

**PROOF**

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**STATE OF IOWA**

**House Journal**

**FRIDAY, APRIL 27, 2007**

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(The official bound copy will be available after a reasonable time upon adjournment.)

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# JOURNAL OF THE HOUSE

One Hundred Tenth Calendar Day - Seventy-fifth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Friday, April 27, 2007

The House met pursuant to adjournment at 9:25 a.m., Speaker Murphy in the chair.

Prayer was offered by the Honorable Mary Mascher, state representative from Johnson County.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Dustin Wagner, clerk of Representative Mary Mascher of Johnson County.

The Journal of Thursday, April 26, 2007 was approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Horbach of Tama on request of Rants of Woodbury; Mertz of Kossuth, until her arrival, on request of McCarthy of Polk.

## MOTION TO RECONSIDER WITHDRAWN

[\(House File 752\)](#)

McCarthy of Polk asked and received unanimous consent to withdraw the motion to reconsider [House File 752](#), a bill for an act relating to and making transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund, filed by him on April 19, 2007.

## MOTION TO RECONSIDER WITHDRAWN

[\(House File 874\)](#)

McCarthy of Polk asked and received unanimous consent to withdraw the motion to reconsider [House File 874](#), a bill for an act relating to and making appropriations to certain state departments,

agencies, funds, and certain other entities and providing an effective date, filed by him on April 19, 2007.

MOTION TO RECONSIDER WITHDRAWN  
([House File 918](#))

McCarthy of Polk asked and received unanimous consent to withdraw the motion to reconsider [House File 918](#), a bill for an act establishing the office of energy independence and the Iowa power fund and related provisions, and providing an effective date, filed by him on April 24, 2007.

MOTION TO RECONSIDER WITHDRAWN  
([House File 927](#))

McCarthy of Polk asked and received unanimous consent to withdraw the motion to reconsider [House File 927](#), a bill for an act making appropriations for specified energy-related purposes and providing an effective date, filed by him on April 24, 2007.

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 752, 874, 909, 918, 927** and [Senate File 551](#).

CONSIDERATION OF BILLS  
Ways and Means Calendar

The House resumed consideration of [Senate File 580](#), a bill for an act relating to a tax amnesty program, making appropriations, and including an effective date provision, was taken up for consideration, previously deferred and found on page 1891 of the House Journal.

Watts of Dallas offered amendment [H-1929](#) filed by him as follows:

[H-1929](#)

- 1 Amend [Senate File 580](#), as passed by the Senate, as
- 2 follows:
- 3 1. Page 2, by inserting after line 16 the
- 4 following:

5 "\_\_\_\_. All tax revenue collected under the tax  
6 amnesty program, including all interest, shall be  
7 deposited and credited to the road use tax fund."

Kelley of Black Hawk rose on a point of order that amendment [H-1929](#) was not germane.

The Speaker ruled the point well taken and amendment [H-1929](#) not germane.

Watts of Dallas asked and received unanimous consent to withdraw amendment [H-1930](#) filed by him on April 23, 2007.

Alons of Sioux offered amendment [H-1934](#) filed by him as follows:

[H-1934](#)

1 Amend [Senate File 580](#), as passed by the Senate, as  
2 follows:  
3 1. Page 2, by inserting after line 16 the  
4 following:  
5 "\_\_\_\_. All tax revenue collected under the tax  
6 amnesty program, including all interest, shall be  
7 deposited and credited to the veteran's fund."

Kelley of Black Hawk rose on a point of order that amendment [H-1934](#) was not germane.

The Speaker ruled the point well taken and amendment [H-1934](#) not germane.

Alons of Sioux asked for unanimous consent to suspend the rules to consider amendment [H-1934](#).

Objection was raised.

Alons of Sioux moved to suspend the rules to consider amendment [H-1934](#).

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

On the question "Shall the rules be suspended to consider amendment [H-1934](#)?" ([S.F. 580](#)).

The ayes were, 43:

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

The nays were, 50:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jochum	Kelley	Kuhn	Lensing
Lykam	Mascher	McCarthy	Miller, H.
Oldson	Olson, D.	Olson, R.	Olson, T.
Palmer	Petersen	Pettengill	Quirk
Reasoner	Reichert	Schueller	Shomshor
Smith	Staed	Swaim	Taylor, T.
Thomas	Tomenga	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Winckler
Wise	Mr. Speaker		
	Murphy		

Absent or not voting, 7:

Gipp	Granzow	Horbach	Jacoby
Kressig	Mertz	Zirkelbach	

The motion to suspend the rules lost.

Heaton of Henry offered amendment [H-1985](#) filed by him and Wienczek of Black Hawk as follows:

[H-1985](#)

1 Amend [Senate File 580](#), as passed by the Senate, as  
 2 follows:  
 3 1. Page 2, by inserting after line 16 the  
 4 following:  
 5 "\_\_\_\_. All tax revenue collected under the tax  
 6 amnesty program, including all interest, shall be  
 7 deposited and credited to the senior living trust  
 8 fund."

Kelley of Black Hawk rose on a point of order that amendment [H-1985](#) was not germane.

The Speaker ruled the point well taken and amendment [H-1985](#) not germane.

Heaton of Henry asked for unanimous consent to consider amendment [H-1985](#).

Objection was raised.

Heaton of Henry moved to suspend the rules to consider amendment [H-1985](#).

Roll call was requested by Heaton of Henry and Paulsen of Linn.

On the Question “Shall the rules be suspended to consider amendment [H-1985](#)?” (S. F. 580)

The ayes were, 43:

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

The nays were, 52:

Abdul-Samad	Bell	Berry	Bukta
Cohoon	Dandekar	Davitt	Foege
Ford	Frevert	Gaskill	Gayman
Heddens	Hunter	Huser	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Miller, H.	Oldson	Olson, D.	Olson, R.
Olson, T.	Palmer	Petersen	Pettengill
Quirk	Reasoner	Reichert	Schueller
Shomshor	Smith	Staed	Swaim
Taylor, D.	Taylor, T.	Thomas	Tomenga

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

Absent or not voting, 5:

Bailey	Gipp	Horbach	Mertz
Zirkelbach			

The motion to suspend the rules lost.

