

PROOF

STATE OF IOWA

House Journal

THURSDAY, APRIL 19, 2007

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JOURNAL OF THE HOUSE

One Hundred Second Calendar Day - Sixty-ninth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, April 19, 2007

The House met pursuant to adjournment at 9:12 a.m., Speaker Murphy in the chair.

Prayer was offered by Reverend Ken Stuber, pastor of the First Presbyterian Church, Des Moines. He was the guest of Representative Rick Olson of Polk County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Christian Ucles, clerk of Representative Geri Huser of Polk County.

The Journal of Wednesday, April 18, 2007 was approved.

INTRODUCTION OF BILL

[House File 916](#), by Bell, a bill for an act excluding certain severance pay from the individual income tax and including a retroactive applicability date provision.

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

McCarthy of Polk asked and received unanimous consent for the immediate consideration of [House Resolution 49](#).

ADOPTION OF [HOUSE RESOLUTION 49](#)

Clute of Polk and Palmer of Mahaska called up for consideration [House Resolution 49](#), a resolution declaring May 2007 Amyotrophic Lateral Sclerosis (ALS) Awareness Month, and moved its adoption.

The motion prevailed and the resolution was adopted.

McCarthy of Polk asked and received unanimous consent for the immediate consideration of [House Resolution 48](#).

ADOPTION OF [HOUSE RESOLUTION 48](#)

Bell of Jasper called up for consideration [House Resolution 48](#), a resolution supporting a proposal to invite the Republic of China (Taiwan) to participate in the upcoming meeting of the World Health Assembly as an observer, and moved its adoption.

The motion prevailed and the resolution was adopted.

SENATE AMENDMENT CONSIDERED

Huser of Polk called up for consideration [House File 608](#), a bill for an act relating to notice of meetings of the board of township trustees, amended by the Senate, and moved that the House concur in the following Senate amendment [H-1759](#):

[H-1759](#)

1 Amend [House File 608](#), as passed by the House, as
2 follows:

3 1. Page 1, by striking lines 14 through 16 and
4 inserting the following:

5 "2. A board of township trustees shall give prior
6 notice of a meeting to discuss, deliberate, or act
7 upon a matter relating to the budget or a tax levy of
8 the township or relating to the trustees' duty to
9 provide fire protection service and, if provided,
10 emergency medical service, pursuant to section 359.42.
11 The trustees shall give notice of such meeting at
12 least forty-eight hours preceding the commencement of
13 the meeting. However, a notice is not required
14 pursuant to this subsection when the trustees gather
15 for minor or ministerial matters relating to the
16 trustees' duty for providing such fire protection
17 service or emergency medical service. The notice
18 shall state the".

19 2. Page 1, by striking lines 20 through 27 and
20 inserting the following: "the public are commonly
21 posted."

22 3. Page 1, by inserting before line 28 the
23 following:

24 "Sec. ____. Section 359.49, subsection 4, Code
25 2007, is amended to read as follows:

26 4. The board of trustees shall transmit a copy of
27 the proposed budget and a notice of the meeting set as
28 required by subsection 5 to the county auditor for
29 posting. The county auditor shall post the notice and
30 the proposed budget in an area of the courthouse where

31 notices to the public are commonly posted.

32 4. By renumbering as necessary.

The motion prevailed and the House concurred in the Senate amendment [H-1759](#).

Huser of Polk 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. 608](#))

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	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	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wienczek	Winckler	Windschitl
Wise	Worthan	Mr. Speaker	
		Murphy	

The nays were, none.

Absent or not voting, 5:

Deyoe	Petersen	Van Engelenhoven	Van Fossen
Zirkelbach			

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

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that [House File 608](#) be immediately messaged to the Senate.

On motion by McCarthy of Polk, the House was recessed at 9:27 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened at 3:41 p.m., Speaker Murphy in the chair.

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 16, 2007, amended and passed the following bill in which the concurrence of the House is asked:

[House File 783](#), a bill for an act relating to certain city utilities or city enterprises by making changes to procedures for notice and collection of delinquent charges and by making changes to billing notifications for water service and other services provided to certain residential rental property.

Also: That the Senate has on April 19, 2007, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

[Senate File 430](#), a bill for an act relating to a civil judgment, decree, or order of a court of a federally recognized Indian tribe and including an applicability provision.

Also: that the Senate has on April 19, 2007, appointed the conference committee to [Senate File 472](#), a bill for an act requiring the posting of close-clearance warning devices along railroad tracks and providing a penalty, and the members of the conference committee on the part of the Senate are: The Senator from Polk, Senator Dearden, Chair; the Senator from Des Moines, Senator Courtney; the Senator from Woodbury, Senator Warnstadt; the Senator from Polk, Senator Ward; the Senator from Woodbury, Senator Wieck.

