

**PROOF**

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**STATE OF IOWA**

**House Journal**

**MONDAY, APRIL 16, 2007**

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# JOURNAL OF THE HOUSE

Ninety-ninth Calendar Day - Sixty-sixth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Monday, April 16, 2007

The House met pursuant to adjournment at 1:16 p.m., Speaker Murphy in the chair.

Prayer was offered by Reverend Connie McWilliams, pastor of the Community Church of Christ, Crescent. She was the guest of Representative Matt Windschitl of Harrison County.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Grant Wood All City Drum Corps from Cedar Rapids. They also sang God Bless America and have performed in two presidential inaugural parades. They were the guests of Representative Tyler Olson of Linn County.

The Journal of Friday, April 13, 2007 was approved.

## ADOPTION OF [HOUSE RESOLUTION 43](#)

Berry of Black Hawk called up for consideration [House Resolution 43](#), a resolution to honor the life and work of George Washington Carver, and moved its adoption.

The motion prevailed and the resolution was adopted.

## SPECIAL PRESENTATION

Berry of Black Hawk introduced to the House, Dr. George Jack of Iowa State University, Dr. John Byrd from Simpson College, Ambassador Ken Quinn and Pakston Williams (portrays George Washington Carver) for recognition in honoring the life accomplishments of George Washington Carver.

The House rose and expressed its welcome.

### ADOPTION OF [HOUSE RESOLUTION 44](#)

Jacoby of Johnson called up for consideration [House Resolution 44](#), a resolution to acknowledge and commend the Herbert Hoover Presidential Library Association for establishing the Uncommon Public Service Award to annually recognize the service of members of the Iowa General Assembly, and moved its adoption.

The motion prevailed and the resolution was adopted.

### SPECIAL PRESENTATION

Speaker Murphy requested Senate President Jack Kibbie, Representative Raecker of Polk and former Governor Robert Ray to approach the podium. Former Governor Ray addressed the House regarding the “Uncommon Public Service Award” recognizing Senate President Jack Kibbie and Representative Scott Raecker as the first recipients’ of the award.

The House rose and expressed its gratitude.

The House stood at ease at 1:49 p.m., until the fall of the gavel.

The House resumed session at 3:58 p.m. and Speaker Murphy in the chair.

### INTRODUCTION OF BILL

[House File 905](#), by Wise, a bill for an act relating to state and local budgets and taxes by authorizing a commercial property tax credit for individual and corporate income tax, reducing the assessment limitation for commercial and industrial property, repealing authorization of a city or county to levy property taxes except for debt service, repealing authorization of a school district or merged area to levy property taxes except for debt service, increasing the maximum rate for local hotel and motel taxes, setting a specific appropriation for and making an appropriation to the statewide fire and police retirement system, establishing a legislative property tax study committee, and including effective and retroactive applicability date provisions.

Read first time and referred to committee on **ways and means**.

## 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 16, 2007, passed the following bill in which the concurrence of the Senate was asked:

[House File 397](#), a bill for an act relating to the expenditures allowable from medical assistance income trusts.

Also: That the Senate has on April 16, 2007, amended and passed the following bill in which the concurrence of the House is asked:

[House File 874](#), a bill for an act relating to and making appropriations to certain state departments, agencies, funds, and certain other entities and providing an effective date.

Also: That the Senate has on April 9, 2007, passed the following bill in which the concurrence of the House is asked:

[Senate File 551](#), a bill for an act relating to and making appropriations involving state government, by providing for agriculture, natural resources, and environmental protection.

Also: That the Senate has on April 9, 2007, passed the following bill in which the concurrence of the House is asked:

[Senate File 569](#), a bill for an act relating to entities and activities regulated by the Iowa department of public health, including the practices of optometry and mortuary science, establishment of a state public health dental director and an oral health bureau, membership on the child death review team, and immunity for emergency response, and providing for the revision of fees.

Also: That the Senate has on April 9, 2007, passed the following bill in which the concurrence of the House is asked:

[Senate File 580](#), a bill for an act relating to a tax amnesty program, making appropriations, and including an effective date provision.

MICHAEL E. MARSHALL, Secretary

[HOUSE FILE 865](#) WITHDRAWN

Huser of Polk asked and received unanimous consent to withdraw [House File 865](#) from further consideration by the House.

