- 16 that position for the period of the vacancy."
- 17 2. By renumbering as necessary.

Hunter of Polk rose on a point of order that amendment [H-1419](#) was not germane.

The Speaker ruled the point well taken and amendment [H-1419](#) not germane.

Helland of Polk asked for unanimous consent to suspend the rules to consider amendment [H-1419](#).

Objection was raised.

Helland of Polk moved to suspend the rules to consider amendment [H-1419](#).

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

On the question "Shall the rules be suspended to consider amendment [H-1419](#)?" ([H.F. 809](#))

The ayes were, 42:

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

The nays were, 53:

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

Whitead Willems Winckler Zirkelbach
 Olson, D.,
 Presiding

Absent or not voting, 5:

Chambers Miller, H. Murphy, Spkr. Pettengill
 Quirk

The motion to suspend the rules lost.

Wagner of Linn offered the following amendment [H-1424](#) filed by Wagner, et al., and moved its adoption:

[H-1424](#)

1 Amend [House File 809](#) as follows:
 2 1. Page 22, by inserting after line 33 the
 3 following:
 4 "DIVISION ____
 5 INFORMATION TECHNOLOGY CONSOLIDATION
 6 Sec. ____ Section 8A.201, Code 2009, is amended by
 7 adding the following new subsection:
 8 NEW SUBSECTION. 3A. "Infrastructure services"
 9 means server systems, including mainframe and other
 10 server operations, desktop support, electronic mail,
 11 printing, and printing procurement services.
 12 Sec. ____ Section 8A.201, subsection 4, Code 2009,
 13 is amended by striking the subsection and inserting in
 14 lieu thereof the following:
 15 4. "Participating agency" means any state agency.
 16 Sec. ____ Section 8A.204, subsection 3, Code 2009,
 17 is amended by adding the following new paragraph:
 18 NEW PARAGRAPH. h. Oversee the providing of
 19 infrastructure services to participating agencies by
 20 the department pursuant to section 8A.208. In
 21 addition, the board shall establish a waiver process
 22 as provided in section 8A.208.
 23 Sec. ____ NEW SECTION. 8A.208 INFRASTRUCTURE
 24 SERVICES.
 25 1. The department shall be the sole provider of
 26 infrastructure services for participating agencies.
 27 The department may procure infrastructure services in
 28 the manner provided in section 8A.207.
 29 2. The technology governance board shall oversee
 30 the services provided pursuant to this section. In
 31 addition, the technology governance board shall adopt
 32 rules allowing for a participating agency to seek a
 33 waiver from the requirements of this section. The
 34 rules shall provide that a waiver shall be granted
 35 only if the participating agency can show that it can

36 obtain the particular infrastructure service more
 37 economically or that a waiver would be in the best
 38 interest of the state."
 39 2. By renumbering as necessary.

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

On the question "Shall amendment [H-1424](#) be adopted?" ([H.F. 809](#))

The ayes were, 46:

Alons	Anderson	Arnold	Baudler
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	Steckman	Struyk
Sweeney	Thede	Tjepkes	Tymeson
Upmeyer	Van Engelenhoven	Wagner	Watts
Windschitl	Worthan		

The nays were, 51:

Abdul-Samad	Bailey	Beard	Bell
Berry	Bukta	Burt	Cohoon
Ficken	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Isenhardt	Jacoby	Kearns	Kressig
Kuhn	Lensing	Lykam	Marek
Mascher	McCarthy	Mertz	Murphy, Spkr.
Oldson	Olson, R.	Olson, T.	Palmer
Petersen	Reasoner	Reichert	Schueller
Shomshor	Smith	Swaim	Taylor, D.
Taylor, T.	Thomas	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Willems
Winckler	Zirkelbach	Olson, D., Presiding	

Absent or not voting, 3:

Chambers	Miller, H.	Quirk
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Amendment [H-1424](#) lost.

Pettengill of Benton offered amendment [H-1432](#) filed by her as follows:

[H-1432](#)

1 Amend [House File 809](#) as follows:

2 1. Page 22, by inserting after line 33 the
3 following:

4 "DIVISION ____
5 SEARCHABLE BUDGET AND TAX RATE DATABASES

6 Sec. ____ Section 8.6, Code 2009, is amended by
7 adding the following new subsection:

8 NEW SUBSECTION. 9A. BUDGET AND TAX RATE
9 DATABASES. To develop and make available to the
10 public a searchable budget database website as
11 required under chapter 8G, division I, and to develop
12 and make available to the public a searchable tax rate
13 database website as required under chapter 8G,
14 division II.

15 DIVISION ____
16 SEARCHABLE BUDGET DATABASE FOR STATE SPENDING

17 Sec. ____ NEW SECTION. 8G.1 INTENT - FINDINGS.

18 The general assembly finds that taxpayers should be
19 able to easily access the details on how the state is
20 spending their tax dollars and the performance results
21 achieved for those expenditures. Therefore, it is the
22 intent of the general assembly to direct the
23 department of management to create and maintain a
24 searchable budget database website detailing where tax
25 dollars are expended, the purposes for which tax
26 dollars are expended, and the results achieved for all
27 taxpayer investments in state government.

28 Sec. ____ NEW SECTION. 8G.2 SHORT TITLE.

29 This division shall be known as and may be cited as
30 the "Taxpayer Transparency Act".

31 Sec. ____ NEW SECTION. 8G.3 DEFINITIONS.

32 As used in this division, unless the context
33 otherwise requires:

34 1. "Agency" means a state department, office,
35 board, commission, bureau, division, institution, or
36 public institution of higher education. "Agency"
37 includes individual state agencies and programs, as
38 well as those programs and activities that are
39 administered by or involve more than one agency.
40 "Agency" includes all elective offices in the
41 executive branch of government and the general
42 assembly.

43 2. "Director" means the director of the department
44 of management.