Watts of Dallas offered amendment [H-1994](#) filed by him as follows:

[H-1994](#)

1 Amend [Senate File 580](#), as passed by the Senate, as  
2 follows:  
3 1. Page 2, by inserting after line 16 the  
4 following:  
5 "\_\_\_\_. Five million dollars of the tax revenue  
6 collected under the tax amnesty program shall be  
7 deposited and credited to the veterans trust fund and  
8 the remaining tax revenues, including all interest,  
9 shall be deposited and credited to the senior living  
10 trust fund."

Kelley of Black Hawk rose on a point of order that amendment [H-1994](#) was not germane.

The Speaker ruled the point well taken and amendment [H-1994](#) not germane.

Watts of Dallas asked for unanimous consent to suspend the rules to consider amendment [H-1994](#).

Objection was raised.

Watts of Dallas moved to suspend the rules to consider amendment [H-1994](#).

Roll call was requested by Watts of Dallas and Tjepkes of Webster.

On the question "Shall the rules be suspended to consider amendment [H-1994](#)?" ([S.F. 580](#))

The ayes were, 42:

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

The nays were, 52:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevrt	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Miller, H.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Quirk	Reasoner	Reichert	Schueller
Shomshor	Smith	Staed	Swaim
Taylor, D.	Taylor, T.	Thomas	Tomenga
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	Mr. Speaker Murphy

Absent or not voting, 6:

Gipp	Heaton	Horbach	Mertz
Pettengill	Zirkelbach		

The motion to suspend the rules lost.

Raecker of Polk asked and received unanimous consent to withdraw amendment [H-2034](#) filed by him and Van Fossen of Scott on April 25, 2007.

Raecker of Polk offered the following amendment [H-2056](#) filed by him and Van Fossen of Scott and moved its adoption:

[H-2056](#)

- 1 Amend [Senate File 580](#) as follows:
- 2 1. Page 2, by inserting after line 16 the
- 3 following:

4 "\_\_\_\_. In promoting and marketing the tax amnesty  
5 program, the director and the Iowa lottery shall  
6 collaborate in the use of television, print, and radio  
7 advertising."

Amendment [H-2056](#) was adopted.

Raecker of Polk asked and received unanimous consent to withdraw amendment [H-2028](#) filed by him on April 25, 2007.

Watts of Dallas offered the following amendment [H-1928](#) filed by him and moved its adoption:

[H-1928](#)

1 Amend [Senate File 580](#), as passed by the Senate, as  
2 follows:  
3 1. Page 2, by inserting after line 29 the  
4 following:  
5 "\_\_\_\_. If new full-time equivalent positions are  
6 hired by the department as a result of the  
7 appropriation made in subsection 1 or 2, the  
8 department shall eliminate such full-time equivalent  
9 positions by June 30, 2008, and these full-time  
10 equivalent positions are not authorized for employment  
11 by the department after that date."

Amendment [H-1928](#) was adopted.

Van Fossen of Scott offered the following amendment [H-1927](#) filed by him and moved its adoption:

[H-1927](#)

1 Amend [Senate File 580](#), as passed by the Senate, as  
2 follows:  
3 1. Page 2, by striking lines 30 though 33 and  
4 inserting the following:  
5 "Sec.\_\_\_\_. COMPREHENSIVE REPORT. The department  
6 shall provide a comprehensive report of the tax  
7 amnesty program by March 1, 2008. The report shall  
8 include a summary of the program and the legislation  
9 establishing the program, a detailed description of  
10 the promotion activities related to the program, the  
11 appropriation and expenditures related to program, the  
12 number of applications and identity of applicants, the  
13 amnesty requests and collections by the state, amnesty  
14 applications and collections by county, other state

15 amnesty collections, and the collections by type of  
16 tax."

Amendment [H-1927](#) lost.

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

On the question "Shall the bill pass?" ([S.F. 580](#))

The ayes were, 55:

Abdul-Samad	Anderson	Bailey	Bell
Berry	Bukta	Cphoon	Dandekar
Davitt	Foege	Ford	Frevert
Gaskill	Gayman	Heddens	Hunter
Huser	Jacoby	Jochum	Kelley
Kressig	Kuhn	Lensing	Lykam
Mascher	McCarthy	Mertz	Miller, H.
Oldson	Olson, D.	Olson, R.	Olson, T.
Palmer	Petersen	Pettengill	Quirk
Reasoner	Reichert	Schueller	Shomshor
Smith	Staed	Swaim	Taylor, D.
Taylor, T.	Thomas	Tomenga	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Winckler	Wise	Mr. Speaker	
		Murphy	

The nays were, 42:

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

Absent or not voting, 3:

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

### IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that [House File 830](#) be immediately messaged to the Senate.

[Senate File 586](#), a bill for an act creating a special gold star motor vehicle registration plate and providing fees and an effective date, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" ([S.F. 586](#))

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	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	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, 3:

Gipp

Horbach

Zirkelbach

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

### SENATE AMENDMENT CONSIDERED

Gaskill of Wapello called up for consideration [House File 844](#), a bill for an act relating to inspection of absentee ballot affidavit envelopes by the county commissioner of elections, amended by the following Senate amendment [H-1701](#):

#### [H-1701](#)

1 Amend [House File 844](#), as passed by the House, as  
2 follows:

3 1. Page 1, by inserting before line 1 the  
4 following:

5 "Section 1. Section 39A.4, subsection 1, paragraph  
6 c, subparagraphs (11) and (12), Code 2007, as amended  
7 by 2007 Iowa Acts, [House File 848](#), are amended to read  
8 as follows:

9 (11) Returning a voted absentee ballot, by mail or  
10 in person, to the commissioner's office and the person  
11 returning the ballot is not the voter, ~~an immediate~~  
12 ~~family member authorized by the voter to return the~~  
13 ~~ballot, an absentee ballot courier~~ the voter's  
14 designee, or a special precinct election official  
15 designated pursuant to section 53.22, subsection 1, ~~or~~  
16 ~~the designee of a voter described in section 53.22,~~  
17 ~~subsection 5.~~

