

PROOF

STATE OF IOWA

House Journal

WEDNESDAY, MARCH 21, 2007

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JOURNAL OF THE HOUSE

Seventy-third Calendar Day - Fiftieth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, March 21, 2007

The House met pursuant to adjournment at 9:10 a.m., Speaker Murphy in the chair.

Prayer was offered by Reverend Ken Gehling, the Chaplain from Mercy Hospital in Mason City. He was the guest of Representative Bill Schickel from Cerro Gordo County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the West Des Moines Mariners Boys Baseball Club, including Jack Brandsgard, (son of the Chief Clerk, Mark Brandsgard), Grant Frey, Mason Whitham, Ben Olson, Connor Sorge and Jay Hrdlicka. They won the state AAU Championship in their age group for the past two seasons. They placed 13th among 57 teams nationally, and will be competing in the AAU National Tournament in Orlando, Florida this summer.

The Journal of Tuesday, March 20, 2007 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

De Boef of Keokuk, until her arrival, on request of Rants of Woodbury.

SENATE MESSAGES CONSIDERED

[Senate File 344](#), by committee on natural resources and environment, a bill for an act relating to enforcement of certain solid waste disposal requirements and providing civil penalties.

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

[Senate File 482](#), by committee on state government, a bill for an act relating to the regulation of contributions for a gubernatorial inauguration and providing a penalty.

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

[Senate File 493](#), by committee on natural resources and environment, a bill for an act relating to plans and financial assurance requirements for certain sanitary landfill projects.

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

[Senate File 505](#), by committee on judiciary, a bill for an act relating to civil liability for damages relating to the use of an automated external defibrillator in sudden cardiac arrest emergencies.

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

[Senate File 527](#), by committee on commerce, a bill for an act relating to agreements to pay compensation to recover or assist in the recovery of certain unclaimed property.

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

[Senate File 528](#), by committee on judiciary, 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 **passed on file**.

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 20, 2007, passed the following bill in which the concurrence of the Senate was asked:

[House File 367](#), a bill for an act relating to wage payment collection of direct deposit wages as administered by the division of labor services of the department of workforce development.

Also: That the Senate has on March 20, 2007, passed the following bill in which the concurrence of the House is asked:

[Senate File 138](#), a bill for an act relating to jury service compensation, reimbursement, and confidentiality and exempting certain governmental employees from jury service compensation.

Also: That the Senate has on March 20, 2007, passed the following bill in which the concurrence of the House is asked:

[Senate File 347](#), a bill for an act relating to the authority of creditors and credit unions in consumer credit or credit union transactions.

Also: That the Senate has on March 20, 2007, passed the following bill in which the concurrence of the House is asked:

[Senate File 360](#), a bill for an act relating to the regulatory duties of the division of banking of the department of commerce regarding banking, debt management, mortgage banking, industrial loan companies, and professional licensing.

Also: That the Senate has on March 20, 2007, passed the following bill in which the concurrence of the House is asked:

[Senate File 479](#), a bill for an act making changes to the time frames and the duties of the legislative services agency concerning the process of congressional and legislative redistricting.

Also: That the Senate has on March 20, 2007, passed the following bill in which the concurrence of the House is asked:

[Senate File 502](#), a bill for an act relating to the regulation of savings and loan associations by the division of banking of the department of commerce.

Also: That the Senate has on March 20, 2007, passed the following bill in which the concurrence of the House is asked:

[Senate File 504](#), a bill for an act providing for the regulation of packers and the purchase of swine from producers, and providing for penalties.

Also: That the Senate has on March 20, 2007, passed the following bill in which the concurrence of the House is asked:

[Senate File 515](#), a bill for an act permitting rate-regulated gas and electric utilities to aggregate energy efficiency program funding, administration, and delivery, and to utilize a third party for such administration and delivery secured through a competitive bidding process.

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

[Senate File 554](#), a bill for an act relating to franchises for the provision of cable service or video service including providing for fees and providing an effective date.

MICHAEL E. MARSHALL, Secretary

CONSIDERATION OF BILLS
Regular Calendar

[House File 651](#), a bill for an act relating to business corporations, by providing for information required to be filed with the secretary of state and providing for shareholder voting, was taken up for consideration.