45 3. "Entity" or "recipients" means any of the
46 following:

- 47 a. A corporation.
- 48 b. An association.
- 49 c. An employee union.
- 50 d. A limited liability company.

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- 1 e. A limited liability partnership.
- 2 f. Any other legal business entity, including
- 3 nonprofit entities.
- 4 g. A grant recipient.
- 5 h. Contractors.
- 6 i. A county, city, school district, or other local
- 7 government entity.
- 8 "Entity" or "recipients" does not include an
- 9 individual recipient of state assistance.
- 10 4. "Funding action or expenditure" includes
- 11 details on the type of spending that is provided
- 12 including but not limited to grants, contracts, and
- 13 appropriations. "Funding action or expenditure"
- 14 includes tax exemptions or credits. Where possible,
- 15 an electronic link to the actual grants or contracts
- 16 shall be provided. An electronic link shall be in a
- 17 format that is a searchable document.
- 18 5. "Funding source" means the state account or
- 19 fund from which the expenditure is appropriated.
- 20 6. "Searchable website" means a website described
- 21 in section 8G.4 that allows the public at no cost to
- 22 search and compile information identified in section
- 23 8G.4 and that is in a format capable of being
- 24 downloaded.
- 25 7. "State audit or report" shall include any audit
- 26 or report issued by the auditor of state, department
- 27 of management, legislative services agency,
- 28 legislative committee, or executive body relating to
- 29 the entity or recipient of funds, the budget program
- 30 or activity, or agency.
- 31 Sec. _____. NEW SECTION. 8G.4 SEARCHABLE BUDGET
- 32 DATABASE WEBSITE CREATED.
- 33 1. By January 1, 2011, the director shall develop
- 34 and make publicly available a database website for
- 35 searching, accessing, and processing data, including
- 36 the data required in this section, for the most recent
- 37 state budget. The website shall be developed in such
- 38 a way that the information can be provided to other
- 39 software applications, including internet software
- 40 applications, in a manner and format that allows such
- 41 software applications to access and interpret the data
- 42 using the internal programming of the software
- 43 applications.
- 44 2. The searchable website developed pursuant to
- 45 this section shall allow the public at no cost to

- 46 search and compile information for all of the
47 following:
48 a. Name and principal location or residence of the
49 entity or recipient of state funds.
50 b. Amount of state funds expended.

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- 1 c. Funding or expending agency.
2 d. Funding source of the revenue expended.
3 e. Budget program or activity of the expenditure.
4 f. Descriptive purpose for the funding action or
5 expenditure.
6 g. Expected performance outcome for the funding
7 action or expenditure.
8 h. Past performance outcomes achieved for the
9 funding action or expenditure.
10 i. State audit or report relating to the entity or
11 recipient of state funds or the budget program or
12 activity or agency.
13 j. Any other relevant information specified by the
14 director.
15 Sec. ____ NEW SECTION. 8G.5 WEBSITE UPDATES.
16 1. Effective July 1, 2011, the searchable website
17 shall be updated for each fiscal year not later than
18 thirty days following the close of the fiscal year.
19 In addition, the director may update the searchable
20 website as new data becomes available. All agencies
21 shall provide to the director data that is required to
22 be included in the searchable website not later than
23 thirty days after the data becomes available to the
24 agency. The director shall provide guidance to agency
25 heads or the governing body of an agency to ensure
26 compliance with this section.
27 2. By January 1, 2012, the director shall add data
28 for the previous budgets to the searchable website.
29 Data for previous fiscal years may be added as it
30 becomes available and as time permits. The director
31 shall ensure that all data added to the searchable
32 website remain accessible to the public for a minimum
33 of ten years.
34 Sec. ____ NEW SECTION. 8G.6 NONCOMPLIANCE.
35 The director shall not be considered in compliance
36 with this division if the data required for the
37 searchable website is not available in a searchable
38 manner and capable of being compiled or the public is
39 redirected to other government websites unless each of
40 those sites has information from all agencies and each
41 category of information required can be searched
42 electronically by field in a single search.
43 SEARCHABLE TAX RATE DATABASE
44 Sec. ____ NEW SECTION. 8G.10 INTENT -FINDINGS.

45 The general assembly finds that increasing the ease
46 of public access to state and local tax rates,
47 particularly where the rates are currently available
48 from disparate government sources but are difficult
49 for the public to collect and efficiently aggregate,
50 significantly contributes to governmental

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1 accountability, public participation, and the
2 understanding of the cost of government services.
3 Therefore, it is the intent of the general assembly to
4 direct the department of management, in consultation
5 with the department of revenue, to create and maintain
6 a searchable database website of each tax rate for all
7 taxing districts in the state to make citizen access
8 to state and local tax rates as open, transparent, and
9 publicly accessible as is feasible.
10 Sec.____. NEW SECTION. 8G.11 SHORT TITLE.
11 This division shall be known and cited as the
12 "Taxation Disclosure Act".
13 Sec.____. NEW SECTION. 8G.12 TAX RATE DATABASE.
14 1. SEARCHABLE TAX RATE DATABASE. By January 1,
15 2010, the department of management, in consultation
16 with the department of revenue, shall make publicly
17 available on an internet site a searchable database of
18 all tax rates in the state for each taxing
19 jurisdiction. The information shall be aggregated by
20 type of tax and accessible by entering a zip code or
21 physical address for each residency or business.
22 Individual tax levies shall be further specified
23 within each tax rate.
24 2. GEOGRAPHICAL TAX RATE MAP. In addition to
25 searching for tax rates by zip code or physical
26 address for each residency or business, searches shall
27 be accommodated by a geographical tax rate map of the
28 state that is capable of being displayed with a level
29 of specificity corresponding to each taxing district.
30 3. INDIVIDUAL TAX RATE CALCULATOR. Tax rate
31 calculators shall be provided on the searchable
32 database to allow citizens and businesses to calculate
33 taxes based on the location of the citizen or
34 business. Calculation capability shall be provided at
35 a minimum for property, sales, use, income, vehicle,
36 and business taxes and shall be specific to the rate
37 for the taxing district identified by the citizen or
38 business.
39 Sec.____. NEW SECTION. 8G.13 UPDATING DATABASE.
40 To facilitate the department of management's
41 efforts in creating and maintaining a searchable
42 database of the taxes identified in section 8G.12,
43 subsection 3, for all taxing districts in the state,