Also: That the Senate has on April 19, 2007, passed the following bill in which the concurrence of the House is asked:

[Senate File 590](#), a bill for an act relating to the state earned income tax credit by increasing the amount of the tax credit and making the tax credit refundable and including effective and retroactive applicability date provisions.

MICHAEL E. MARSHALL, Secretary

INTRODUCTION OF BILL

[House File 917](#), by committee on government oversight, a bill for an act concerning appropriations to the office of grants enterprise management and including an effective date and retroactive applicability provision.

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

SENATE MESSAGE CONSIDERED

[Senate File 590](#), by committee on ways and means, a bill for an act relating to the state earned income tax credit by increasing the amount of the tax credit and making the tax credit refundable and including effective and retroactive applicability date provisions.

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

SPECIAL PRESENTATION

McCarthy of Polk introduced to the House the Honorable Dick Myers, the former Minority Leader of the House from Johnson County.

The House rose and expressed its welcome.

CONSIDERATION OF BILLS
Unfinished Business Calendar

[Senate File 340](#), a bill for an act relating to the consideration of inherited or gifted property in dissolution-of-marriage property division proceedings and including an effective date and an applicability provision, with report of committee recommending amendment and passage, was taken up for consideration.

Palmer of Mahaska offered the following amendment [H-1633](#) filed by the committee on judiciary and moved its adoption:

[H-1633](#)

- 1 Amend [Senate File 340](#), as passed by the Senate, as
- 2 follows:
- 3 1. Page 1, by striking lines 10 through 12, and
- 4 inserting the following: "Future interests may be
- 5 considered, but expectancies or interests arising from

6 inherited or gifted property created under a will or
 7 other instrument under which the trustee, trustor,
 8 trust protector, or owner has the power to remove the
 9 party in question as a beneficiary, shall not be
 10 considered."

The committee amendment [H-1633](#) was adopted.

Palmer of Mahaska 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. 340](#))

The ayes were, 99:

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

The nays were, none.

Absent or not voting, 1:

Zirkelbach

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

SENATE AMENDMENT CONSIDERED

Hunter of Polk called up for consideration [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, amended by the Senate, and moved that the House concur in the following Senate amendment [H-1733](#):

[H-1733](#)

- 1 Amend [House File 874](#), as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 14, by striking line 24 and inserting the
- 4 following:
- 5 "..... FTEs 39803"
- 6 2. Page 17, by inserting after line 27 the
- 7 following:
- 8 "Sec. ____ STATE EMPLOYEE TELECOMMUTING – POLICY
- 9 DEVELOPMENT – IMPLEMENTATION.
- 10 1. The director of a department or state agency to
- 11 which appropriations are made pursuant to the
- 12 provisions of this Act shall assess the extent to
- 13 which job classifications or individual employment
- 14 positions with the department or agency might be
- 15 effectively performed from an employee's residence or
- 16 other remote location through telecommuting, thereby
- 17 increasing office space within the department or
- 18 agency and reducing administrative costs. The
- 19 assessment shall include an estimate of the number of
- 20 department or agency employees whose job
- 21 responsibilities could be effectively performed on a
- 22 telecommuting basis, projected costs of establishing
- 23 and maintaining work stations at an employee's
- 24 residence or other remote location and providing
- 25 telecommuter support, anticipated savings to the
- 26 department or agency through a reduction in the
- 27 office-based workforce, and anticipated time and cost
- 28 savings to telecommuting employees. A report
- 29 summarizing the assessment shall be submitted to the
- 30 director of the department of administrative services,
- 31 and the members of the general assembly, by November
- 32 1, 2007.
- 33 2. Based on the assessment conducted pursuant to
- 34 subsection 1, the director shall develop a
- 35 telecommuter employment policy for the department or
- 36 agency and a timeline for initial policy

37 implementation and plans for expanding the number of
 38 telecommuting employees. Specific office-based
 39 workforce reduction percentages shall be left to the
 40 discretion of the director, but the director shall
 41 implement a policy by January 1, 2008. The director
 42 shall report to the director of the department of
 43 administrative services and the members of the general
 44 assembly on an annual basis beginning January 1, 2009,
 45 the number of telecommuting employees, cost savings
 46 achieved by the department or agency, and plans for
 47 continued transfer of office-based employees to
 48 telecommuter status."
 49 3. By renumbering as necessary.

The motion prevailed and the House concurred in the Senate amendment [H-1733](#).

