

PROOF

STATE OF IOWA

House Journal

THURSDAY, FEBRUARY 22, 2007

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JOURNAL OF THE HOUSE

Forty-sixth Calendar Day - Thirty-third Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, February 22, 2007

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

Prayer was offered by Reverend Stephen Anenson, pastor of Immanuel Lutheran Church, Story City. He was the guest of Representative Dave Deyoe from Story County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Tiffany Kelderhouse-Tucker, House Page from Pella.

The Journal of Wednesday, February 21, 2007 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 February 21, 2007, passed the following bill in which the concurrence of the Senate was asked:

[House File 260](#), a bill for an act relating to the classification and regulation of controlled substances and making penalties applicable.

Also: That the Senate has on February 21, 2007, passed the following bill in which the concurrence of the House is asked:

[Senate File 25](#), a bill for an act relating to the payment of victim restitution by a person convicted of a criminal offense.

Also: That the Senate has on February 21, 2007, passed the following bill in which the concurrence of the House is asked:

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

Also: That the Senate has on February 21, 2007, passed the following bill in which the concurrence of the House is asked:

[Senate File 48](#), a bill for an act concerning the limitation of actions for prosecution of violations under certain statutes administered by the natural resource commission.

Also: That the Senate has on February 21, 2007, passed the following bill in which the concurrence of the House is asked:

[Senate File 70](#), a bill for an act relating to crime victim compensation.

Also: That the Senate has on February 21, 2007, passed the following bill in which the concurrence of the House is asked:

[Senate File 110](#), a bill for an act relating to the standardized training and state certification of reserve peace officers.

Also: That the Senate has on February 21, 2007, passed the following bill in which the concurrence of the House is asked:

[Senate File 130](#), a bill for an act relating to commissions that oversee memorial buildings and monuments.

Also: That the Senate has on February 21, 2007, passed the following bill in which the concurrence of the House is asked:

[Senate File 137](#), a bill for an act providing for the registration of associate real estate appraisers, prohibiting improper influence over an appraiser's evaluation opinion, and imposing a penalty.

Also: That the Senate has on February 21, 2007, passed the following bill in which the concurrence of the House is asked:

[Senate File 161](#), a bill for 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.

Also: That the Senate has on February 21, 2007, passed the following bill in which the concurrence of the House is asked:

[Senate File 169](#), a bill for an act providing for county eligibility for state payment of certain mental health, mental retardation, and developmental disabilities services funding and providing effective and retroactive applicability dates.

MICHAEL E. MARSHALL, Secretary

INTRODUCTION OF BILLS

[House File 485](#), by Lukan and D. Taylor, a bill for an act relating to an appropriation to the department of natural resources for lake dredging.

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

[House File 486](#), by Deyoe, Lukan, Rayhons, Roberts, Dolecheck, Huseman, Rants, Gipp, Upmeyer, Sands, Struyk, Greiner, Rasmussen, Arnold, S. Olson, Paulsen, Tjepkes, Granzow, De Boef, Worthan, Windschitl, Van Engelenhoven, Kaufmann, Grassley, Horbach, Chambers, Forristall, Schickel, Drake, Jacobs and Hoffman, a bill for an act making appropriations to the state board of regents for the design and construction of a new renewable fuels building and providing an effective date.

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

[House File 487](#), by Swaim, a bill for an act providing for the recall of city council members and providing a penalty.

Read first time and referred to committee on **local government**.

[House File 488](#), by Jacoby, McCarthy and Heaton, a bill for an act concerning employment protection for members of the national disaster medical system and providing an effective date and applicability provision.

Read first time and referred to committee on **state government**.

[House File 489](#), by Mascher, a bill for an act relating to the age at which an elector is eligible to register to vote and to vote in a school district election.

Read first time and referred to committee on **state government**.

[House File 490](#), by Mascher, a bill for an act appropriating moneys for tourism marketing and promotion.

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

[House File 491](#), by committee on judiciary, a bill for an act adding hallucinogenic substances to the list of schedule I controlled substances, and providing penalties.

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

[House File 492](#), by committee on public safety, a bill for an act prohibiting the department of corrections from entering into an agreement with a private sector for-profit entity for the purpose of housing inmates.

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

[House File 493](#), by Ford, a bill for an act making an appropriation to the department of justice for the development of a domestic violence brochure regarding the effects of domestic violence.

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

[House File 494](#), by Ford, a bill for an act relating to the locally imposed hotel and motel tax by increasing the rate allowed and requiring local governments to comply with the Iowa targeted small business procurement Act in spending revenues from the tax.