44 every taxing district shall report its tax rates
 45 annually to the department of management and shall
 46 report any changes to its tax rates within thirty days
 47 of the change.
 48 Sec. _____. CODE EDITOR DIRECTIVE. Unless otherwise
 49 determined by the Iowa Code editor, sections 8G.1
 50 through 8G.6, as enacted in this division of this Act,

Page 5

1 shall be designated as division I of chapter 8G, and
 2 sections 8G.10 through 8G.13, as enacted in this
 3 division of this Act, shall be designated as division
 4 II of chapter 8G."
 5 2. By renumbering as necessary.

Pettengill of Benton offered the following amendment [H-1449](#), to
 amendment [H-1432](#), filed by her from the floor and moved its
 adoption:

[H-1449](#)

1 Amend the amendment, H-1432, to [House File 809](#), as
 2 follows:
 3 1. Page 1, by inserting after line 1 the
 4 following:
 5 "____. Page 15, by striking lines 28 and 29 and
 6 inserting the following: "database and website:""
 7 2. By striking page 1, line 6, through page 5,
 8 line 4, and inserting the following:
 9 "Sec. __. Section 8A.104, Code 2009, is amended
 10 by adding the following new subsection:
 11 **NEW SUBSECTION. 12A. BUDGET AND TAX RATE**
 12 **DATABASES.** Develop and make available to the public a
 13 searchable budget database as required under chapter
 14 8G, division I, and to develop and make available to
 15 the public a searchable tax rate database as required
 16 under chapter 8G, division II and to make both
 17 databases available on the same website.
 18 **DIVISION**
 19 **SEARCHABLE BUDGET DATABASE FOR STATE SPENDING**
 20 Sec. _____. **NEW SECTION. 8G.1 INTENT - FINDINGS.**
 21 The general assembly finds that taxpayers should be
 22 able to easily access the details on how the state is
 23 spending their tax dollars and the performance results
 24 achieved for those expenditures. Therefore, it is the
 25 intent of the general assembly to direct the
 26 department of administrative services to create and
 27 maintain a searchable budget database website
 28 detailing where tax dollars are expended, the purposes
 29 for which tax dollars are expended, the special

30 interest tax credits allowed, and the results achieved
31 for all taxpayer investments in state government.
32 Sec.____. NEW SECTION. 8G.2 SHORT TITLE.
33 This division shall be known as and may be cited as
34 the "Openness Promotes Efficiency Now Act".
35 Sec.____. NEW SECTION. 8G.3 DEFINITIONS.
36 As used in this division, unless the context
37 otherwise requires:
38 1. "Agency" means a state department, office,
39 board, commission, bureau, division, institution, or
40 public institution of higher education. "Agency"
41 includes individual state agencies and programs, as
42 well as those programs and activities that are
43 administered by or involve more than one agency.
44 "Agency" includes the judicial branch of government.
45 "Agency" includes all elective offices in the
46 executive branch of government and the general
47 assembly.
48 2. "Director" means the director of the department
49 of administrative services.
50 3. "Entity" or "recipients" means any of the

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1 following:
2 a. A corporation.
3 b. An association.
4 c. An employee union.
5 d. A limited liability company.
6 e. A limited liability partnership.
7 f. Any other legal business entity, including
8 nonprofit entities.
9 g. A grant recipient.
10 h. Contractors.
11 i. A county, city, school district, or other local
12 government entity.
13 "Entity" or "recipients" does not include an
14 individual recipient of state assistance.
15 4. "Funding action or expenditure" includes
16 details on the type of spending that is provided
17 including but not limited to grants, contracts, and
18 appropriations. "Funding action or expenditure"
19 includes tax exemptions or credits. Where possible,
20 an electronic link to the actual grants or contracts
21 shall be provided. An electronic link shall be in a
22 format that is a searchable document.
23 5. "Searchable website" means a website described
24 in section 8G.4 that allows the public at no cost to
25 search and compile information identified in sections
26 8G.4 and 8G.12 and that is in a format capable of
27 being downloaded.
28 5A. "Schedule 6 document" means the document

29 referred to as schedule 6 used for the fiscal year
30 beginning July 1, 2009, and previous fiscal years that
31 listed for each agency the resources available or
32 estimated to be available to it as well as a listing
33 of the disposition or proposed disposition of those
34 resources and includes the governor's recommendation,
35 if any, for that fiscal year. "Schedule 6 document"
36 includes any successor schedule that provides similar
37 information. An electronic link to the schedule 6
38 document shall be provided in a format that is a
39 searchable document.
40 6. "State audit or report" shall include any audit
41 or report issued by the auditor of state.
42 Sec. _____. NEW SECTION. 8G.4 SEARCHABLE BUDGET
43 DATABASE WEBSITE CREATED.
44 1. By January 1, 2011, the director shall develop
45 and make publicly available a database website for
46 searching, accessing, and processing data, including
47 the data required in this section, for the most recent
48 state budget. The state budget for the fiscal year
49 beginning July 1, 2009, shall include the expenditure
50 of funds received through the federal American

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1 Recovery and Reinvestment Act of 2009. The website
2 shall be developed in such a way that the information
3 can be provided to other software applications,
4 including internet software applications, in a manner
5 and format that allows such software applications to
6 access and interpret the data using the internal
7 programming of the software applications.
8 2. The searchable website developed pursuant to
9 this section shall allow the public at no cost to
10 search, compile, and download information for all of
11 the following:
12 a. To the extent practicable and within the bounds
13 of the confidentiality provisions, the identity of the
14 entity or recipient of state expenditures.
15 b. Amount of annual revenues and expenditures for
16 each agency's appropriations and funds. To the extent
17 available, a schedule 6 document shall be provided or
18 be available by means of an electronic link.
19 c. Descriptive purpose for the funding or
20 expenditure.
21 d. Performance results associated with the
22 agency's activities.
23 e. Past performance results associated with the
24 agency's activities.
25 f. State audits or reports relating to the entity
26 or recipient of state funds, the budget program or
27 activity, or agency.