Hunter of Polk 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. 874](#))

The ayes were, 53:

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

The nays were, 46:

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

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

Absent or not voting, 1:

Zirkelbach

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 message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 19, 2007, passed the following bill in which the concurrence of the Senate was asked:

[House File 396](#), a bill for an act expanding the scope of services under an existing appropriation for the community empowerment initiative involving preschool services and providing effective date and applicability provisions.

Also: that the Senate has on April 19, 2007, adopted the conference committee report and passed [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.

MICHAEL E. MARSHALL, Secretary

Unfinished Business Calendar

[House File 792](#), a bill for an act relating to regulation of underground storage tanks by the department of natural resources, making appropriations, and providing contingent effective date provisions, was taken up for consideration.

H. Miller of Webster offered amendment [H-1753](#) filed by her as follows:

[H-1753](#)

- 1 Amend [House File 792](#) as follows:
- 2 1. Page 9, by striking lines 2 through 32 and
3 inserting the following:
4 "Sec.____. Section 455G.9, subsection 1, paragraph
5 k, Code 2007, is amended by striking the paragraph and
6 inserting in lieu thereof the following:
7 k. Pursuant to an agreement between the board and
8 the department of natural resources, assessment and
9 corrective action arising out of releases at sites for
10 which a no further action certificate has been issued
11 pursuant to section 455B.474, when the department
12 determines that an unreasonable risk to public health
13 and safety may still exist. At a minimum, the
14 agreement shall address eligible costs, contracting
15 for services, and conditions under which sites may be
16 reevaluated."
17 2. Page 10, by striking lines 4 through 6 and
18 inserting the following: "to the closure activities."
19 3. By renumbering as necessary.

Rants of Woodbury rose on a point of order invoking Rule 32, requesting [House File 792](#) be sent to the committee on appropriations.

The Speaker ruled the point well taken and referred [House File 792](#) to the committee on appropriations.

Appropriations Calendar

[House File 900](#), a bill for an act relating to the waste tire management fund and making appropriations, was taken up for consideration.

McCarthy of Polk asked and received unanimous consent that [House File 900](#) be deferred and that the bill retain its place on the calendar.

[House File 910](#), 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, was taken up for consideration.

Palmer of Mahaska 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. 910](#))

The ayes were, 98:

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

The nays were, none.

Absent or not voting, 2:

Gipp Zirkelbach

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: [House File 910](#) and [Senate File 340](#).

QUORUM CALL

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 19, 2007, concurred in the House amendment to the Senate amendment, and passed the following bill in which the concurrence of the Senate was asked:

[House File 368](#), a bill for an act relating to the boiler and pressure vessel safety program enforced by the division of labor services of the department of workforce development.

Also: That the Senate has on April 19, 2007, passed the following bill in which the concurrence of the Senate was asked:

[House File 890](#), a bill for an act relating to assistance for small businesses, making appropriations, and providing an effective date provision.

Also: That the Senate has on April 19, 2007, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

[Senate File 212](#), a bill for an act relating to the salary of deputy officers in certain county offices and providing an applicability date.

Also: That the Senate has on April 19, 2007, 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 revising family investment program requirements.

Also: That the Senate has on April 19, 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 546](#), a bill for an act relating to a hospital lien.

Also: That the Senate has on April 19, 2007, passed the following bill in which the concurrence of the House is asked:

[Senate File 586](#), a bill for an act creating a special gold star motor vehicle registration plate and providing fees.

Also: That the Senate has on April 19, 2007, passed the following bill in which the concurrence of the House is asked:

[Senate File 591](#), a bill for an act relating to regulation of the harvesting of commercial fish, turtles, and freshwater mussels and providing for fees and penalties.

Also: That the Senate has on April 19, 2007, passed the following bill in which the concurrence of the House is asked:

[Senate File 592](#), a bill for an act relating to the streamlined sales and use tax agreement and administration of the tax and related laws by the department of revenue, including administration of sales and use taxes, and providing an effective date.

Also: That the Senate has on April 19, 2007, passed the following bill in which the concurrence of the House is asked:

[Senate File 593](#), a bill for an act relating to the assessment of civil and criminal court fees and penalties.

Also: That the Senate has on April 19, 2007, passed the following bill in which the concurrence of the House is asked:

[Senate File 596](#), a bill for an act relating to the policy and technical administration of the tax and related laws by the department of revenue, including administration of income, sales, use, cigarette, and tobacco taxes, the administration and budgeting for tax increment financing by cities and counties, and creating a reporting committee, providing an effective date and providing for retroactive applicability.

Also: That the Senate has on April 19, 2007, passed the following bill in which the concurrence of the House is asked:

[Senate File 599](#), a bill for an act establishing the office of energy independence and the Iowa power fund and related provisions, making appropriations, and providing an effective date.