18 (12) Making a false or untrue statement reporting  
19 that a voted absentee ballot was returned to the  
20 commissioner's office, by mail or in person, by a  
21 person other than the voter, ~~an immediate family~~  
22 ~~member authorized by the voter to return the ballot,~~  
23 ~~an absentee ballot courier~~ the voter's designee, or a  
24 special precinct election official designated pursuant  
25 to section 53.22, subsection 1, ~~or the designee of a~~  
26 ~~voter described in section 53.22, subsection 5.~~

27 Sec. 2. Section 53.8, subsection 2, Code 2007, as  
28 amended by 2007 Iowa Acts, [House File 848](#), is amended  
29 to read as follows:

30 2. a. The commissioner shall enclose with the  
31 absentee ballot a statement informing the applicant

32 that the sealed carrier envelope may be mailed to the  
 33 commissioner by the registered voter or the voter's  
 34 designee or may be personally delivered to the  
 35 commissioner's office by the registered voter or the  
 36 voter's designee. The statement shall also inform the  
 37 voter that the voter may request that the voter's  
 38 designee complete a receipt when retrieving the ballot  
 39 from the voter. A blank receipt shall be enclosed  
 40 with the absentee ballot.

41 b. If an application is received so late that it  
 42 is unlikely that the absentee ballot can be returned  
 43 in time to be counted on election day, the  
 44 commissioner shall enclose with the absentee ballot a  
 45 statement to that effect. The statement shall also  
 46 point out that it is possible for the applicant, an  
 47 immediate family member of the applicant, or the  
 48 applicant's designee if the absentee ballot is voted  
 49 by a voter described in section 53.22, subsection 5,  
 50 to personally deliver the completed absentee ballot to

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1 ~~the office of the commissioner at any time before the~~  
 2 ~~closing of the polls on election day. The statement~~  
 3 ~~shall also point out that it is possible for an~~  
 4 ~~absentee ballot courier to personally deliver the~~  
 5 ~~completed absentee ballot to the office of the~~  
 6 ~~commissioner within seventy-two hours of retrieving~~  
 7 ~~the completed ballot or before the closing of the~~  
 8 ~~polls on election day, whichever is earlier."~~

9 2. Page 1, by inserting after line 15 the  
 10 following:

11 "Sec.\_\_\_\_. Section 53.17, subsection 1, paragraph  
 12 a, Code 2007, as amended by 2007 Iowa Acts, House File  
 13 848, is amended by striking the paragraph and  
 14 inserting in lieu thereof the following:

15 a. The sealed carrier envelope may be delivered by  
 16 the registered voter, by the voter's designee, or by  
 17 the special precinct election officials designated  
 18 pursuant to section 53.22, subsection 1, to the  
 19 commissioner's office no later than the time the polls  
 20 are closed on election day. However, if delivered by  
 21 the voter's designee, the envelope shall be delivered  
 22 within seventy-two hours of retrieving it from the  
 23 voter or before the closing of the polls on election  
 24 day, whichever is earlier.

25 Sec.\_\_\_\_. Section 53.17, subsection 1, paragraphs  
 26 b and c, Code 2007, are amended to read as follows:

27 b. The sealed carrier envelope may be mailed to  
 28 the commissioner by the registered voter, ~~by an~~  
 29 ~~immediate family member of the voter,~~ or by the  
 30 voter's designee ~~if the ballot is voted by a voter~~

31 ~~described in section 53.22, subsection 5. If mailed~~  
 32 ~~by the voter's designee, the envelope must be mailed~~  
 33 ~~within seventy-two hours of retrieving it from the~~  
 34 ~~voter or within time to be postmarked not later than~~  
 35 ~~the day before the election, whichever is earlier.~~  
 36 ~~e. The sealed carrier envelope may be delivered to~~  
 37 ~~the commissioner by an absentee ballot courier, but~~  
 38 ~~only as provided in subsection 4.~~

39 Sec. \_\_\_\_ Section 53.17, subsection 4, Code 2007,  
 40 is amended by striking the subsection and inserting in  
 41 lieu thereof the following:

- 42 4. When a person designated by the voter retrieves  
 43 a completed absentee ballot from the voter, the  
 44 designee shall, upon request of the voter, fill out a  
 45 receipt to be retained by the voter. The state  
 46 commissioner shall prescribe a form for receipts  
 47 required by this subsection. The receipt shall  
 48 include all of the following:  
 49 a. The name of the voter's designee.  
 50 b. The date and time the completed absentee ballot

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- 1 was received from the voter.  
 2 c. The name and date of the election for which the  
 3 absentee ballot is being voted.  
 4 d. The name of the political party, candidate, or  
 5 committee for which the designee is acting as an  
 6 actual or implied agent, if applicable.  
 7 e. A telephone number at which the voter's  
 8 designee may be contacted.  
 9 f. A statement that the completed absentee ballot  
 10 will be delivered to the commissioner's office within  
 11 seventy-two hours of retrieving it from the voter or  
 12 before the closing of the polls on election day,  
 13 whichever is earlier, or that the completed absentee  
 14 ballot will be mailed to the commissioner within  
 15 seventy-two hours of retrieving it from the voter or  
 16 within time to be postmarked not later than the day  
 17 before the election, whichever is earlier.  
 18 Sec. \_\_\_\_ Section 53.17, subsection 5, Code 2007,  
 19 is amended by striking the subsection."  
 20 3. Title page, line 1, by inserting after the  
 21 words "relating to" the following: "absentee voting  
 22 by allowing".  
 23 4. Title page, line 2, by inserting after the  
 24 word "elections" the following: "and by providing for  
 25 return of absentee ballot applications and completed  
 26 absentee ballots".  
 27 5. By renumbering, redesignating, and correcting  
 28 internal references as necessary.