Schueller of Jackson offered the following amendment [H-1397](#) filed by him and moved its adoption:

[H-1397](#)

- 1 Amend [House File 651](#) as follows:
- 2 1. Page 10, line 35, by inserting after the word
- 3 "[which](#)" the following: "[the action](#)".
- 4 2. By renumbering as necessary.

Amendment [H-1397](#) was adopted.

Schueller of Jackson 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. 651](#))

The ayes were, 99:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Gipp	Granzow	Grassley
Greiner	Heaton	Heddens	Hoffman
Horbach	Hunter	Huseman	Huser
Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	Mascher	May
McCarthy	Mertz	Miller, H.	Miller, L.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Palmer	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Smith	Soderberg	Staed

Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wiencek	Winckler	Windschitl
Wise	Worthan	Mr. Speaker	
		Murphy	

The nays were, none.

Absent or not voting, 1:

Zirkelbach

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

House File 641, a bill for an act relating to judicial branch practices and procedures, including distribution of court revenue to cities and counties, and reporting requirements in pending conservatorships, guardianships, estates, or trusts, and providing an effective date, was taken up for consideration.

Swaim of Davis offered the following amendment **H-1400** filed by him and moved its adoption:

H-1400

1 Amend **House File 641** as follows:
2 1. Page 1, by striking lines 18 through 24 and
3 inserting the following: "under section 602.8108, the
4 remainder shall be distributed as provided in
5 subsection 5. ~~The state court administrator shall~~
6 ~~notify the clerks that the threshold amount has been~~
7 ~~distributed under section 602.8108, and that the~~
8 ~~distribution of any additional moneys collected by the~~
9 ~~county attorney shall be as provided in subsection 5."~~
10 2. Page 1, by inserting after line 24 the
11 following:
12 "Sec.____. Section 602.8107, subsection 5, Code
13 2007, is amended by striking the subsection and
14 inserting in lieu thereof the following:
15 5. Any additional moneys collected in excess of
16 the threshold amount under subsection 4 shall be
17 distributed by the state court administrator as
18 follows: thirty-five percent of any additional moneys
19 collected by the county attorney or the person
20 procured or designated by the county attorney shall be
21 deposited in the general fund of the county where the

22 moneys were collected; thirty-three percent of any
 23 additional moneys collected by the county attorney or
 24 the person procured or designated by the county
 25 attorney shall be deposited with the office of the
 26 county attorney that collected the moneys; and the
 27 remainder shall be paid to the clerk of the district
 28 court for distribution under section 602.8108 or the
 29 state court administrator may distribute the remainder
 30 under section 602.8108 if the additional moneys have
 31 already been received by the state court
 32 administrator."
 33 3. By renumbering as necessary.

Amendment [H-1400](#) was adopted.

Swaim of Davis 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. 641](#))

The ayes were, 99:

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

The nays were, none.

Absent or not voting, 1:

Zirkelbach

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

House File 650, a bill for an act relating to the sales of beer kegs by requiring an identification number on each keg of beer, recording of the purchase of beer by the keg, and providing penalties, was taken up for consideration.

Jacoby of Johnson offered the following amendment **H-1175** filed by him and moved its adoption:

H-1175

- 1 Amend **House File 650** as follows:
- 2 1. By striking page 2, line 33, through page 3,
- 3 line 6, and inserting the following:
- 4 "c. The provisions of this subsection shall be
- 5 implemented uniformly throughout the state. The
- 6 provisions of this subsection shall preempt any local
- 7 county or municipal ordinance regarding keg
- 8 registration or the sale of beer in kegs. In
- 9 addition, a county or municipality shall not adopt or
- 10 continue in effect an ordinance regarding keg
- 11 registration or the sale of beer in kegs.
- 12 d. The division shall establish by rule".
- 13 2. By renumbering as necessary.

Amendment **H-1175** was adopted.

Jacoby 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. 650**)

The ayes were, 88:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef

Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Grassley	Greiner	Heaton
Heddens	Hoffman	Hunter	Huseman
Huser	Jacobs	Jacoby	Jochum
Kaufmann	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	May
McCarthy	Mertz	Miller, H.	Miller, L.
Oldson	Olson, D.	Olson, S.	Olson, T.
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Schickel	Schueller
Shomshor	Smith	Soderberg	Staed
Struyk	Swaim	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Wienczek	Winckler
Windschitl	Wise	Worthan	Mr. Speaker
			Murphy

The nays were, 10:

Gipp	Horbach	Lukan	Olson, R.
Palmer	Rants	Sands	Taylor, D.
Van Fossen	Watts		

Absent or not voting, 2:

Granzow	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 MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 641, 650 and 651.**

House File 774, a bill for an act relating to mechanics' liens, was taken up for consideration.