28 g. Any other relevant information specified by the
29 director.
30 3. In addition to the information to be provided
31 pursuant to subsection 2, there shall be provided on
32 the searchable website all of the following:
33 a. A listing and description of special interest
34 tax credits claimed for the individual income tax,
35 corporate income tax, franchise tax, and insurance
36 premiums tax. A special interest tax credit is a tax
37 credit for which fewer than twenty percent of the tax
38 filers in the applicable tax category claim the tax
39 credit. For each category of tax the website shall
40 list each of the special interest tax credits
41 applicable to it, the total amount of that tax credit
42 claimed, and the number of taxpayers claiming the tax
43 credit.
44 b. The estimated cost to the state of each of the
45 twenty sales tax exemptions that account for the
46 largest dollar amount share of sales tax exemptions
47 under section 423.3. The cost of each exemption shall
48 be listed by county and, in addition, stated as a per
49 capita amount for each county. This paragraph does
50 not apply to the tax exemptions pursuant to section

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1 423.3, subsections 2, 31, 39, 58, 73, and 85.
2 4. If the funding source of the revenue expended
3 is the grow Iowa values fund created pursuant to
4 section 15G.108, or the Iowa power fund created in
5 section 469.9, then in addition to any information
6 provided pursuant to subsections 2 and 3, there shall
7 be provided on the searchable website all of the
8 following:
9 a. For financial assistance provided during the
10 fiscal year, a listing, per recipient, of the number
11 of jobs pledged and the number of jobs actually
12 created. The actual jobs created shall be adjusted
13 throughout the year as new figures become available.
14 b. The total estimated cost to the state in
15 addition to the amount of financial assistance
16 awarded, including any administrative expenses of the
17 agency or department administering the fund.
18 c. An allocation by state legislative district and
19 county of the total amount of financial assistance
20 awards and the number of job creations associated with
21 such awards during the fiscal year.
22 4A. The director shall provide information on the
23 searchable website database that lists
24 interdepartmental transfers of appropriations. This
25 information shall be provided in a manner that will be
26 easily understood by the public.

27 4B. The director shall provide information on the
28 searchable website database that lists the transfers
29 of appropriations made from one agency to another or
30 within an agency pursuant to section 8.39. This
31 information shall be provided in a manner that will be
32 easily understood by the public.

33 5. In providing data on tax exemptions or credits,
34 confidentiality statutes of Iowa and federal law shall
35 be adhered to.

36 6. The director shall provide a progress and
37 implementation report to members of the senate and
38 house committees on government oversight every ninety
39 days with the first report due October 1, 2009.

40 Sec.____. NEW SECTION. 8G.5 WEBSITE UPDATES.

41 1. Effective July 1, 2011, the searchable website
42 shall be updated for each fiscal year not later than
43 thirty days following the close of the fiscal year.
44 During the fiscal year beginning July 1, 2011, and
45 each subsequent fiscal year, the director shall make a
46 preliminary report for the fiscal year on the
47 searchable website within thirty days following each
48 quarter. In addition, the director may update the
49 searchable website as new data becomes available. All
50 agencies shall provide to the director data that is

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1 required to be included in the searchable website not
2 later than thirty days after the data becomes
3 available to the agency. The director shall provide
4 guidance to agency heads or the governing body of an
5 agency to ensure compliance with this section.

6 2. By January 1, 2012, the director shall add data
7 for the previous budgets to the searchable website.
8 Data for previous fiscal years may be added as it
9 becomes available and as time permits. The director
10 shall ensure that all data added to the searchable
11 website remain accessible to the public for a minimum
12 of ten years.

13 Sec.____. NEW SECTION. 8G.6 NONCOMPLIANCE.

14 The director shall not be considered in compliance
15 with this division if the data required for the
16 searchable website is not available in a searchable
17 manner and capable of being compiled and downloaded or
18 if the public is redirected to other government
19 websites unless each of those sites has information
20 from all agencies and each category of information
21 required can be searched electronically by field in a
22 single search.

23 Sec.____. NEW SECTION. 8G.7 EXECUTIVE ORDER TO
24 IMPLEMENT.

25 Nothing in this division shall be construed as

26 preventing the governor from acting by executive order
27 to implement any action authorized or required under
28 this division.
29 DIVISION
30 SEARCHABLE TAX RATE DATABASE
31 Sec. _____. NEW SECTION. 8G.10 INTENT – FINDINGS.
32 The general assembly finds that increasing the ease
33 of public access to state and local tax rates,
34 particularly when the rates are currently available
35 from disparate government sources but are difficult
36 for the public to collect and efficiently aggregate,
37 significantly contributes to governmental
38 accountability, public participation, and the
39 understanding of the cost of government services.
40 Therefore, it is the intent of the general assembly to
41 direct the department of administrative services, in
42 consultation with the department of revenue, to create
43 and maintain a searchable database detailing each tax
44 rate for all taxing districts in the state to make
45 citizen access to information on state and local tax
46 rates as open, transparent, and publicly accessible as
47 is feasible.
48 Sec. _____. NEW SECTION. 8G.11 SHORT TITLE.
49 This division shall be known and cited as the
50 "Government Accountability and Disclosure Act".

