

**PROOF**

---

---

**STATE OF IOWA**

**House Journal**

**THURSDAY, MARCH 1, 2007**

---

Printed daily by the State of Iowa during the sessions of the General Assembly.  
An official corrected copy is available for reference in the office of the Chief Clerk.  
(The official bound copy will be available after a reasonable time upon adjournment.)

---

---

# JOURNAL OF THE HOUSE

Fifty-third Calendar Day – Thirty-eighth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Thursday, March 1, 2007

The House met pursuant to adjournment at 9:07 a.m., Speaker Murphy in the chair.

Prayer was offered by the Honorable Bob Kressig, state representative from Black Hawk County.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Heidi Horstman, House Page from Shelby.

The Journal of Wednesday, February 28, 2007 was approved.

## INTRODUCTION OF BILL

[House File 613](#), by Ford, a bill for an act providing for the establishment and administration of mental health court pilot projects.

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

The House stood at ease at 9:10 a.m., until the fall of the gavel.

The House resumed session at 9:22 a.m., Speaker Murphy in the chair.

## INTRODUCTION OF BILLS

[House File 614](#), by Ford, a bill for an act requiring a study of tax increment financing for purposes of urban renewal and providing an appropriation.

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

[House File 615](#), by committee on education, a bill for an act relating to the membership of the board of educational examiners.

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

#### SENATE MESSAGES CONSIDERED

[Senate File 139](#), by committee on judiciary, a bill for an act relating to a criminal defendant filing an application for postconviction relief.

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

[Senate File 140](#), by committee on judiciary, a bill for 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.

Read first time and referred to committee on **public safety**.

[Senate File 175](#), by committee on judiciary, a bill for an act relating to the disposition of seized property in a criminal proceeding.

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

[Senate File 201](#), by committee on local government, a bill for an act relating to county recorder fees for certified copies of certain vital statistics records, and providing an effective date.

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

[Senate File 203](#), by committee on natural resources and environment, a bill for an act requiring certain children to wear personal flotation devices while on board certain vessels operated on state waters and providing for a penalty and an effective date.

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

[Senate File 204](#), by committee on judiciary, a bill for an act relating to the department of public safety practices and procedures.

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

[Senate File 205](#), by committee on economic growth, a bill for an act relating to the use of moneys in the Iowa cultural trust grant account by the board of trustees of the Iowa cultural trust.

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

CONSIDERATION OF BILLS  
Regular Calendar

[House File 370](#), a bill for an act relating to crime victim compensation, was taken up for consideration.

[SENATE FILE 70](#) SUBSTITUTED FOR [HOUSE FILE 370](#)

Berry of Black Hawk asked and received unanimous consent to substitute [Senate File 70](#) for [House File 370](#) placing out of order amendment [H-1062](#) filed by Lukan of Dubuque on February 20, 2007.

Lukan of Dubuque offered the following amendment [H-1077](#) filed by him and moved its adoption:

[H-1077](#)

- 1 Amend [Senate File 70](#), as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, by inserting after line 4 the
- 4 following:
- 5 "Sec.\_\_\_\_. Section 422.7, Code 2007, is amended by
- 6 adding the following new subsection:
- 7 [NEW SUBSECTION](#). 50. Subtract, to the extent
- 8 included, the amount of victim compensation awards
- 9 paid under the victim compensation program, victim
- 10 restitution payments received pursuant to chapter 910
- 11 or 915, and any damages awarded by a court, and
- 12 received by the taxpayer, in a civil action filed by
- 13 the victim against the offender, during the tax year."
- 14 2. Page 5, by inserting after line 6 the
- 15 following:
- 16 "Sec.\_\_\_\_. RETROACTIVE APPLICABILITY DATE. The
- 17 section of this Act amending section 422.7 applies
- 18 retroactively to January 1, 2007, for tax years
- 19 beginning on or after that date."
- 20 3. Title page, line 1, by inserting after the

- 21 word "compensation" the following: ", excluding  
 22 certain victim compensation payments from income  
 23 taxation, and providing a retroactive applicability  
 24 date".  
 25 4. By renumbering as necessary.

Amendment [H-1077](#) was adopted.

Berry of Black Hawk 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. 70](#))

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Bailey
Baudler	Bell	Berry	Boal
Bukta	Chambers	Clute	Cohoon
Dandekar	Davitt	Deyoe	Dolecheck
Drake	Foeg	Ford	Forristall
Frevert	Gaskill	Gayman	Gipp
Grassley	Greiner	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, 5:

Arnold	De Boef	Granzow	Heaton
Zirkelbach			

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

[HOUSE FILE 370](#) WITHDRAWN

Berry of Black Hawk asked and received unanimous consent to withdraw [House File 370](#) from further consideration by the House.

[House File 400](#), a bill for an act authorizing the formation of a professional corporation or a professional limited liability company by licensed real estate brokers, was taken up for consideration.

Quirk of Chickasaw offered the following amendment [H-1059](#) filed by him and moved its adoption:

[H-1059](#)

- 1 Amend [House File 400](#) as follows:
- 2 1. Page 1, line 32, by inserting after the word
- 3 "or" the following: "professional".

Amendment [H-1059](#) was adopted.