Alons of Sioux asked and received unanimous consent to withdraw amendment [H-1362](#) filed by him on March 15, 2007.

Swaim of Davis offered the following amendment [H-1406](#) filed by him and moved its adoption:

[H-1406](#)

- 1 Amend [House File 774](#) as follows:
- 2 1. Page 6, by striking lines 26 through 28 and
- 3 inserting the following:
- 4 "4. For purposes of this section, a lender who
- 5 obtains an interest in the real estate by assignment
- 6 of a mortgage shall be entitled to the same priority
- 7 as the original mortgagee."
- 8 2. By renumbering as necessary.

Amendment [H-1406](#) was adopted.

Swaim of Davis 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. 774](#))

The ayes were, 99:

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

The nays were, none.

Absent or not voting, 1:

Zirkelbach

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

House File 773, a bill for an act establishing an energy city designation program, was taken up for consideration.

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. 773**)

The ayes were, 97:

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

The nays were, 2:

Taylor, D. Watts

Absent or not voting, 1:

Zirkelbach

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

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 773 and 774.**

On motion by McCarthy of Polk, the House was recessed at 10:49 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened at 1:07 p.m., Speaker Murphy in the chair.

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 21, 2007, passed the following bill in which the concurrence of the House is asked:

[Senate File 261](#), a bill for an act requiring certain private sewage disposal system-related inspections to be conducted when certain property is sold or transferred and including an effective date provision.

Also: that the Senate has on March 21, 2007, adopted the following resolution in which the concurrence of the House is asked:

[Senate Concurrent Resolution 4](#), a concurrent resolution relating to recommendations proposed by the United States Department of Agriculture for the federal farm bill of 2007.

MICHAEL E. MARSHALL, Secretary

INTRODUCTION OF BILLS

[House File 868](#), by May, a bill for an act relating to an infrastructure project tax credit program for certain county fairs and providing a retroactive applicability date.

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

[House File 869](#), by May, a bill for an act making an appropriation for county fair infrastructure improvements to certain qualified fairs which belong to the association of Iowa fairs.

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

SENATE MESSAGES CONSIDERED

[Senate File 360](#), by committee on commerce, a bill for an act relating to the regulatory duties of the division of banking of the department of commerce regarding banking, debt management, mortgage banking, industrial loan companies, and professional licensing.

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

[Senate File 441](#), by committee on human resources, a bill for an act relating to elimination of certain duties of the department of elder affairs and the area agencies on aging.

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

[Senate File 479](#), by committee on state government, a bill for an act making changes to the time frames and the duties of the legislative services agency concerning the process of congressional and legislative redistricting.

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

[Senate File 502](#), by committee on commerce, a bill for an act relating to the regulation of savings and loan associations by the division of banking of the department of commerce.

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

[Senate File 504](#), by committee on agriculture, a bill for an act providing for the regulation of packers and the purchase of swine from producers, and providing for penalties.

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

[Senate File 515](#), by committee on commerce, a bill for an act permitting rate-regulated gas and electric utilities to aggregate energy efficiency program funding, administration, and delivery, and to utilize a third party for such administration and delivery secured through a competitive bidding process.

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

[Senate File 534](#), by committee on judiciary, a bill for an act relating to civil protective orders and criminal no-contact orders.

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

[Senate File 539](#), by committee on state government, a bill for an act establishing uniform finance procedures for obligations issued by the state.

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

[Senate File 554](#), by committee on ways and means, a bill for an act relating to franchises for the provision of cable service or video service including providing for fees and providing an effective date.

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

[Senate File 558](#), by committee on ways and means, a bill for an act providing for an increase in the wildlife habitat fee, making an appropriation, and creating a game bird habitat development program.

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

The House stood at ease at 1:11 p.m., until the fall of the gavel.

The House resumed session at 1:56 p.m., Speaker Murphy in the chair.

McCarthy of Polk asked and received unanimous consent for the immediate consideration of [Senate Concurrent Resolution 4](#).

ADOPTION OF [SENATE CONCURRENT RESOLUTION 4](#)

Drake of Pottawattamie and Mertz of Kossuth called up for consideration [Senate Concurrent Resolution 4](#), a concurrent resolution relating to recommendations proposed by the United States Department of Agriculture for the federal farm bill of 2007, and moved its adoption.