CONSIDERATION OF BILLS  
Appropriations Calendar

**House File 896**, a bill for an act creating a disaster aid individual assistance grant fund, was taken up for consideration.

T. Olson of Linn in the chair at 4:05 p.m.

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

On the question "Shall the bill pass?" ([H.F. 896](#))

The ayes were, 98:

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

The nays were, none.

Absent or not voting, 2:

Chambers

Zirkelbach

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

### Unfinished Business Calendar

**House File 616**, a bill for an act relating to moneys appropriated to the department of economic development for regional tourism marketing purposes, was taken up for consideration.

### SENATE FILE 302 SUBSTITUTED FOR HOUSE FILE 616

May of Dickinson asked and received unanimous consent to substitute Senate File 302 for House File 616, placing out of order amendment H-1172 filed by Dandekar of Linn, et al., on March 13, 2007.

**Senate File 302**, a bill for an act relating to moneys appropriated to the department of economic development for regional tourism marketing purposes, was taken up for consideration.

Dandekar of Linn asked and received unanimous consent to withdraw amendment H-1395 filed by Dandekar of Linn, et al., on March 19, 2007.

May of Dickinson 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. 302)

The ayes were, 98:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Clute	Cohoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Murphy, Spkr.
Oldson	Olson, D.	Olson, R.	Olson, S.

Palmer	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor
Smith	Soderberg	Staed	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Wiencek	Winckler	Windschitl	Wise
Worthan	Olson, T., Presiding		

The nays were, none.

Absent or not voting, 2:

Chambers                      Zirkelbach

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

### HOUSE FILE 616 WITHDRAWN

May of Dickinson asked and received unanimous consent to withdraw House File 616 from further consideration by the House.

Senate File 416, a bill for an act relating to city elections by providing procedures for filling a city council vacancy by special election and by providing satellite absentee voting at certain city elections, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 416)

The ayes were, 91:

Abdul-Samad	Anderson	Bailey	Baudler
Bell	Berry	Boal	Bukta
Clute	Cohoon	Dandekar	Davitt
De Boef	Deyoe	Dolecheck	Drake
Foege	Ford	Forristall	Frevert
Gaskill	Gayman	Gipp	Granzow

Grassley	Greiner	Heaton	Heddens
Hoffman	Horbach	Hunter	Huseman
Huser	Jacobs	Jacoby	Jochum
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	Mascher	May
McCarthy	Mertz	Miller, H.	Miller, L.
Murphy, Spkr.	Oldson	Olson, D.	Olson, R.
Olson, S.	Palmer	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rants
Rayhons	Reasoner	Reichert	Roberts
Schickel	Schueller	Shomshor	Smith
Soderberg	Staed	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wiencek	Winckler	Windschitl
Wise	Worthan	Olson, T., Presiding	

The nays were, 7:

Alons	Arnold	Kaufmann	Rasmussen
Sands	Van Engelenhoven	Van Fossen	

Absent or not voting, 2:

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

## SENATE AMENDMENT CONSIDERED

Lensing of Johnson called up for consideration [House File 849](#), a bill for an act concerning the department of administrative services and providing an effective date, amended by the Senate, and moved that the House concur in the following Senate amendment [H-1582](#):

### [H-1582](#)

1 Amend [House File 849](#), as passed by the House, as  
 2 follows:  
 3 1. Page 1, by inserting after line 29 the  
 4 following:  
 5 "Sec. \_\_\_\_\_. Section 8A.311, Code 2007, is amended  
 6 by adding the following new subsection:  
 7 NEW SUBSECTION. 21. a. The state, through the  
 8 department, shall give a preference to purchasing  
 9 equipment, supplies, or services from or awarding

10 public improvement contracts pursuant to subsection 11  
11 to an Iowa-based business as provided under paragraph  
12 "b", as appropriate, if the bid submitted is  
13 comparable in price to those submitted by other  
14 bidders and meets the required specifications.  
15 However, before giving the preference, the department  
16 shall confirm with the Iowa employer support of the  
17 guard and reserve committee that the requirements of  
18 paragraph "b" have been met by the Iowa-based  
19 business.

