

PROOF

STATE OF IOWA

House Journal

MONDAY, MARCH 23, 2009

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.)

JOURNAL OF THE HOUSE

Seventy-first Calendar Day - Forty-seventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, March 23, 2009

The House met pursuant to adjournment at 1:05 p.m., Speaker Murphy in the chair.

Prayer was offered by Jeff Datisman, pastor of the First Methodist Church, Maquoketa. He was the guest of Representatives Jack Drake of Cass County and Tom Schueller of Jackson County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Blake Grotewold, House Page from Lake Mills.

The West Des Moines Valley High School A Capella choir sang "America the Beautiful". They recently performed this song at an American Cemetery in Normandy, France. They were the guests of Representative Jo Oldson of Polk County.

The Journal of Friday, March 20, 2009 was approved.

SENATE MESSAGES CONSIDERED

[Senate File 153](#), by committee on human resources, a bill for an act to allow medical or osteopathic physicians, physician assistants, and advanced registered nurse practitioners to form limited liability companies or professional corporations.

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

[Senate File 231](#), by committee on human resources, a bill for an act relating to reimbursing nonparticipating providers under the IowaCare program and creating a nonparticipating provider reimbursement fund.

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

[Senate File 279](#), by committee on commerce, a bill for an act providing for the establishment of an abbreviated electric transmission franchise process, and providing an effective date.

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

[Senate File 280](#), by committee on rebuild Iowa, a bill for an act relating to disaster emergency assistance immunity.

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

[Senate File 311](#), by committee on commerce, a bill for an act relating to the regulation of the business of debt management and making penalties applicable.

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

[Senate File 336](#), by committee on rebuild Iowa, a bill for an act providing for waivers of certain community attraction and tourism program requirements.

Read first time and **rebuild Iowa and disaster recovery**.

[Senate File 339](#), by committee on environment and energy independence, a bill for an act relating to wastewater treatment and providing an effective date.

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

[Senate File 366](#), by committee on judiciary, a bill for an act relating to the emancipation of a minor and family in need of assistance proceedings.

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

[Senate File 372](#), by committee on commerce, a bill for an act requesting the establishment of a statewide broadband policy development interim study committee.

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

[Senate File 379](#), by committee on commerce, a bill for an act relating to the use of insurance loss history in the issuance of dramshop liability insurance.

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

[Senate File 380](#), by committee on judiciary, a bill for an act relating to the practices and procedures of the department of public safety including school inspections, gaming floor or wagering area restrictions, interception of communications, and peace officers acting with federal agents, and providing penalties.

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

[Senate File 403](#), by committee on commerce, a bill for an act concerning the sale of beer by native wineries.

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

[Senate File 404](#), by committee on commerce, a bill for an act establishing a local food and farm task force, providing for a local food and farm plan, and providing for an effective date.

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

[Senate File 407](#), by committee on veterans affairs, a bill for an act relating to the rights and responsibilities of Iowa veterans home members.

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

[Senate File 415](#), by committee on judiciary, a bill for an act relating to the acquisition of title to disaster-affected abandoned property by cities in certain years.

Read first time and referred to committee on **rebuild Iowa and disaster recovery**.

[Senate File 419](#), 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 **passed on file**.

[Senate File 420](#), by committee on state government, a bill for an act concerning limitations on employment of persons employed by a wine permittee engaged in manufacturing and wholesaling native wine.

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

[Senate File 424](#), by committee on state government, a bill for an act providing time off from work to attend presidential precinct caucuses and making penalties applicable.

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

[Senate File 443](#), by committee on state government, a bill for an act requiring automated external defibrillators in all physical exercise clubs and clinical exercise centers, and providing an effective date.

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

ADOPTION OF [HOUSE RESOLUTION 26](#)

Wessel-Kroeschell and Heddens of Story called up for consideration [House Resolution 26](#), a resolution honoring the 2008 Iowa State University Cyclones volleyball team for an outstanding 2008 season that culminated in the team's appearance in the National Collegiate Athletic Association Women's Volleyball Tournament and an unprecedented appearance in the regional final, and moved its adoption.

The motion prevailed and the resolution was adopted.

SPECIAL PRESENTATION

Wessel-Kroeschell and Heddens of Story introduced to the House the Iowa State University Cyclones volleyball team.

The House rose and expressed its welcome.

ADOPTION OF [HOUSE RESOLUTION 27](#)

Ford of Polk called up for consideration [House Resolution 27](#), a resolution urging the government of Turkey to grant the Ecumenical Patriarch appropriate international recognition, ecclesiastical succession, and the right to train clergy of all nationalities and to respect the property rights and human rights of the Ecumenical Patriarchate, and moved its adoption.

The motion prevailed and the resolution was adopted.

SPECIAL PRESENTATION

Ford of Polk introduced to the House, John Papajohn.

The House rose and expressed its welcome.

On motion by McCarthy of Polk, the House was recessed at 1:24 p.m., until 5:00 p.m.

AFTERNOON SESSION

The House reconvened at 5:03 p.m., Zirkelbach of Jones in the chair.

The House stood at ease at 5:03 p.m., until the fall of the gavel.

The House resumed session at 7:05 p.m., Speaker Murphy in the chair.

Cownie of Polk in the chair at 7:07 p.m.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Tymeson of Madison on request of Paulsen of Linn.

QUORUM CALL

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

CONSIDERATION OF BILLS

Regular Calendar

[House File 580](#), a bill for an act relating to reimbursement of nonparticipating providers for eligible services provided to IowaCare program members, was taken up for consideration.

Abdul-Samad 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. 580](#))

The ayes were, 98:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Beard	Bell
Berry	Bukta	Burt	Cohoon
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
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	Upmeyer
Van Engelenhoven	Wagner	Watts	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Willems	Winckler	Windschitl	Worthan
Zirkelbach	Cownie, Presiding		

The nays were, none.

Absent or not voting, 2:

Chambers Tymeson

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

House File 682, a bill for an act requiring a postelection audit after each general election and including effective and applicability date provisions, was taken up for consideration.

Gaskill of Wapello offered the following amendment **H-1211** filed by her and moved its adoption:

H-1211

1 Amend **House File 682** as follows:
2 1. Page 5, by striking lines 15 through 18 and
3 inserting the following: "registered voters, four
4 precincts."
5 2. Page 5, by inserting before line 19 the
6 following:
7 "c. Notwithstanding paragraph "b", in counties
8 with seven or fewer precincts, one precinct shall be
9 chosen for the postelection audit."
10 3. Page 5, line 19, by striking the word "c." and
11 inserting the following: "d."
12 4. Page 5, line 22, by inserting after the word
13 "audited" the following: "or chosen by the
14 commissioner pursuant to paragraph "f".
15 5. Page 5, by inserting after line 24 the
16 following:
17 "e. When a precinct other than the absentee and
18 special voters precinct is chosen in which one
19 thousand five hundred or more ballots were cast in the
20 election, the chairperson shall, for each such
21 precinct, choose one less precinct than the number
22 required by paragraph "b". If such a precinct is
23 chosen last among the number of precincts required by

24 paragraph "b", then that precinct shall be audited,
 25 and the first precinct drawn that was not the absentee
 26 and special voters precinct shall not be audited.
 27 f. The commissioner may choose to include in the
 28 audit additional precincts not chosen by lot under
 29 this subsection."
 30 6. Page 5, line 25, by striking the word "d." and
 31 inserting the following: "g."
 32 7. Page 5, line 29, by striking the word "e." and
 33 inserting the following: "h."
 34 8. Page 6, by striking lines 16 through 18 and
 35 inserting the following: "is the subject of the
 36 audit. Only votes marked in accordance with the
 37 instructions that are printed on the ballot in a
 38 precinct being audited shall be counted in the audit."

