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**STATE OF IOWA**

**House Journal**

**WEDNESDAY, MARCH 18, 2009**

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Produced daily by the State of Iowa during the sessions of the General Assembly.  
(The official bound copy will be available after a reasonable time upon adjournment.)

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## JOURNAL OF THE HOUSE

Sixty-sixth Calendar Day - Forty-fourth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Wednesday, March 18, 2009

The House met pursuant to adjournment at 9:09 a.m., Speaker Murphy in the chair.

Prayer was offered by Reverend Timothy Bees, pastor of First Baptist Church, Dubuque. He was the guest of Representative Chuck Isenhardt of Dubuque County and Speaker Murphy.

### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the West Des Moines Mariners baseball team, including Jake Chevalier, Mason Whitham, Parker Johnson, Jack Brandsgard and Nick Drucker. They are the three time AAU State Champions. They were the guests of the Chief Clerk, Mark Brandsgard.

The Journal of Tuesday, March 17, 2009 was approved.

### INTRODUCTION OF BILLS

[House File 774](#), by committee on judiciary, a bill for an act relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and including effective and applicability date provisions.

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

[House File 775](#), by committee on labor, a bill for an act requiring additional workers' compensation payments for scheduled injuries that result in a reduction in the injured employee's earning capacity.

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

[House File 776](#), by committee on state government, a bill for an act prohibiting the use of false caller identification for campaign purposes and providing penalties.

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

[House File 777](#), by committee on state government, a bill for an act relating to open records and public meetings, including creation of the Iowa public information board, and providing an effective date and making an appropriation.

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

[House File 778](#), by committee on state government, a bill for an act establishing a pilot program for alternative project delivery procedures for public projects undertaken by certain governmental entities.

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

[House File 779](#), by committee on transportation, a bill for an act relating to matters under the purview of the department of transportation, including provisions for the administration of the department, driver licensing, vehicle regulation, the motor fuel tax formula, and the issuance of citations, establishing a cap on annual deposits to the TIME-21 fund, providing a penalty, and providing effective and retroactive applicability dates.

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

[House File 780](#), by committee on environmental protection, a bill for an act relating to the operation and purview of the office of energy independence, by transferring authority over specified energy-related measures and programs from the department of natural resources to the office of energy independence, and providing transition provisions relating to the transfer of authority.

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

[House File 781](#), by committee on state government, a bill for an act to establish a scope of practice review committee relating to the licensing of midwives.

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

[House File 782](#), by committee on rebuild Iowa and disaster recovery, a bill for an act relating to natural disaster recovery, including by supporting projects and programs relating to persons and property affected by natural disaster or to prevent or mitigate the effects of a future natural disaster; providing for the compromise or abatement of penalties, interest, fees, and costs related to delinquent property taxes on real property located within a disaster area; providing appropriations; and including effective date and retroactive applicability date provisions.

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

[House File 783](#), by committee on economic growth, a bill for an act relating to small business concerns regarding contracts with the department of transportation, and providing an applicability date.

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

[House File 784](#), by committee on transportation, a bill for an act relating to the surveying of unused highway right-of-way to be sold by the department of transportation.

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

[House File 785](#), by committee on transportation, a bill for an act relating to lead wheel weights on state-owned motor vehicles.

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

[House File 786](#), by committee on transportation, a bill for an act relating to hours-of-service requirements for certain commercial motor vehicle operators hauling agricultural crops or dry fertilizer.

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

[House File 787](#), by committee on state government, a bill for an act establishing an independent office of administrative hearings within the department of inspections and appeals.

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

[House File 788](#), by committee on state government, a bill for an act prohibiting certain liquor control, wine, or beer licensees or permittees from knowingly permitting or engaging in criminal activity in areas adjacent to the licensed premises and making penalties applicable.

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

[House File 789](#), by committee on state government, a bill for an act concerning the appointment of young adults to appointive boards, commissions, committees, and councils and including an applicability date provision.

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

[House File 790](#), by committee on agriculture, a bill for an act regulating animal feeding operations, making penalties applicable, and providing for penalties.

Read first time and referred to committee on **environmental protection**.

[House File 791](#), by committee on labor, a bill for an act relating to the imposition of penalty benefits in workers' compensation cases.

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

[House File 792](#), by committee on labor, a bill for an act concerning labor management committees.

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

[House File 793](#), by committee on labor, a bill for an act prohibiting employers from infringing on employees' political activities after work hours and if not using company resources.

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

[House File 794](#), by committee on labor, a bill for an act concerning public employee collective bargaining and decisions rendered by administrative law judges.

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

[House File 795](#), by committee on labor, a bill for an act relating to the choice of doctor to treat an injured employee under workers' compensation laws and providing effective and applicability dates.

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

#### SENATE MESSAGES CONSIDERED

[Senate File 262](#), by committee on labor and business relations , a bill for an act relating to the imposition of penalty benefits in workers' compensation cases.

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

[Senate File 281](#), by committee on veterans affairs, a bill for an act to require the department of veterans affairs to conduct a study concerning the restoration and maintenance of the medal of honor memorial for the state of Iowa.

Read first time and referred to committee on **veterans affairs**.

[Senate File 286](#), by committee on state government, a bill for an act establishing a recreational therapy board, requiring the licensure of recreational therapists, and providing for fees and penalties.

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

[Senate File 301](#), by committee on state government, a bill for an act relating to bidding requirements for public improvement projects completed by certain state entities.

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

[Senate File 323](#), by Sodders, a bill for an act relating to the provision of certain information regarding a child in foster care to the foster care provider.

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

[Senate File 334](#), by Gronstal, a bill for an act relating to the legislative committees charged with providing government oversight.

Read first time and referred to committee on **administration and rules**.