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

[House File 495](#), by Ford, a bill for an act prohibiting discrimination in the business of insurance on the basis of gender and making remedies and penalties applicable.

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

ADOPTION OF [HOUSE RESOLUTION 25](#)

Raecker of Polk called up for consideration [House Resolution 25](#), a resolution honoring the life and accomplishments of Gerald Rudolph Ford, thirty-eighth President of the United States of America, and moved its adoption.

The motion prevailed and the resolution was adopted.

RULE 57 SUSPENDED

Cohon of Des Moines asked and received unanimous consent to suspend Rule 57, relating to committee notice and agenda, for a meeting on the committee on transportation, infrastructure and capitals today.

On motion by McCarthy of Polk, the House was recessed at 9:32 a.m., until 4:00 p.m.

AFTERNOON SESSION

The House reconvened at 4:06 p.m., Speaker Murphy in the chair.

INTRODUCTION OF BILLS

[House File 496](#), by Mascher, a bill for an act providing that employees should be paid based on comparable worth and making penalties applicable.

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

[House File 497](#), by committee on environmental protection, a bill for an act relating to permit fees for diverting, storing, or allocating water, making appropriations, and including an effective date provision.

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

[House File 498](#), by Petersen, Reichert, Kelley, Thomas, Bell, Reasoner, Wenthe, Gayman, Smith, Whitead, Dandekar, Gaskill, Lykam, Bukta, Whitaker, Heddens, Bailey, Kressig, Mertz, R. Olson, Frevert, Kuhn, Cohoon, Davitt, D. Taylor, T. Taylor and D. Olson, a bill for an act relating to energy, establishing the Iowa energy independence office, the Iowa power fund, making related changes consistent with energy efficiency, and making appropriations.

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

[House File 499](#), by committee on commerce, a bill for an act relating to various matters under the purview of the insurance division of the department of commerce including workers' compensation self-insurance, premium taxes, the uniform securities Act, powers and duties of the insurance division, regulation of insurance sales to military personnel, domestic insurance companies, life insurance companies, nonprofit health service corporations, external review of health care coverage decisions, investment limitations on insurers other than life insurers, property and casualty insurers' reserves, motor vehicle service contracts, county and state

mutual associations, reciprocal or interinsurance contracts, licensing of insurance producers and public adjusters, and life and fire insurance company boards of directors, and providing penalties.

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

House File 500, by committee on commerce, a bill for an act relating to the authority of creditors and credit unions in consumer credit or credit union transactions.

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

House File 501, by Smith and Baudler, a bill for an act relating to receiving an evaluation in lieu of a criminal fine or civil penalty in certain simple misdemeanor cases.

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

House File 502, by Staed and Thomas, a bill for an act creating an Iowa community entrepreneurial program and fund and making appropriations.

Read first time and referred to committee on **economic growth**.

House File 503, by Heddens, Foegen, Jochum, Abdul-Samad, Frevert, Heaton, Grassley, Upmeyer and Deyoe, a bill for an act relating to providing opportunities to individuals with disabilities.

Read first time and referred to committee on **human resources**.

House File 504, by Hunter, a bill for an act concerning the operation of motor vehicles by minors by establishing criminal and civil liability for providing alcoholic beverages to persons under legal age, providing for an identification number on kegs of beer, and including driver education requirements, graduated driver licensing provisions, cell phone use restrictions, and passenger restraint requirements, and making penalties applicable and providing an effective date.

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

[House File 505](#), by Ford, a bill for an act requiring the department of public health to conduct a study regarding the occurrence and treatment of certain diseases and health issues affecting African-Americans and making an appropriation.

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

[House File 506](#), by Ford, a bill for an act providing for prescription drug retail price comparison.

Read first time and referred to committee on **human resources**.

[House File 507](#), by Ford, a bill for an act requiring additional notice to insureds about external review of health care coverage decisions.

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

[House File 508](#), by Ford, a bill for an act relating to unfair or deceptive practice in the insurance trade involving the discharge of individuals from hospitals, and providing penalties.

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

SENATE MESSAGES CONSIDERED

[Senate File 25](#), by committee on judiciary, a bill for an act relating to the payment of victim restitution by a person convicted of a criminal offense.

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

[Senate File 42](#), by committee on state government, a bill for an act relating to campaign finance by revising the requirements for filing reports and for the use of certain resources for political purposes.

Read first time and referred to committee on **state government**.

[Senate File 48](#), by committee on natural resources and environment, a bill for an act concerning the limitation of actions for

prosecution of violations under certain statutes administered by the natural resource commission.

Read first time and referred to committee on **natural resources**.