Reasoner of Union in the chair at 2:00 p.m.

The motion prevailed and the resolution was adopted.

CONSIDERATION OF BILLS
Regular Calendar

[House File 803](#), a bill for an act relating to civil service for deputy county sheriffs by allowing a county to appeal certain decisions of the civil service commission, was taken up for consideration.

R. Olson 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. 803](#))

The ayes were, 98:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Gipp	Granzow	Grassley
Greiner	Heaton	Heddens	Hoffman
Horbach	Hunter	Huseman	Huser
Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	Mascher	May
McCarthy	Mertz	Miller, H.	Miller, L.
Murphy, Spkr.	Oldson	Olson, D.	Olson, R.
Olson, S.	Olson, T.	Palmer	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rants	Rasmussen	Rayhons	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Smith	Soderberg	Staed

Struyk	Swaim	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Wiencek	Winckler	Windschitl	Wise
Worthan	Reasoner, Presiding		

The nays were, 1:

Taylor, D.

Absent or not voting, 1:

Zirkelbach

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

[House File 671](#), a bill for an act prohibiting remote control or internet hunting of wild animals and providing penalties, was taken up for consideration.

Lukan of Dubuque offered the following amendment [H-1155](#) filed by him and moved its adoption:

[H-1155](#)

- 1 Amend [House File 671](#) as follows:
- 2 1. Page 1, line 7, by inserting after the word
- 3 "animal" the following: ", a game bird or ungulate
- 4 kept on a hunting preserve under chapter 484B, or a
- 5 preserve whitetail kept on a hunting preserve under
- 6 chapter 484C".
- 7 2. Page 1, line 9, by inserting after the word
- 8 "animal" the following: ", a game bird or ungulate
- 9 kept on a hunting preserve under chapter 484B, or a
- 10 preserve whitetail kept on a hunting preserve under
- 11 chapter 484C".
- 12 3. Title page, line 2, by inserting after the
- 13 word "animals" the following: ", or game birds or
- 14 ungulates or preserve whitetail kept on hunting
- 15 preserves,".

Amendment [H-1155](#) was adopted.

Alons of Sioux asked and received unanimous consent to withdraw amendment [H-1121](#) filed by him on March 12, 2007.

Lukan of Dubuque 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. 671](#))

The ayes were, 99:

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

The nays were, none.

Absent or not voting, 1:

Zirkelbach

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

[House File 801](#), a bill for an act relating to the duties and powers of the state entomologist, and making penalties applicable, was taken up for consideration.

Struyk of Pottawattamie offered amendment [H-1408](#) filed by him as follows:

[H-1408](#)

1 Amend [House File 801](#) as follows:

2 1. Page 1, by striking lines 3 through 15 and
3 inserting the following:

4 "1. It shall be unlawful for any person to sell,
5 give away, carry, ship, or deliver for carriage or
6 shipment, within this state, any plants or plant
7 products listed in the rules unless such plants and
8 plant products have been officially inspected and a
9 certificate ~~is issued by an inspector of the state~~
10 ~~entomologist's office stating that such plants or~~
11 ~~plant products have~~ to the person as provided in this
12 section."

13 2. Page 2, by inserting after line 14 the
14 following:

15 "Sec.____. EMERALD ASH BORER -- LIST OF INSECT
16 PESTS. The state entomologist shall amend 21 IAC
17 46.15, and any other related rules as necessary, to
18 add emerald ash borer (*agrilus planipennis*) to the
19 list of insect pests which the state entomologist
20 finds should be prevented from being introduced into
21 or disseminated within this state, in order to
22 safeguard the plants and plant products likely to
23 become infested or infected with such insect pests.

24 Sec.____. EMERALD ASH BORER -- REDUCTION OF RISKS
25 OF INFESTATION. The state entomologist, in
26 cooperation with the department of natural resources,
27 shall adopt rules to reduce the risk of infestation by
28 the emerald ash borer (*agrilus planipennis*) present in
29 firewood from ash trees."

30 3. By renumbering as necessary.

Struyk of Pottawattamie offered the following amendment [H-1417](#), to amendment [H-1408](#), filed by him from the floor and moved its adoption:

[H-1417](#)

1 Amend the amendment, [H-1408](#), to [House File 801](#), as
2 follows:

3 1. Page 1, line 2, by striking the figure "15"
4 and inserting the following: "11".