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1 Sec. _____. NEW SECTION. 8G.12 TAX RATE DATABASE.
2 1. SEARCHABLE TAX RATE DATABASE. By January 1,
3 2010, the department of administrative services, in
4 consultation with the department of revenue, shall
5 make publicly available on the website created
6 pursuant to section 8G.4 a searchable database of all
7 tax rates in the state for each taxing jurisdiction.
8 The information shall be aggregated by type of tax and
9 accessible by entering a zip code or physical address
10 for each residence or business. Individual tax levies
11 shall be further specified within each tax rate.
12 2. GEOGRAPHICAL TAX RATE MAP. In addition to
13 searching for tax rates by zip code or physical
14 address for each residence or business, searches shall
15 be accommodated by a geographical tax rate map of the
16 state that is capable of being displayed with a level
17 of specificity corresponding to each taxing district.
18 3. INDIVIDUAL TAX RATE CALCULATOR. Tax rate
19 calculators shall be provided on the searchable
20 database to allow citizens and businesses to calculate
21 taxes based on the location of the citizen or
22 business. Calculation capability shall be provided at
23 a minimum for property, sales, use, income, vehicle,
24 and business taxes and shall be specific to the rate

25 for the taxing district identified by the citizen or
 26 business.
 27 Sec.____. NEW SECTION. 8G.13 UPDATING DATABASE.
 28 To facilitate the department of administrative
 29 services' efforts in creating and maintaining a
 30 searchable database of the taxes identified in section
 31 8G.12, subsection 3, for all taxing districts in the
 32 state, every taxing district shall annually report its
 33 tax rates, and any change to the rates, to the
 34 department of revenue. Within thirty days of
 35 receiving such information, the department shall
 36 report the tax rates, and any changes to the rates, to
 37 the department of administrative services.
 38 Sec.____. CODE EDITOR DIRECTIVE. Unless otherwise
 39 determined by the Iowa Code editor, sections 8G.1
 40 through 8G.7, as enacted in this division of this Act,
 41 shall be designated as division I of chapter 8G, and
 42 sections 8G.10 through 8G.13, as enacted in this
 43 division of this Act, shall be designated as division
 44 II of chapter 8G."

Amendment [H-1449](#) was adopted.

Pettengill of Benton moved the adoption of amendment [H-1432](#), as amended.

Roll call was requested by Pettengill of Benton and Paulsen of Linn.

On the question "Shall amendment [H-1432](#), as amended, be adopted?" ([H.F. 809](#))

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Beard	Bell
Berry	Bukta	Burt	Cohoon
Cownie	De Boef	Deyoe	Dolecheck
Drake	Ficken	Ford	Forristall
Frevert	Gaskill	Gayman	Grassley
Hagenow	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, R.
Olson, S.	Olson, T.	Palmer	Paulsen
Petersen	Pettengill	Raecker	Rants

Rayhons	Reasoner	Reichert	Roberts
Sands	Schueller	Schulte	Schultz
Shomshor	Smith	Soderberg	Sorenson
Steckman	Struyk	Swaim	Sweeney
Taylor, D.	Taylor, T.	Thede	Thomas
Tjepkes	Tymeson	Upmeyer	Van Engelenhoven
Wagner	Watts	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Willems
Winckler	Windschitl	Worthan	Zirkelbach
Olson, D., Presiding			

The nays were, none.

Absent or not voting, 3:

Chambers Miller, H. Quirk

Amendment [H-1432](#), as amended, was adopted.

Hunter of Polk offered the following amendment [H-1434](#) filed by him and moved its adoption:

[H-1434](#)

1 Amend [House File 809](#) as follows:
2 1. Page 22, by inserting after line 33 the
3 following:
4 "DIVISION ____
5 DEPARTMENT OF INSPECTIONS AND APPEALS PROVISIONS
6 Sec. ____ Section 99B.2, subsection 1, paragraph
7 a, unnumbered paragraph 1, Code 2009, is amended to
8 read as follows:
9 The department of inspections and appeals shall
10 issue the licenses required by this chapter. A
11 license shall not be issued, except upon submission to
12 the department of an application on forms ~~furnished~~
13 ~~determined~~ by the department, and the required license
14 fee. A license may be issued to an eligible
15 applicant. ~~An authorization number to operate may be~~
16 ~~issued to an applicant until a license is issued.~~
17 However, a license ~~or authorization number~~ shall not
18 be issued to an applicant who has been convicted of or
19 pled guilty to a violation of this chapter, or who has
20 been convicted of or pled guilty to a violation of
21 chapter 123 that resulted, at any time, in revocation
22 of a license issued to the applicant under chapter 123
23 or that resulted, within the twelve months preceding
24 the date of application for a license required by this
25 chapter, in suspension of a license issued under
26 chapter 123. To be eligible for a two-year license

27 under section 99B.7, an organization shall have been
 28 in existence at least five years prior to the date of
 29 issuance of the license. However, an organization
 30 which has been in existence for less than five years
 31 prior to the date of issuance of the license may
 32 obtain a two-year license if either of the following
 33 conditions apply:
 34 Sec.____. Section 99B.2, subsection 1, paragraph
 35 b, Code 2009, is amended to read as follows:
 36 b. A license shall not be issued to an individual
 37 whose previous license issued under this chapter or
 38 chapter 123 has been revoked until the period of
 39 revocation or revocations has elapsed. This
 40 prohibition applies even though the individual has
 41 created a different legal entity than the one to which
 42 the previous license that had been revoked was issued.
 43 Except as otherwise provided in this chapter, a
 44 license is valid for a period of two years from the
 45 date of issue. The license fee is not refundable, but
 46 shall be returned to the applicant if an application
 47 is not approved. ~~If a bingo license is issued by the~~
 48 ~~department of inspections and appeals, the licensee~~
 49 ~~shall be notified by the department of inspections and~~
 50 ~~appeals of the renewal date for the license ten days~~