[Senate File 70](#), by committee on judiciary, a bill for an act relating to crime victim compensation.

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

[Senate File 110](#), by committee on judiciary, a bill for an act relating to the standardized training and state certification of reserve peace officers.

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

[Senate File 130](#), by committee on local government, a bill for an act relating to commissions that oversee memorial buildings and monuments.

Read first time and referred to committee on **local government**.

[Senate File 137](#), by committee on state government, a bill for an act providing for the registration of associate real estate appraisers, prohibiting improper influence over an appraiser's evaluation opinion, and imposing a penalty.

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

[Senate File 169](#), by committee on human resources, a bill for an act providing for county eligibility for state payment of certain mental health, mental retardation, and developmental disabilities services funding and providing effective and retroactive applicability dates.

Read first time and referred to committee on **human resources**.

The House stood at ease at 4:12 p.m., until the fall of the gavel.

The House resumed session at 4:35 p.m., Speaker Murphy in the chair.

SENATE AMENDMENT CONSIDERED

Wendt of Woodbury called up for consideration [Senate File 61](#), a bill for an act relating to the establishment of state and school antiharassment and antibullying policies, providing data collection and reporting requirements, and providing for immunity and other related matters, amended by the House, further amended by the Senate and moved that the House concur in the following Senate amendment [H-1053](#) to the House amendment:

[H-1053](#)

- 1 Amend the House amendment, [S-3024](#), to Senate File
- 2 61, as passed by the Senate, as follows:
- 3 1. Page 1, by striking lines 17 through 48.

Roll call was requested by Rants of Woodbury and Alons of Sioux.

On the question "Shall the House concur in the Senate amendment [H-1053](#)?" ([H.F. 61](#))

The ayes were, 55:

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.	Miller, L.
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	Wiencek
Winckler	Wise	Mr. Speaker	
		Murphy	

The nays were, 43:

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

Paulsen	Raecker	Rants	Rasmussen
Rayhons	Roberts	Sands	Schickel
Soderberg	Struyk	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Windschitl	Worthan	

Absent or not voting, 2:

Horbach	Zirkelbach
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The motion prevailed and the House concurred in the Senate amendment [H-1053](#), to the House amendment.

Wendt of Woodbury moved that the bill, as amended by the House, further 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?" ([S.F. 61](#))

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

The nays were, 42:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Granzow	Grassley	Greiner
Heaton	Hoffman	Huseman	Jacobs
Kaufmann	Lukan	May	Olson, S.
Paulsen	Raecker	Rants	Rasmussen
Rayhons	Roberts	Sands	Soderberg
Struyk	Tjepkes	Tomenga	Tymeson

Upmeyer Van Engelenhoven Van Fossen Watts
Windschitl Worthan

Absent or not voting, 2:

Horbach 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 [Senate File 61](#) be immediately messaged to the Senate.

[House File 287](#), a bill for an act creating the Iowa stem cell research and cures initiative, and providing penalties, was taken up for consideration.

Heddens of Story asked unanimous consent to substitute [Senate File 162](#) for [House File 287](#).

Objection was raised.

Heddens of Story moved that the House substitute [Senate File 162](#) for [House File 287](#).

A non-record roll call was requested.

The ayes were 53, nays 44.

The motion prevailed placing out of order the following amendments:

Amendment [H-1067](#) filed by Roberts of Carroll on February 21, 2007.
Amendment [H-1068](#) filed by Upmeyer of Hancock and Tymeson of Madison on February 21, 2007.

Amendment [H-1069](#) filed by Anderson of Page on February 21, 2007.
Amendment [H-1070](#) filed by Upmeyer of Hancock on February 21, 2007.

Amendment [H-1071](#) filed by Anderson of Page on February 21, 2007.
Amendment [H-1072](#) filed by Roberts of Carroll on February 21, 2007.

SENATE FILE 162 SUBSTITUTED FOR HOUSE FILE 287

Senate File 162, a bill for an act creating the Iowa stem cell research and cures initiative, and providing penalties, was taken up for consideration.

Roberts of Carroll offered amendment H-1074 filed by Roberts, et al., as follows:

H-1074

1 Amend Senate File 162, as passed by the Senate, as
2 follows:

3 1. By striking everything after the enacting
4 clause and inserting the following:

5 "Section 1. POSTNATAL TISSUE AND FLUID BANKING
6 TASK FORCE.

7 1. The department of public health shall convene a
8 task force on postnatal tissue and fluid banking and
9 related postnatal procedures. The task force shall
10 consist of the following members, selected by the
11 institution or association specified or, if not
12 specified, selected by the director of public health:

13 a. The director of public health, or the
14 director's designee.