MICHAEL E. MARSHALL, Secretary

Unfinished Business Calendar

[Senate File 457](#), a bill for an act relating to the rights of peace officers and public safety and emergency personnel, with report of committee recommending passage, was taken up for consideration.

Mascher of Johnson offered the following amendment [H-1775](#) filed by her and moved its adoption:

[H-1775](#)

1 Amend [Senate File 457](#), as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 2, line 4, by inserting after the word
4 "officer" the following: "or where other
5 investigations pursuant to state or federal law
6 require different investigatory procedures".

7 2. Page 2, by striking lines 13 through 22 and
8 inserting the following:

9 "5. An officer who is the subject of a complaint,
10 shall at a minimum, be provided a written summary of
11 the complaint prior to an interview. If a collective
12 bargaining agreement applies, the complaint or written
13 summary shall be provided pursuant to the procedures
14 established under the collective bargaining agreement.
15 If the complaint alleges domestic abuse, sexual abuse,
16 or sexual harassment, an officer shall not receive
17 more than a written summary of the complaint."

18 3. Page 2, line 28, by striking the words "be
19 electronically" and inserting the following: ", at a
20 minimum, be audio".

21 4. Page 2, by striking lines 29 through 31 and
22 inserting the following:

23 "8. The officer shall have the right to have legal
24 counsel present, at the officer's expense, during the
25 interview of the officer. In addition, the officer
26 shall have the right, at the officer's expense, to
27 have a union representative present during the
28 interview or, if not a member of a union, the officer
29 shall have the right to have a designee present."

30 5. Page 3, line 8, by striking the words
31 "intentionally false" and inserting the following: "a
32 violation of section 718.6".

33 6. Page 3, line 12, by striking the words "making
34 a false report in" and inserting the following: "a".

35 7. Page 3, by striking lines 13 through 17 and
36 inserting the following:

37 "13. An officer shall have the right to pursue
38 civil remedies under the law against a citizen arising
39 from the filing of a false complaint against the
40 officer."

41 8. Page 3, line 20, by inserting after the word
42 "office" the following: "as long as the officer's
43 candidacy does not violate the federal Hatch Act, 5
44 U.S.C. § 1501 et seq".

45 9. Page 3, line 28, by inserting after the word
46 "duty" the following: "as long as the officer's
47 political activity does not violate the federal Hatch
48 Act, 5 U.S.C. § 1501 et seq".

Amendment [H-1775](#) was adopted.

Baudler of Adair asked and received unanimous consent to withdraw amendment [H-1774](#) filed by him on April 18, 2007.

Bell of Jasper 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.

Rule 75 was invoked.

On the question "Shall the bill pass?" ([S.F. 457](#))

The ayes were, 56:

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

The nays were, 42:

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

Absent or not voting, 2:

Anderson	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.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that [Senate File 457](#) be immediately messaged to the Senate.

INTRODUCTION OF BILL

[House File 918](#), by committee on ways and means, a bill for an act establishing the office of energy independence and the Iowa power fund and related provisions, and providing an effective date.

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

SENATE MESSAGES CONSIDERED

[Senate File 591](#), by committee on ways and means, a bill for an act relating to regulation of the harvesting of commercial fish, turtles, and freshwater mussels and providing for fees and penalties.

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

[Senate File 592](#), by committee on ways and means, a bill for an act relating to the streamlined sales and use tax agreement and administration of the tax and related laws by the department of revenue, including administration of sales and use taxes, and providing an effective date.

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

[Senate File 593](#), by committee on ways and means, a bill for an act relating to the assessment of civil and criminal court fees and penalties.

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

CONFERENCE COMMITTEE REPORT RECEIVED
([Senate File 277](#))

A conference committee report signed by the following Senate and House members was filed April 19, 2007, on [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.

ON THE PART OF THE HOUSE

CINDY L. WINCKLER, Chair
DENNIS M. COHOON
ROGER F. WENDT

ON THE PART OF THE SENATE

FRANK B. WOOD, Chair
MICHAEL CONNOLLY
DAVE MULDER
HERMAN C. QUIRMBACH

[SENATE FILE 442](#) REREFERRED

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

MOTIONS TO RECONSIDER
([House File 752](#))

I move to reconsider the vote by which [House File 752](#) passed the House on Wednesday, April 18, 2007.

MCCARTHY of Polk

([House File 874](#))

I move to reconsider the vote by which [House File 874](#) passed the House on Thursday, April 19, 2007.

MCCARTHY 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 19th day of April, 2007: House Files 353, 432, 451, 528, 559, 566, 587, 611, 615, 759 and 780.

MARK W. BRANDSGARD
Chief Clerk of the House

Report adopted.