5 2. Page 1, by inserting after line 12 the
6 following:

7 "____. Page 1, line 13, by inserting after the word

8 "product" the following: "which is listed in the
9 rules."

Amendment [H-1417](#) was adopted.

On motion by Struyk of Pottawattamie, amendment [H-1408](#), as amended, was adopted.

Struyk of Pottawattamie 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. 801](#))

The ayes were, 99:

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

The nays were, none.

Absent or not voting, 1:

Zirkelbach

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

[House File 827](#), a bill for an act relating to technical assistance for certain recipients of moneys from the grow Iowa values fund, was taken up for consideration.

Staed 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. 827](#))

The ayes were, 99:

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

The nays were, none.

Absent or not voting, 1:

Zirkelbach

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

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 671, 801, 803 and 827** and [Senate Concurrent Resolution 4](#).

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Several students from Hartley-Melvin-Sanborn Community High School, Hartley, Iowa, accompanied by Jim Thomas. By Chambers of O'Brien.

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\2222 | Esther Kajewski, Waterloo – For celebrating her 80 th birthday. |
| 2007\2223 | Winnie Halupnik, Waterloo – For celebrating her 85 th birthday. |
| 2007\2224 | Josephine Yang, Waterloo – For celebrating her 85 th birthday. |
| 2007\2225 | Dennis and Bobbi Truckenmiller – For celebrating their 50 th wedding anniversary. |
| 2007\2226 | Lawrence Dirks, Ocheyedan – For celebrating his 80 th birthday. |
| 2007\2227 | Violet Schmidt, Ocheyedan – For celebrating her 85 th birthday. |
| 2007\2228 | David and Alice Kramer, Clarksville – For celebrating their 50 th wedding anniversary. |
| 2007\2229 | George and Bernice Seehusen, Allison – For celebrating their 60 th wedding anniversary. |

- 2007\2230 Isabelle Bruhl Martin, Clarksville – For celebrating her 80th birthday.
- 2007\2231 Dolores Birkholz, Davenport – For celebrating her 75th birthday.
- 2007\2232 Paul Sanden, Davenport – For celebrating his 75th birthday.
- 2007\2233 William Lafrenz, Davenport – For celebrating his 75th birthday.
- 2007\2234 Marie Miller, Davenport – For celebrating her 80th birthday.
- 2007\2235 Alta Berger, Davenport – For celebrating her 95th birthday.
- 2007\2236 Howard Stahl, Davenport – For celebrating his 80th birthday.
- 2007\2237 Ernest Little, Davenport – For celebrating his 90th birthday.
- 2007\2238 Naola Craft, Davenport – For celebrating her 75th birthday.
- 2007\2239 Margaret Paul, Davenport – For celebrating her 90th birthday.
- 2007\2240 Ruth Felton, Davenport – For celebrating her 75th birthday.
- 2007\2241 Lawrence Peinert, Davenport – For celebrating his 75th birthday.
- 2007\2242 Catherine Thoensen, Davenport – For celebrating her 80th birthday.
- 2007\2243 William Oberhaus Jr., Davenport – For celebrating his 85th birthday.
- 2007\2244 Isabelle Lapsey, Davenport – For celebrating her 75th birthday.
- 2007\2245 Cherie Collins, Davenport – For celebrating her 80th birthday.
- 2007\2246 Allen Miller, Davenport – For celebrating his 90th birthday.
- 2007\2247 Fred Lown, Davenport – For celebrating his 80th birthday.
- 2007\2248 Fred Wallace, Davenport – For celebrating his 75th birthday.
- 2007\2249 Wilma Baxter, Davenport – For celebrating her 85th birthday.
- 2007\2250 Mae Sprosty, Davenport – For celebrating her 85th birthday.
- 2007\2251 Catherine Rettenmaier, Davenport – For celebrating her 80th birthday.
- 2007\2252 Ildefonso Sierra, Davenport – For celebrating his 75th birthday.
- 2007\2253 Robert Berger, Davenport – For celebrating his 75th birthday.
- 2007\2254 Evelyn Westlund, Davenport – For celebrating her 95th birthday.