Jacobs of Polk offered the following amendment [H-1781](#), to the Senate amendment [H-1701](#), filed by her and moved its adoption:

[H-1781](#)

- 1 Amend the Senate amendment, [H-1701](#), to House File  
 2 844, as passed by the House, as follows:  
 3 1. Page 1, by inserting before line 5 the  
 4 following:  
 5 ""Sec. \_\_\_\_ Section 39A.2, subsection 1, paragraph  
 6 b, Code 2007, is amended by adding the following new  
 7 subparagraph:  
 8 NEW SUBPARAGRAPH. (4A) As a person designated by  
 9 the voter to return an application for a ballot or an  
 10 absentee ballot, fails to return the application or  
 11 ballot to the commissioner with the intent of  
 12 interfering with the voter's right to vote."  
 13 2. Page 1, by striking lines 37 and 38 and  
 14 inserting the following: "voter that the voter's  
 15 designee shall complete a receipt when retrieving the  
 16 ballot".  
 17 3. Page 2, line 44, by striking the words ", upon  
 18 request of the voter,".  
 19 4. Page 3, line 19, by striking the word  
 20 "subsection." and inserting the following:  
 21 "subsection and inserting in lieu thereof the  
 22 following:  
 23 5. Within fourteen days after the date of the  
 24 election, the commissioner shall notify each person  
 25 who requested an absentee ballot if the person failed  
 26 to return a completed ballot and if the person did not  
 27 vote at the polling place on election day."  
 28 5. Page 3, line 26, by inserting after the word  
 29 "ballots" the following: "and making penalties  
 30 applicable".  
 31 6. By renumbering as necessary.

Roll call was requested by Jacobs of Polk and Rants of Woodbury.

On the question "Shall amendment [H-1781](#) to the Senate amendment [H-1701](#) be adopted?" ([H.F. 844](#))

The ayes were, 43:

Alons	Arnold	Baudler	Boal
Chambers	Clute	De Boef	Deyoe
Dolecheck	Drake	Forristall	Granzow
Grassley	Greiner	Heaton	Hoffman
Huseman	Jacobs	Lukan	May
Miller, H.	Miller, L.	Olson, S.	Paulsen

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

The nays were, 52:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Pettengill	Quirk	Reasoner	Reichert
Schueller	Shomshor	Smith	Staed
Swaim	Taylor, D.	Taylor, T.	Thomas
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	Mr. Speaker Murphy

Absent or not voting, 5:

Anderson	Gipp	Horbach	Kaufmann
Zirkelbach			

Amendment [H-1781](#) lost.

Jacobs of Polk offered the following amendment [H-1780](#), to the Senate amendment [H-1701](#), filed by her and moved its adoption:

[H-1780](#)

1 Amend the Senate amendment, [H-1701](#), to House File  
 2 844, as passed by the House, as follows:  
 3 1. Page 1, by inserting before line 27 the  
 4 following:  
 5 "Sec. \_\_\_\_ Section 53.8, subsection 1, Code 2007,  
 6 is amended to read as follows:  
 7 1. Upon receipt of an application for an absentee  
 8 ballot and immediately after the absentee ballots are  
 9 printed, the commissioner shall mail an absentee  
 10 ballot to the applicant within twenty-four hours,  
 11 except as otherwise provided in subsection 3. The  
 12 absentee ballot shall be enclosed in an unsealed  
 13 envelope bearing a serial number and affidavit. The  
 14 absentee ballot and unsealed envelope shall be  
 15 enclosed in or with a return carrier envelope marked  
 16 postage paid which bears the same serial number as the

17 unsealed envelope. The return carrier envelope shall  
 18 also contain spaces for the printed name and signature  
 19 of the voter's designee should the voter designate a  
 20 person to return the completed absentee ballot. The  
 21 absentee ballot, unsealed envelope, and carrier  
 22 envelope shall be enclosed in a third envelope to be  
 23 sent to the registered voter. If the ballot cannot be  
 24 folded so that all of the votes cast on the ballot  
 25 will be hidden, the commissioner shall also enclose a  
 26 secrecy envelope with the absentee ballot."  
 27 2. By renumbering as necessary.

Roll call was requested by Jacobs of Polk and Roberts of Carroll.

On the question "Shall amendment [H-1780](#) to the Senate amendment [H-1701](#) be adopted?" ([H.F. 844](#))

The ayes were, 47:

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

The nays were, 50:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Jacoby	Jochum
Kelley	Kressig	Kuhn	Lensing
Lykam	Mascher	McCarthy	Miller, H.
Oldson	Olson, D.	Olson, R.	Olson, T.
Palmer	Petersen	Pettengill	Quirk
Reasoner	Reichert	Schueller	Shomshor
Smith	Staed	Swaim	Taylor, D.
Taylor, T.	Thomas	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Winckler
Wise	Mr. Speaker		
	Murphy		

Absent or not voting, 3:

Gipp

Horbach

Zirkelbach

Amendment [H-1780](#) lost.

Jacobs of Polk offered the following amendment [H-1779](#), to the Senate amendment [H-1701](#), filed by her and moved its adoption:

[H-1779](#)

1 Amend the Senate amendment, [H-1701](#), to House File  
2 844, as passed by the House, as follows:

3 1. Page 1, by striking lines 37 and 38 and  
4 inserting the following: "voter that the voter's  
5 designee shall complete a receipt when retrieving the  
6 ballot".

7 2. Page 2, line 44, by striking the words ", upon  
8 request of the voter,".

9 3. Page 3, line 19, by striking the word  
10 "subsection." and inserting the following:  
11 "subsection and inserting in lieu thereof the  
12 following:

13 5. a. A person who acts as an actual or implied  
14 agent of a political party, candidate, or committee,  
15 as defined by chapter 68A, shall be registered with  
16 the commissioner as a voter's designee in order to  
17 deliver completed absentee ballots to the  
18 commissioner. A candidate whose name is on the ballot  
19 or an elected official shall not be registered as a  
20 voter's designee.

21 b. A voter's designee described in paragraph "a"  
22 shall be registered with the commissioner by the  
23 person providing the training required in paragraph  
24 "c". The registration shall include the designee's  
25 name and address and the best means for contacting the  
26 person or the political party, candidate, or committee  
27 for which the person is acting as an actual or implied  
28 agent. A voter's designee described in paragraph "a"  
29 must be registered with the commissioner prior to each  
30 election for which the person will be delivering  
31 completed absentee ballots to the commissioner.  
32 However, if a person has completed training as a  
33 voter's designee described in paragraph "a" and the  
34 trainer is unable to register the person because the  
35 commissioner's office is closed, the person may  
36 retrieve completed absentee ballots if the trainer  
37 registers such voter's designee with the commissioner  
38 by facsimile transmission within twenty-four hours of  
39 completion of training or by personally delivering the  
40 registration information to the commissioner's office