CERTIFICATES OF RECOGNITION

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

MARK W. BRANDSGARD
Chief Clerk of the House

- | | |
|-----------|--|
| 2007\2947 | David and Marcia Curtis, Princeton – For celebrating their 50 th wedding anniversary. |
| 2007\2948 | John Paul McCloy II, De Witt – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America. |
| 2007\2949 | Vernon Alfred Bein, Marshalltown – For celebrating his 82 nd birthday. |
| 2007\2950 | William Adolph Gilgen, Jr, Marshalltown – For celebrating his 76 th birthday. |
| 2007\2951 | William Glen Godfrey, Marshalltown – For celebrating his 82 nd birthday. |
| 2007\2952 | Barbara Jo Morgan, Marshalltown – For celebrating her 77 th birthday. |
| 2007\2953 | Maxine Bernice Richeson, Marshalltown – For celebrating her 92 nd birthday. |
| 2007\2954 | Frances Barbara Shamley, Marshalltown – For celebrating her 91 st birthday. |
| 2007\2955 | Evelyn Weuve, Marshalltown – For celebrating her 84 th birthday. |

- 2007\2956 Thelma Lenor Woods, Marshalltown – For celebrating her 98th birthday.
- 2007\2957 Emma Kubik, Traer – For celebrating her 85th birthday.
- 2007\2958 Evelyn Wiegmann, Allison – For celebrating her 80th birthday.
- 2007\2959 Marie Arns, Waverly – For celebrating her 95th birthday.
- 2007\2960 Jim and Bev Conklin, Plainfield – For celebrating their 50th birthday.
- 2007\2961 Walter and Mildred Brettmann, Waverly – For celebrating their 60th wedding anniversary.
- 2007\2962 Lyle and Charlotte Engel, Waverly – For celebrating their 60th wedding anniversary.
- 2007\2963 Lynley Burrow, Waverly – For being selected by Iowa American Legion Auxiliary Unit 176 to attend Iowa Girls State.
- 2007\2964 Amanda Johanns, Waverly – For being selected by Iowa American Legion Auxiliary Unit 176 to attend Iowa Girls State.
- 2007\2965 Thomas Boerigter, Waverly – For being selected by Iowa American Legion Auxiliary Unit 176 to attend Iowa Boys State.
- 2007\2966 Jordan Elenz, Waverly – For being selected by Iowa American Legion Auxiliary Unit 176 to attend Iowa Boys State.
- 2007\2967 Mark Haugen, Waverly – For being selected by Iowa American Legion Auxiliary Unit 176 to attend Iowa Boys State.
- 2007\2968 Dr. Brian Birgen, Waverly – For receiving the 2007 John O. Chellevoid Student Award for Teaching Excellence and Professional Service.
- 2007\2969 Dale and Charlene Keil, Independence – For celebrating their 50th wedding anniversary.
- 2007\2970 Lawrence and Geneviere Sadler, Dunkerton – For celebrating their 60th wedding anniversary.
- 2007\2971 Larry Twait, Sioux City – For his 30 plus years of dedicated service with the Sioux City School District, starting his teaching career at Central High School, continuing his career at North High School, and for bringing his students from his American Government class for each of those years.

SUBCOMMITTEE ASSIGNMENTS

[House File 845](#)

Appropriations: Cohoon, Chair; Huseman and Wenthe.

[Senate File 578](#)

Appropriations: Jacoby, Chair; Chambers and Gayman.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

[House Study Bill 314](#)

Appropriations: Cohoon, Chair; Jacoby and Watts.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

[H.S.B. 315](#) **Ways and Means**

Authorizing the rebate of sales taxes to the investor group of a lakeside recreational complex and earthpark.

[H.S.B. 316](#) **Ways and Means**

Relating to plans and financial assurance requirements for certain sanitary landfill projects.

[H.S.B. 317](#) **Government Oversight**

A resolution requesting the formation of an interim study committee by the Legislative Council to make recommendations relating to the development and implementation of a statewide wireless broadband network.

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 416](#)), relating to child care by requiring registration or licensing of child care providers regulated by the department of human services and making a penalty applicable.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 19, 2007.

Committee Bill (Formerly [House Study Bill 314](#)), authorizing the state board of regents to borrow moneys and issue revenue bonds to finance the costs of certain building and facility improvement programs.

Fiscal Note is not required.

Recommended **Do Pass** April 19, 2007.

COMMITTEE ON GOVERNMENT OVERSIGHT

Committee Bill (Formerly [House Study Bill 312](#)), concerning appropriations to the office of grants enterprise management and including an effective date and retroactive applicability provision.

Fiscal Note is not required.

Recommended **Do Pass** April 19, 2007.

COMMITTEE ON WAYS AND MEANS

[Senate File 442](#), a bill for an act relating to qualifications for licensure as a real estate broker or salesperson upon conviction of specified offenses.