- 2007\2255 Elmer Heims, Davenport – For celebrating his 85th birthday.
- 2007\2256 Eugene Burlingame, Davenport – For celebrating his 80th birthday.
- 2007\2257 Virginia Brown, Davenport – For celebrating her 85th birthday.
- 2007\2258 Frances Miller, Davenport – For celebrating her 101st birthday.
- 2007\2259 Lois Reed, Davenport – For celebrating her 75th birthday.
- 2007\2260 Doa Pham, Davenport – For celebrating her 75th birthday.
- 2007\2261 Marilyn Westerhof, Davenport – For celebrating her 75th birthday.
- 2007\2262 Richard Vanderhorn, Davenport – For celebrating his 75th birthday.
- 2007\2263 Richard Kurtz, Davenport – For celebrating his 80th birthday.
- 2007\2264 Ann Edwards, Davenport – For celebrating her 90th birthday.
- 2007\2265 Wendell Cox, Davenport – For celebrating his 75th birthday.
- 2007\2266 Dorothy Edelen, Davenport – For celebrating her 80th birthday.
- 2007\2267 Ray Novak, Davenport – For celebrating his 85th birthday.
- 2007\2268 Sue Wiele, Davenport – For celebrating her 80th birthday.
- 2007\2269 Beatrice Pamperin, Davenport – For celebrating her 80th birthday.
- 2007\2270 James Nelson, Davenport – For celebrating his 80th birthday.
- 2007\2271 Floyd Seaba, North English – For celebrating his 80th birthday.
- 2007\2272 Jack and Helen James, Keswick – For celebrating their 60th wedding anniversary.
- 2007\2273 Russ McLaughlin, Audubon – For celebrating his 80th birthday.
- 2007\2274 Eugene and Janice Kaisand, Pella – For celebrating their 50th wedding anniversary.
- 2007\2275 Mearl Luvass, Denison – For celebrating his 85th birthday.
- 2007\2276 Elsie Eckhoff, Battle Creek – For celebrating her 95th birthday.
- 2007\2277 Hildegard Ullrich, Mapleton – For celebrating her 95th birthday.
- 2007\2278 Vernon and Marlene Zobel, Ida Grove – For celebrating their 50th wedding anniversary.

- 2007\2279 Darrel and Elvera Todd, Holstein – For celebrating their 50th wedding anniversary.
- 2007\2280 Everett and Doris Still, Cushing – For celebrating their 60th wedding anniversary.
- 2007\2281 Colton Clausen, Schleswig – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\2282 Paul Nahnsen, Schleswig – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\2283 Aaron Baughman, Schleswig – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\2284 Kenneth and Marcille Kent, Hawkeye – For celebrating their 60th wedding anniversary.
- 2007\2285 Merlin and Donna Schult, Oelwein – For celebrating their 50th wedding anniversary.

SUBCOMMITTEE ASSIGNMENTS

[House File 142](#)

Education: Cohoon, Chair; Foege and Chambers.

[House File 327](#)

Education: Wendt, Chair; Cohoon and Tymeson.

[House File 364](#)

Education: Abdul-Samad, Chair; Forristall and Mascher.

[House File 750](#)

Appropriations: Foege, Chair; Gayman and Heaton.

[House File 821](#)

State Government: Abdul-Samad, Chair; Roberts and Whitead.

[House File 822](#)

Appropriations: Dandekar, Chair; Oldson and Schickel.

[House File 823](#)

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

[House File 832](#)

Ways and Means: Frevert, Chair; Forristall and T. Olson.

[House File 835](#)

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

[House File 853](#)

Appropriations: Winckler, Chair; Chambers and Wenthe.

[House File 854](#)

Ways and Means: Wendt, Chair; Davitt, Frevert, Sands and Van Fossen.

[House File 855](#)

Ways and Means: Frevert, Chair; Davitt and Struyk.

[House File 856](#)

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

[House File 857](#)

Ways and Means: Thomas, Chair; Schueller and Windschitl.

[House File 858](#)

Ways and Means: Schueller, Chair; Grassley and Thomas.

[House File 859](#)

Appropriations: Winckler, Chair; Chambers and Wenthe.

[House File 867](#)

Appropriations: Dandekar, Chair; Jacoby and Schickel.

[Senate Joint Resolution 2](#)

Natural Resources: Reichert, Chair; Mertz and Van Engelenhoven.

[Senate File 200](#)

Agriculture: Dolecheck, Chair; Pettengill and Wenthe.

[Senate File 249](#)

Human Resources: Heddens, Chair; Heaton and Palmer.