[Senate File 341](#), by committee on state government, a bill for an act requiring that a person assisting another person with a disability by controlling an assistive animal be allowed to accompany the person with the disability and the assistive animal.

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

[Senate File 355](#), by committee on commerce, a bill for an act relating to mortgage lending by establishing licensing requirements applicable to mortgage loan originators; making specified modifications to existing licensing provisions relating to mortgage bankers and brokers, regulated loans, and industrial loans; and providing penalties and effective dates.

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

[Senate File 358](#), by committee on judiciary, a bill for an act relating to the recognition and enforcement of foreign-country money judgments and providing for the Act's applicability.

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

[Senate File 360](#), by committee on education, a bill for an act relating to the accreditation of school districts and nonpublic schools and the reorganization of school districts.

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

[Senate File 364](#), by committee on judiciary, a bill for an act relating to civil actions including certain limitations on actions, judgments, and executions and including actions relating to the foreclosure of real estate mortgages, and providing effective date and applicability provisions.

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

[Senate File 365](#), by committee on judiciary, a bill for an act relating to trusts and estates including the administration of small estates and including retroactive and other applicability provisions.

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

[Senate File 394](#), by committee on human resources, a bill for an act requiring a circulating nurse to be present in operating rooms during surgical procedures and providing an effective date.

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

The House stood at ease at 9:24 a.m., until the fall of the gavel.

The House resumed session at 10:46 a.m., Speaker pro tempore Bukta in the chair.

#### CONSIDERATION OF BILLS Regular Calendar

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

Swaim of Davis asked and received unanimous consent to withdraw amendment [H-1146](#) filed by him and Anderson of Page on March 12, 2009.

Under the provision of Rule 31, related to the timely filing of amendments, amendment [H-1194](#), filed from the floor, was placed out of order.

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

On the question "Shall the bill pass?" ([H.F. 697](#))

The ayes were, 71:

Abdul-Samad	Beard	Bell	Berry
Burt	Cohoon	Dolecheck	Drake
Ficken	Ford	Frevert	Gaskill
Gayman	Grassley	Heaton	Heddens
Hunter	Huser	Isenhart	Jacoby
Kaufmann	Kearns	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Marek	Mascher	McCarthy	Mertz
Miller, H.	Murphy, Spkr.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Paulsen
Petersen	Rants	Reasoner	Reichert
Roberts	Schueller	Schulte	Schultz
Shomshor	Smith	Soderberg	Sorenson
Steckman	Struyk	Swaim	Taylor, D.
Taylor, T.	Thede	Thomas	Tjepkes
Tymeson	Wagner	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Willems
Winckler	Zirkelbach	Bukta, Presiding	

The nays were, 24:

Alons	Arnold	Baudler	Cownie
De Boef	Deyoe	Forristall	Hagenow
Helland	Horbach	Huseman	Koester
May	Miller, L.	Olson, S.	Pettengill
Raecker	Sands	Sweeney	Upmeyer
Van Engelenhoven	Watts	Windschitl	Worthan

Absent or not voting, 5:

Anderson	Bailey	Chambers	Quirk
Rayhons			

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

#### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Paulsen of Linn on request of Roberts of Carroll.

**House File 705**, a bill for an act concerning community safe rooms and storm shelters in newly constructed public buildings, was taken up for consideration.

Grassley of Butler offered the following amendment [H-1191](#) filed by him and moved its adoption:

[H-1191](#)

- 1 Amend [House File 705](#) as follows:
- 2 1. Page 1, by striking line 19 and inserting the
- 3 following: "statute or by a federal".

Amendment [H-1191](#) was adopted.

Burt 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?" ([H.F. 705](#))

The ayes were, 95:

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

The nays were, 1:

Schultz

Absent or not voting, 4:

Bailey                      Chambers                      Paulsen                      Quirk

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

#### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Upmeyer of Hancock on request of Roberts of Carroll.

**House File 707**, a bill for an act relating to eligible beneficiaries for a line of duty death benefit under the statewide fire and police retirement system and providing an effective date, was taken up for consideration.

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

On the question "Shall the bill pass?" ([H.F. 707](#))

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Arnold
Baudler	Beard	Bell	Berry
Burt	Cohoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Ficken
Ford	Forristall	Frevert	Gaskill
Gayman	Grassley	Hagenow	Heaton
Heddens	Helland	Horbach	Hunter
Huseman	Huser	Isenhart	Jacoby
Kaufmann	Kearns	Kelley	Koester
Kressig	Kuhn	Lensing	Lukan
Lykam	Marek	Mascher	May
McCarthy	Mertz	Miller, H.	Miller, L.
Murphy, Spkr.	Oldson	Olson, D.	Olson, R.
Olson, S.	Olson, T.	Palmer	Petersen
Pettengill	Raecker	Rants	Rayhons
Reasoner	Reichert	Roberts	Sands
Schueller	Schulte	Schultz	Shomshor
Smith	Soderberg	Sorenson	Steckman

Struyk	Swaim	Sweeney	Taylor, D.
Taylor, T.	Thede	Thomas	Tjepkes
Tymeson	Van Engelenhoven	Wagner	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Willems	Winckler	Windschitl
Worthan	Zirkelbach	Bukta, Presiding	

The nays were, none.

Absent or not voting, 5:

Bailey	Chambers	Paulsen	Quirk
Upmeyer			

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 697, 705 and 707.**

**House File 710**, a bill for an act relating to the agricultural development authority, by providing for the reporting of its operations, was taken up for consideration.

Mertz of Kossuth 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.

Speaker Murphy in the chair at 11:13 a.m.