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1 ~~prior to that date.~~
 2 Sec.____. Section 99B.2, subsection 4, Code 2009,
 3 is amended to read as follows:
 4 4. A licensee required by subsection 2 to maintain
 5 records shall submit ~~quarterly reports~~ an annual
 6 report to the department on forms furnished by the
 7 department. ~~These reports~~ The annual report shall be
 8 due thirty days following the end of each calendar
 9 quarter fiscal year. The reports annual report' shall
 10 contain a compilation of the information required to
 11 be recorded by subsection 2, and shall include all of
 12 the transactions occurring during the three-month
 13 period previous fiscal year for which the report is
 14 submitted. Failure to submit the ~~quarterly reports~~
 15 annual report is grounds for revocation of the
 16 license. Willful failure to submit ~~quarterly reports~~
 17 the annual report is a serious misdemeanor. ~~However,~~
 18 ~~the time for filing of reports may be extended for~~
 19 ~~thirty days if the licensee makes written request to~~
 20 ~~the department for an extension which request shows~~
 21 ~~good cause for granting the extension.~~ A person who
 22 intentionally files a false or fraudulent report or
 23 application with the department commits a fraudulent
 24 practice.
 25 Sec.____. STATE-LICENSED HEALTH CARE FACILITY

26 INSPECTIONS. Notwithstanding any provision of section
27 135C.16 to the contrary, inspections in health care
28 facilities that are only state-licensed and not
29 certified under the federal Medicare or Medicaid
30 programs, shall not be inspected every thirty months,
31 but shall only be inspected pursuant to sections
32 135C.9 and 135C.38."
33 2. By renumbering as necessary.

Amendment [H-1434](#) was adopted.

Raecker of Polk offered amendment [H-1412](#), previously deferred,
filed by him as follows:

[H-1412](#)

1 Amend [House File 809](#) as follows:
2 1. Page 19, by inserting after line 11 the
3 following:
4 "Sec.____. VEHICLE PURCHASES – LIMITATIONS.
5 Motor vehicles purchased by the department of
6 administrative services shall not, unless inclusion of
7 the item is part of the lowest cost package available
8 for the vehicle purchased, include any of the
9 following items:
10 1. Tube steps or running boards.
11 2. Upgraded floor mats.
12 3. Winches, unless otherwise necessary for use in
13 an off-road vehicle.
14 4. Upgraded paint in order to match the topper to
15 the vehicle.
16 5. Global positioning systems.
17 6. Satellite radio, compact disc players,
18 bluetooth capability, or upgraded stereo systems.
19 7. Leather seats.
20 8. Power seats.
21 Sec.____. EFFECTIVE DATE. The section of this
22 division of the Act limiting vehicle purchases by the
23 department of administrative services, being deemed of
24 immediate importance, takes effect upon enactment."
25 2. By renumbering as necessary.

Raecker of Polk offered the following amendment [H-1450](#), to
amendment [H-1412](#), filed by him from the floor and moved its
adoption:

[H-1450](#)

1 Amend the amendment, [H-1412](#), to [House File 809](#), as

2 follows:

- 3 1. Page 1, line 5, by striking the word "Motor"
- 4 and inserting the following: "Except for vehicles
- 5 utilized for law enforcement purposes, motor".

Amendment [H-1450](#) was adopted.

Hunter of Polk offered the following amendment [H-1452](#), to amendment [H-1412](#), filed by him from the floor and moved its adoption:

[H-1452](#)

- 1 Amend the amendment, [H-1412](#), to [House File 809](#), as
- 2 follows:
- 3 1. Page 1, line 10, by striking the words "or
- 4 running boards".
- 5 2. Page 1, by striking line 20.

Amendment [H-1452](#) was adopted.

Raecker of Polk moved the adoption of amendment [H-1412](#), as amended.

Roll call was requested by Raecker of Polk and Schultz of Crawford.

On the question "Shall amendment [H-1412](#), as amended, be adopted?" ([H.F. 809](#))

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Beard	Bell
Berry	Bukta	Burt	Cohoon
Cownie	De Boef	Deyoe	Dolecheck
Drake	Ficken	Ford	Forristall
Frevert	Gaskill	Gayman	Grassley
Hagenow	Heaton	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, R.	Olson, S.
Olson, T.	Palmer	Paulsen	Petersen
Pettengill	Raecker	Rants	Rayhons
Reasoner	Reichert	Roberts	Sands

Schueller	Schulte	Schultz	Shomshor
Smith	Soderberg	Sorenson	Steckman
Struyk	Swaim	Sweeney	Taylor, D.
Taylor, T.	Thede	Thomas	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Wagner
Watts	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Willems	Winckler
Windschitl	Worthan	Zirkelbach	Olson, D., Presiding

The nays were, none.

Absent or not voting, 4:

Chambers	Heddens	Miller, H.	Quirk
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Amendment [H-1412](#), as amended, was adopted.

Wagner of Linn offered the following amendment [H-1413](#), previously deferred, filed by Raecker of Polk and moved its adoption:

[H-1413](#)

- 1 Amend [House File 809](#) as follows:
- 2 1. Page 19, by inserting after line 11 the
- 3 following:
- 4 "Sec. ____ LEGISLATIVE EX OFFICIO BOARD MEMBERS –
- 5 COMPENSATION RESTRICTIONS. Notwithstanding any
- 6 provision to the contrary, for the fiscal year
- 7 beginning July 1, 2009, and ending June 30, 2010,
- 8 members of the general assembly who are ex officio
- 9 members of boards, committees, commissions, or
- 10 councils shall not be authorized to receive per diem
- 11 and expenses for service on the applicable board,
- 12 committee, commission, or council."
- 13 2. By renumbering as necessary.