15 b. A representative of each of the public and
16 private colleges or universities in the state that
17 have interest in postnatal tissue and fluid for the
18 purposes of research or medical treatment.

19 c. A representative of the Iowa hospital
20 association.

21 d. A representative of the Iowa medical society.

22 e. A physician representing a birthing hospital.

23 f. A prenatal healthcare provider.

24 g. A representative of the Iowa midwives
25 association.

26 h. A representative of the postnatal tissue and
27 fluid research community.

28 i. A representative of recipients of postnatal
29 tissue and fluid transplants.

30 j. A representative of a postnatal tissue and
31 fluid transplant center.

32 k. A representative of a postnatal tissue and
33 fluid bank.

34 l. An attorney with expertise in public health or
35 biotechnology law, selected by the Iowa state bar
36 association.

37 2. Members of the task force shall receive actual
38 expenses incurred while serving in their official
39 capacity and may also be eligible to receive

40 compensation as provided in section 7E.6.

41 3. The director of public health, or the
42 director's designee, shall act as chairperson of the
43 task force. A majority of the members of the task
44 force shall constitute a quorum.

45 4. The task force shall investigate the optimum
46 method by which to establish a network of postnatal
47 tissue and fluid banks in partnership with public and
48 private colleges or universities, public and private
49 hospitals, or nonprofit organizations and private
50 organizations in the state to collect and store

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1 postnatal tissue and fluid for the purposes of
2 scientific research and medical treatment. The
3 investigation shall address and make recommendations
4 regarding all of the following:

5 a. Regulatory requirements for public and private
6 postnatal tissue and fluid banks in the state,
7 including regulations or protocols to govern donations
8 to the bank and the release and use of banked
9 postnatal tissue or fluid.

10 b. The development of a statewide network of
11 postnatal tissue and fluid banks and birthing hospital
12 collection sites in a manner that provides for
13 geographic distribution throughout the state.

14 c. The development of a statewide postnatal tissue
15 and fluid registry to identify, acquire, and
16 distribute donated postnatal tissue and fluid to
17 suitably matched candidates including documentation of
18 the collection, storage, distribution, and
19 transplantation of the postnatal tissue and fluid and
20 the clinical outcomes of all transplantations related
21 to the network.

22 d. Any incentives for donation to public postnatal
23 tissue and fluid banks.

24 e. Public awareness and encouragement of donation
25 or private storage of postnatal tissue and fluid by
26 providing information including but not limited to all
27 of the following:

28 (1) The current and potential future medical uses
29 of postnatal tissue and fluid.

30 (2) The benefits and risks associated with
31 postnatal tissue and fluid banking.

32 (3) Medical or family history criteria that may
33 impact a family's consideration of postnatal tissue
34 and fluid banking.

35 (4) An explanation of the differences between
36 private and public banking.

37 (5) Medically accepted uses and benefits of
38 postnatal tissue and fluid collection and

39 transplantation.

40 (6) The costs associated with donation and
41 storage, and an explanation of the storage,
42 maintenance, and viability for transplantation of
43 postnatal tissue and fluid.

44 f. Participation in the public cord blood bank
45 network established pursuant to the federal Stem Cell
46 Therapeutic and Research Act of 2005, Pub. L. No.
47 109-129, or other national or international networks.

48 g. Any changes in law or rules necessary to
49 implement a postnatal tissue and fluid banking network
50 in the state to provide for scientific research and

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1 medical treatment.

2 h. Consent and privacy protections related to
3 donation or private banking of postnatal tissue and
4 fluid.

5 i. Any fee structure to be associated with
6 participation in the postnatal tissue and fluid bank
7 network.

8 j. The costs associated with the operation and
9 maintenance of a public postnatal tissue and fluid
10 bank network, including the need for public funding.

11 5. In addition to postnatal tissue and fluid
12 banking the task force shall review the issue of the
13 retention, use, and disposition of neonatal metabolic
14 screening specimens, including but not limited to the
15 length of time the specimens are retained and specimen
16 research use.

17 6. The task force shall report its findings and
18 recommendations, along with any proposed legislation,
19 to the general assembly by November 1, 2007.

20 7. For the purposes of this section, "postnatal
21 tissue and fluid" means the placenta, umbilical cord,
22 umbilical cord blood, and amniotic fluid expelled or
23 extracted in connection with the birth of a child.