On the question "Shall the bill pass?" ([H.F. 710](#))

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Baudler	Beard	Bell	Berry
Bukta	Burt	Cohoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Ficken	Ford	Forristall	Frevert
Gaskill	Gayman	Grassley	Hagenow
Heaton	Heddens	Helland	Horbach
Hunter	Huseman	Huser	Isenhart
Jacoby	Kaufmann	Kearns	Kelley
Koester	Kressig	Kuhn	Lensing

Lukan	Lykam	Marek	Mascher
May	McCarthy	Mertz	Miller, H.
Miller, L.	Oldson	Olson, D.	Olson, R.
Olson, S.	Olson, T.	Palmer	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rants	Rayhons	Reasoner	Reichert
Roberts	Sands	Schueller	Schulte
Schultz	Shomshor	Smith	Soderberg
Sorenson	Steckman	Struyk	Swaim
Sweeney	Taylor, D.	Taylor, T.	Thede
Thomas	Tjepkes	Tymeson	Van Engelenhoven
Wagner	Watts	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Willems	Winckler
Windschitl	Worthan	Zirkelbach	Mr. Speaker
			Murphy

The nays were, 1:

Whitead

Absent or not voting, 3:

Bailey                      Chambers                      Upmeyer

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

[House File 713](#), a bill for an act creating the uniform child abduction prevention Act, was taken up for consideration.

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

On the question "Shall the bill pass?" ([H.F. 713](#))

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Arnold
Baudler	Beard	Bell	Berry
Bukta	Burt	Cohoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Ficken	Ford	Forristall	Frevert
Gaskill	Gayman	Grassley	Hagenow
Heaton	Heddens	Helland	Horbach
Hunter	Huseman	Huser	Isenhardt
Jacoby	Kaufmann	Kearns	Kelley
Koester	Kressig	Kuhn	Lensing
Lukan	Lykam	Marek	Mascher

May	McCarthy	Mertz	Miller, H.
Miller, L.	Oldson	Olson, D.	Olson, S.
Olson, T.	Palmer	Petersen	Pettengill
Quirk	Raecker	Rants	Rayhons
Reasoner	Reichert	Roberts	Sands
Schueller	Schulte	Schultz	Shomshor
Smith	Soderberg	Sorenson	Steckman
Struyk	Swaim	Sweeney	Taylor, D.
Taylor, T.	Thede	Thomas	Tjepkes
Tymeson	Van Engelenhoven	Wagner	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Willems	Winckler	Windschitl
Worthan	Zirkelbach	Mr. Speaker	
		Murphy	

The nays were, none.

Absent or not voting, 5:

Bailey	Chambers	Olson, R.	Paulsen
Upmeyer			

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

[Senate File 50](#), a bill for an act relating to the payment of a salary or other compensation to a candidate's family member, and making a penalty applicable, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" ([S.F. 50](#))

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Baudler	Beard	Bell	Berry
Bukta	Burt	Cohoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Ficken	Ford	Forristall	Frevert
Gaskill	Gayman	Grassley	Hagenow
Heaton	Heddens	Helland	Horbach
Hunter	Huseman	Huser	Isenhart
Jacoby	Kaufmann	Kearns	Kelley
Koester	Kressig	Kuhn	Lensing
Lukan	Lykam	Marek	Mascher
May	McCarthy	Mertz	Miller, H.

Miller, L.	Oldson	Olson, D.	Olson, S.
Olson, T.	Palmer	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rants
Rayhons	Reasoner	Reichert	Roberts
Sands	Schueller	Schulte	Schultz
Shomshor	Smith	Soderberg	Sorenson
Steckman	Struyk	Swaim	Sweeney
Taylor, D.	Taylor, T.	Thede	Thomas
Tjepkes	Tymeson	Van Engelenhoven	Wagner
Watts	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Willems	Winckler
Windschitl	Worthan	Zirkelbach	Mr. Speaker Murphy

The nays were, none.

Absent or not voting, 4:

Bailey	Chambers	Olson, R.	Upmeyer
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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 MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 710, 713** and **[Senate File 50](#)**.

**[House File 720](#)**, a bill for an act relating to boiler and pressure vessel inspections and the boiler and pressure vessel board that oversees the inspections, was taken up for consideration.

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

On the question "Shall the bill pass?" (**[H.F. 720](#)**)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Baudler	Beard	Bell	Berry
Bukta	Burt	Cohoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Ficken	Ford	Forristall	Frevert
Gaskill	Gayman	Grassley	Hagenow

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

The nays were, none.

Absent or not voting, 4:

Bailey	Chambers	Olson, R.	Upmeyer
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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 [House File 720](#) be immediately messaged to the Senate.

On motion by McCarthy of Polk, the House was recessed at 11:35 a.m., until 1:00 p.m.

#### AFTERNOON SESSION

The House reconvened at 1:20 p.m., Speaker Murphy in the chair.

#### INTRODUCTION OF BILLS

[House File 796](#), by committee on state government, a bill for an act relating to the provision of services over certain Iowa communications network connection facilities under specified circumstances.

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

[House File 797](#), by committee on state government, a bill for an act expanding Iowa communications network access to include counties.

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

[House File 798](#), by committee on environmental protection, a bill for an act relating to a waste tire stewardship and management fund and making appropriations.

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

[House File 799](#), by committee on transportation, a bill for an act providing for the operation of certain off-road vehicles on noninterstate highways and providing registration fees and a penalty.

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

[House File 800](#), by committee on transportation, a bill for an act relating to department of transportation administrative procedures by establishing a procedure to remove a conviction relating to the operation of a motor vehicle from a driving record based on identity theft and requiring verification of status in regards to the driver's license of a foreign national.

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

[House File 801](#), by committee on state government, a bill for an act relating to the establishment of a searchable budget database website for the public to access the details of the expenditure of state tax revenues and a searchable tax rate database for the public to access the details of each tax rate for all taxing districts in the state.