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

On the question "Shall amendment [H-1413](#) be adopted?" ([H.F. 809](#))

The ayes were, 93:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Beard	Bell
Berry	Bukta	Burt	Cohoon
Cownie	De Boef	Deyoe	Dolecheck
Drake	Ficken	Ford	Forristall

Frevert	Gaskill	Gayman	Grassley
Hagenow	Heaton	Helland	Horbach
Hunter	Huseman	Huser	Isenhart
Jacoby	Kaufmann	Kearns	Kelley
Koester	Kressig	Kuhn	Lensing
Lukan	Lykam	Marek	Mascher
May	Mertz	Miller, L.	Murphy, Spkr.
Olson, R.	Olson, S.	Olson, T.	Palmer
Petersen	Pettengill	Raecker	Rants
Rayhons	Reasoner	Reichert	Roberts
Sands	Schueller	Schulte	Schultz
Shomshor	Smith	Soderberg	Sorenson
Steckman	Struyk	Swaim	Sweeney
Taylor, D.	Taylor, T.	Thede	Thomas
Tjepkes	Tymeson	Upmeyer	Van Engelenhoven
Wagner	Watts	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Willems
Winckler	Windschitl	Worthan	Zirkelbach
Olson, D., Presiding			

The nays were, none.

Absent or not voting, 7:

Chambers	Heddens	McCarthy	Miller, H.
Oldson	Paulsen	Quirk	

Amendment [H-1413](#) was adopted.

Drake of Cass offered the following amendment [H-1416](#), previously deferred, filed by Raecker et al., and moved its adoption:

[H-1416](#)

- 1 Amend [House File 809](#) as follows:
- 2 1. Page 19, by inserting after line 11 the
- 3 following:
- 4 "Sec.____. EXPENSE REIMBURSEMENT - REQUIREMENTS.
- 5 Notwithstanding any provision to the contrary, for the
- 6 fiscal year beginning July 1, 2009, and ending June
- 7 30, 2010, the director of a department or state agency
- 8 to which appropriations are made pursuant to the
- 9 provisions of this Act shall require employees, in
- 10 order to receive reimbursement for expense, to submit
- 11 actual receipts for meals and other costs and
- 12 reimbursement up to the maximum amount shall only be
- 13 allowed in an amount equal to the sum of the actual
- 14 receipts submitted."
- 15 2. By renumbering as necessary.

Roll call was requested by Drake of Cass and May of Dickinson.

On the question “Shall amendment [H-1416](#), be adopted?” ([H.F. 809](#))

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Beard	Bell
Berry	Bukta	Burt	Cohoon
Cownie	De Boef	Deyoe	Dolecheck
Drake	Ficken	Ford	Forristall
Frevert	Gaskill	Gayman	Grassley
Hagenow	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, R.
Olson, S.	Olson, T.	Palmer	Paulsen
Petersen	Pettengill	Raecker	Rants
Rayhons	Reasoner	Reichert	Roberts
Sands	Schueller	Schulte	Schultz
Shomshor	Smith	Soderberg	Sorenson
Steckman	Struyk	Swaim	Sweeney
Taylor, D.	Taylor, T.	Thede	Thomas
Tjepkes	Tymeson	Upmeyer	Van Engelenhoven
Wagner	Watts	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Willems
Winckler	Windschitl	Worthan	Zirkelbach
Olson, D., Presiding			

The nays were, none.

Absent or not voting, 3:

Chambers Miller, H. Quirk

Amendment [H-1416](#) was adopted.

Alons of Sioux offered the following amendment [H-1420](#), previously deferred, filed by Alons, et al., and moved its adoption:

[H-1420](#)

- 1 Amend [House File 809](#) as follows:
- 2 1. Page 19, by inserting after line 11 the
- 3 following:

4 "Sec.____. OUT-OF-STATE TRAVEL – RESTRICTIONS.
 5 Notwithstanding any provision to the contrary, for the
 6 fiscal year beginning July 1, 2009, and ending June
 7 30, 2010, out-of-state travel by an employee of a
 8 department or state agency to which appropriations are
 9 made pursuant to the provisions of this Act shall not
 10 be authorized unless the executive council authorizes
 11 the travel as necessary for the performance of
 12 official state business."
 13 2. By renumbering as necessary.

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

On the question "Shall amendment [H-1420](#) be adopted?" ([H.F. 809](#))

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Beard	Bell
Berry	Bukta	Burt	Cohoon
Cownie	De Boef	Deyoe	Dolecheck
Drake	Ficken	Ford	Forristall
Frevert	Gaskill	Gayman	Grassley
Hagenow	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, R.
Olson, S.	Olson, T.	Palmer	Paulsen
Petersen	Pettengill	Raecker	Rants
Rayhons	Reasoner	Reichert	Roberts
Sands	Schueller	Schulte	Schultz
Shomshor	Smith	Soderberg	Sorenson
Steckman	Struyk	Swaim	Sweeney
Taylor, D.	Taylor, T.	Thede	Thomas
Tjepkes	Tymeson	Upmeyer	Van Engelenhoven
Wagner	Watts	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Willems
Winckler	Windschitl	Worthan	Zirkelbach
Olson, D., Presiding			

The nays were, none.

Absent or not voting, 3:

Chambers	Miller, H.	Quirk
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Amendment [H-1420](#) 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?" ([H.F. 809](#))

The ayes were, 53:

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

The nays were, 44:

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

Absent or not voting, 3:

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

INTRODUCTION OF BILL

[House File 810](#), by committee on ways and means, a bill for an act providing for the establishment of small wind innovation zones, providing for the applicability of tax credits, and including effective and retroactive applicability date provisions.

Read first time and placed on the **ways and means calendar**.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that [House File 809](#) be immediately messaged to the Senate.

McCarthy of Polk asked and received unanimous consent for the committees on appropriations and ways and means to meet tomorrow morning at 8:30 a.m.