20 b. To receive a preference as provided by this  
21 subsection, the Iowa-based business employer shall  
22 have adopted policies beyond those otherwise required  
23 by law to support employees who are officers or  
24 enlisted persons in the national guard and organized  
25 reserves of the armed forces of the United States  
26 consistent with standards adopted by the Iowa employer  
27 support of the guard and reserve committee. To be  
28 eligible for such preference, an employer shall submit  
29 to the committee a copy of the applicable policies  
30 adopted by the employer and shall sign and submit to  
31 the committee a statement of support of persons in the  
32 employ of the employer who serve in the national guard  
33 and the reserves, recognizing the vital role of the  
34 national guard and the reserves, and pledging all of  
35 the following:

36 (1) To neither deny employment nor limit or reduce  
37 job opportunities because of an employee's service in  
38 the national guard or organized reserves of the armed  
39 forces of the United States.

40 (2) To grant leaves of absence during a period of  
41 military duty or training.

42 (3) To ensure that all employees are aware of the  
43 employer's policies and the requirements of section  
44 29A.43."

45 2. Page 2, line 33, by striking the word "DATE."  
46 and inserting the following: "DATES.

47 1."

48 3. Page 2, by inserting after line 35 the  
49 following:

50 "2. The section of this Act amending section

Page 2

1 8A.311 takes effect January 1, 2008."

2 4. Title page, by striking line 2 and inserting  
3 the following: "including an effective date  
4 provision."

5 5. By renumbering as necessary.

The motion prevailed and the House concurred in the Senate amendment [H-1582](#).

Lensing of Johnson 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. 849](#))

The ayes were, 98:

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

The nays were, none.

Absent or not voting, 2:

Chambers                      Zirkelbach

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

[House File 538](#), a bill for an act concerning the licensure, operation, and taxation of card game tournaments by organizations representing veterans, was taken up for consideration.

Whitead of Woodbury offered the following amendment [H-1618](#) filed by the committee on state government and moved its adoption:

[H-1618](#)

1 Amend [House File 538](#) as follows:

2 1. Page 2, by striking lines 4 through 6 and  
3 inserting the following: "participating in the  
4 tournament, subject to the requirements of this  
5 section. The total number of members and guests  
6 participating in a card game tournament shall not  
7 exceed the occupancy limit of the premises where the  
8 card game tournament is being conducted."

9 2. Page 2, line 7, by striking the word  
10 "tournament."

11 3. Page 2, line 9, by inserting before the word  
12 "Cash" the following: "(1) If the card game  
13 tournament is limited to one guest for each member of  
14 the qualified organization representing veterans  
15 participating in the tournament, then the requirements  
16 of this subparagraph shall apply. The cost to  
17 participate in a card game tournament shall be limited  
18 to one hundred dollars and shall be the same for every  
19 participant in the card game tournament."

20 4. Page 2, line 12, by inserting after the word  
21 "dollars." the following:

22 "(2) If the card game tournament is not limited to  
23 one guest for each member of the qualified  
24 organization representing veterans participating in  
25 the tournament, then the requirements of this  
26 subparagraph shall apply. The cost to participate in  
27 a card game tournament shall be limited to twenty-five  
28 dollars and shall be the same for every participant in  
29 the card game tournament. Cash or merchandise prizes  
30 may be awarded during a card game tournament and shall  
31 not exceed three hundred dollars and no participant  
32 shall win more than a total of two hundred dollars.

33 (3)".

34 5. Page 2, line 22, by inserting after the word  
35 "tournament." the following: "In addition, the card  
36 game tournament and any card game conducted during the  
37 tournament shall be conducted on the premises of the  
38 qualified organization representing veterans as  
39 identified in the license application pursuant to  
40 subsection 4."