41 by the close of the next business day following  
 42 completion of training or by mailing the registration  
 43 information to the commissioner, in which case the  
 44 mailing must be postmarked no later than the next  
 45 business day following completion of training. For  
 46 each election, the commissioner shall maintain a list  
 47 of all persons who have been registered as a voter's  
 48 designee described in paragraph "a".  
 49 c. A person wishing to be registered as a voter's  
 50 designee described in paragraph "a" must complete a

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1 training course in the laws, procedures, and penalties  
 2 related to handling completed absentee ballots. The  
 3 training course shall be conducted by the  
 4 commissioner; the commissioner's designee; or, in the  
 5 case of partisan elections, by the respective state or  
 6 county central committees, or a member of the paid  
 7 staff of such committees, or by the county party or  
 8 the state party, or a member of the paid staff of such  
 9 parties. The curriculum for the training course shall  
 10 be established by the state commissioner by rule  
 11 adopted pursuant to chapter 17A.  
 12 d. A voter's designee described in paragraph "a"  
 13 shall submit a cover sheet listing the names of  
 14 persons whose ballots are being delivered each time  
 15 the designee delivers ballots to the commissioner's  
 16 office. A completed ballot and cover sheet shall only  
 17 be delivered to the commissioner's office by the  
 18 voter's designee who retrieved the ballot or by one  
 19 other voter's designee designated by the political  
 20 party, candidate, or committee for which the voter's  
 21 designees are acting as actual or implied agents. The  
 22 cover sheet shall include space for the name and  
 23 signature of the voter's designee who retrieved the  
 24 ballot and the name and signature of any second  
 25 voter's designee designated to deliver the ballot and  
 26 cover sheet to the commissioner's office."  
 27 4. By renumbering as necessary.

Roll call was requested by Jacobs of Polk and Sands of Louisa.

On the question "Shall amendment [H-1779](#) to the Senate  
 amendment [H-1701](#) be adopted?" ([H.F. 844](#))

The ayes were, 43:

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

Hoffman	Huseman	Jacobs	Kaufmann
Lukan	May	Miller, L.	Olson, S.
Paulsen	Raecker	Rants	Rasmussen
Rayhons	Roberts	Sands	Schickel
Soderberg	Struyk	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Watts
Wienczek	Windschitl	Worthan	

The nays were, 53:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Pettengill	Quirk	Reasoner
Reichert	Schueller	Shomshor	Smith
Staed	Swaim	Taylor, D.	Taylor, T.
Thomas	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise
Mr. Speaker Murphy			

Absent or not voting, 4:

Gipp	Horbach	Van Fossen	Zirkelbach
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Amendment [H-1779](#) lost.

McCarthy of Polk asked and received unanimous consent that [House File 844](#) be deferred and that the bill retain its place on the calendar. (Senate amendment [H-1701](#) pending.)

On motion by McCarthy of Polk, the House was recessed at 11:09 a.m., until 2:00 p.m.

#### AFTERNOON SESSION

The House reconvened at 4:00 p.m., Speaker Murphy in the chair.

#### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Raecker of Polk on request of Rants of Woodbury.

## 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 April 27, 2007, passed the following bill in which the concurrence of the Senate was asked:

[House File 925](#), a bill for an act relating to health-related activities and regulation, including the practices of optometry and mortuary science, establishment of a state public health dental director and an oral health bureau, dependent adult abuse, membership on the child death review team, and immunity for emergency response, and providing for the revision of fees.

Also: That the Senate has on April 27, 2007, passed the following bill in which the concurrence of the House is asked:

[Senate File 512](#), a bill for an act relating to the regulation of pharmacy benefits managers and providing penalties.

Also: That the Senate has on April 27, 2007, adopted the following resolution in which the concurrence of the House is asked:

[Senate Concurrent Resolution 7](#), a concurrent resolution relating to the establishment of a criminal code revisions legislative study committee

MICHAEL E. MARSHALL, Secretary

## QUORUM CALL

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

McCarthy of Polk asked and received unanimous consent for the immediate consideration of [House File 932](#).

CONSIDERATION OF BILLS  
Ways and Means Calendar

[House File 932](#), a bill for an act relating to revenue for the construction and maintenance of roads, was taken up for consideration.

Huser of Polk offered the following amendment [H-2030](#) filed by her and moved its adoption:

[H-2030](#)

- 1 Amend [House File 932](#) as follows:
- 2 1. Page 2, line 9, by striking the word "repair"
- 3 and inserting the following: "construction, repair,".

Amendment [H-2030](#) 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?" ([H.F. 932](#))

The ayes were, 92:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Bell	Berry	Boal
Bukta	Chambers	Clute	Cohoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gayman	Granzow
Grassley	Greiner	Heaton	Heddens
Hoffman	Hunter	Huseman	Huser
Jacobs	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	Rants	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Smith
Soderberg	Staed	Struyk	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Wiencsek	Winckler
Windschitl	Wise	Worthan	Mr. Speaker Murphy

The nays were, 4:

Baudler	Gaskill	Jacoby	Swaim
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Absent or not voting, 4:

Gipp	Horbach	Raecker	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.

### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Gipp of Winneshiek, Roberts of Carroll, until his return, on request of Rants of Woodbury.

### IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that [House File 932](#) be immediately messaged to the Senate.

[House File 897](#), a bill for an act establishing statewide licensure and certification of electricians and installers, providing for inspections, establishing fees, and providing penalties, was taken up for consideration.

Quirk of Chickasaw offered the following amendment [H-1978](#) filed by him and moved its adoption:

#### [H-1978](#)

- 1 Amend [House File 897](#) as follows:
- 2 1. Page 24, line 10, by striking the words "other
- 3 than a person".

Amendment [H-1978](#) was adopted.

Van Fossen of Scott asked and received unanimous consent to withdraw amendment [H-1982](#) filed by him on April 24, 2007.

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. 897](#))

The ayes were, 93:

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	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	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	Rants
Rasmussen	Rayhons	Reasoner	Reichert
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	Windschitl	Wise	Worthan
Mr. Speaker			
Murphy			

The nays were, 2:

Hunter                      Winckler

Absent or not voting, 5:

Gipp	Horbach	Raecker	Roberts
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 File 897](#) and **Senate Files 580** and **586**.

### 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 April 27, 2007, passed the following bill in which the concurrence of the Senate was asked:

[House File 904](#), a bill for an act relating to withholding tax and the repeal of the loan agencies tax.