Amendment [H-1211](#) was adopted.

Gaskill of Wapello 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. 682](#))

The ayes were, 98:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Beard	Bell
Berry	Bukta	Burt	Cohoon
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
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	Upmeyer
Van Engelenhoven	Wagner	Watts	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Windschitl

Whitead	Willems	Winckler	Worthan
Zirkelbach	Cownie, Presiding		

The nays were, none.

Absent or not voting, 2:

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

House File 708, a bill for an act relating to absentee ballots delivered to applicants who are patients or residents of hospitals or health care facilities, was taken up for consideration.

Gaskill of Wapello 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. 708](#))

The ayes were, 98:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Beard	Bell
Berry	Bukta	Burt	Cohoon
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
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	Upmeyer
Van Engelenhoven	Wagner	Watts	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead

Lensing of Johnson offered the following amendment [H-1163](#) filed by her and moved its adoption:

[H-1163](#)

1 Amend [House File 714](#) as follows:
 2 1. Page 1, line 19, by inserting after the word
 3 "organization." the following: "'Athlete agent" does
 4 not include an individual licensed to practice as an
 5 attorney in this state when the individual is acting
 6 as a representative for a student athlete, unless the
 7 attorney also represents the student athlete in
 8 negotiations for an agent contract."

Amendment [H-1163](#) was adopted.

[SENATE FILE 199](#) SUBSTITUTED FOR [HOUSE FILE 714](#)

Lensing of Johnson asked and received unanimous consent to substitute [Senate File 199](#) for [House File 714](#).

[Senate File 199](#), a bill for an act relating to the uniform athlete agents Act and providing remedies and penalties and was taken up for consideration.

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. 199](#))

The ayes were, 98:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Beard	Bell
Berry	Bukta	Burt	Cohoon
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

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	Upmeyer
Van Engelenhoven	Wagner	Watts	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Willems	Winckler	Windschitl	Worthan
Zirkelbach	Cownie, Presiding		

The nays were, none.

Absent or not voting, 2:

Chambers Tymeson

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

[HOUSE FILE 714](#) WITHDRAWN

Lensing of Johnson asked and received unanimous consent to withdraw [House File 714](#) from further consideration by the House.

[House File 552](#), a bill for an act concerning the appointment of airport commissioners, was taken up for consideration.

Wenthe of Fayette offered the following amendment [H-1116](#) filed by him and May of Dickinson and moved its adoption:

[H-1116](#)

- 1 Amend [House File 552](#) as follows:
- 2 1. Page 1, line 9, by inserting after the word
- 3 "[county](#)" the following: "[in this state](#)".
- 4 2. Page 1, line 9, by inserting after the word
- 5 "[airport](#)." the following: "[At least two of the](#)
- 6 [members of a three-member commission and at least](#)
- 7 [three of the members of a five-member commission shall](#)
- 8 [be residents of the city or county establishing the](#)
- 9 [commission](#)."
- 10 3. Page 1, line 21, by inserting after the word
- 11 "clerk" the following: "[of the city](#)."

12 4. Page 1, line 22, by inserting after the word
 13 "auditor" the following: "of the county, establishing
 14 the commission".

Speaker Murphy in the chair at 8:02 p.m.

Amendment [H-1116](#) was adopted.

Kaufmann of Cedar asked and received unanimous consent to withdraw amendment [H-1192](#) filed by him on March 17, 2009.

Wenthe of Fayette 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. 552](#))

The ayes were, 77:

Abdul-Samad	Alons	Anderson	Bailey
Baudler	Beard	Bell	Berry
Bukta	Burt	Cphoon	Cownie
Dolecheck	Ficken	Ford	Forristall
Frevert	Gaskill	Gayman	Grassley
Hagenow	Heddens	Hunter	Huser
Isenhardt	Jacoby	Kearns	Kelley
Koester	Kressig	Kuhn	Lensing
Lykam	Marek	Mascher	May
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Petersen	Quirk	Raecker
Rants	Rayhons	Reasoner	Reichert
Schueller	Schulte	Shomshor	Smith
Soderberg	Sorenson	Steckman	Swaim
Taylor, D.	Taylor, T.	Thede	Thomas
Tjepkes	Wagner	Watts	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Willems	Winckler	Worthan	Zirkelbach
Mr. Speaker			
Murphy			

The nays were, 21:

Arnold	De Boef	Deyoe	Drake
Heaton	Helland	Horbach	Huseman
Kaufmann	Lukan	Miller, L.	Paulsen
Pettengill	Roberts	Sands	Schultz

Struyk Sweeney Upmeyer Van Engelenhoven
Windschitl

Absent or not voting, 2:

Chambers Tymeson

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 552, 580, 682, 708** and [Senate File 199](#).

[House File 722](#), a bill for an act relating to regulation of certain conservation and recreation activities under the jurisdiction of the department of natural resources, modifying fees, and making penalties applicable, was taken up for consideration.

Bell of Jasper offered amendment [H-1217](#) filed by him as follows:

[H-1217](#)

1 Amend [House File 722](#) as follows:
2 1. Page 4, by inserting after line 19, the
3 following:
4 "Sec.____. Section 464A.11, subsection 2,
5 unnumbered paragraph 1, Code 2009, is amended to read
6 as follows:
7 In administering the water trails and low head dam
8 public hazard program, the department shall conduct a
9 study of waterways for recreational purposes and
10 develop a statewide plan by ~~January 1~~ March 31, 2010.
11 Elements of the plan shall include but not be limited
12 to:
13 Sec.____. Section 481A.19, subsection 1, paragraph
14 b, Code 2009, is amended to read as follows:
15 b. Any person licensed by the authority of
16 Illinois, Minnesota, Missouri, Wisconsin, Nebraska, or
17 South Dakota to take fish, game, mussels, or
18 fur-bearing animals from or in lands under the
19 jurisdiction of any of those states may take such
20 fish, game, mussels, or fur-bearing animals from or in
21 lands under the jurisdiction of the commission when
22 such land is ~~wholly surrounded by~~ adjacent to that
23 respective state ~~but is separated from other land in~~

24 Iowa by a body of water, without having procured a
 25 license from the director of this state, in the same
 26 manner that persons holding Iowa licenses may do, if
 27 the laws of Illinois, Minnesota, Missouri, Wisconsin,
 28 Nebraska, or South Dakota, respectively, extend a
 29 similar privilege to persons so licensed under the
 30 laws of Iowa.

31 Sec. _____. Section 481A.19, subsection 2, Code
 32 2009, is amended to read as follows:

33 2. Any privileges conferred by this section shall
 34 be subject to a reciprocal agreement as negotiated by
 35 the commission and the authority of a state provided
 36 in subsection 1 which confers upon a licensee of this
 37 state reciprocal rights, privileges, and immunities as
 38 provided in section 483A.31. Such agreements may
 39 include determination of which state's seasons and
 40 limits shall apply for specific geographical areas."

41 2. Page 22, lines 7 and 8, by striking the words
 42 "~~based on the populations of deer using a~~
 43 county-by-county system" and inserting the following:
 44 "based on the populations of deer".

45 3. Page 24, by inserting after line 23 the
 46 following:
 47 "Sec. ____, NEW SECTION. 483A.9A COMBINATION
 48 PACKAGES OF LICENSES.

49 1. The commission is authorized, pursuant to rules
 50 adopted under chapter 17A, to develop combination

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1 packages of licenses in order to offer incentives to
 2 residents to purchase additional licenses or for the
 3 specific purpose of increasing sales of licenses that
 4 will help to recruit or retain hunters, anglers, and
 5 trappers in the state.

6 2. The total cost of each combination package of
 7 licenses offered shall be less than the total cost of
 8 the licenses if each was purchased separately."