41 6. Page 2, line 29, by striking the word "one"

42 and inserting the following: "two".  
43 7. Page 2, line 30, by striking the words  
44 "tournament per week" and inserting the following:  
45 "tournaments per month and shall not hold a card game  
46 tournament within seven calendar days of another card  
47 game tournament conducted by that qualified  
48 organization representing veterans".  
49 8. Page 2, by striking line 35 and inserting the  
50 following: "period of twenty-four consecutive hours,

Page 2

1 starting from the time the card game tournament  
2 begins."  
3 9. Page 3, by striking lines 20 through 22 and  
4 inserting the following:  
5 "a. The qualified organization representing  
6 veterans shall dedicate and distribute the net  
7 receipts from each card game tournament as provided in  
8 section 99B.7, subsection 3, paragraph "b"."  
9 10. Page 4, line 14, by inserting after the word  
10 "department." the following: "The application shall  
11 identify the premises where the card game tournaments  
12 are to be conducted and the occupancy limit of the  
13 premises, and shall include documentation that the  
14 qualified organization representing veterans has  
15 conducted regular meetings of the organization at the  
16 premises during the previous eight months."  
17 11. Page 4, by inserting after line 14 the  
18 following:  
19 "5. a. A person under twenty-one years of age who  
20 participates in a card game tournament in violation of  
21 this section is deemed to violate the legal age for  
22 gambling wagering provisions under section 725.19,  
23 subsection 1.  
24 b. The department shall revoke, for a period of  
25 one year, the license of a qualified organization  
26 representing veterans to conduct card game tournaments  
27 under this section if the licensee knowingly permits a  
28 person under the age of twenty-one years to  
29 participate in a card game tournament."  
30 12. Page 4, by inserting before line 15 the  
31 following:  
32 "Sec.\_\_\_\_. Section 99B.8, subsection 1, unnumbered  
33 paragraph 1, Code 2007, is amended to read as follows:  
34 Games of skill, games of chance, and card games  
35 lawfully may be conducted during a period of ~~twelve~~  
36 sixteen consecutive hours within a period of  
37 twenty-four consecutive hours once each year by any  
38 person. The games may be conducted at any location  
39 except one for which a license is required pursuant to  
40 section 99B.3 or section 99B.5, but only if all of the

41 following are complied with:  
42 Sec.\_\_\_\_. Section 99B.8, Code 2007, is amended by  
43 adding the following new subsection:  
44 NEW SUBSECTION. 6. a. Notwithstanding any  
45 provision of section 99B.7 to the contrary, if the  
46 games are conducted by an eligible qualified  
47 organization issued a license pursuant to subsection  
48 3, the sponsor may award cash or merchandise prizes in  
49 any game of skill, game of chance, or card game  
50 lawfully conducted during the annual game night in an

Page 3

1 amount not to exceed ten thousand dollars and no  
2 participant shall win more than a total of five  
3 thousand dollars.  
4 b. For purposes of this subsection, an "eligible  
5 qualified organization" means any of the following:  
6 (1) A qualified organization representing veterans  
7 as defined in section 99B.7B.  
8 (2) A qualified organization that represents  
9 volunteer emergency services providers as defined in  
10 section 100B.31.  
11 (3) A qualified organization that is exempt from  
12 federal income tax under section 501(c)(3) of the  
13 Internal Revenue Code and that has conducted an annual  
14 game night during the period beginning January 1,  
15 2001, and ending December 31, 2006."  
16 13. Title page, line 2, by inserting after the  
17 word "veterans" the following: "and allowable prizes  
18 at annual game nights by certain qualified  
19 organizations and making penalties applicable".  
20 14. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 46, nays 41.

The committee amendment [H-1618](#) was adopted.

[SENATE FILE 414](#) SUBSTITUTED FOR [HOUSE FILE 538](#)

Whitead of Woodbury asked and received unanimous consent to substitute [Senate File 414](#) for [House File 538](#), placing out of order amendment [H-1674](#) filed by Raecker of Polk.

[Senate File 414](#), a bill for an act concerning the licensure, operation, and taxation of card game tournaments by organizations

representing veterans and allowable prizes at annual game nights by certain qualified organizations and making penalties applicable, was taken up for consideration.

Raecker of Polk asked and received unanimous consent that amendment [H-1606](#) and amendment [H-1604](#) be deferred.

Raecker of Polk offered the following amendment [H-1605](#) filed by him and Quirk of Chickasaw and moved its adoption:

[H-1605](#)

- 1 Amend [Senate File 414](#), as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 6, by striking line 1 and inserting the
- 4 following: "prizes in any games of skill, games of
- 5 chance, or card games".
- 6 2. Page 6, line 2, by inserting before the word
- 7 "amount" the following: "aggregate".