24 Sec. 2. APPROPRIATION. There is appropriated from
25 the general fund of the state to the department of
26 public health for the period beginning on the
27 effective date of this Act, and ending January 1,
28 2008, the following amount, or so much thereof as is
29 necessary, to be used for the purpose designated:

30 For the task force on postnatal tissue and fluid
31 banking:
32 \$ 20,000

33 Sec. 3. EFFECTIVE DATE. The sections of this Act
34 relating to the postnatal tissue and fluid banking
35 task force and the appropriation for the task force,
36 being deemed of immediate importance, take effect upon
37 enactment."

38 2. Title page, by striking lines 1 and 2 and
 39 inserting the following: "An Act relating to the
 40 creation of a task force on postnatal tissue and fluid
 41 banking and other postnatal procedures, providing an
 42 appropriation, and providing an effective date."

Heddens of Story rose on a point of order that amendment [H-1074](#) was not germane.

The Speaker ruled the point well taken and amendment [H-1074](#) not germane.

Roberts of Carroll asked for unanimous consent to suspend the rules to consider amendment [H-1074](#).

Objection was raised.

Roberts of Carroll moved to suspend the rules to consider amendment [H-1074](#).

Roll call was requested by Rants of Woodbury and Roberts of Carroll.

On the question "Shall the rules be suspended to consider amendment [H-1074](#)?" ([S.F. 162](#))

The ayes were, 44:

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

The nays were, 54:

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

Absent or not voting, 2:

Horbach Zirkelbach

The motion to suspend the rules lost.

Upmeyer of Hancock offered amendment [H-1066](#) filed by her and Tymeson of Madison as follows:

[H-1066](#)

1 Amend [Senate File 162](#), as passed by the Senate, as
 2 follows:
 3 1. Page 1, by striking line 3 and inserting the
 4 following: "Human Cloning Repeal and Embryonic Stem
 5 Cell Research Authorization Act."
 6 2. Page 1, by striking lines 5 through 9 and
 7 inserting the following:
 8 "It is the purpose of this chapter to repeal the
 9 prohibition on human cloning and to authorize
 10 embryonic stem cell research in this state."
 11 3. Title page, line 1, by striking the words
 12 "creating the Iowa stem cell research and cures
 13 initiative" and inserting the following: "repealing
 14 the prohibition on human cloning and authorizing
 15 embryonic stem cell research".

Tymeson of Madison offered the following amendment [H-1075](#), to amendment [H-1066](#), filed by her from the floor and moved its adoption:

[H-1075](#)

1 Amend the amendment, [H-1066](#), to [Senate File 162](#), as
 2 passed by the Senate, as follows:
 3 1. Page 1, lines 4 and 5, by striking the words
 4 "Embryonic Stem Cell Research" and inserting the
 5 following: "Therapeutic Cloning".

- 6 2. Page 1, line 10, by striking the words
 7 "embryonic stem cell research" and inserting the
 8 following: "therapeutic cloning".
 9 3. Page 1, by striking line 15, and inserting the
 10 following: "therapeutic cloning"."

Amendment [H-1075](#) was adopted.

Tymeson of Madison moved the adoption of amendment [H-1066](#), as amended.

Roll call was requested by Tymeson of Madison and Baudler of Adair.

On the question "Shall amendment [H-1066](#), as amended, be adopted?" ([S.F. 162](#))

The ayes were, 46:

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

The nays were, 52:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	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

Absent or not voting, 2:

Horbach Zirkelbach

Amendment [H-1066](#) lost.

Roberts of Carroll offered the following amendment [H-1065](#) filed by him and moved its adoption:

[H-1065](#)

- 1 Amend [Senate File 162](#), as passed by the Senate, as
- 2 follows:
- 3 1. Page 2, by inserting after line 2 the
- 4 following:
- 5 "d. Create a cloned human embryo."
- 6 2. Page 2, line 5, by inserting after the word
- 7 "'c'" the following: "or "d"."

Roll call was requested by Roberts of Carroll and Rants of Woodbury.

On the question "Shall amendment [H-1065](#) be adopted?" ([S.F. 162](#))

The ayes were, 45:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Granzow	Grassley	Greiner
Heaton	Hoffman	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	Wienczek	Windschitl
Worthan			

The nays 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			

Absent or not voting, 2:

Horbach Zirkelbach

Amendment [H-1065](#) lost.