9 4. Page 26, by inserting after line 13, the
 10 following:

11 "Sec. _____. Section 484B.10, Code 2009, is amended
 12 by adding the following new subsection:
 13 NEW SUBSECTION. 3. A nonresident youth under
 14 sixteen years of age may hunt game birds on a licensed
 15 hunting preserve upon securing an annual hunting
 16 preserve license restricted to hunting preserves only
 17 for a license fee of five dollars and payment of the
 18 wildlife habitat fee. A nonresident youth is not
 19 required to complete the hunter safety and ethics
 20 education course to obtain a hunting preserve license
 21 pursuant to this subsection if the youth is
 22 accompanied by a person who is at least eighteen years

23 of age, is qualified to hunt, and possesses a valid
24 hunting license. During the hunt, the accompanying
25 adult must be within arm's reach of the nonresident
26 youth."

27 5. Page 27, by inserting after line 8 the
28 following:

29 "Sec. ____, UPLAND GAME BIRD STUDY ADVISORY
30 COMMITTEE. An upland game bird study advisory
31 committee is established for the purpose of studying
32 the best ways to restore sustainable and socially
33 acceptable populations of pheasants and quail in the
34 state to maximize the economic value of upland game
35 bird hunting to Iowa's economy while balancing the
36 needs of the agricultural industry.

37 1. The advisory committee shall be composed of the
38 following members:

39 a. One representative from each of the following
40 organizations or entities who, if possible, is
41 involved with policy decisions for that organization
42 or entity, to be appointed by the governor:

- 43 (1) Iowa association of county conservation
44 boards.
- 45 (2) Iowa farm bureau federation.
- 46 (3) Iowa farmers union.
- 47 (4) Iowa conservation alliance.
- 48 (5) Pheasants forever.
- 49 (6) Quails forever.
- 50 (7) Iowa hospitality association.

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- 1 (8) Izaak Walton league.
- 2 (9) Iowa realtors association.
- 3 (10) The department of transportation.
- 4 (11) Iowa chapter of the sierra club.
- 5 (12) Iowa sportsmen's federation.
- 6 (13) Outdoor writer's association.
- 7 (14) A person who represents a farm land
8 management company.
- 9 (15) Two persons who are farmers, one who farms in
10 northern Iowa and one who farms in southern Iowa.
- 11 (16) Two persons who hunt upland game birds, one
12 who resides in northern Iowa and one who resides in
13 southern Iowa.
- 14 b. Two legislative staff members, one from the
15 staff of United States Senator Tom Harkin and one from
16 the staff of United States Senator Charles Grassley,
17 or their designees.
- 18 c. The director of the department of natural
19 resources, or a designee.
- 20 d. The secretary of agriculture, or a designee.
- 21 e. The director of the department of economic

22 development, or a designee.
23 f. A representative of the United States fish and
24 wildlife service.
25 g. The executive director of the farm service
26 agency, or a designee.
27 i. A member of the state soil conservation
28 committee, or a designee.
29 j. A representative of the Iowa state university
30 fisheries and wildlife cooperative unit.
31 k. Two members of the senate, one of whom is
32 appointed by the majority leader of the senate and one
33 of whom is appointed by the minority leader of the
34 senate.
35 l. Two members of the house of representatives,
36 one of whom is appointed by the speaker of the house
37 of representatives and one of whom is appointed by the
38 minority leader of the house of representatives.
39 2. The director of the department of natural
40 resources or the director's designee shall serve as
41 the chairperson of the advisory committee.
42 3. Legislative members of the committee are
43 eligible for per diem and reimbursement of actual
44 expenses as provided in section 2.10.
45 4. The committee shall review, analyze, and make
46 recommendations on issues relating to the state's
47 upland game bird population, including but not limited
48 to the following:
49 a. The current status of Iowa's upland game bird
50 populations and harvest and habitat management

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1 programs.
2 b. Current farm programs and their impact on
3 upland game bird populations.
4 c. The economic impact and value of Iowa's upland
5 game bird populations to Iowa.
6 d. Upland game bird population challenges and
7 programs in other midwestern states.
8 e. New and innovative ways to restore sustainable
9 populations of Iowa's upland game birds.
10 f. An assessment of public opinion concerning the
11 impact and value of Iowa's upland game bird
12 populations.
13 5. The advisory committee shall complete its
14 deliberations in December 2009 and submit a final
15 report to the governor and the general assembly
16 summarizing the committee's activities, analyzing the
17 issues studied, and including any other information or
18 recommendations that the committee deems relevant and
19 necessary by January 10, 2010. Copies of the final
20 report shall be sent to the national resource

21 conservation service, the United States fish and
22 wildlife service, and to members of Iowa's
23 congressional delegation.
24 Sec. ____ EFFECTIVE DATE. The section of this Act
25 establishing the upland game bird study advisory
26 committee, being deemed of immediate importance, takes
27 effect upon enactment."
28 6. Title page, line 3, by striking the words "
29 fees, and" and inserting the following: "fees,
30 establishing an upland game bird study advisory
31 committee,".
32 7. Title page, line 4, by inserting after the
33 word "applicable" the following: ", and providing an
34 immediate effective date".
35 8. By renumbering as necessary.

May of Dickinson asked and received unanimous consent to withdraw amendment [H-1259](#) to amendment [H-1217](#) filed by him from the floor.

Bell of Jasper offered the following amendment [H-1239](#), to amendment [H-1217](#), filed by him from the floor and moved its adoption:

[H-1239](#)

1 Amend the amendment, [H-1217](#), to [House File 722](#) as
2 follows:
3 1. Page 1, by inserting after line 44 the
4 following:
5 " ____ . Page 22, line 26, by striking the word
6 "f" and inserting the following: "ee."

Amendment [H-1239](#) was adopted.

Baudler of Adair offered the following amendment [H-1237](#), to amendment [H-1217](#), filed by him from the floor and moved its adoption:

[H-1237](#)

1 Amend the amendment, [H-1217](#), to [House File 722](#), as
2 follows:
3 1. Page 2, by inserting after line 10 the
4 following:
5 "Sec. ____ . Section 483A.36, Code 2009, is amended
6 to read as follows:
7 483A.36 MANNER OF CONVEYANCE.

8 No A person, except as permitted by law, shall not
9 have or carry a gun in or on a vehicle on a public
10 highway, unless the gun is taken down or totally
11 contained in a securely fastened case, and its barrels
12 and permanently attached magazines are unloaded."
13 2. By renumbering as necessary.

Amendment [H-1237](#) lost.

On motion by Bell of Jasper, amendment [H-1217](#), as amended,
was adopted.

Rayhons of Hancock offered amendment [H-1230](#) filed by Rayhons,
et al., as follows:

[H-1230](#)

1 Amend [House File 722](#) as follows:
2 1. Page 21, by striking line 15 and inserting the
3 following:
4 "Sec. 35. Section 483A.8, subsections 3 and 4,
5 Code".
6 2. Page 23, by striking lines 8 through 27 and
7 inserting the following:
8 "Sec. ____ Section 483A.8, subsection 5, Code
9 2009, is amended by striking the subsection and
10 inserting in lieu thereof the following:
11 5. a. Upon written application on forms furnished
12 by the department, the department shall issue annually
13 one any sex deer hunting license to a nonresident
14 owner of a farm unit or to a family member of the
15 nonresident owner, but not to both. The nonresident
16 owner or family member need not reside on the farm
17 unit to qualify for a license to hunt on that farm
18 unit pursuant to this subsection.
19 b. The deer hunting license issued shall be valid
20 only for hunting on the farm unit for which an
21 applicant qualifies pursuant to this subsection. A
22 deer hunting license issued pursuant to this
23 subsection shall be valid and may be used during any
24 shotgun deer hunting season.
25 c. A nonresident owner or family member who
26 receives a license pursuant to this subsection shall
27 purchase a hunting license, an any sex deer hunting
28 license, and an antlerless deer hunting license as
29 required in subsection 3, and shall pay the wildlife
30 habitat fee, all for the same fee that is charged to
31 other nonresident hunters. The person shall also pay
32 a one dollar fee that shall be used and is
33 appropriated for the purpose of deer herd population