[SENATE FILE 456](#) REREFERRED

The Speaker announced that [Senate File 456](#), previously referred to committee on **ways and means** was **passed on file**.

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 7th day of April, 2009: House Files 315, 317, 380, 475 and 687.

MARK W. BRANDSGARD
Chief Clerk of the House

Report adopted.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Nineteen students from Sully Christian School, Sully, Iowa, accompanied by their teacher Scott Roose and their chaperones. By Bell of Jasper.

CERTIFICATES OF RECOGNITION

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

MARK W. BRANDSGARD
Chief Clerk of the House

- 2009\3537 Ruth Marie Witte Ertz, Burlington – For celebrating her 80th birthday.
- 2009\3538 Anna Jones, Burlington – For celebrating her 90th birthday.
- 2009\3539 Virgil “Mike” and Marie “Liz” Watkins, Burlington – For celebrating their 70th wedding anniversary.
- 2009\3540 John and Celia Anderson, Burlington – For celebrating their 50th wedding anniversary.
- 2009\3541 Earl and Portia Coppes, Burlington – For celebrating his 93rd and her 87th birthday and their 66th wedding anniversary.
- 2009\3542 Thomas “Tom” Diewold, Burlington – For celebrating his 80th birthday.
- 2009\3543 Clem and Kay Wessling, Danbury – For celebrating their 50th wedding anniversary.
- 2009\3544 Wilfred Nielsen, Battle Creek – For celebrating his 95th birthday.
- 2009\3545 Jim and Loretta Crippes, Dubuque – For celebrating their 50th wedding anniversary.
- 2009\3546 Eldon and Ruth Frederick, Dubuque – For celebrating their 60th wedding anniversary.

SUBCOMMITTEE ASSIGNMENT

[House File 780](#)

Appropriations: Reichert, Chair; Jacoby and Worthan.

[Senate File 457](#)

Ways and Means: T. Olson, Chair; Helland and Isenhart.

[Senate File 458](#)

Ways and Means: D. Olson, Chair; Thomas and Wagner.

HOUSE STUDY BILL COMMITTEE ASSIGNMENT

[H.S.B. 287](#) **Appropriations**

Relating to and making appropriations for health and human services and including other related provisions and appropriations, providing penalties, making penalties applicable and providing effective, retroactive, and applicability date provisions.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON WAYS OF MEANS

Committee Bill (Formerly [House Study Bill 277](#)), allowing the department of revenue to subpoena certain customer records of individuals owing taxes, penalties, or interest.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 7, 2009.

Committee Bill (Formerly [House Study Bill 286](#)), relating to articulation agreements between public postsecondary institutions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 7, 2009.

Committee Bill (Formerly [House File 506](#)), relating to identity theft protection by requiring reporting and by making changes to the duties of county recorders, the fees collected by the county recorders, and the county land record information system.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 7, 2009.

Committee Bill (Formerly [House File 702](#)), relating to programs administered by the commission on volunteer service by establishing Iowa summer youth corps and green corps programs, creating the Iowa summer youth corps account and making appropriations from the account, excluding certain payments provided to an AmeriCorps volunteer from state income tax, and providing effective dates.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 7, 2009.

Committee Bill (Formerly [House File 747](#)), modifying provisions applicable to facilities qualifying for wind energy production and renewable energy tax credits and including effective and retroactive applicability provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 7, 2009.

Committee Bill (Formerly [House File 748](#)), providing for the establishment of small wind innovation zones, providing for the applicability of tax credits, and including effective and retroactive applicability date provisions.

Fiscal Note is not required.

Recommended **Do Pass** April 7, 2009.

RESOLUTION FILED

HR 44, by Abdul-Samad, Smith, Wessel-Kroeschell, Thede, Upmeyer, L. Miller, Heddens and Heaton, a resolution expressing support for improved adolescent health.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-1439	S.F. 415	Kaufmann of Cedar
H-1440	H.F. 705	Senate Amendment
H-1441	H.F. 671	Senate Amendment
H-1442	H.F. 670	Senate Amendment
H-1443	H.F. 562	Senate Amendment
H-1444	S.F. 469	Rants of Woodbury
H-1445	H.F. 712	Swaim of Davis
		Palmer of Mahaska
		R. Olson of Polk
H-1446	H.F. 712	Swaim of Davis

		Palmer of Mahaska
		R. Olson of Polk
H-1447	S.F. 452	Rants of Woodbury
H-1448	S.F. 433	Berry of Black Hawk
H-1453	S.F. 137	Senate Amendment
H-1454	H.F. 807	Forristall of Pottawattamie
H-1455	S.F. 469	Schultz of Crawford
H-1456	S.F. 469	Schultz of Crawford
H-1457	S.F. 467	Sweeney of Hardin
H-1458	S.F. 467	Sweeney of Hardin
H-1459	S.F. 467	De Boef of Keokuk
H-1460	S.F. 467	De Boef of Keokuk
H-1461	S.F. 3	May of Dickinson
H-1462	S.F. 467	Deyoe of Story
H-1463	S.F. 469	Forristall of Pottawattamie
H-1464	S.F. 469	Soderberg of Plymouth
H-1465	S.F. 469	Soderberg of Plymouth
H-1466	S.F. 469	Cownie of Polk
H-1467	S.F. 467	Deyoe of Story
H-1468	H.F. 712	Huser of Polk
H-1469	S.F. 469	Cownie of Polk
H-1470	S.F. 469	Cownie of Polk
H-1471	S.F. 467	Zirkelbach of Jones
H-1472	S.F. 467	Grassley of Butler
H-1473	S.F. 469	Cownie of Polk
H-1474	S.F. 469	Cownie of Polk
H-1475	S.F. 469	Rants of Woodbury

On motion by McCarthy of Polk the House adjourned at 9:39 p.m., until 9:00 a.m., Wednesday, April 8, 2009.