Fiscal Note is not required.

Recommended **Do Pass** April 18, 2007.

Committee Bill (Formerly [House File 855](#)), providing for excise taxes imposed on the sale of motor fuel containing ethanol blended gasoline.

Fiscal Note is required.

Recommended **Amend and Do Pass** April 19, 2007.

Committee Bill (Formerly [House Study Bill 106](#)), relating to the policy and technical administration of the tax and related laws by the department of revenue, including administration of income, sales, use, cigarette, and tobacco taxes.

Fiscal Note is required.

Recommended **Amend and Do Pass** April 19, 2007.

Committee Bill (Formerly [House Study Bill 316](#)), relating to plans and financial assurance requirements for certain sanitary landfill projects.

Fiscal Note is not required.

Recommended **Do Pass** April 19, 2007.

AMENDMENTS FILED

H-1788	S.F. 575	Lukan of Dubuque Alons of Sioux
H-1789	H.F. 783	Senate Amendment
H-1790	S.F. 575	Horbach of Tama
H-1791	H.F. 908	Schueller of Jackson
H-1792	H.F. 909	Raecker of Polk
H-1793	H.F. 909	Upmeyer of Hancock
H-1794	H.F. 909	Kaufmann of Cedar
H-1795	H.F. 909	Kaufmann of Cedar
H-1796	H.F. 909	Upmeyer of Hancock Kaufmann of Cedar Kaufmann of Cedar
H-1797	H.F. 909	Kaufmann of Cedar
H-1798	H.F. 907	Alons of Sioux
H-1799	S.F. 551	Baudler of Adair
H-1800	S.F. 575	Lukan of Dubuque
H-1801	H.F. 909	Wiencek of Black Hawk Arnold of Lucas Boal of Polk Clute of Polk Deyoe of Story Drake of Pottawattamie Gipp of Winneshiek Granzow of Butler Heaton of Henry Horbach of Tama Jacobs of Polk Lukan of Dubuque L. Miller of Scott Paulsen of Linn Rants of Woodbury Rayhons of Hancock Sands of Louisa Soderberg of Plymouth Tjepkes of Webster
		Alons of Sioux Baudler of Adair Chambers of O'Brien De Boef of Keokuk Dolecheck of Ringgold Forristall of Pottawattamie Granzow of Hardin Greiner of Washington Hoffman of Crawford Huseman of Cherokee Kaufmann of Cedar May of Dickinson S. Olson of Clinton Raecker of Polk Rasmussen of Buchanan Roberts of Carroll Schickel of Cero Gordo Struyk of Pottawattamie

Tomenga of Polk
 Upmeyer of Hancock
 Watts of Dallas
 Worthan of Buena Vista

H-1802 H.F. 909

Raecker of Polk
 Anderson of Page
 Baudler of Adair
 Chambers of O'Brien
 De Boef of Keokuk
 Dolecheck of Ringgold
 Forristall of Pottawattamie
 Granzow of Hardin
 Greiner of Washington
 Hoffman of Crawford
 Huseman of Cherokee
 Kaufmann of Cedar
 May of Dickinson
 S. Olson of Clinton
 Rasmussen of Buchanan
 Roberts of Carroll
 Schickel of Cero Gordo
 Struyk of Pottawattamie
 Tomenga of Polk
 Upmeyer of Hancock
 Watts of Dallas
 Windschitl of Harrison

H-1803 H.F. 909

Alons of Sioux
 Arnold of Lucas
 Boal of Polk
 Clute of Polk
 Deyoe of Story
 Drake of Pottawattamie
 Gipp of Winneshiek
 Grassley of Butler
 Heaton of Henry
 Horbach of Tama
 Jacobs of Polk
 Lukan of Dubuque
 L. Miller of Scott

Tymeson of Madison
 Van Fossen of Scott
 Windschitl of Harrison

Rants of Woodbury
 Alons of Sioux
 Arnold of Lucas
 Boal of Polk
 Clute of Polk
 Deyoe of Story
 Drake of Pottawattamie
 Gipp of Winneshiek
 Grassley of Butler
 Heaton of Henry
 Horbach of Tama
 Jacobs of Polk
 Lukan of Dubuque
 L. Miller of Scott
 Paulsen of Linn
 Rayhons of Hancock
 Sands of Louisa
 Soderberg of Plymouth
 Tjepkes of Webster
 Tymeson of Madison
 Van Fossen of Scott
 Wiencek of Black Hawk
 Worthan of Buena Vista
 Tymeson of Madison
 Anderson of Page
 Baudler of Adair
 Chambers of O'Brien
 De Boef of Keokuk
 Dolecheck of Ringgold
 Forristall of Pottawattamie
 Granzow of Hardin
 Greiner of Washington
 Hoffman of Crawford
 Huseman of Cherokee
 Kaufmann of Cedar
 May of Dickinson
 S. Olson of Clinton