Upmeyer of Hancock offered amendment [H-1073](#) filed by her as follows:

[H-1073](#)

1 Amend [Senate File 162](#), as passed by the Senate, as
 2 follows:
 3 1. Page 2, by inserting after line 18 the
 4 following:
 5 "Sec. ____ NEW SECTION. 707C.5 DONATION OF
 6 EMBRYOS AND INFORMED CONSENT FOR EMBRYONIC STEM CELL
 7 RESEARCH.
 8 Human embryos created only for the purpose of in
 9 vitro fertilization, in excess of the clinical need,
 10 may be donated for the purpose of embryonic stem cell
 11 research and treatment and those human embryos donated
 12 may be used for research and treatment, only if the
 13 donation meets all of the following requirements:
 14 1. The donation is voluntary.
 15 2. No inducement, monetary or of any other nature,
 16 is offered in exchange for the donation.
 17 3. Informed consent for the donation is obtained
 18 from the individuals participating in the in vitro
 19 fertilization treatments.
 20 4. The individuals participating in the in vitro
 21 fertilization treatments are informed that the human
 22 embryos may be placed for adoption."
 23 2. By renumbering as necessary.

Upmeyer of Hancock offered the following amendment [H-1078](#), to amendment [H-1073](#), filed by her from the floor and moved its adoption:

[H-1078](#)

1 Amend the amendment, H-1073, to [Senate File 162](#), as
2 passed by the Senate, as follows:

3 1. Page 1, by striking lines 8 through 22 and
4 inserting the following:

5 "Only those human embryos created for the purpose
6 of in vitro fertilization, in excess of the clinical
7 need, may be donated for the purpose of embryonic stem
8 cell research and treatment and those human embryos
9 donated may be used for research and treatment, only
10 if the donation meets all of the following
11 requirements:

- 12 1. The donation is voluntary.
- 13 2. No inducement, monetary or of any other nature,
14 is offered in exchange for the donation.
- 15 3. Informed consent for the donation is obtained
16 from the individuals participating in the in vitro
17 fertilization treatments.
- 18 4. The individuals participating in the in vitro
19 fertilization treatments are informed that the human
20 embryos may be placed for adoption."

Amendment [H-1078](#) was adopted.

Heddens of Story rose on a point of order that amendment [H-1073](#), as amended, was not germane.

The Speaker ruled the point not well taken and amendment [H-1073](#), as amended, germane.

The House stood at ease at 7:37 p.m., until the fall of the gavel.

The House resumed session at 7:43 p.m., Speaker Murphy in the chair.

Upmeyer of Hancock moved the adoption of amendment [H-1073](#), as amended.

Roll call was requested by Upmeyer of Hancock and Rants of Woodbury.

On the question "Shall amendment [H-1073](#), as amended, be adopted?" ([S.F. 162](#))

The ayes were, 46:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Granzow	Grassley	Greiner
Heaton	Hoffman	Huseman	Huser
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		

The nays were, 52:

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

Absent or not voting, 2:

Horbach Zirkelbach

Amendment [H-1073](#), as amended, lost.

Heddens 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. 162](#))

The ayes were, 52:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
De Boef	Foege	Ford	Frevert
Gaskill	Gayman	Heddens	Hunter

Huser	Jacoby	Jochum	Kelley
Kressig	Kuhn	Lensing	Lykam
Mascher	McCarthy	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Pettengill	Quirk	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	Deyoe
Dolecheck	Drake	Forristall	Gipp
Granzow	Grassley	Greiner	Heaton
Hoffman	Huseman	Jacobs	Kaufmann
Lukan	May	Mertz	Miller, L.
Olson, S.	Paulsen	Raecker	Rants
Rasmussen	Rayhons	Reasoner	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wienczek
Windschitl	Worthan		

Absent or not voting, 2:

Horbach	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 162](#) be immediately messaged to the Senate.

[HOUSE FILE 474](#) REREFERRED

The Speaker announced that [House File 474](#), previously referred to committee on **public safety** was placed on **calendar**.

EXPLANATION OF VOTE

On the evening of Thursday, February 22, 2007, I inadvertently voted “aye” on [Senate File 162](#). I meant to vote “no”.

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on February 22, 2007, he approved and transmitted to the Secretary of State the following bill:

[Senate File 109](#), an Act providing for the establishment of the state percent of growth for purposes of the state school foundation program, and providing an applicability date.

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\1346 Raymond Saunders, Manilla – For celebrating his 96th birthday.
- 2007\1347 Evelyn Griebel, Dewitt – For celebrating her 90th birthday.
- 2007\1348 Ken and Janice Wielard, Pella – For celebrating their 50th wedding anniversary.

SUBCOMMITTEE ASSIGNMENTS

[House File 232](#)

Transportation: Cohoon, Chair; Arnold, Bukta, Huseman and Lykam.