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

The House stood at ease at 1:22 p.m., until the fall of the gavel.

The House resumed session at 2:34 p.m., Speaker Murphy in the chair.

## QUORUM CALL

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

CONSIDERATION OF BILLS  
Regular Calendar

[House File 243](#), a bill for an act providing for gender balance on local boards, commissions, committees, and councils, and including an applicability provision, was taken up for consideration.

Horbach of Tama offered the following amendment [H-1087](#) filed by him and moved its adoption:

[H-1087](#)

- 1 Amend [House File 243](#) as follows:
- 2 1. By striking everything after the enacting
- 3 clause and inserting the following:
- 4 "Section 1. NEW SECTION. 69.16D LOCAL APPOINTIVE
- 5 BOARDS – MEMBERSHIP SELECTION.
- 6 Opportunities to serve on all appointive boards,
- 7 commissions, committees, and councils of a political
- 8 subdivision of the state that are established by the
- 9 Code shall be open to all members of the community on
- 10 the basis of their qualifications and without bias or
- 11 discrimination. Political subdivisions shall utilize
- 12 a fair and unbiased method of selecting the best
- 13 qualified applicants for such appointments. Political
- 14 subdivisions shall consciously and actively seek the
- 15 participation of and solicit applications for
- 16 appointment from all groups of the community so that
- 17 the appointment of a highly qualified applicant can be
- 18 made."
- 19 2. Title page, by striking lines 1 through 3 and
- 20 inserting the following: "An Act concerning the
- 21 appointment of members to local boards, commissions,
- 22 committees, and councils."

Roll call was requested by Horbach of Tama and Smith of Marshall.

On the question "Shall amendment [H-1087](#) be adopted?" ([H.F. 243](#))

The ayes were, 44:

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

The nays were, 54:

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

Absent or not voting, 2:

Chambers            Olson, R.

Amendment [H-1087](#) lost.

Mascher of Johnson asked and received unanimous consent to withdraw amendment [H-1018](#) filed by her and Raecker of Polk on February 11, 2009.

Mascher of Johnson offered amendment [H-1077](#) filed by her as follows:

[H-1077](#)

- 1 Amend [House File 243](#) as follows:
- 2 1. Page 1, line 22, by inserting before the words
- 3 "All appointive" the following: "a."

- 4 2. Page 1, by striking lines 26 through 32 and  
 5 inserting the following: "the political subdivision  
 6 has made a good faith effort".
- 7 3. Page 1, line 33, by inserting after the words  
 8 "appoint a" the following: "qualified".
- 9 4. Page 2, line 1, by inserting after the word  
 10 "appointment." the following: "In complying with the  
 11 requirements of this subsection, political  
 12 subdivisions shall utilize a fair and unbiased method  
 13 of selecting the best qualified applicants.  
 14 b. The governing body of a political subdivision  
 15 of the state, shall, during the first regularly  
 16 scheduled meeting of the governing body in 2012, and  
 17 every even-numbered year thereafter, approve a written  
 18 report including the total number of members and the  
 19 number of women and men members as of January 1 of  
 20 that year for each appointive board, commission,  
 21 committee, or council of the political subdivision  
 22 referred to in paragraph "a" and describing what steps  
 23 the political subdivision is taking to encourage  
 24 gender balance on these appointive bodies. The  
 25 political subdivision shall make copies of the report  
 26 available during the meeting, shall publish the report  
 27 with the minutes of that meeting, and shall otherwise  
 28 make the report readily available to the public."
- 29 5. By renumbering as necessary.

Mascher of Johnson offered the following amendment [H-1144](#), to amendment [H-1077](#), filed by her and Huser of Polk and moved its adoption:

[H-1144](#)

- 1 Amend the amendment, H-1077, to [House File 243](#) as  
 2 follows:
- 3 1. Page 1, by striking lines 2 and 3.
- 4 2. Page 1, line 13, by inserting after the word  
 5 "applicants." the following: "This subsection shall  
 6 not prohibit an individual whose term expires prior to  
 7 January 1, 2012, from being reappointed even though  
 8 the reappointment continues an inequity in gender  
 9 balance."
- 10 3. Page 1, by striking lines 14 through 28.

Amendment [H-1144](#) was adopted.

On motion by Mascher of Johnson, amendment [H-1077](#), as amended, was adopted.

Pettengill of Benton offered the following amendment [H-1106](#) filed by her and moved its adoption:

[H-1106](#)

- 1 Amend [House File 243](#) as follows:
- 2 1. Page 1, line 22, by striking the word "All"
- 3 and inserting the following: "A political subdivision
- 4 of the state shall make a good faith effort to provide
- 5 that all".
- 6 2. Page 1, line 23, by striking the words "a
- 7 political subdivision of the state" and inserting the
- 8 following: "the political subdivision".
- 9 3. By striking page 1, line 25, through page 2,
- 10 line 1, and inserting the following: "be gender
- 11 balanced."

Amendment [H-1106](#) lost.

Mascher of Johnson asked and received unanimous consent to withdraw amendment [H-1046](#) filed by her on February 17, 2009.

Pettengill of Benton offered the following amendment [H-1105](#) filed by her and moved its adoption:

[H-1105](#)

- 1 Amend [House File 243](#) as follows:
- 2 1. Page 1, line 35, by striking the words "three
- 3 months" and inserting the following: "one month".

A non-record roll call was requested.

The ayes were 37, nays 54.

Amendment [H-1105](#) lost.