Paulsen of Linn
 Rants of Woodbury
 Rayhons of Hancock
 Sands of Louisa
 Soderberg of Plymouth
 Tjepkes of Webster
 Upmeyer of Hancock
 Watts of Dallas
 Windschitl of Harrison

H-1804 H.F. 909

Alons of Sioux
 Baudler of Adair
 Chambers of O'Brien
 De Boef of Keokuk
 Dolecheck of Ringgold
 Forristall of Pottawattamie
 Granzow of Hardin
 Greiner of Washington
 Hoffman of Crawford
 Huseman of Cherokee
 Kaufmann of Cedar
 May of Dickinson
 S. Olson of Clinton
 Raecker of Polk
 Rasmussen of Buchanan
 Roberts of Carroll
 Schickel of Cero Gordo
 Struyk of Pottawattamie
 Tymeson of Madison
 Watts of Dallas
 Windschitl of Harrison

H-1805 H.F. 909

Alons of Sioux
 Arnold of Lucas
 Boal of Polk
 Clute of Polk
 Deyoe of Story
 Drake of Pottawattamie
 Gipp of Winneshiek
 Grassley of Butler
 Heaton of Henry

Raecker of Polk
 Rasmussen of Buchanan
 Roberts of Carroll
 Schickel of Cero Gordo
 Struyk of Pottawattamie
 Tomenga of Polk
 Van Fossen of Scott
 Wiencek of Black Hawk
 Worthan of Buena Vista
 Upmeyer of Hancock

Arnold of Lucas
 Boal of Polk
 Clute of Polk
 Deyoe of Story
 Drake of Pottawattamie
 Gipp of Winneshiek
 Grassley of Butler
 Heaton of Henry
 Horbach of Tama
 Jacobs of Polk
 Lukan of Dubuque
 L. Miller of Scott
 Paulsen of Linn
 Rants of Woodbury
 Rayhons of Hancock
 Sands of Louisa
 Soderberg of Plymouth
 Tjepkes of Webster
 Van Fossen of Scott
 Wiencek of Black Hawk
 Worthan of Buena Vista
 L. Miller of Scott
 Anderson of Page
 Baudler of Adair
 Chambers of O'Brien
 De Boef of Keokuk
 Dolecheck of Ringgold
 Forristall of Pottawattamie
 Granzow of Hardin
 Greiner of Washington
 Hoffman of Crawford

Horbach of Tama
 Jacobs of Polk
 Lukan of Dubuque
 S. Olson of Clinton
 Raecker of Polk
 Rasmussen of Buchanan
 Roberts of Carroll
 Schickel of Cero Gordo
 Struyk of Pottawattamie
 Tomenga of Polk
 Upmeyer of Hancock
 Watts of Dallas
 Windschitl of Harrison

H-1806 H.F. 909

H-1807 H.F. 909

H-1808 H.F. 909

H-1809 H.F. 907

H-1810 H.F. 909

H-1811 H.F. 909

H-1812 H.F. 909

Alons of Sioux
 Arnold of Lucas
 Boal of Polk
 Clute of Polk
 Deyoe of Story
 Drake of Pottawattamie
 Gipp of Winneshiek
 Grassley of Butler
 Heaton of Henry
 Horbach of Tama
 Jacobs of Polk
 Lukan of Dubuque
 L. Miller of Scott
 Paulsen of Linn
 Rasmussen of Buchanan
 Roberts of Carroll
 Schickel of Cero Gordo

Huseman of Cherokee
 Kaufmann of Cedar
 May of Dickinson
 Paulsen of Linn
 Rants of Woodbury
 Rayhons of Hancock
 Sands of Louisa
 Soderberg of Plymouth
 Tjepkes of Webster
 Tymeson of Madison
 Van Fossen of Scott
 Wiencek of Black Hawk
 Worthan of Buena Vista
 Granzow of Hardin
 Masher of Johnson
 Smith of Marshall
 Heaton of Henry
 Upmeyer of Hancock
 Jochum of Dubuque
 Foege of Linn
 Tymeson of Madison
 Tymeson of Madison
 Raecker of Polk
 Anderson of Page
 Baudler of Adair
 Chambers of O'Brien
 De Boef of Keokuk
 Dolecheck of Ringgold
 Forristall of Pottawattamie
 Granzow of Hardin
 Greiner of Washington
 Hoffman of Crawford
 Huseman of Cherokee
 Kaufmann of Cedar
 May of Dickinson
 S. Olson of Clinton
 Rants of Woodbury
 Rayhons of Hancock
 Sands of Louisa
 Soderberg of Plymouth