Also: That the Senate has on April 27, 2007, amended and passed the following bill in which the concurrence of the House is asked:

[House File 923](#), a bill for an act relating to the policy and technical administration of the tax and related laws by the department of revenue, including administration of income, sales, use, cigarette, and tobacco taxes, providing an effective date, and providing retroactive applicability provisions.

Also: That the Senate has on April 27, 2007, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

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

MICHAEL E. MARSHALL, Secretary

## SENATE MESSAGE CONSIDERED

[Senate File 512](#), by committee on state government, a bill for an act relating to the regulation of pharmacy benefits managers and making penalties applicable, and providing an effective date.

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

## CONSIDERATION OF BILLS Appropriations Calendar

[House File 920](#), a bill for an act authorizing the state board of regents to borrow moneys and issue revenue bonds to finance the costs of certain building and facility improvement programs, was taken up for consideration.

Cohon of Des Moines offered the following amendment [H-1980](#) filed by him and moved its adoption:

[H-1980](#)

- 1 Amend [House File 920](#) as follows:  
 2 1. Page 3, line 34, by inserting after the word  
 3 "initiatives," the following: "completion of phase II  
 4 of the college of veterinary medicine project at Iowa  
 5 state university of science and technology,".

Amendment [H-1980](#) was adopted.

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

On the question "Shall the bill pass?" ([H.F. 920](#))

The ayes were, 51:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Mertz	Miller, H.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Quirk	Reasoner	Reichert	Schueller
Shomshor	Smith	Staed	Swaim
Taylor, D.	Taylor, T.	Thomas	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Winckler	Wise	Mr. Speaker	
		Murphy	

The nays were, 44:

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

Absent or not voting, 5:

Gipp  
Zirkelbach

Horbach

Raecker

Roberts

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

### IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that [House File 920](#) be immediately messaged to the Senate.

### Ways and Means Calendar

[Senate File 593](#), a bill for an act relating to the assessment of civil and criminal court fees and penalties, with report of committee recommending amendment and passage, was taken up for consideration.

Huser of Polk offered the following amendment [H-1924](#) filed by the committee on ways and means and moved its adoption:

#### [H-1924](#)

1 Amend [Senate File 593](#), as passed by the Senate, as  
2 follows:

3 1. Page 1, by inserting after line 10 the  
4 following:

5 "Sec. \_\_\_\_ Section 664A.1, subsection 2, Code  
6 2007, is amended to read as follows:

7 2. "Protective order" means a protective order  
8 issued pursuant to chapter 232, a court order or  
9 court-approved consent agreement entered pursuant to  
10 chapter 236, including a valid foreign protective  
11 order under section 236.19, subsection 3, a temporary  
12 or permanent protective order or order to vacate the  
13 homestead under chapter 598, ~~and~~ or an order that  
14 establishes conditions of release or is a protective  
15 order or sentencing order in a criminal prosecution  
16 arising from a domestic abuse assault under section  
17 708.2A, or a civil injunction issued pursuant to  
18 section 915.22.

19 Sec. \_\_\_\_ Section 664A.2, subsection 2, Code 2007,  
20 is amended to read as follows:

21 2. A protective order issued in a civil proceeding  
22 shall be issued pursuant to chapter 232, 236, ~~or~~ 598,

23 or 915. Punishment for a violation of a protective  
24 order shall be imposed pursuant to section 664A.7.  
25 Sec.\_\_\_\_. Section 664A.3, Code 2007, is amended by  
26 adding the following new subsection:  
27 NEW SUBSECTION. 1A. Notwithstanding chapters 804  
28 and 805, a person taken into custody pursuant to  
29 section 236.11 or arrested pursuant to section 236.12  
30 may be released on bail or otherwise only after  
31 initial appearance before a magistrate as provided in  
32 chapter 804 and the rules of criminal procedure or  
33 section 236.11, whichever is applicable.  
34 Sec.\_\_\_\_. Section 664A.5, Code 2007, is amended to  
35 read as follows:  
36 664A.5 MODIFICATION – ENTRY OF PERMANENT  
37 NO-CONTACT ORDER.  
38 If a defendant is convicted of, receives a deferred  
39 judgment for, or pleads guilty to a public offense  
40 referred to in section 664A.2, subsection 1, or is  
41 held in contempt for a violation of a no-contact order  
42 issued under section 664A.3 or for a violation of a  
43 protective order issued pursuant to chapter 232, 236,  
44 ~~or~~ 598, or 915, the court shall either terminate or  
45 modify the temporary no-contact order issued by the  
46 magistrate. The court may enter a no-contact order or  
47 continue the no-contact order already in effect for a  
48 period of five years from the date the judgment is  
49 entered or the deferred judgment is granted,  
50 regardless of whether the defendant is placed on

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1 probation.  
2 Sec.\_\_\_\_. Section 664A.6, Code 2007, is amended by  
3 adding the following new subsection:  
4 NEW SUBSECTION. 3. A peace officer shall not be  
5 held civilly or criminally liable for acting pursuant  
6 to this section provided the peace officer acts in  
7 good faith and on reasonable grounds and the peace  
8 officer's acts do not constitute a willful or wanton  
9 disregard for the rights or safety of another.  
10 Sec.\_\_\_\_. Section 664A.7, subsections 3 and 4,  
11 Code 2007, are amended to read as follows:  
12 3. If convicted of or held in contempt for a  
13 violation of a no-contact order or a modified  
14 no-contact order for a public offense referred to in  
15 section 664A.2, subsection 1, or held in contempt of a  
16 no-contact order issued during a contempt proceeding  
17 brought pursuant to section 236.11, the person shall  
18 be confined in the county jail for a minimum of seven  
19 days. A jail sentence imposed pursuant to this  
20 subsection shall be served on consecutive days. No  
21 portion of the mandatory minimum term of confinement

22 imposed by this subsection shall be deferred or  
 23 suspended. A deferred judgment, deferred sentence, or  
 24 suspended sentence shall not be entered for a  
 25 violation of a no-contact order, ~~or~~ modified  
 26 no-contact order, or protective order and the court  
 27 shall not impose a fine in lieu of the minimum  
 28 sentence, although a fine may be imposed in addition  
 29 to the minimum sentence.