34 management, including assisting with the cost of
35 processing deer donated to the help us stop hunger
36 program administered by the commission.
37 d. If a farm unit has multiple nonresident owners,
38 only one of the nonresident owners or family members
39 is eligible to receive a deer hunting license pursuant
40 to this subsection. If a nonresident landowner
41 jointly owns land in this state with a resident, only
42 one joint owner or family member of a joint owner
43 shall receive a deer hunting license pursuant to this
44 subsection, and preference shall be given to the
45 resident owner or the resident owner's family member
46 who applies for the license.
47 e. (1) A deer hunting license issued pursuant to
48 this subsection shall be attested by the signature of
49 the person to whom the license is issued and shall
50 contain a statement in substantially the following

Page 2

1 form:
2 By signing this license, I certify that I qualify
3 as a nonresident owner or family member of a
4 nonresident owner under Iowa Code section 483A.8,
5 subsection 5.
6 (2) A person who makes a false attestation under
7 this paragraph "e" is guilty of a simple misdemeanor.
8 In addition, the person's hunting license and deer
9 hunting license shall be revoked and the person shall
10 not be issued a hunting license or a deer hunting
11 license for a period of one year.
12 f. If a nonresident owner of a farm unit or a
13 family member of the nonresident owner obtains a deer
14 hunting license pursuant to this subsection that
15 person is not eligible to purchase a deer hunting
16 license for any other option offered to other
17 nonresident deer hunting licensees.
18 g. The deer hunting licenses issued pursuant to
19 this subsection to nonresidents who own farm units in
20 this state or to family members of such nonresident
21 owners are in addition to the licenses issued pursuant
22 to license limitations and allocations specified in
23 subsections 3 and 4.
24 h. As used in this section:
25 (1) "Family member" means a person who is not a
26 resident of Iowa and who is the spouse or child of a
27 nonresident owner and resides with the nonresident
28 owner.
29 (2) "Farm unit" means all parcels of land
30 comprised of not less than eighty acres, not
31 necessarily contiguous, that have been under the
32 lawful control of the nonresident owner since at least

33 March 1, 2004, are operated as a unit, and of which
34 not less than seventy-five percent of the land is
35 actively operated for farming purposes. "Farm unit"
36 does not include any land in a forest or fruit-tree
37 reservation for which a property tax exemption is
38 being received under chapter 427C.
39 (3) "Farming purposes" means the cultivation of
40 land for the production of agricultural crops, the
41 raising of poultry, the production of eggs, the
42 production of milk, the production of fruit or other
43 horticultural crops, or the grazing or production of
44 livestock. Farming does not include the production of
45 timber, forest products, nursery products, fruit
46 trees, or sod.
47 (4) "Nonresident owner" means an owner of a farm
48 unit who is not a resident of Iowa."
49 3. By renumbering as necessary.

Rayhons of Hancock offered the following amendment [H-1254](#), to amendment [H-1230](#), filed by him from the floor and moved its adoption:

[H-1254](#)

1 Amend the amendment, H-1230, to [House File 722](#), as
2 follows:
3 1. Page 1, line 24, by striking the word
4 "shotgun".
5 2. Page 2, by striking lines 12 through 17.
6 3. Page 2, by striking lines 31 through 38 and
7 inserting the following: "necessarily contiguous,
8 that are under the lawful control of the nonresident
9 owner, are operated as a unit, and are actively
10 operated for farming purposes."
11 4. By renumbering, redesignating, and correcting
12 internal references as necessary.

Amendment [H-1254](#) was adopted.

Rayhons of Hancock moved the adoption of amendment [H-1230](#), as amended.

Roll call was requested by Smith of Marshall and Pettengill of Benton.

On the question "Shall amendment [H-1230](#), as amended, be adopted? ([H.F. 722](#))

The ayes were, 22:

Anderson	Cownie	De Boef	Dolecheck
Forristall	Frevert	Grassley	Hagenow
Helland	Huseman	Koester	Mertz
Paulsen	Pettengill	Raecker	Rants
Rayhons	Schulte	Struyk	Tjepkes
Watts	Windschitl		

The nays were, 76:

Abdul-Samad	Alons	Arnold	Bailey
Baudler	Beard	Bell	Berry
Bukta	Burt	Cohoon	Deyoe
Drake	Ficken	Ford	Gaskill
Gayman	Heaton	Heddens	Horbach
Hunter	Huser	Isenhart	Jacoby
Kaufmann	Kearns	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Marek	Mascher	May	McCarthy
Miller, H.	Miller, L.	Oldson	Olson, D.
Olson, R.	Olson, S.	Olson, T.	Palmer
Petersen	Quirk	Reasoner	Reichert
Roberts	Sands	Schueller	Schultz
Shomshor	Smith	Soderberg	Sorenson
Steckman	Swaim	Sweeney	Taylor, D.
Taylor, T.	Thede	Thomas	Upmeyer
Van Engelenhoven	Wagner	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Willems
Winckler	Worthan	Zirkelbach	Mr. Speaker Murphy

Absent or not voting, 2:

Chambers Tymeson

Amendment [H-1230](#), as amended, lost.

Sands of Louisa invoked rule 32, related to any taxes or spending, requesting to send [House File 722](#) to the committee on ways and means.

The Speaker ruled the point not well taken.

Under the provision of Rule 31, related to the timely filing of amendments, amendment [H-1238](#) filed by Baudler of Adair from the floor, and amendment [H-1260](#) filed by May of Dickinson from the floor were placed out of order.

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

On the question "Shall the bill pass?" ([H.F. 722](#))

The ayes were, 59:

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

The nays were, 39:

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

Absent or not voting, 2:

Chambers Tymeson

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, 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 23, 2009, passed the following bill in which the concurrence of the House is asked:

[Senate File 367](#), a bill for an act relating to flood damage prevention and insurance.

Also: That the Senate has on March 23, 2009, passed the following bill in which the concurrence of the House is asked:

[Senate File 393](#), a bill for an act relating to access to obscene materials and child in need of assistance proceedings and child abuse reporting.

Also: That the Senate has on March 23, 2009, passed the following bill in which the concurrence of the House is asked:

[Senate File 413](#), a bill for an act relating to wage payment collection issues arising between employers and individuals who provide services to employers, providing penalties, and including an effective date.

MICHAEL E. MARSHALL, Secretary

[House File 330](#), a bill for an act relating to the authorized uses of local exchange service information by specified individuals and entities, was taken up for consideration.

[SENATE FILE 154](#) SUBSTITUTED FOR [HOUSE FILE 330](#)

Whitead of Woodbury asked and received unanimous consent to substitute [Senate File 154](#) for [House File 330](#).

[Senate File 154](#), a bill for an act relating to the authorized uses of local exchange service information by specified individuals and entities, was taken up for consideration.

Whitead 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?" ([S.F. 154](#))

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, 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	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 and 2:

Chambers Tymeson

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

[HOUSE FILE 330](#) WITHDRAWN

Whitead of Woodbury asked and received unanimous consent to withdraw [House File 330](#) from further consideration by the House.

[House File 400](#), a bill for an act relating to the licensing of persons installing fire protection systems, was taken up for consideration.