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

On the question "Shall the bill pass?" ([H.F. 243](#))

The ayes were, 71:

Abdul-Samad	Anderson	Bailey	Beard
Bell	Berry	Bukta	Burt
Cohoon	Cownie	Drake	Ficken
Ford	Frevert	Gaskill	Gayman
Grassley	Hagenow	Heaton	Heddens
Hunter	Huser	Isenhart	Jacoby
Kaufmann	Kearns	Kelley	Koester
Kressig	Kuhn	Lensing	Lykam
Marek	Mascher	McCarthy	Mertz
Miller, H.	Miller, L.	Oldson	Olson, D.
Olson, T.	Palmer	Petersen	Quirk
Raecker	Rants	Reasoner	Reichert
Roberts	Schueller	Schulte	Shomshor
Smith	Soderberg	Steckman	Struyk
Swaim	Taylor, D.	Taylor, T.	Thede
Thomas	Tjepkes	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Willems
Winckler	Zirkelbach	Mr. Speaker	
		Murphy	

The nays were, 27:

Alons	Arnold	Baudler	De Boef
Deyoe	Dolecheck	Forristall	Helland
Horbach	Huseman	Lukan	May
Olson, S.	Paulsen	Pettengill	Rayhons
Sands	Schultz	Sorenson	Sweeney
Tymeson	Upmeyer	Van Engelenhoven	Wagner
Watts	Windschitl	Worthan	

Absent or not voting, 2:

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

[Senate File 137](#), a bill for an act providing that wage discrimination is an unfair employment practice under the Iowa civil rights Act and providing an enhanced remedy, with report of committee recommending amendment and passage, was taken up for consideration.

Lensing of Johnson offered the following amendment [H-1118](#) filed by the committee on state government and moved its adoption:

[H-1118](#)

1 Amend [Senate File 137](#), as passed by the Senate, as  
 2 follows:  
 3 1. Page 3, by striking lines 3 through 18 and  
 4 inserting the following:  
 5 "Sec. \_\_\_\_ Section 216.15, subsection 8, paragraph  
 6 a, Code 2009, is amended by adding the following new  
 7 subparagraph:  
 8 NEW SUBPARAGRAPH. (9) For an unfair or  
 9 discriminatory practice relating to wage  
 10 discrimination pursuant to section 216.6A, payment to  
 11 the complainant of damages for an injury caused by the  
 12 discriminatory or unfair practice which damages shall  
 13 include but are not limited to court costs, reasonable  
 14 attorney fees, and either of the following:  
 15 (a) An amount equal to two times the wage  
 16 differential paid to another employee compared to the  
 17 complainant for the period of time for which the  
 18 complainant has been discriminated against.  
 19 (b) In instances of willful and wanton violation,  
 20 an amount equal to three times the wage differential  
 21 paid to another employee as compared to the  
 22 complainant for the period of time for which the  
 23 complainant has been discriminated against."  
 24 2. By renumbering as necessary.

The committee amendment [H-1118](#) was adopted.

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

On the question "Shall the bill pass?" ([S.F. 137](#))

The ayes were, 90:

Abdul-Samad	Anderson	Arnold	Bailey
Beard	Bell	Berry	Bukta
Burt	Cohoon	Cownie	Deyoe
Drake	Ficken	Ford	Forristall
Frevert	Gaskill	Gayman	Grassley
Hagenow	Heaton	Heddens	Helland
Horbach	Hunter	Huseman	Huser
Isenhart	Jacoby	Kaufmann	Kearns
Kelley	Koester	Kressig	Kuhn
Lensing	Lukan	Lykam	Marek
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Oldson	Olson, D.
Olson, S.	Olson, T.	Palmer	Petersen

Pettengill	Quirk	Raecker	Rants
Rayhons	Reasoner	Reichert	Roberts
Sands	Schueller	Schulte	Shomshor
Smith	Soderberg	Sorenson	Steckman
Struyk	Swaim	Sweeney	Taylor, D.
Taylor, T.	Thede	Thomas	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Wagner
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Willems	Winckler	Windschitl
Zirkelbach	Mr. Speaker Murphy		

The nays were, 7:

Alons	De Boef	Dolecheck	Paulsen
Schultz	Watts	Worthan	

Absent or not voting, 3:

Baudler	Chambers	Olson, R.
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 18, 2009, passed the following bill in which the concurrence of the House is asked:

[Senate File 263](#), a bill for an act relating to Iowa national pollutant discharge elimination system signage and providing a penalty.

Also: That the Senate has on March 18, 2009, passed the following bill in which the concurrence of the House is asked:

[Senate File 428](#), a bill for an act relating to permissible prizes for use of an electrical and mechanical amusement device.

Also: That the Senate has on March 18, 2009, passed the following bill in which the concurrence of the House is asked:

[Senate File 437](#), a bill for an act relating to the affairs of the governing body of a drainage district by providing for public access to meetings and records.

Also: That the Senate has on March 18, 2009, passed the following bill in which the concurrence of the House is asked:

[Senate File 438](#), a bill for an act relating to actions injurious to dependent adults and residents of health care facilities and providing penalties.

Also: That the Senate has on March 18, 2009, passed the following bill in which the concurrence of the House is asked:

[Senate File 440](#), a bill for an act relating to prescription drug coverage for health care facility residents eligible for federal veterans affairs benefits.

Also: That the Senate has on March 18, 2009, passed the following bill in which the concurrence of the House is asked:

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

MICHAEL E. MARSHALL, Secretary

[House File 706](#), a bill for an act relating to and publicizing mortgage foreclosure and real estate obligation protections for members of the national guard, and the reserve or regular component of the armed forces of the United States in active duty service, and providing a penalty, was taken up for consideration.