[Senate File 270](#)

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

[Senate File 304](#)

Natural Resources: Wenthe, Chair; Baudler and Whitaker.

[Senate File 308](#)

Natural Resources: Davitt, Chair; Arnold and T. Taylor.

[Senate File 348](#)

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

[Senate File 351](#)

State Government: Lensing, Chair; Gipp and Jochum.

[Senate File 407](#)

Veterans Affairs: Bukta, Chair; Bailey and Windschitl.

[Senate File 417](#)

Labor: T. Taylor, Chair; Chambers and Staed.

[Senate File 435](#)

Natural Resources: Wenthe, Chair; Rayhons and Whitaker.

[Senate File 444](#)

Local Government: Gaskill, Chair; Arnold and Kressig.

[Senate File 446](#)

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

[Senate File 448](#)

Labor: T. Taylor, Chair; Tymeson and Winckler.

[Senate File 467](#)

Human Resources: Smith, Chair; Ford and Forristall.

[Senate File 477](#)

Natural Resources: Bell, Chair; Lykam and Rasmussen.

[Senate File 480](#)

Human Resources: T. Olson, Chair; Mascher and Tomenga.

[Senate File 489](#)

Human Resources: T. Olson, Chair; Foege and L. Miller.

[Senate File 505](#)

Judiciary: Swaim, Chair; Struyk and Winckler.

[Senate File 529](#)

Public Safety: Hunter, Chair; Kuhn and Tjepkes.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

[House Study Bill 286](#)

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

[House Study Bill 287](#)

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

[House Study Bill 292](#)

Ways and Means: Sands, Chair; Forristall and Schueller.

[House Study Bill 293](#)

Ways and Means: Huser, Chair; Kaufmann and T. Olson.

[House Study Bill 294](#)

Ways and Means: Huser, Chair; Kaufmann and T. Olson.

[House Study Bill 295](#)

Ways and Means: Huser, Chair; Kaufmann and T. Olson.

HOUSE STUDY BILL COMMITTEE ASSIGNMENT

[H.S.B. 296 Appropriations](#)

Relating to mental health, mental retardation, developmental disabilities, and brain injury services by revising and making appropriations, addressing county and state responsibilities for such

services, revising property tax relief payment provisions, allowed growth, and other funding distribution requirements, revising county levy authority provisions for such services, and providing effective and applicability dates.

RESOLUTION FILED

[HR 30](#), by Alons, Baudler, Boal, Chambers, Deyoe, Dolecheck, Gipp, Grassley, Heaton, Jacobs, Kaufmann, Lukan, May, Paulsen, Rasmussen, Rayhons, Roberts, Sands, Soderberg, Upmeyer, Van Engelenhoven, Watts and Worthan, a resolution honoring the 132nd Fighter Wing of the Iowa Air National Guard.

Laid over under **Rule 25**.

AMENDMENTS FILED

<u>H-1415</u>	<u>H.F.</u>	<u>611</u>	Tymeson of Madison
<u>H-1416</u>	<u>S.F.</u>	<u>131</u>	Huser of Polk
<u>H-1418</u>	<u>H.F.</u>	<u>791</u>	Jacobs of Polk
			Upmeyer of Hancock
<u>H-1419</u>	<u>H.F.</u>	<u>718</u>	Hunter of Polk
<u>H-1420</u>	<u>H.C.R.</u>	<u>8</u>	Mertz of Kossuth
<u>H-1421</u>	<u>H.F.</u>	<u>863</u>	Wessel-Kroeschell of Story
<u>H-1422</u>	<u>H.F.</u>	<u>807</u>	Pettengill of Benton
<u>H-1423</u>	<u>H.F.</u>	<u>790</u>	Pettengill of Benton
<u>H-1424</u>	<u>H.F.</u>	<u>804</u>	Boal of Polk
			Raecker of Polk
<u>H-1425</u>	<u>H.F.</u>	<u>459</u>	Raecker of Polk
<u>H-1426</u>	<u>H.F.</u>	<u>469</u>	Raecker of Polk
<u>H-1427</u>	<u>H.F.</u>	<u>830</u>	Abdul-Samad of Polk
<u>H-1428</u>	<u>H.F.</u>	<u>831</u>	Smith of Marshall

On motion by McCarthy of Polk the House adjourned at 2:38 p.m., until 9:00 a.m., Thursday, March 22, 2007.