[House File 326](#) Reassigned

Ways and Means: Wise, Chair; Deyoe, T. Olson, Quirk, Reasoner, Struyk and Van Fossen.

[House File 348](#) Reassigned

Ways and Means: Wise, Chair; Deyoe, T. Olson, Quirk, Reasoner, Struyk and Van Fossen.

[House File 357](#)

Appropriations: Kuhn, Chair; Alons and Cohoon.

[House File 360](#)

Appropriations: Dandekar, Chair; Chambers and Cohoon.

[House File 361](#)

Appropriations: Ford, Chair; Berry, Lukan, Schickel and Winckler.

[House File 363](#)

Appropriations: Winckler, Chair; Chambers and Wenthe.

[House File 366](#)

Appropriations: Kuhn, Chair; De Boef and Wenthe.

[House File 384](#)

Appropriations: Foege, Chair; Heaton and Jacoby.

[House File 398](#)

Public Safety: Mascher, Chair; Alons and Kuhn.

[House File 399](#)

State Government: Wessel-Kroeschell, Chair; Abdul-Samad, Gipp, Jacobs and T. Taylor.

[House File 402](#)

State Government: Quirk, Chair; Greiner, Jacoby, Jochum, Raecker, Roberts and Shomshor.

[House File 403](#)

Ways and Means: Reasoner, Chair; Sands and Shomshor.

[House File 405](#)

State Government: Jochum, Chair; Gipp and Jacoby.

[House File 407](#)

Appropriations: Oldson, Chair; Jacoby and Watts.

[House File 408](#)

Appropriations: T. Taylor, Chair; Kuhn and Lukan.

[House File 409](#)

State Government: Quirk, Chair; Greiner, Jacoby, Jochum, Raecker, Roberts and Shomshor.

[House File 410](#)

Ways and Means: Reasoner, Chair; Deyoe and Shomshor.

[House File 412](#)

State Government: Lensing, Chair; Boal and Whitead.

[House File 418](#)

Ways and Means: Wise, Chair; Deyoe, T. Olson, Quirk, Reasoner, Struyk and Van Fossen.

[House File 425](#)

Appropriations: Foegen, Chair; Chambers and Jacoby.

[House File 428](#)

Public Safety: Gayman, Chair; Hunter and S. Olson.

[House File 429](#)

Appropriations: Winckler, Chair; Chambers and Wenthe.

[House File 431](#)

Appropriations: Kuhn, Chair; De Boef and Oldson.

[House File 434](#)

Appropriations: Foegen, Chair; Heaton and Oldson.

[House File 437](#)

Environmental Protection: Frevert, Chair; Drake, Greiner, Kuhn, H. Miller, D. Olson and S. Olson.

[House File 444](#)

Environmental Protection: Frevert, Chair; Drake, Greiner, Kuhn, H. Miller, D. Olson and S. Olson.

[House File 452](#)

Environmental Protection: Sands, Chair; Jochum and H. Miller.

[House File 455](#)

Environmental Protection: Frevert, Chair; Drake, Greiner, Kuhn, H. Miller, D. Olson and S. Olson.

[House File 456](#)

Economic Growth: Wenthe, Chair; H. Miller and Wienciek.

[House File 461](#)

Economic Growth: D. Olson, Chair; Clute and Thomas.

[House File 465](#)

Transportation: Cohoon, Chair; Lykam and Tjepkes.

[House File 476](#)

Transportation: Huser, Chair; Arnold and Swaim.

[House File 477](#)

Transportation: D. Olson, Chair; Bukta and May.

[House File 481](#)

Transportation: Huser, Chair; Dandekar and Rasmussen.

[Senate File 34](#)

Transportation: Cohoon, Chair; Arnold, Bukta, Huseman and Lykam.

[Senate File 41](#)

State Government: Whitead, Chair; L. Miller and Wendt.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

[House Study Bill 204](#)

State Government: Wessel-Kroeschell, Chair; Abdul-Samad, Gipp, Jacobs and T. Taylor.

[House Study Bill 210](#)

State Government: Lensing, Chair; Abdul-Samad and L. Miller.

[House Study Bill 213](#)

Local Government: Gaskill, Chair; Huser and Rasmussen.

[House Study Bill 217](#)

Human Resources: Palmer, Chair; Granzow and Jacoby.

[House Study Bill 218](#)

Natural Resources: Bailey, Chair; Lukan and Mertz.

[House Study Bill 220](#)

Education: Wendt, Chair; Mascher and L. Miller.

[House Study Bill 222](#)

State Government: Lensing, Chair; Jacobs and Jacoby.

[House Study Bill 223](#)

Appropriations: Oldson, Chair; Cohoon and Watts.