Gayman of Scott offered the following amendment [H-1190](#) filed by her and moved its adoption:

[H-1190](#)

- 1 Amend [House File 706](#) as follows:
- 2 1. Page 1, by striking lines 13 through 18 and
- 3 inserting the following:
- 4 "1. Except as provided under chapter 29A, or the
- 5 federal Service members Civil Relief Act of 2003, 50
- 6 U.S.C. app. 532 and 533, a creditor shall not initiate
- 7 a proceeding to enforce an obligation payable under
- 8 its terms in installments under a contract for the
- 9 purchase of real estate, or secured by a mortgage or
- 10 other instrument in the nature of a mortgage upon real
- 11 estate, against a borrower, or a borrower's
- 12 dependents, who is a member of the national guard or a
- 13 member of the reserve or regular component of the
- 14 armed forces of the United States in active duty
- 15 service. Enforcement of an obligation shall not be
- 16 permitted under the following circumstances:"
- 17 2. Page 1, line 20, by striking the words
- 18 "entitled to" and inserting the following: "has been
- 19 afforded".
- 20 3. Page 1, by striking lines 22 through 24 and

21 inserting the following: "creditor who enforces an  
 22 obligation in violation of chapter 29A, subchapter VI,  
 23 is subject to applicable penalty".  
 24 4. Page 1, line 28, by striking the words  
 25 "entitled to" and inserting the following: "has been  
 26 afforded".  
 27 5. Page 1, by striking lines 30 through 32 and  
 28 inserting the following: "533. A creditor who  
 29 enforces an obligation in violation of the federal Act  
 30 is subject to applicable penalty".

Amendment [H-1190](#) was adopted.

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. 706](#))

The ayes were, 98:

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

The nays were, none.

Absent or not voting, 2:

Chambers            Olson, R.

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

**House File 317**, a bill for an act relating to inclusion of assisted living services under the medical assistance home and community-based services waiver for the elderly, was taken up for consideration.

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

On the question "Shall the bill pass?" ([H.F. 317](#))

The ayes were, 98:

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

The nays were, none.

Absent or not voting, 2:

Chambers            Olson, R.

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

[House File 487](#), a bill for an act requiring postsecondary institutions and schools to provide students with specific textbook information, was taken up for consideration.

#### SPECIAL PRESENTATION

Speaker Murphy introduced to the House the honorable Rich Running, former state representative from Linn County.

The House rose and expressed its welcome.

Kelley 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?" ([H.F. 487](#))

The ayes were, 98:

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

Van Engelenhoven	Wagner	Watts	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Willems	Winckler	Windschitl	Worthan
Zirkelbach	Mr. Speaker Murphy		

The nays were, none.

Absent or not voting, 2:

Chambers                Olson, R.

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

**House File 723**, a bill for an act relating to various matters under the purview of the insurance division of the department of commerce including the uniform securities act; insurance division; articles of incorporation filing requirements; viatical settlements contracts; life insurance companies and associations; long-term care insurance; long-term care asset disregard incentives; insurance other than life; insurance guaranty association; county mutual insurance associations; state mutual insurance associations; consolidation, merger, and reinsurance; and cemetery and funeral merchandise and funeral services; and providing for an immediate effective date and retroactive applicability, was taken up for consideration.

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

On the question "Shall the bill pass?" ([H.F. 723](#))

The ayes were, 98:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Beard	Bell
Berry	Bukta	Burt	Cohoon
Cownie	De Boef	Deyoe	Dolecheck
Drake	Ficken	Ford	Forristall
Frevert	Gaskill	Gayman	Grassley
Hagenow	Heaton	Heddens	Helland
Horbach	Hunter	Huseman	Huser
Isenhart	Jacoby	Kaufmann	Kearns
Kelley	Koester	Kressig	Kuhn
Lensing	Lukan	Lykam	Marek

Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Oldson	Olson, D.
Olson, S.	Olson, T.	Palmer	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rants	Rayhons	Reasoner	Reichert
Roberts	Sands	Schueller	Schulte
Schultz	Shomshor	Smith	Soderberg
Sorenson	Steckman	Struyk	Swaim
Sweeney	Taylor, D.	Taylor, T.	Thede
Thomas	Tjepkes	Tymeson	Upmeyer
Van Engelenhoven	Wagner	Watts	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Willems	Winckler	Windschitl	Worthan
Zirkelbach	Mr. Speaker		
	Murphy		

The nays were, none.

Absent or not voting, 2:

Chambers            Olson, R.

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

#### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 18, 2009, passed the following bill in which the concurrence of the House is asked:

[Senate File 414](#), a bill for an act providing for a pilot project supporting high-quality child care for low-income children.

Also: That the Senate has on March 18, 2009, passed the following bill in which the concurrence of the House is asked:

[Senate File 425](#), a bill for an act providing for certain witness information in the minutes of evidence filed with a trial information or indictment and providing an effective date.

Also: That the Senate has on March 18, 2009, passed the following bill in which the concurrence of the House is asked:

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

MICHAEL E. MARSHALL, Secretary

[House File 677](#), a bill for an act relating to trusts and estates including the administration of small estates and including retroactive and other applicability provisions, was taken up for consideration.

Huser of Polk offered the following amendment [H-1140](#) filed by her and moved its adoption:

[H-1140](#)

- 1 Amend [House File 677](#) as follows:
- 2 1. Page 1, by striking lines 13 through 15 and
- 3 inserting the following: "the notice is served unless
- 4 the court finds there is good cause shown to shorten
- 5 the time period to less than twenty days. The court
- 6 shall".
- 7 2. Page 4, by striking line 26 and inserting the
- 8 following: "trustee or the addition of a provision to
- 9 the trust instrument allowing a".
- 10 3. Page 4, line 27, by inserting after the word
- 11 "beneficiary" the following: "or a group of
- 12 beneficiaries".
- 13 4. Page 4, line 30, by inserting after the word
- 14 "provisions" the following: "for the purposes of this
- 15 section".