Speaker Murphy in the chair at 5:20 p.m.

Amendment [H-1605](#) was adopted.

D. Taylor of Linn asked and received unanimous consent to withdraw amendment [H-1650](#) filed by D. Taylor of Linn, et al., on April 10, 2007.

Raecker of Polk offered the following amendment [H-1606](#), previously deferred, filed by him and moved its adoption:

[H-1606](#)

- 1 Amend [Senate File 414](#), as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 2, line 9, by inserting after the word
- 4 "age." the following: "However, a veteran who is at
- 5 least eighteen years of age shall be permitted to
- 6 participate in a card game tournament."
- 7 2. Page 5, line 12, by inserting after the word
- 8 "age" the following: "or, if applicable, a veteran
- 9 under eighteen years of age".
- 10 3. Page 5, line 20, by inserting after the word
- 11 "years" the following: "or, if applicable, a veteran
- 12 under the age of eighteen years".
- 13 4. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 32, nays 53.

Amendment [H-1606](#) lost.

Raecker of Polk offered the following amendment [H-1604](#), previously deferred, filed by him and moved its adoption:

[H-1604](#)

- 1 Amend [Senate File 414](#), as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 6, line 4, by inserting after the word
- 4 "dollars." the following: "However, of the cash and
- 5 merchandise prizes awarded during the annual game
- 6 night, the total amount of cash prizes awarded shall
- 7 not exceed five thousand dollars and no participant
- 8 shall win more than a total of two thousand five
- 9 hundred dollars in cash prizes."

A non-record roll call was requested.

The ayes were 47, nays 48.

Amendment [H-1604](#) lost.

Whitead of Woodbury 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. 414](#))

The ayes were, 54:

Abdul-Samad	Bailey	Baudler	Bell
Berry	Bukta	Cphoon	Dandekar
Davitt	Ford	Frevert	Gaskill
Gayman	Heaton	Hoffman	Horbach
Hunter	Jacoby	Jochum	Kelley
Kressig	Lensing	Lukan	Lykam
Mascher	McCarthy	Mertz	Miller, H.
Oldson	Olson, D.	Olson, R.	Olson, T.
Palmer	Petersen	Pettengill	Quirk
Reasoner	Schueller	Shomshor	Smith
Staed	Struyk	Swaim	Taylor, T.

Thomas	Tjepkes	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Winckler
Wise	Mr. Speaker		
	Murphy		

The nays were, 44:

Alons	Anderson	Arnold	Boal
Clute	De Boef	Deyoe	Dolecheck
Drake	Foege	Forristall	Gipp
Granzow	Grassley	Greiner	Heddens
Huseman	Huser	Jacobs	Kaufmann
Kuhn	May	Miller, L.	Olson, S.
Paulsen	Raecker	Rants	Rasmussen
Rayhons	Reichert	Roberts	Sands
Schickel	Soderberg	Taylor, D.	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wienczek	Windschitl	Worthan

Absent or not voting, 2:

Chambers	Zirkelbach
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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.

## 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 16, 2007, amended and passed the following bill in which the concurrence of the House is asked:

[House File 752](#), 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.

Also: That the Senate has on April 16, 2007, amended the House amendment, concurred in the House amendment as amended, and passed the following bill in which the concurrence of the House is asked:

[Senate File 277](#), a bill for an act relating to the state's educational standards regarding teacher librarians and qualified guidance counselors, and to teacher and administrator quality, including the student achievement and teacher quality program and an administrator quality program, making appropriations, and providing an effective date.

Also: That the Senate has on April 16, 2007, passed the following bill in which the concurrence of the House is asked:

[Senate File 578](#), a bill for an act creating a Vietnam Conflict veterans bonus for a certain period of active duty military service, making an appropriation, and providing a tax exemption and a penalty.

Also: That the Senate has on April 16, 2007, passed the following bill in which the concurrence of the House is asked:

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

MICHAEL E. MARSHALL, Secretary

### SENATE MESSAGES CONSIDERED

[Senate File 551](#), by committee on appropriations, a bill for an act relating to and making appropriations involving state government, by providing for agriculture, natural resources, and environmental protection.