Struyk of Pottawattamie			Tjepkes of Webster
Tomenga of Polk			Tymeson of Madison
Upmeyer of Hancock			Van Fossen of Scott
Watts of Dallas			Wiencek of Black Hawk
Windschitl of Harrison			Worthan of Buena Vista
<u>H-1813</u>	<u>H.F.</u>	<u>909</u>	Tymeson of Madison
<u>H-1814</u>	<u>H.F.</u>	<u>909</u>	Bailey of Hamilton
<u>H-1815</u>	<u>H.F.</u>	<u>909</u>	Heaton of Henry
<u>H-1816</u>	<u>H.F.</u>	<u>909</u>	Heaton of Henry
<u>H-1817</u>	<u>H.F.</u>	<u>909</u>	Heaton of Henry
<u>H-1818</u>	<u>H.F.</u>	<u>909</u>	Heaton of Henry
			Lukan of Dubuque
<u>H-1819</u>	<u>H.F.</u>	<u>909</u>	L. Miller of Scott
<u>H-1820</u>	<u>H.F.</u>	<u>912</u>	S. Olson of Clinton
<u>H-1821</u>	<u>S.F.</u>	<u>575</u>	Van Fossen of Scott
<u>H-1822</u>	<u>H.F.</u>	<u>909</u>	Kaufmann of Cedar
<u>H-1823</u>	<u>H.F.</u>	<u>909</u>	Wise of Lee
<u>H-1824</u>	<u>H.F.</u>	<u>909</u>	Lukan of Dubuque
<u>H-1825</u>	<u>S.F.</u>	<u>546</u>	Foege of Linn
<u>H-1828</u>	<u>H.F.</u>	<u>909</u>	Heaton of Henry
<u>H-1829</u>	<u>H.F.</u>	<u>909</u>	Heaton of Henry
<u>H-1830</u>	<u>H.F.</u>	<u>909</u>	Senate Amendment
Alons of Sioux			Upmeyer of Hancock
Arnold of Lucas			Tymeson of Madison
Boal of Polk			Granzow of Hardin
Clute of Polk			Anderson of Page
Deyoe of Story			Baudler of Adair
Drake of Pottawattamie			Chambers of O'Brien
Gipp of Winneshiek			De Boef of Keokuk
Greiner of Washington			Dolecheck of Ringgold
Hoffman of Crawford			Forristall of Pottawattamie
Huseman of Cherokee			Grassley of Butler
Kaufmann of Cedar			Heaton of Henry
May of Dickinson			Horbach of Tama
S. Olson of Clinton			Jacobs of Polk
Raecker of Polk			Lukan of Dubuque
Rasmussen of Buchanan			L. Miller of Scott
Roberts of Carroll			Paulsen of Linn
			Rants of Woodbury
			Rayhons of Hancock
			Sands of Louisa

Schickel of Cero Gordo		Soderberg of Plymouth
Struyk of Pottawattamie		Tjepkes of Webster
Tomenga of Polk		Tymeson of Madison
Upmeyer of Hancock		Van Fossen of Scott
Watts of Dallas		Wiencek of Black Hawk
Windschitl of Harrison		Worthan of Buena Vista
<u>H-1831</u>	<u>H.F. 909</u>	Heaton of Henry
<u>H-1832</u>	<u>S.F. 551</u>	De Boef of Keokuk
<u>H-1833</u>	<u>S.F. 551</u>	De Boef of Keokuk
<u>H-1834</u>	<u>S.F. 551</u>	De Boef of Keokuk
<u>H-1835</u>	<u>S.F. 551</u>	De Boef of Keokuk
<u>H-1836</u>	<u>S.F. 551</u>	De Boef of Keokuk
<u>H-1837</u>	<u>S.F. 551</u>	De Boef of Keokuk
<u>H-1838</u>	<u>H.F. 909</u>	Bailey of Hamilton
<u>H-1839</u>	<u>H.F. 909</u>	Raecker of Polk
<u>H-1840</u>	<u>S.F. 551</u>	Kaufmann of Cedar
		Struyk of Pottawattamie
<u>H-1841</u>	<u>S.F. 551</u>	Struyk of Pottawattamie
<u>H-1842</u>	<u>H.F. 909</u>	Gayman of Scott
		Heddens of Story
<u>H-1843</u>	<u>H.F. 909</u>	Heddens of Story
		Gayman of Scott
<u>H-1844</u>	<u>H.F. 909</u>	Granzow of Hardin

On motion by McCarthy of Polk the House adjourned at 10:03 p.m., until 9:00 a.m., Friday, April 20, 2007.