30 4. Violation of a no-contact order entered for the  
 31 offense or alleged offense of domestic abuse assault  
 32 in violation of section 708.2A or a violation of a  
 33 protective order issued pursuant to chapter 232, 236,  
 34 ~~or 598, or 915~~ constitutes a public offense and is  
 35 punishable as a simple misdemeanor. Alternatively,  
 36 the court may hold a person in contempt of court for  
 37 such a violation, as provided in subsection 3.

38 Sec. \_\_\_\_\_. Section 664A.7, Code 2007, is amended by  
 39 adding the following new subsection:

40 NEW SUBSECTION. 3A. If convicted or held in  
 41 contempt for a violation of a civil protective order  
 42 referred to in section 664A.2, the person shall serve  
 43 a jail sentence. A jail sentence imposed pursuant to  
 44 this subsection shall be served on consecutive days.  
 45 A person who is convicted of or held in contempt for a  
 46 violation of a protective order referred to in section  
 47 664A.2 may be ordered by the court to pay the  
 48 plaintiff's attorney's fees and court costs.

49 Sec. \_\_\_\_\_. Section 664A.8, Code 2007, is amended to  
 50 read as follows:

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1 664A.8 EXTENSION OF NO-CONTACT ORDER.

2 Upon the filing of an application by the state or  
 3 by the victim of any public offense referred to in  
 4 section 664A.2, subsection 1 which is filed within  
 5 ninety days prior to the expiration of a modified  
 6 no-contact order, the court shall modify and extend  
 7 the no-contact order for an additional period of five  
 8 years, unless the court finds that the defendant no  
 9 longer poses a threat to the safety of the victim,  
 10 persons residing with the victim, or members of the  
 11 victim's family. The number of modifications  
 12 extending the no-contact order permitted by this  
 13 section is not limited.

14 2. Page 1, line 18, by inserting after the figure  
 15 "907.14." the following: "However, the court shall  
 16 assess any required surcharge, court cost, or fee upon  
 17 the total amount of the fine prior to reduction  
 18 pursuant to this subsection."

19 3. Title page, by striking lines 1 and 2 and  
 20 inserting the following: "An Act relating to civil

21 and criminal fees, penalties, and protective orders."

22 4. By renumbering as necessary.

The committee amendment [H-1924](#) was adopted.

Huser of Polk offered the following amendment [H-2037](#) filed by Huser, et al., and moved its adoption:

[H-2037](#)

1 Amend [Senate File 593](#), as passed by the Senate, as  
2 follows:

3 1. Page 1, by inserting before line 1 the  
4 following:

5 "Section 1. Section 598.16, Code 2007, is amended  
6 to read as follows:

7 598.16 CONCILIATION – DOMESTIC RELATIONS  
8 DIVISIONS.

9 1. A majority of the judges in any judicial  
10 district, with the cooperation of any county board of  
11 supervisors in the district, may establish a domestic  
12 relations division of the district court of the county  
13 where the board is located. The division shall offer  
14 counseling and related services to persons before the  
15 court.

16 2. ~~Upon~~ Except as provided in subsection 7, upon  
17 the application of the petitioner in the petition or  
18 by the respondent in the responsive pleading thereto  
19 or, within twenty days of appointment, of an attorney  
20 appointed under section 598.12, the court shall  
21 require the parties to participate in conciliation  
22 efforts for a period of sixty days from the issuance  
23 of an order setting forth the conciliation procedure  
24 and the conciliator.

25 3. At any time upon its own motion or upon the  
26 application of a party the court may require the  
27 parties to participate in conciliation efforts for  
28 sixty days or less following the issuance of such an  
29 order.

30 4. Every order for conciliation shall require the  
31 conciliator to file a written report by a date certain  
32 which shall state the conciliation procedures  
33 undertaken and such other matters as may have been  
34 required by the court. The report shall be a part of  
35 the record unless otherwise ordered by the court.  
36 Such conciliation procedure may include, but is not  
37 limited to, referrals to the domestic relations  
38 division of the court, if established, public or  
39 private marriage counselors, family service agencies,  
40 community health centers, physicians and clergy.

41 5. The costs of conciliation procedures shall be  
 42 paid in full or in part by the parties and taxed as  
 43 court costs; however, if the court determines that the  
 44 parties will be unable to pay the costs without  
 45 prejudicing their financial ability to provide  
 46 themselves and any minor children with economic  
 47 necessities, the costs may be paid in full or in part  
 48 by the county.  
 49 6. Persons providing counseling and other services  
 50 pursuant to this section are not court employees, but

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1 are subject to court supervision.  
 2 7. Upon application, the court shall grant a  
 3 waiver from the requirements of this section if a  
 4 party demonstrates that a history of domestic abuse,  
 5 as defined in section 236.2, exists. In determining  
 6 whether a history of domestic abuse exists, the  
 7 court's consideration shall include, but is not  
 8 limited to, commencement of an action pursuant to  
 9 section 236.3, the issuance of a protective order  
 10 against a party or the issuance of a court order or  
 11 consent agreement pursuant to section 236.5, the  
 12 issuance of an emergency order pursuant to section  
 13 236.6, the holding of a party in contempt pursuant to  
 14 section 664A.7, the response of a peace officer to the  
 15 scene of alleged domestic abuse or the arrest of a  
 16 party following response to a report of alleged  
 17 domestic abuse, or a conviction for domestic abuse  
 18 assault pursuant to section 708.2A."  
 19 2. Title page, line 1, by inserting after the  
 20 word "to" the following: "court procedures including  
 21 conciliation proceedings and".

Amendment [H-2037](#) 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. 593](#))

The ayes were, 95:

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	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	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
Rants	Rasmussen	Rayhons	Reasoner
Reichert	Sands	Schickel	Schueller
Shomshor	Smith	Soderberg	Staed
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wiencek	Winckler	Windschitl
Wise	Worthan	Mr. Speaker	
		Murphy	

The nays were, none.

Absent or not voting, 5:

Gipp	Horbach	Raecker	Roberts
Zirkelbach			

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

### IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that [Senate File 593](#) be immediately messaged to the Senate.