Amendment [H-1140](#) was adopted.

[SENATE FILE 365](#) SUBSTITUTED FOR [HOUSE FILE 677](#)

Huser of Polk asked and received unanimous consent to substitute [Senate File 365](#) for [House File 677](#).

[Senate File 365](#), a bill for an act relating to trusts and estates including the administration of small estates and including retroactive and other applicability provisions, was taken up for consideration.

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

On the question "Shall the bill pass?" ([S.F. 365](#))

The ayes were, 96:

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

The nays were, 1:

Taylor, D.

Absent or not voting, 3:

Chambers            Lukan            Olson, R.

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

#### [HOUSE FILE 677](#) WITHDRAWN

Huser of Polk asked and received unanimous consent to withdraw [House File 677](#) from further consideration by the House.

[House File 695](#), a bill for an act relating to civil actions including certain limitations on actions, judgments, and executions and including actions relating to the foreclosure of real estate mortgages, and providing effective date and applicability provisions, was taken up for consideration.

Willems of Linn offered the following amendment [H-1170](#) filed by him and moved its adoption:

[H-1170](#)

- 1 Amend [House File 695](#) as follows:
- 2 1. Page 3, line 28, by inserting after the word
- 3 "person" the following: "or the person's attorney".
- 4 2. Page 4, line 15, by striking the words
- 5 "commencing an action" and inserting the following:
- 6 "filing a petition".
- 7 3. Page 8, line 1, by inserting after the word
- 8 "filed." the following: "Except as otherwise provided
- 9 in this section, the filing of a rescission shall
- 10 operate as a setting aside of the decree of
- 11 foreclosure and a dismissal of the foreclosure without
- 12 prejudice, with costs assessed against the plaintiff."
- 13 4. Page 8, by striking lines 34 and 35 and
- 14 inserting the following: "lienholder's debt against
- 15 the mortgaged property, but, subject to the provisions
- 16 of chapter 615, shall not otherwise".
- 17 5. Page 10, by striking lines 12 and 13 and
- 18 inserting the following: "default. Unless, within
- 19 thirty days, the junior lienholder performs pursuant
- 20 to section 655A.5, the mortgagee may file a".
- 21 6. Page 10, by striking lines 29 and 30 and
- 22 inserting the following: "section 654.4B takes effect
- 23 May 1, 2009."
- 24 7. By renumbering as necessary.

Amendment [H-1170](#) was adopted.

[SENATE FILE 364](#) SUBSTITUTED FOR [HOUSE FILE 695](#)

Willems of Linn asked and received unanimous consent to substitute [Senate File 364](#) for [House File 695](#).

[Senate File 364](#), a bill for an act relating to civil actions including certain limitations on actions, judgments, and executions and including actions relating to the foreclosure of real estate mortgages, and providing effective date and applicability provisions, was taken up for consideration.

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

On the question "Shall the bill pass?" ([S.F. 364](#))

The ayes were, 98:

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

The nays were, none.

Absent or not voting, 2:

Chambers            Olson, R.

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 243, 317, 487, 706, 723** and **Senate Files 137, 364** and **365**.

[SENATE FILE 151](#) REFERRED

The Speaker announced that [Senate File 151](#), previously placed on the **calendar** was referred to committee on **transportation**.

CERTIFICATES OF RECOGNITION

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

MARK W. BRANDSGARD  
Chief Clerk of the House

- 2009\2699      Leo and Jean Stancel, Marion – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2009\2700      Arlo and Arlene Pelley, Marion – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2009\2701      Everett and Glenda Mysak, Marion – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2009\2702      Kiah Stokes, Linn-Mar High School – For being named to the Class 4A 2009 Iowa High School Girls' Basketball All-Tournament Team and Iowa Girls' Coaches Association Class 4A First-Team All-State.
- 2009\2703      Zach Bohannon, Linn-Mar High School – For being named to the Class 4A 2009 Iowa High School Boys' Basketball All-Tournament Team and Iowa Boys' Coaches Association Class 4A First-Team All-State.
- 2009\2704      Marcus Paige, Linn-Mar High School – For being named to the Class 4A 2009 Iowa High School Boys' Basketball All-Tournament Team.
- 2009\2705      Linn-Mar Lions and Coach Chris Robertson, Linn-Mar High School – For winning 2<sup>nd</sup> place in the 2009 Class 4A State Boys' Basketball Tournament.
- 2009\2706      Jamie Printy, Linn-Mar High School – For being named to the Iowa Girls' Coaches Association All-State Basketball Team, Class 4A First-Team.
- 2009\2707      Morgan Paige, Marion High School – For being named to the Iowa Girls' Coaches Association All-State Basketball Team, Class 3A First-Team.

- 2009\2708 Amry Shelby, Marion High School – For being named to the Iowa Boys' Coaches Association All-State Basketball Team, Class 3A First-Team.
- 2009\2709 Harold Keninger, Ackley – For celebrating his 90<sup>th</sup> birthday.
- 2009\2710 Millie Neuendorf, Eldora – For celebrating her 80<sup>th</sup> birthday.
- 2009\2711 Verna Webber, Ames – For celebrating her 106<sup>th</sup> birthday.
- 2009\2712 Martha Heimbuch, Mason City – For celebrating her 90<sup>th</sup> birthday.
- 2009\2713 Trevor Alen Thein, Muscatine – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2009\2714 Ajeet Singh, Clive – For being named a University of Iowa Presidential Scholar.
- 2009\2715 Hallie Schenkel, Muscatine – For celebrating her 98<sup>th</sup> birthday.
- 2009\2716 Dorothy Westerman, Muscatine – For celebrating her 90<sup>th</sup> birthday.