Quirk of Chickasaw offered the following amendment [H-1223](#) filed by him and moved its adoption:

[H-1223](#)

- 1 Amend [House File 400](#) as follows:
- 2 1. Page 3, line 8, by inserting after the word

3 "~~receives,~~" the following: "However, an applicant
 4 whose work on extinguishing systems will be restricted
 5 to systems on property owned or controlled by the
 6 applicant's employer may obtain a license if the
 7 employer is not a certified contractor."
 8 2. Page 3, line 35, by inserting after the word
 9 "valid," the following: "This subsection does not
 10 apply to a licensee whose work on extinguishing
 11 systems is restricted to systems on property owned or
 12 controlled by the licensee's employer."

Amendment [H-1223](#) was adopted.

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

On the question "Shall the bill pass?" ([H.F. 400](#))

The ayes were, 55:

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

The nays were, 43:

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

Absent or not voting, 2:

Chambers Tymeson

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

House File 628, a bill for an act relating to publication of property assessment equalization orders, was taken up for consideration.

SENATE FILE 266 SUBSTITUTED FOR **HOUSE FILE 628**

Huser of Polk asked and received unanimous consent to substitute **Senate File 266** for **House File 628**.

Senate File 266, a bill for an act relating to publication of property assessment equalization orders, was taken up for consideration.

Huser of Polk asked and received unanimous consent to withdraw amendment **H-1193** filed by her on March 17, 2009.

Huser of Polk offered amendment **H-1220** filed by her as follows:

H-1220

1 Amend **Senate File 266**, as passed by the Senate, as
2 follows:
3 1. Page 1, by inserting before line 1 the
4 following:
5 "Section 1. Section 428.4, unnumbered paragraph 1,
6 Code 2009, is amended to read as follows:
7 Property shall be assessed for taxation each year.
8 Real estate shall be listed and assessed in 1981 and
9 every two years thereafter. The assessment of real
10 estate shall be the value of the real estate as of
11 January 1 of the year of the assessment. The year
12 1981 and each odd-numbered year thereafter shall be a
13 reassessment year. In any year, after the year in
14 which an assessment has been made of all the real
15 estate in an assessing jurisdiction, the assessor
16 shall value and assess or revalue and reassess, as the
17 case may require, any real estate that the assessor
18 finds was incorrectly valued or assessed, or was not
19 listed, valued, and assessed, in the assessment year
20 immediately preceding, also any real estate the
21 assessor finds has changed in value subsequent to

22 January 1 of the preceding real estate assessment
23 year. However, a percentage increase on a class of
24 property shall not be made in a year not subject to an
25 equalization order unless ordered by the department of
26 revenue. The assessor shall determine the actual
27 value and compute the taxable value thereof as of
28 January 1 of the year of the revaluation and
29 reassessment. The assessment shall be completed as
30 specified in section 441.28, but no reduction or
31 increase in actual value shall be made for prior
32 years. If an assessor makes a change in the valuation
33 of the real estate as provided for, sections ~~441.23,~~
34 441.37, 441.37A, 441.38, and 441.39 apply.
35 Sec.____. Section 441.23, Code 2009, is amended to
36 read as follows:
37 441.23 NOTICE OF VALUATION.
38 1. If there has been an increase or decrease in
39 the valuation of the property, or upon the written
40 request of the person assessed, the ~~The~~ assessor
41 shall, at the time of making the assessment, inform
42 the person assessed, in writing, of ~~the~~ all of the
43 following:
44 a. The valuation put upon the taxpayer's property,
45 and notify the person, that if
46 b. That if the person feels aggrieved, to appear
47 before the board of review and show why the assessment
48 should be changed the person may file a protest
49 against such assessment with the board of review on or
50 after April 16, to and including May 15 of the year of

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1 the assessment.
2 c. That the valuation of the property may be
3 adjusted by an equalization order issued by the
4 director of revenue. The notice shall include a
5 preliminary equalization estimate provided to the
6 assessor by the department under section 441.47A.
7 d. That the person may appeal an equalization
8 order to the board of review between October 15 and
9 November 15 of the year the equalization order is
10 issued.
11 2. However, if the valuation of a class of
12 property is uniformly decreased, the assessor may
13 notify the affected property owners by publication in
14 the official newspapers of the county. The owners of
15 real property shall be notified not later than April
16 15 of any adjustment of the real property assessment
17 each year.
18 Sec.____. Section 441.26, unnumbered paragraphs 1
19 through 4, Code 2009, are amended to read as follows:
20 The director of revenue shall each year prescribe

21 the form of assessment roll to be used by all
 22 assessors in assessing property, in this state, also
 23 the form of pages of the assessor's assessment book.
 24 The assessment rolls shall be in a form that will
 25 permit entering, separately, the names of all persons
 26 assessed, and shall also contain a notice ~~in~~
 27 ~~substantially the following form:~~
 28 ~~If you are not satisfied that the foregoing~~
 29 ~~assessment is correct, you may file a protest against~~
 30 ~~such assessment with the board of review on or after~~
 31 ~~April 16, to and including May 5, of the year of the~~
 32 ~~assessment, such protest to be confined to the grounds~~
 33 ~~specified in section 441.37.~~
 34 ~~Dated: day of (month), (year)~~
 35 ~~.....~~
 36 ~~..... County/City Assessor~~
 37 ~~that includes the information required in section~~
 38 ~~441.23.~~
 39 The notice in 1981 and each odd-numbered year
 40 thereafter shall contain a preliminary equalization
 41 estimate pursuant to section 441.46A, a statement that
 42 the assessments are subject to equalization pursuant
 43 to an order issued by the director of revenue, that
 44 the county auditor shall give notice on or before
 45 October 15 by publication in an official newspaper of
 46 general circulation to any class of property affected
 47 by the equalization order, and that the board of
 48 review shall be in session from October 15 to November
 49 15 to hear protests of affected property owners or
 50 taxpayers whose valuations have been adjusted by the

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1 equalization order.
 2 The assessment rolls shall be used in listing the
 3 property and showing the values affixed to the
 4 property of all persons assessed. The rolls shall be
 5 made in duplicate. The duplicate roll shall be signed
 6 by the assessor, detached from the original and
 7 delivered to the person assessed ~~if there has been an~~
 8 ~~increase or decrease in the valuation of the property.~~
 9 ~~If there has been no change in the valuation, the~~
 10 ~~information on the roll may be printed on computer~~
 11 ~~stock paper and preserved as required by this chapter.~~
 12 If the person assessed requests in writing a copy of
 13 the roll, the copy shall be provided to the person.
 14 The pages of the assessor's assessment book shall
 15 contain columns ruled and headed for the information
 16 required by this chapter and that which the director
 17 of revenue deems essential in the equalization work of
 18 the director. The assessor shall return all
 19 assessment rolls and schedules to the county auditor,

20 along with the completed assessment book, as provided
21 in this chapter, and the county auditor shall
22 carefully keep and preserve the rolls, schedules, and
23 book for a period of five years from the time of its
24 filing in the county auditor's office.
25 Sec.____. Section 441.37, subsection 1, unnumbered
26 paragraph 1, Code 2009, is amended to read as follows:
27 Any property owner or aggrieved taxpayer who is
28 dissatisfied with the owner's or taxpayer's assessment
29 may file a protest against such assessment with the
30 board of review on or after April 16, to and including
31 May 15, of the year of the assessment. In any
32 county which has been declared to be a disaster area
33 by proper federal authorities after March 1 and prior
34 to May 20 of said year of assessment, the board of
35 review shall be authorized to remain in session until
36 June 15 and the time for filing a protest shall be
37 extended to and include the period from May 25 to June
38 5 of such year. Said protest shall be in writing and
39 signed by the one protesting or by the protester's
40 duly authorized agent. The taxpayer may have an oral
41 hearing thereon if request therefor in writing is made
42 at the time of filing the protest. Said protest must
43 be confined to one or more of the following grounds:
44 Sec.____. NEW SECTION. 441.47A PRELIMINARY
45 EQUALIZATION ESTIMATE.
46 The director of revenue on or before February 20,
47 2011, and every two years thereafter shall provide
48 preliminary equalization estimates to each assessor in
49 the state for each class of property within the
50 assessing jurisdiction. The preliminary equalization