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

[Senate File 580](#), by committee on ways and means, a bill for an act relating to a tax amnesty program, making appropriations, and including an effective date provision.

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

Rants of Woodbury rose on a point of order stating that Senate File 551 should not be read in as it was passed in the Senate in violation of Joint Rule 20.

The Speaker ruled the point not well taken.

### IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 849 and 896** and **Senate Files 302, 414 and 416**.

On motion by McCarthy of Polk, the House was recessed at 6:59 p.m., until the completion of the meetings of the committees on appropriations and ways and means.

The House resumed session at 12:45 a.m., Speaker Murphy in the chair.

## INTRODUCTION OF BILLS

[House File 906](#), by committee on appropriations, a bill for an act requiring children enrolling in elementary or high school to have a dental screening and providing an effective date.

Read first time and placed on the **appropriations calendar**.

[House File 907](#), by committee on appropriations, a bill for an act relating to and making appropriations from the healthy Iowans tobacco trust and the tobacco settlement trust fund and providing an effective date.

Read first time and placed on the **appropriations calendar**.

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

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

[House File 909](#), by committee on appropriations, a bill for an act relating to and making appropriations for health and human services and including other related provisions and appropriations, and including effective date provisions.

Read first time and placed on the **appropriations calendar**.

[House File 910](#), by committee on appropriations, a bill for an act relating to the creation of a task force on postnatal tissue and fluid banking, related postnatal procedures, and providing an effective date.

Read first time and placed on the **appropriations calendar**.

## SENATE MESSAGES CONSIDERED

[Senate File 578](#), by committee on appropriations, a bill for an act creating a Vietnam Conflict veterans bonus for a certain period of active duty military service, making an appropriation, providing a tax exemption and a penalty, and including a retroactive applicability provision.

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

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

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

[HOUSE FILE 893](#) REFERRED

The Speaker announced that [House File 893](#), previously placed on the **ways and means calendar** was referred to committee on **appropriations**.

[SENATE FILE 442](#) REFERRED

The Speaker announced that [Senate File 442](#), previously **passed on file** was referred to committee on **ways and means**.

## EXPLANATION OF VOTE

I was necessarily absent from the House chamber on Thursday, April 12, 2007. Had I been present, I would have voted "aye" on House Files 451 and 793, Senate Files 406, 463, 489 and 563 and on shall the substitution of Senate Files be placed on the unfinished business calendar found on page 1369 of the House Journal. I would have voted "nay" on [Senate File 528](#)

JACOBS of Polk

## 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 16<sup>th</sup> day of April, 2007: House Files 158, 413, 585, 765, 774 and 846.

MARK W. BRANDSGARD  
Chief Clerk of the House

Report adopted.

## BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 16, 2007, he approved and transmitted to the Secretary of State the following bills:

[House File 298](#), an Act relating to the conveyance or encumbrance of a homestead and providing an effective and applicability date.

[House File 314](#), an Act relating to a peace officer's statements to a person operating a noncommercial motor vehicle and holding a commercial driver's license who has been requested to submit to a chemical test in an operating-while-intoxicated case.

[House File 610](#), an Act relating to acquired immune deficiency syndrome and the human immunodeficiency virus.

[House File 777](#), an Act relating to judicial branch practices and procedures including but not limited to adoption petitions, clerk of the district court duties, and recordkeeping affecting real estate and change of name records.

[Senate File 41](#), an Act relating to the disposition of unclaimed property concerning minerals.

[Senate File 42](#), an Act relating to campaign finance by revising the requirements for filing reports and for the use of certain resources for political purposes.

[Senate File 140](#), an Act relating to the time period for which peace officers' investigative reports and specific portions of electronic mail and telephone billing records are to be kept confidential.

[Senate File 161](#), an Act relating to the confidentiality of security procedures or emergency preparedness information discussed at a meeting of a governmental body and providing an effective date.

[Senate File 200](#), an Act providing for the liability of a landowner of land where livestock are kept or an owner of adjoining land for erecting and maintaining a fence, and providing for the assessment of property taxes.

[Senate File 351](#), an Act requiring a political committee expressly advocating the passage or defeat of a ballot issue to file five disclosure reports in an election year.