#### SUBCOMMITTEE ASSIGNMENTS

##### [House File 341](#)

Ways and Means: Bell, Chair; Sands and Steckman.

##### [House File 342](#)

Ways and Means: Bell, Chair; Steckman and Wagner.

##### [House File 397](#)

Ways and Means: Isenhart, Chair; Struyk and Thomas.

##### [House File 398](#)

Ways and Means: D. Olson, Chair; Kaufmann and Steckman.

##### [House File 444](#)

Ways and Means: Bell, Chair; Hagenow and Steckman.

##### [House File 451](#)

Ways and Means: T. Olson, Chair; Shomshor and Struyk.

##### [House File 528](#)

Ways and Means: D. Olson, Chair; Forristall and Steckman.

[House File 560](#)

Ways and Means: D. Olson, Chair; Grassley and Steckman.

[House File 581](#)

Ways and Means: Isenhart, Chair; Steckman and Windschitl.

[House File 588](#)

Ways and Means: Petersen, Chair; Helland and D. Olson.

[House File 595](#)

Ways and Means: Wagner, Chair; Frevert and Kelley.

[House File 613](#)

Ways and Means: Isenhart, Chair; Steckman and Struyk.

[House File 624](#)

Ways and Means: Thomas, Chair; Kaufmann and Steckman.

[House File 626](#)

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

[House File 631](#)

Ways and Means: Thomas, Chair; Forristall and Steckman.

[House File 636](#)

Ways and Means: Sands, Chair; Bukta and Petersen.

[House File 637](#)

Ways and Means: Isenhart, Chair; L. Miller and Steckman.

[House File 639](#)

Ways and Means: Wagner, Chair; Frevert and Kelley.

[House File 661](#)

Ways and Means: D. Olson, Chair; Isenhart and Struyk.

[House File 668](#)

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

[House File 680](#)

Ways and Means: Sands, Chair; Bukta and Petersen.

[House File 690](#)

Ways and Means: Kaufmann, Chair; Bell and D. Olson.

[House File 702](#)

Ways and Means: Thomas, Chair; Forristall and Steckman.

[Senate Joint Resolution 5](#)

Judiciary: Swaim, Chair; Anderson and Palmer.

[Senate File 253](#)

Ways and Means: Windschitl, Chair; Bell and Grassley.

[Senate File 322](#)

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

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

[House Study Bill 272](#)

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

[House Study Bill 273](#)

Ways and Means: Hagenow, Chair; Bell and Reasoner.

[House Study Bill 274](#)

Ways and Means: Bell, Chair; Frevert and Hagenow.

HOUSE STUDY BILL COMMITTEE ASSIGNMENT

[H.S.B. 275](#) **Ways and Means**

Providing a sales tax exemption from the sale of wastewater and effluent treatment service provided by certain public entities for use in a manufacturing process.

AMENDMENTS FILED

[H-1195](#)

[H.F. 732](#)

Tymeson of Madison

<a href="#">H-1196</a>	<a href="#">H.F. 732</a>	Tymeson of Madison
<a href="#">H-1197</a>	<a href="#">H.F. 732</a>	Tymeson of Madison
<a href="#">H-1198</a>	<a href="#">H.F. 732</a>	Tymeson of Madison
<a href="#">H-1199</a>	<a href="#">H.F. 732</a>	De Boef of Keokuk
<a href="#">H-1200</a>	<a href="#">H.F. 774</a>	Committee on Judiciary
<a href="#">H-1201</a>	<a href="#">H.F. 743</a>	D. Olson of Boone
<a href="#">H-1202</a>	<a href="#">H.F. 765</a>	Horbach of Tama
<a href="#">H-1203</a>	<a href="#">H.F. 783</a>	Horbach of Tama
<a href="#">H-1204</a>	<a href="#">H.F. 732</a>	Alons of Sioux
		Soderberg of Plymouth
		Tymeson of Madison
<a href="#">H-1205</a>	<a href="#">H.F. 769</a>	Watts of Dallas
<a href="#">H-1206</a>	<a href="#">H.F. 769</a>	Watts of Dallas
<a href="#">H-1207</a>	<a href="#">H.F. 780</a>	Watts of Dallas
<a href="#">H-1208</a>	<a href="#">H.F. 732</a>	May of Dickinson
<a href="#">H-1209</a>	<a href="#">H.F. 769</a>	Watts of Dallas
<a href="#">H-1210</a>	<a href="#">H.F. 769</a>	Watts of Dallas
<a href="#">H-1211</a>	<a href="#">H.F. 682</a>	Gaskill of Wapello
<a href="#">H-1212</a>	<a href="#">H.F. 732</a>	Baudler of Adair
<a href="#">H-1213</a>	<a href="#">H.F. 234</a>	Upmeyer of Hancock
<a href="#">H-1214</a>	<a href="#">H.F. 234</a>	Soderberg of Plymouth
<a href="#">H-1215</a>	<a href="#">H.F. 234</a>	L. Miller of Scott
<a href="#">H-1216</a>	<a href="#">H.F. 234</a>	Pettengill of Benton
<a href="#">H-1217</a>	<a href="#">H.F. 722</a>	Bell of Jasper
<a href="#">H-1218</a>	<a href="#">H.F. 769</a>	Deyoe of Story
<a href="#">H-1219</a>	<a href="#">H.F. 687</a>	Sweeney of Hardin
<a href="#">H-1220</a>	<a href="#">S.F. 266</a>	Huser of Polk
<a href="#">H-1221</a>	<a href="#">H.F. 234</a>	Tymeson of Madison
<a href="#">H-1222</a>	<a href="#">H.F. 735</a>	Kuhn of Floyd

On motion by McCarthy of Polk the House adjourned at 5:14 p.m., until 9:00 a.m., Thursday, March 19, 2009.