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1 estimate shall be determined by the director based on
2 previous sales of property and on previous
3 productivity and net earning capacity of agricultural
4 property."
5 2. Page 1, by inserting after line 17 the
6 following:
7 "Sec.____. INDIVIDUAL EQUALIZATION NOTICES. For
8 the assessment year beginning January 1, 2009, the
9 county auditor, with the cooperation and assistance of
10 the county assessor and the city assessor, if
11 applicable, shall in writing notify each property
12 owner or taxpayer affected by an equalization order
13 issued by the director if the owner or taxpayer did
14 not receive a notice of valuation under section
15 441.23. Notices shall be sent on or before October
16 15, 2009.
17 Sec.____. APPLICABILITY DATE. The sections of
18 this Act amending sections 428.4, 441.23, 441.26, and

19 441.37, and enacting section 441.46A apply to
20 assessment years beginning on or after January 1,
21 2010."
22 3. Title page, by striking lines 1 and 2 and
23 inserting the following: "An Act relating to property
24 assessment for purposes of property taxation by
25 modifying provisions relating to assessment notices,
26 modifying provisions relating to the protest of
27 assessments, requiring individual notices for property
28 assessment equalization orders in a certain assessment
29 year, and providing an applicability date."
30 4. By renumbering as necessary.

Huser of Polk offered the following amendment [H-1262](#), to amendment [H-1220](#), filed by her from the floor and moved its adoption:

[H-1262](#)

1 Amend the amendment, [H-1220](#), to [Senate File 266](#), as
2 passed by the Senate, as follows:
3 1. Page 2, by striking lines 7 through 9 and
4 inserting the following:
5 "d. That the person may protest the application of
6 an equalization order to the board of review by filing
7 an appeal between October 16 and October 25 of the
8 year the equalization order is".

Amendment [H-1262](#) was adopted.

Huser of Polk offered the following amendment [H-1263](#), to amendment [H-1220](#), filed by her from the floor and moved its adoption:

[H-1263](#)

1 Amend the amendment, [H-1220](#), to [Senate File 266](#), as
2 passed by the Senate, as follows:
3 1. Page 2, line 41, by striking the figure
4 "441.46A" and inserting the following: "441.47A".
5 2. Page 4, line 19, by striking the figure
6 "441.46A" and inserting the following: "441.47A".

Amendment [H-1263](#) was adopted.

On motion by Huser of Polk, amendment [H-1220](#), as amended, was adopted.

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. 266](#))

The ayes were, 97:

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, 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, T.	Thede
Thomas	Tjepkes	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, 2:

Chambers Tymeson

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

[HOUSE FILE 628](#) WITHDRAWN

Huser of Polk asked and received unanimous consent to withdraw [House File 628](#) from further consideration by the House.

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 23, 2009, passed the following bill in which the concurrence of the House is asked:

[Senate File 344](#), a bill for an act relating to the requirements of certain financial assistance programs administered by the department of economic development including a reorganization of the grow Iowa values fund and creating a grow Iowa values financial assistance program.

Also: That the Senate has on March 23, 2009, passed the following bill in which the concurrence of the House is asked:

[Senate File 416](#), a bill for an act providing for the removal of the requirement that two or more public school districts be contiguous in order to utilize financial, administrative, merger and dissolution, open enrollment, and sharing incentives and policies.

Also: That the Senate has on March 23, 2009, passed the following bill in which the concurrence of the House is asked:

[Senate File 433](#), a bill for an act relating to the classification and assessment of violations in health care facilities and assisted living programs and providing penalties.

Also: That the Senate has on March 23, 2009, passed the following bill in which the concurrence of the House is asked:

[Senate File 434](#), a bill for an act relating to nuisance properties by requiring the indexing of certain municipal citations and petitions affecting real property.

MICHAEL E. MARSHALL, Secretary

[House File 375](#), a bill for an act specifying a duty of agency applicable to licensed mortgage brokers and making penalties applicable, was taken up for consideration.

Under the provision of Rule 31, related to the timely filing of amendments, the following amendments were placed out of order:

Amendment [H-1255](#) filed by Sands of Louisa from the floor.

Amendment [H-1261](#) filed by Sands of Louisa from the floor.

Shomshor 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. 375](#))

The ayes were, 89:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Beard	Bell
Berry	Bukta	Burt	Cohoon
Cownie	Deyoe	Dolecheck	Drake
Ficken	Ford	Frevert	Gaskill
Gayman	Grassley	Hagenow	Heaton
Heddens	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	Quirk	Rants
Reasoner	Reichert	Roberts	Schueller
Schulte	Shomshor	Smith	Soderberg
Sorenson	Steckman	Struyk	Swaim
Sweeney	Taylor, D.	Taylor, T.	Thede
Thomas	Tjepkes	Upmeyer	Van Engelenhoven
Wagner	Watts	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Willems
Winckler	Windschitl	Worthan	Zirkelbach
Mr. Speaker			
Murphy			

The nays were, 9:

De Boef	Forristall	Helland	Horbach
Pettengill	Raecker	Rayhons	Sands
Schultz			

Absent or not voting, 2:

Chambers	Tymeson
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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 375, 400, 722** and **Senate Files 154** and **266**.

[House File 724](#), a bill for an act relating to the regulation of the business of debt management and making penalties applicable, was taken up for consideration.

[SENATE FILE 311](#) SUBSTITUTED FOR [HOUSE FILE 724](#)

Reasoner of Union asked and received unanimous consent to substitute [Senate File 311](#) for [House File 724](#).

[Senate File 311](#), a bill for an act relating to the regulation of the business of debt management and making penalties applicable, was taken up for consideration.

Reasoner of Union 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. 311](#))

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, 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	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 Tymeson

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

[HOUSE FILE 724](#) WITHDRAWN

Reasoner of Union asked and received unanimous consent to withdraw [House File 724](#) from further consideration by the House.

[House File 725](#), a bill for an act relating to disaster emergency assistance immunity, was taken up for consideration.

Schulte of Linn offered amendment [H-1234](#) filed by her as follows:

[H-1234](#)

1 Amend [House File 725](#) as follows:
2 1. Page 1, by inserting before line 1 the
3 following:
4 "Section 1. Section 423.3, Code 2009, is amended
5 by adding the following new subsection:
6 NEW SUBSECTION. 38A. The sales price from the
7 sale of building materials, supplies, or equipment
8 sold for use in reconstructing, restoring, or
9 remodeling disaster-damaged buildings in an area
10 declared a disaster area by the governor."
11 2. Page 1, by inserting after line 14 the
12 following:
13 "Sec.____. REFUNDS. Refunds of taxes, interest,
14 or penalties which arise from claims resulting from
15 the enactment of section 423.3, subsection 38A, in
16 this Act, for sales occurring between July 1, 2008,
17 and the effective date of this Act, shall not be
18 allowed unless refund claims are filed with the
19 department of revenue on or before June 30, 2009,
20 notwithstanding any other provision of law.

21 Sec. ____ EFFECTIVE AND RETROACTIVE APPLICABILITY
 22 DATES. The sections of this Act amending section
 23 423.3 and providing for refunds of taxes, interest,
 24 and penalties, being deemed of immediate importance,
 25 take effect upon enactment and applies retroactively
 26 to July 1, 2008."
 27 3. Title page, line 1, by striking the word
 28 "immunity" and inserting the following: "and tax
 29 exemptions and providing effective and retroactive
 30 applicability dates".
 31 4. By renumbering as necessary.

Thomas of Clayton rose on a point of order that amendment [H-1234](#) was not germane.