[Senate File 477](#), an Act authorizing the issuance of additional special nonresident deer hunting licenses.

[Senate File 480](#), an Act relating to children who are subject to a court order for temporary or permanent out-of-home placement by providing for visitation or ongoing interaction between the children and siblings.

## CERTIFICATES OF RECOGNITION

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

MARK W. BRANDSGARD  
Chief Clerk of the House

- 2007\2881 Pioneer United Methodist Church, Rock Valley – For celebrating its 125<sup>th</sup> anniversary.
- 2007\2882 St. Thomas Aquinas Elementary School, Webster City – For their student cash contribution to Operation May Basket.
- 2007\2883 Thomas Michael Flynn, Epworth – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\2884 Bill and Delores Loeb sack, Sioux City – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2007\2885 Mildred Ryan, Marshalltown – For celebrating her 88<sup>th</sup> birthday.
- 2007\2886 Kenneth and Ann Niedermann, Marshalltown – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2007\2887 Rich Verburg, Rock Valley – For celebrating his 90<sup>th</sup> birthday.
- 2007\2888 Emma Woelber, George – For celebrating her 92<sup>nd</sup> birthday.
- 2007\2889 Raymond and Louise Nelson. Truro – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2007\2890 Don McKee, Gilman – For his dedicated years of public service, including his service in the United States Navy, serving as a Senior Correctional Officer at Anamosa State Penitentiary, and as President of the American Federation of State, County, and Municipal Employees (AFSCME) from 1981-1994.
- 2007\2891 Harold Schurr, Bettendorf – For celebrating his 90<sup>th</sup> birthday.
- 2007\2892 Ray Koth, Garnavillo – For celebrating his 90<sup>th</sup> birthday.
- 2007\2893 Mary Franzen, Arlington – For celebrating her 80<sup>th</sup> birthday.
- 2007\2894 James and Kathleen Funke, Edgewood – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2007\2895 Henry and LaVonne Christianson, Elgin – For celebrating their 60<sup>th</sup> wedding anniversary.

- 2007\2896 Neal D. Webb, Brayton – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\2897 Dominic and Ida Faye Lickteig, Defiance – For celebrating their 65<sup>th</sup> wedding anniversary.
- 2007\2898 Simon Burke, Madrid – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\2899 Dennis and Wilma Williams, Lisbon – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2007\2900 Vernon and Helen Burge, Mount Vernon – For celebrating their 65<sup>th</sup> wedding anniversary.
- 2007\2901 Jo Den Beste, Sheldon – For celebrating her 85<sup>th</sup> birthday.
- 2007\2902 Marion and Wilma Jasper, Sioux Center – For celebrating their 65<sup>th</sup> wedding anniversary.

## HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

### **H.S.B. 310 Appropriations**

Relating to and making appropriations from the healthy Iowans tobacco trust and the tobacco settlement trust fund and providing an effective date.

### **H.S.B. 311 Ways and Means**

Relating to providing sales, use, and property tax exemptions for a certain web search portal business.

## 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 APPROPRIATIONS

**Committee Bill** (Formerly **House File 337**), relating to the creation of a task force on postnatal tissue and fluid banking, providing an appropriation, and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 16, 2007.

**Committee Bill** (Formerly [House File 517](#)), requiring children to have a dental screening as a condition of enrollment in elementary or high school and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 16, 2007.

**Committee Bill** (Formerly [House Study Bill 301](#)), relating to and making appropriations for health and human services and including other related provisions and appropriations, and including effective date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 16, 2007.

**Committee Bill** (Formerly [House Study Bill 310](#)), relating to and making appropriations from the healthy Iowans tobacco trust and the tobacco settlement trust fund and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** April 16, 2007.

#### COMMITTEE ON WAYS AND MEANS

**Committee Bill** (Formerly [House File 839](#)), relating to the licensing and regulation of plumbers and mechanical professionals, and providing an appropriation and penalties.

Fiscal Note is required.

Recommended **Amend and Do Pass** April 16, 2007.