[House Study Bill 224](#)

Agriculture: Wenthe, Chair; De Boef and Gayman.

[House Study Bill 225](#)

Ways and Means: T. Olson, Chair; Grassley, Pettengill, Shomshor and Van Fossen.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

[H.S.B. 227](#) **Economic Growth**

Relating to programs, funds, authority, and duties of the Iowa finance authority.

[H.S.B. 228](#) **Labor**

Concerning racing and gaming commission procedural requirements relating to disciplinary actions taken by the commission.

[H.S.B. 229](#) **Economic Growth**

Creating an endow Iowa planned gift tax credit and including a retroactive applicability date.

[H.S.B. 230](#) **Economic Growth**

Relating to funding for a statewide labor shed study.

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 AGRICULTURE

Committee Bill (Formerly [House File 169](#)), relating to animal pounds, by authorizing pounds to provide for foster care, to refer to themselves as animal shelters, and providing penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 21, 2007.

Committee Bill (Formerly [House Study Bill 179](#)), relating to cooperative associations, by providing for documentation, including certificates and statements.

Fiscal Note is not required.

Recommended **Do Pass** February 21, 2007.

COMMITTEE ON COMMERCE

Committee Bill (Formerly [House Study Bill 91](#)), establishing the Iowa propane education and research council, providing for the development of programs and projects related to propane, providing for an assessment on the sale of odorized propane, and providing criminal penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 22, 2007.

COMMITTEE ON ECONOMIC GROWTH

Committee Bill (Formerly [House File 171](#)), relating to residential property and property taxation within a self-supported municipal improvement district, providing a property tax exemption, and providing that related notices may be sent by first class mail.

Fiscal Note is not required.

Recommended **Do Pass** February 22, 2007.

COMMITTEE ON HUMAN RESOURCES

Committee Bill (Formerly [House Study Bill 21](#)), 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** February 21, 2007.

Committee Bill (Formerly [House Study Bill 25](#)), relating to the regulation and practice of pharmacy, including providing for the establishment of a limited drug and device distributor license.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 21, 2007.

Committee Bill (Formerly [House Study Bill 27](#)), relating to the practice of pharmacy and the registration of pharmacy technicians.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 21, 2007.

Committee Bill (Formerly [House Study Bill 93](#)), relating to the regulation of hospitals and health care facilities by the department of inspections and appeals, including investigations of complaints against health care facilities and rules relating to authentication of certain orders by practitioners, and providing an immediate effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 21, 2007.

COMMITTEE ON NATURAL RESOURCES

Committee Bill (Formerly [House Study Bill 32](#)), relating to various conservation and recreation activities under the purview of the department of natural resources, modifying fees, and making penalties applicable.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 21, 2007

COMMITTEE ON PUBLIC SAFETY

Committee Bill (Formerly [House File 330](#)), establishing an interim study committee to study the impact of unemployment on the recidivism rate of persons who have been committed to the custody of the department of corrections or assigned to the judicial district departments of correctional services.

Fiscal Note is not required.

Recommended **Do Pass** February 22, 2007.

Committee Bill (Formerly [House Study Bill 174](#)), relating to the department of public safety practices and procedures, and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 22, 2007.

COMMITTEE ON TRANSPORTATION

Committee Bill (Formerly [House File 222](#)), crediting fees from the sale of certain special motor vehicle registration plates to the veterans license fee fund.

Fiscal Note is required.

Recommended **Amend and Do Pass** February 22, 2007.

Committee Bill (Formerly [House File 278](#)), relating to the Midwest interstate passenger rail compact and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 22, 2007.

Committee Bill (Formerly [House Study Bill 155](#)), establishing prelicensing and continuing education requirements for used motor vehicle dealers.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 22, 2007.

COMMITTEE ON VETERANS AFFAIRS

Committee Bill (Formerly [House File 300](#)), concerning the licensure, operation, and taxation of card game tournaments by organizations representing veterans and allowable prizes at annual game nights.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 22, 2007.

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly [House File 346](#)), increasing the taxes imposed on cigarettes and tobacco products providing for deposit of the increased revenue generated in the healthy Iowans tobacco trust, and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 21, 2007.

AMENDMENTS FILED

H-1076	S.F. _____ 110	Dolecheck of Ringgold
H-1077	S.F. _____ 70	Lukan of Dubuque
H-1079	H.F. _____ 413	Gipp of Winneshiek

On motion by McCarthy of Polk the House adjourned at 9:47 p.m., until 9:00 a.m., Friday, February 23, 2007.