The Speaker ruled the point well taken and amendment [H-1234](#) not germane.

Schulte of Linn moved to suspend the rules to consider amendment [H-1234](#).

Roll call was requested by Paulsen of Linn and L. Miller of Scott.

On the question "Shall the rules be suspended to consider amendment [H-1234](#)?" ([H.F. 725](#))

The ayes were, 42:

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

The nays were, 54:

Abdul-Samad	Bailey	Beard	Bell
Berry	Bukta	Burt	Ficken
Ford	Frevert	Gaskill	Gayman
Heddens	Hunter	Huser	Isenhart
Jacoby	Kearns	Kelley	Kressig
Kuhn	Lensing	Lykam	Marek

Mascher	McCarthy	Mertz	Miller, H.
Oldson	Olson, D.	Olson, R.	Olson, T.
Palmer	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, 4:

Chambers	Cohoon	Petersen	Tymeson
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The motion to suspend the rules lost.

Wagner of Linn offered amendment [H-1235](#) filed by him as follows:

[H-1235](#)

- 1 Amend [House File 725](#) as follows:
- 2 1. Page 1, by inserting before line 1 the
- 3 following:
- 4 "Section 1. Section 422.7, Code 2009, is amended
- 5 by adding the following new subsection:
- 6 NEW SUBSECTION. 54. Subtract, to the extent not
- 7 otherwise deducted, the amount of costs directly
- 8 attributable to a residential relocation of the
- 9 taxpayer made necessary due to a natural disaster for
- 10 which the president of the United States declares a
- 11 disaster."
- 12 2. Page 1, by inserting after line 14 the
- 13 following:
- 14 "Sec. ____ EFFECTIVE AND RETROACTIVE APPLICABILITY
- 15 DATES. The section of this Act amending section
- 16 422.7, being deemed of immediate importance, takes
- 17 effect upon enactment and applies retroactively to
- 18 January 1, 2008, for tax years beginning on or after
- 19 that date."
- 20 3. Title page, line 1, by striking the words
- 21 "emergency assistance immunity" and inserting the
- 22 following: "assistance and tax exemptions and
- 23 providing effective and retroactive applicability
- 24 dates".
- 25 4. By renumbering as necessary.

Thomas of Clayton rose on a point of order that amendment [H-1235](#) was not germane.

The Speaker ruled the point well taken and amendment [H-1235](#) not germane.

Wagner of Linn moved to suspend the rules to consider amendment [H-1235](#).

Roll call was requested by Paulsen of Linn and Baudler of Adair.

On the question "Shall the rules be suspended to consider amendment [H-1235](#)?" ([H.F. 725](#))

The ayes were, 42:

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

The nays were, 55:

Abdul-Samad	Bailey	Beard	Bell
Berry	Bukta	Burt	Cohoon
Ficken	Ford	Frevort	Gaskill
Gayman	Heddens	Hunter	Huser
Isenhart	Jacoby	Kearns	Kelley
Kressig	Kuhn	Lensing	Lykam
Marek	Mascher	McCarthy	Mertz
Miller, H.	Oldson	Olson, D.	Olson, R.
Olson, T.	Palmer	Petersen	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, 3:

Anderson	Chambers	Tymeson
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The motion to suspend the rules lost.

SENATE FILE 280 SUBSTITUTED FOR HOUSE FILE 725

Thomas of Clayton asked and received unanimous consent to substitute Senate File 280 for House File 725.

Senate File 280, a bill for an act relating to disaster emergency assistance immunity, was taken up for consideration.

Thomas of Clayton 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. 280)

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, 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	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 Tymeson

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

[HOUSE FILE 725](#) WITHDRAWN

Thomas of Clayton asked and received unanimous consent to withdraw [House File 725](#) from further consideration by the House.

[House File 733](#), a bill for an act relating to nonsubstantive Code corrections and providing effective dates and for retroactive applicability, was taken up for consideration.

[SENATE FILE 446](#) SUBSTITUTED FOR [HOUSE FILE 733](#)

Wessel-Kroeschell of Story asked and received unanimous consent to substitute [Senate File 446](#) for [House File 733](#).

[Senate File 446](#), a bill for an act relating to nonsubstantive Code corrections and providing effective dates and for retroactive applicability, was taken up for consideration.

Wessel-Kroeschell of Story moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([S.F. 446](#))

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, 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	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 and 2:

Chambers Tymeson

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

[HOUSE FILE 733](#) WITHDRAWN

Wessel-Kroeschell of Story asked and received unanimous consent to withdraw [House File 733](#) from further consideration by the House.

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 280, 311 and 446.**

[House File 736](#), a bill for an act providing for the award of local watershed improvement grants, was taken up for consideration.

Swaim of Davis asked and received unanimous consent to withdraw amendment [H-1179](#) filed by him on March 17, 2009.

[SENATE FILE 268](#) SUBSTITUTED FOR [HOUSE FILE 736](#)

Schueller of Jackson asked and received unanimous consent to substitute [Senate File 268](#) for [House File 736](#).

[Senate File 268](#), a bill for an act providing for the award of local watershed improvement grants, was taken up for consideration.

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?" ([S.F. 268](#))

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, 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	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 and 2:

Chambers Tymeson

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

[HOUSE FILE 736](#) WITHDRAWN

Schueller of Jackson asked and received unanimous consent to withdraw [House File 736](#) from further consideration by the House.

House File 729, a bill for an act relating to charitable trusts by providing for filing documents with the attorney general and providing for the attorney general's investigative authority, was taken up for consideration.

SENATE FILE 320 SUBSTITUTED FOR HOUSE FILE 729

Ford of Polk asked and received unanimous consent to substitute Senate File 320 for House File 729.

Senate File 320, a bill for an act relating to charitable trusts by providing for filing documents with the attorney general and providing for the attorney general's investigative authority, was taken up for consideration.

Ford 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. 320)

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	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	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, 3:

Baudler Chambers Tymeson

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

[HOUSE FILE 729](#) WITHDRAWN

Ford of Polk asked and received unanimous consent to withdraw [House File 729](#) from further consideration by the House.

[House File 726](#), a bill for an act providing for unincorporated nonprofit associations, and providing for fees and penalties, 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. 726](#))

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, 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	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 Tymeson

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

SENATE MESSAGES CONSIDERED

[Senate File 159](#), by committee on state government, a bill for an act relating to electrician licensure by modifying existing provisions and specifying new classifications.

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

[Senate File 283](#), by committee on judiciary, a bill for an act relating to the appointment of judicial officers, the appointment and retirement of senior judges, and providing for a future repeal.

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

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: [House File 726](#) and **Senate Files 268** and **320**.

[HOUSE FILE 506](#) REFERRED

The Speaker announced that [House File 506](#), previously placed on the **calendar** was referred to committee on **ways and means**.

[HOUSE FILE 744](#) REFERRED

The Speaker announced that [House File 744](#), previously placed on the **calendar** was referred to committee on **judiciary**.

[HOUSE FILE 767](#) REFERRED

The Speaker announced that [House File 767](#), previously placed on the **calendar** was referred to committee on **judiciary**.

[HOUSE FILE 790](#) REFERRED

The Speaker announced that [House File 790](#), previously referred to committee on **environmental protection** was placed on the **calendar**.

[SENATE FILE 117](#) REREFERRED

The Speaker announced that [Senate File 117](#), previously referred to committee on **transportation** was rereferred to committee on **human resources**.

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bill has been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 23 day of March, 2009: [House File 281](#).

MARK W. BRANDSGARD
Chief Clerk of the House

Report adopted.