Quirk of Chickasaw 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. 400](#))

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Bailey
Baudler	Bell	Berry	Boal
Bukta	Chambers	Clute	Cohoon
Dandekar	Davitt	Deyoe	Dolecheck
Drake	Foege	Ford	Forristall
Frevert	Gaskill	Gayman	Gipp
Grassley	Greiner	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, 5:

Arnold	De Boef	Granzow	Heaton
Zirkelbach			

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

[House File 432](#), a bill for an act relating to abuse of a human corpse and providing penalties, was taken up for consideration.

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

On the question "Shall the bill pass?" ([H.F. 432](#))

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Bailey
Baudler	Bell	Berry	Boal
Bukta	Chambers	Clute	Cphoon
Dandekar	Davitt	Deyoe	Dolecheck
Drake	Foege	Ford	Forristall
Frevert	Gaskill	Gayman	Gipp
Grassley	Greiner	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, 5:

Arnold	De Boef	Granzow	Heaton
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 Files 400, 432** and [Senate File 70](#).

### BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on February 28, 2007, he approved and transmitted to the Secretary of State the following bills:

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

[Senate File 32](#), an Act extending the future repeal of a provision requiring the issuance of certificates for furnishing local telecommunications services, and providing an effective date.

[Senate File 40](#), an Act relating to the regulation of ethical conduct by governmental entities.

[Senate File 162](#), an Act creating the Iowa stem cell research and cures initiative, and providing penalties.

[Senate File 305](#), an Act authorizing funding for providing disaster grants to needy individuals and families and including effective and retroactive applicability date provisions.

## SUBCOMMITTEE ASSIGNMENTS

[House File 488](#)

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

[House File 489](#)

State Government: Gaskill, Chair; Jacobs and T. Taylor.

[House File 510](#)

Commerce: Petersen, Chair; Hoffman and Jacoby.

[House File 513](#)

State Government: Lensing, Chair; Gaskill and Jacobs.

[House File 514](#)

Commerce: Pettengill, Chair; Clute, Hoffman, Quirk and Wise.

[House File 519](#)

Commerce: Pettengill, Chair; Hoffman, Quirk, Upmeyer and Wise.

[House File 543](#)

State Government: Jacoby, Chair; L. Miller and Shomshor.

[House File 544](#)

State Government: Gaskill, Chair; Abdul-Samad and Jacobs.

[House File 549](#)

Environmental Protection: Jochum, Chair; De Boef and T. Olson.

[House File 553](#)

State Government: Shomshor, Chair; Lensing and Roberts.

[House File 560](#)

State Government: Wessel-Kroeschell, Chair; Boal and Lensing.

[House File 561](#)

Transportation: Tjepkes, Chair; Huser and Lykam.

[House File 563](#)

Transportation: Lykam, Chair; Huser and Tjepkes.

[House File 565](#)

Transportation: Huser, Chair; Lykam and Tjepkes.

[House File 575](#)

Transportation: Tjepkes, Chair; Huser and Lykam.

[House File 581](#)

State Government: Lensing, Chair; Boal and Wessel-Kroeschell.

[House File 582](#)

Transportation: May, Chair; Bell and Cohoon.

[House File 583](#)

Education: Abdul-Samad, Chair; Gayman and Kaufmann.

[House File 584](#)

Transportation: Tjepkes, Chair; Huser and Lykam.

[House File 600](#)

Transportation: Lykam, Chair; Huser and Tjepkes.

[House File 605](#)

Transportation: Huser, Chair; Lykam and Tjepkes.

[Senate File 130](#)

Local Government: D. Taylor, Chair; Kaufmann and Whitead.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

[House Study Bill 228](#)

Labor: R. Olson, Chair; Horbach and Palmer.

[House Study Bill 237](#)

Education: Wendt, Chair; Dolecheck and Gayman.

[House Study Bill 238](#)

Economic Growth: Thomas, Chair; Wenthe and Wiencek

[House Study Bill 239](#)

Economic Growth: Thomas, Chair; Anderson and Bailey.

[House Study Bill 240](#)

Education: Wendt, Chair; Cohoon and May.

[House Study Bill 241](#)

Judiciary: Huser, Chair; Anderson and Swaim.

[House Study Bill 243](#)

Agriculture: Gayman, Chair; Pettengill and Struyk.

[House Study Bill 245](#)

Agriculture: Kuhn, Chair; Greiner and Wenthe.

## 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 HUMAN RESOURCES

[House File 125](#), a bill for an act establishing billing and payment standards for child care provided under the state child care assistance program administered by the department of human services.

Fiscal Note is not required.

Recommended **Amend and Do Pass with Amendment** [H-1093](#) February 28, 2007.

### COMMITTEE ON TRANSPORTATION

[House File 81](#), a bill for an act relating to a probation period following certain periods of driver's license suspension, revocation, or bar.

Fiscal Note is not required.

Recommended **Do Pass** February 27, 2007.

## AMENDMENTS FILED

<a href="#"><u>H-1093</u></a>	<a href="#"><u>H.F. 125</u></a>	Committee on Human Resources
<a href="#"><u>H-1094</u></a>	<a href="#"><u>H.F. 611</u></a>	Tymeson of Madison
<a href="#"><u>H-1095</u></a>	<a href="#"><u>H.F. 320</u></a>	Paulsen of Linn
<a href="#"><u>H-1096</u></a>	<a href="#"><u>H.F. 81</u></a>	Paulsen of Linn

On motion by McCarthy of Polk the House adjourned at 9:55 a.m., until 1:00 p.m., Monday, March 5, 2007.