#### RESOLUTION FILED

**HR 45**, by Upmeyer, D. Taylor, Wessel-Kroeschell, Palmer, Smith, Bell, Van Fossen, H. Miller, Jacoby, Whitead, Gaskill, Quirk, Whitaker, Swaim, Dandekar, Wise, Rayhons, Paulsen, Bukta, T. Taylor, Oldson, Greiner, L. Miller, Tymeson, Boal, Mertz, Lukan, Alons, Worthan, De Boef, Deyoe, T. Olson, Granzow, Dolecheck, Roberts, Watts, Huseman, Windschitl, Chambers, Drake, Clute, Hoffman and Struyk, a resolution honoring the activities and commitment of the Patriot Guard Riders.

Laid over under **Rule 25**.

#### AMENDMENTS FILED

[H-1717](#)

[H.F. 890](#)

Rants of Woodbury  
Raecker of Polk

<a href="#">H-1718</a>	<a href="#">H.F.</a>	<a href="#">889</a>	Rants of Woodbury Raecker of Polk
<a href="#">H-1719</a>	<a href="#">S.F.</a>	<a href="#">447</a>	Rants of Woodbury Raecker of Polk
<a href="#">H-1720</a>	<a href="#">S.F.</a>	<a href="#">447</a>	Deyoe of Story
<a href="#">H-1721</a>	<a href="#">H.F.</a>	<a href="#">889</a>	Deyoe of Story
<a href="#">H-1722</a>	<a href="#">S.F.</a>	<a href="#">530</a>	Wise of Lee
<a href="#">H-1723</a>	<a href="#">S.F.</a>	<a href="#">203</a>	Baudler of Adair
<a href="#">H-1724</a>	<a href="#">S.F.</a>	<a href="#">203</a>	Baudler of Adair
<a href="#">H-1725</a>	<a href="#">S.F.</a>	<a href="#">203</a>	Baudler of Adair
<a href="#">H-1726</a>	<a href="#">S.F.</a>	<a href="#">554</a>	Mascher of Johnson
<a href="#">H-1727</a>	<a href="#">H.F.</a>	<a href="#">876</a>	Ford of Polk
<a href="#">H-1728</a>	<a href="#">S.F.</a>	<a href="#">447</a>	Raecker of Polk
<a href="#">H-1729</a>	<a href="#">H.F.</a>	<a href="#">889</a>	Raecker of Polk
<a href="#">H-1730</a>	<a href="#">S.F.</a>	<a href="#">554</a>	Wise of Lee
<a href="#">H-1731</a>	<a href="#">S.F.</a>	<a href="#">554</a>	Kelley of Black Hawk
<a href="#">H-1732</a>	<a href="#">S.F.</a>	<a href="#">554</a>	Pettengill of Benton
<a href="#">H-1733</a>	<a href="#">H.F.</a>	<a href="#">874</a>	Senate Amendment
<a href="#">H-1734</a>	<a href="#">S.F.</a>	<a href="#">264</a>	Swaim of Davis
<a href="#">H-1735</a>	<a href="#">H.F.</a>	<a href="#">752</a>	Senate Amendment
<a href="#">H-1736</a>	<a href="#">S.F.</a>	<a href="#">554</a>	Jochum of Dubuque
<a href="#">H-1737</a>	<a href="#">H.F.</a>	<a href="#">890</a>	Alons of Sioux
<a href="#">H-1738</a>	<a href="#">S.F.</a>	<a href="#">277</a>	Senate Amendment
<a href="#">H-1739</a>	<a href="#">S.F.</a>	<a href="#">485</a>	Alons of Sioux Watts of Dallas
<a href="#">H-1740</a>	<a href="#">S.F.</a>	<a href="#">554</a>	Jacoby of Johnson
<a href="#">H-1741</a>	<a href="#">S.F.</a>	<a href="#">554</a>	Jacoby of Johnson
<a href="#">H-1742</a>	<a href="#">S.F.</a>	<a href="#">554</a>	Jacoby of Johnson
<a href="#">H-1743</a>	<a href="#">S.F.</a>	<a href="#">554</a>	Jacoby of Johnson
<a href="#">H-1744</a>	<a href="#">S.F.</a>	<a href="#">564</a>	Whitaker of Van Buren

On motion by McCarthy of Polk the House adjourned at 12:48 a.m., until 9:00 a.m., Tuesday, April 17, 2007.