CERTIFICATES OF RECOGNITION

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

MARK W. BRANDSGARD
Chief Clerk of the House

- 2009\3366 Dick Weitz, Dubuque – For his 46 years of commitment to education in Dubuque and for being inducted into the Iowa High School Athletic Directors Hall of Fame.
- 2009\3367 Mathilda “Tille” Reuter, Dubuque – For celebrating her 100th birthday.
- 2009\3368 Donald and Marilyn Tubbesing, Mason City – For celebrating their 60th wedding anniversary.
- 2009\3369 Ray and Mabel Welch, Norwood – For celebrating their 70th wedding anniversary.
- 2009\3370 Johanna Klaassen, George – For celebrating her 90th birthday.
- 2009\3371 Orville and Vera Elmshaeuser, Wilton – For celebrating their 50th wedding anniversary.
- 2009\3372 Mr. and Mrs. E. Leroy Reedy, Davenport – For celebrating their 60th wedding anniversary.
- 2009\3373 Vincent Archer, Avoca – For celebrating his 80th birthday.
- 2009\3374 Helen Langenfeld, Westphalia – For celebrating her 90th birthday.
- 2009\3375 Roger and Jan Van Egdome, Sanborn – For celebrating their 50th wedding anniversary.
- 2009\3376 Erv and Gladys Bolkema, Sheldon – For celebrating their 50th wedding anniversary.
- 2009\3377 Harold Roberts, Greenfield – For celebrating his 80th birthday.
- 2009\3378 Frank Sevier, Greenfield – For celebrating his 100th birthday.
- 2009\3379 Dorothy Caltrider, Adair – For celebrating her 80th birthday.
- 2009\3380 Evelyn Steenhard, Mason City – For celebrating her 80th birthday.
- 2009\3381 Winifred Dickinson, Mason City – For celebrating her 80th birthday.
- 2009\3382 Steffanie Frank, Panorama – For receiving All-State honors in Radio News at the state speech contest.
- 2009\3383 Molly Nelson, Panorama – For receiving All-State honors in Acting at the state speech contest.
- 2009\3384 Darlene Schroeder, Clinton – For celebrating her 80th birthday.
- 2009\3385 Richard and Marlene Walker, DeWitt – For celebrating their 50th wedding anniversary.

SUBCOMMITTEE ASSIGNMENTS

[House File 783](#)

Transportation: Quirk, Chair; Kelley and May.

[Senate File 151](#)

Transportation: Bell, Chair; D. Olson and Roberts.

[Senate File 356](#)

Transportation: Quirk, Chair; Huseman and Kelley.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON EDUCATION

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

Fiscal Note is not required.

Recommended **Do Pass** March 23, 2009.

COMMITTEE ON HUMAN RESOURCES

[Senate File 152](#), a bill for an act relating to administrative and planning requirements involving children for whom the department of human services has responsibility under state or federal law.

Fiscal Note is not required.

Recommended **Do Pass** March 23, 2009.

COMMITTEE ON LOCAL GOVERNMENT

[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.

Fiscal Note is not required.

Recommended **Do Pass** March 23, 2009.

COMMITTEE ON REBUILD IOWA AND DISASTER RECOVERY

[Senate File 289](#), a bill for an act relating to loan forgiveness under the jumpstart housing assistance program and providing effective and retroactive applicability dates.

Fiscal Note is not required.

Recommended **Do Pass** March 23, 2009.

[Senate File 377](#), a bill for an act relating to the prescription drug donation repository program.

Fiscal Note is not required.

Recommended **Do Pass** March 23, 2009.

RESOLUTIONS FILED

[HR 37](#), by Raecker, Ford and Helland, a resolution commemorating the 100th anniversary of the Drake Relays.

Laid over under **Rule 25**.

[HR 38](#), by Zirkelbach, Whitead, Windschitl, D. Taylor, Bailey, Ficken, Kearns, Bukta, Mascher, Alons, Sweeney, Watts, Van Engelenhoven, Tymeson, Thomas, Gayman and Rants, a resolution to protect and preserve the battleship USS Iowa.

Laid over under **Rule 25**.

[HR 39](#), by Alons, Jacoby, Smith, Schueller, Wendt, Thomas, Quirk, Kelley, Ficken, Wenthe, Palmer, Huser, Abdul-Samad, Reasoner, T. Olson, R. Olson, Marek, Swaim, Bailey, Gayman, Zirkelbach, Petersen, D. Olson, Oldson, Shomshor, Bukta, Whitaker, Whitead, Gaskill, Frevert, Mascher, Reichert, Cohoon, Bell, Lykam, Thede, Berry, H. Miller, Kressig, Heddens, T. Taylor, D. Taylor, Schultz, Rayhons, Drake, Tymeson, Soderberg, Pettengill, Baudler, Raecker, Hagenow, Grassley, Cownie, Windschitl, Sorenson, Horbach, Arnold, Huseman, Sweeney, Koester, De Boef, Paulsen, Roberts, Worthan, Helland, Tjepkes, Watts, L. Miller, Deyoe, Forristall, Rants, Dolecheck, Sands, Lukan, S. Olson, Schulte, Heaton, May, Van Engelenhoven, Upmeyer, Wagner, Kaufmann and Struyk, a resolution honoring those Iowans who volunteered their time and efforts providing aid and assistance during the June 2008 flood.

Laid over under **Rule 25**.

HR 40, by Alons, Anderson, Arnold, Baudler, Cownie, De Boef, Deyoe, Dolecheck, Drake, Forristall, Grassley, Hagenow, Heaton, Helland, Horbach, Huseman, Kaufmann, Koester, Lukan, May, L. Miller, S. Olson, Paulsen, Pettengill, Raecker, Rants, Rayhons, Roberts, Sands, Schulte, Schultz, Soderberg, Sorenson, Struyk, Sweeney, Tjepkes, Tymeson, Upmeyer, Van Engelenhoven, Wagner, Watts, Windschitl and Worthan, a resolution urging Iowa's congressional delegation to oppose legislation that disenfranchises workers by removing their right to a private ballot union election.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-1236	H.F. 675	Rants of Woodbury
H-1240	H.F. 759	T. Olson of Linn
H-1241	S.F. 424	Rants of Woodbury
H-1242	S.F. 424	Rants of Woodbury
H-1243	S.F. 424	Rants of Woodbury
H-1244	S.F. 424	Rants of Woodbury
H-1245	S.F. 424	Rants of Woodbury
H-1246	S.F. 424	Rants of Woodbury
H-1247	S.F. 424	Rants of Woodbury
H-1248	H.F. 756	Gayman of Scott
H-1249	H.F. 675	Gaskill of Wapello
H-1250	H.F. 627	Smith of Marshall
H-1251	S.F. 424	Gaskill of Wapello
H-1252	H.F. 772	Anderson of Page
H-1253	H.F. 762	Whitaker of Van Buren
H-1256	S.F. 151	Kaufman of Cedar
H-1257	S.F. 151	Grassley of Butler
H-1258	S.F. 151	Grassley of Butler
H-1264	S.F. 377	Huser of Polk
H-1265	H.F. 801	Pettengill of Benton
H-1266	H.F. 801	Watts of Dallas
H-1267	H.F. 213	Sands of Louisa
H-1268	H.F. 801	Raecker of Polk
H-1269	H.F. 801	Pettengill of Benton
H-1270	H.F. 801	Struyk of Pottawattamie
H-1271	H.F. 801	Struyk of Pottawattamie
H-1272	H.F. 801	Raecker of Polk
H-1273	H.F. 801	Rants of Woodbury

H-1274	H.F.	213	Quirk of Chickasaw
H-1275	H.F.	732	Cohon of Des Moines
			Dolecheck of Ringgold
H-1276	S.F.	437	Huser of Polk
H-1277	S.F.	159	Sands of Louisa

On motion by McCarthy of Polk the House adjourned at 10:32 p.m., until 9:00 a.m., Tuesday, March 24, 2009.