### SENATE AMENDMENT CONSIDERED

Swaim of Davis called up for consideration [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, amended by the following Senate amendment [H-1971](#):

#### [H-1971](#)

- 1 Amend [House File 641](#), as amended, passed, and
- 2 reprinted by the House, as follows:

- 3 1. Page 1, by inserting before line 1 the  
 4 following:  
 5 "Section 1. NEW SECTION. 321.210B INSTALLMENT  
 6 PAYMENT PLAN PROGRAM – REINSTATEMENT.  
 7 The department may establish an installment payment  
 8 plan program for reinstatement of a driver's license  
 9 for persons whose driver's licenses have been  
 10 suspended pursuant to section 321.210A.  
 11 Sec. \_\_\_\_ Section 602.8105, subsection 2,  
 12 paragraph e, Code 2007, is amended to read as follows:  
 13 e. For filing a praecipe to issue execution under  
 14 chapter 626, twenty-five dollars. The fee shall be  
 15 recoverable by the creditor against whom the execution  
 16 is issued. A fee payable by a political subdivision  
 17 of the state under this paragraph shall be collected  
 18 by the clerk of the district court as provided in  
 19 section 602.8109. However, the fee shall be waived  
 20 and shall not be collected from a political  
 21 subdivision of the state if a county attorney or  
 22 county attorney's designee is collecting a delinquent  
 23 judgment pursuant to section 602.8107, subsection 4."  
 24 2. Page 3, by striking lines 14 through 35.  
 25 3. Title page, line 2, by inserting after the  
 26 word "including" the following: "issuance of a  
 27 driver's license when delinquent on court obligations,  
 28 and".  
 29 4. Title page, by striking lines 3 through 5 and  
 30 inserting the following: "counties, and the state."  
 31 5. By renumbering, relettering, or redesignating  
 32 and correcting internal references as necessary.

R. Olson of Polk asked and received unanimous consent to withdraw amendment [H-2006](#), to the Senate amendment [H-1971](#), filed by him on April 25, 2007.

R. Olson of Polk offered the following amendment [H-2088](#), to the Senate amendment [H-1971](#), filed by him from the floor and moved its adoption:

#### [H-2088](#)

- 1 Amend the Senate amendment, [H-1971](#), to House File  
 2 641, as amended, passed, and reprinted by the House,  
 3 as follows:  
 4 1. Page 1, by striking lines 5 through 10 and  
 5 inserting the following:  
 6 ""Section 1. Section 321.210A, Code 2007, is  
 7 amended by adding the following new subsection:  
 8 NEW SUBSECTION. 4. If after suspension, the  
 9 person enters into an installment agreement with the

10 county attorney in accordance with section 321.210B to  
11 pay the fine, penalty, court cost, or surcharge, the  
12 person's license shall be reinstated by the department  
13 upon receipt of a report of an executed installment  
14 agreement.

15 Sec. 2. NEW SECTION. 321.210B INSTALLMENT  
16 AGREEMENT.

17 1. If a person's fine, penalty, surcharge, or  
18 court cost is deemed delinquent as provided in section  
19 602.8107, subsection 3, and the person's driver's  
20 license has been suspended pursuant to section  
21 321.210A, the person may execute an installment  
22 agreement with the county attorney or the county  
23 attorney's designee to pay the delinquent amount and  
24 the fee assessed in subsection 7 in installments.  
25 Prior to execution of the installment agreement, the  
26 person shall provide the county attorney or the county  
27 attorney's designee with a financial statement in  
28 order for the parties to the agreement to determine  
29 the amount of the installment payments.

30 2. A person shall execute an installment agreement  
31 in the county where the fine, penalty, surcharge, or  
32 court cost was imposed. If the county where the fine,  
33 penalty, surcharge, or court cost was imposed does not  
34 have an installment agreement program, the person  
35 shall execute an installment agreement in the person's  
36 county of residence. If the county of residence does  
37 not have an installment agreement program, the person  
38 may execute an installment agreement with any county  
39 attorney or county attorney's designee.

40 3. The county attorney or the county attorney's  
41 designee shall file the installment agreement with the  
42 clerk of the district court in the county where the  
43 fine, penalty, surcharge, or court cost was imposed,  
44 within five days of execution of the agreement.

45 4. Upon receipt of an executed installment  
46 agreement and after the first installment payment, the  
47 clerk of the district court shall report the receipt  
48 of the executed installment agreement to the  
49 department of transportation.

50 5. Upon receipt of the report from the clerk of

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1 the district court and payment of the reinstatement  
2 fee as provided in section 321.191, the department  
3 shall immediately reinstate the driver's license of  
4 the person unless the driver's license of the person  
5 is otherwise suspended, revoked, denied, or barred  
6 under another provision of law.

7 6. If a driver's license is reinstated upon  
8 receipt of a report of an executed installment

9 agreement the driver shall provide proof of financial  
10 responsibility pursuant to section 321A.17, if  
11 otherwise required by law.

12 7. The civil penalty, if assessed pursuant to  
13 section 321.218A, shall be added to the amount owing  
14 under the installment agreement. The clerk of the  
15 district court shall transmit to the department, from  
16 the first moneys collected, an amount equal to the  
17 amount of any civil penalty assessed and added to the  
18 installment agreement. The department shall transmit  
19 the money received from the clerk of the district  
20 court pursuant to this subsection to the treasurer of  
21 state for deposit in the juvenile detention home fund  
22 created in section 232.142.

23 8. Upon determination by the county attorney or  
24 the county attorney's designee that the person is in  
25 default, the county attorney or the county attorney's  
26 designee shall notify the clerk of the district court.

27 9. The clerk of the district court, upon receipt  
28 of a notification of a default from the county  
29 attorney or the county attorney's designee, shall  
30 report the default to the department of  
31 transportation.

32 10. Upon receipt of a report of a default from the  
33 clerk of the district court, the department shall  
34 suspend the driver's license of a person as provided  
35 in section 321.210A. For purposes of suspension and  
36 reinstatement of the driver's license of a person in  
37 default, the suspension and any subsequent  
38 reinstatement shall be considered a suspension  
39 pursuant to section 321.210A.

40 11. If a new fine, penalty, surcharge, or court  
41 cost is imposed on a person after the person has  
42 executed an installment agreement with the county  
43 attorney or the county attorney's designee, and the  
44 new fine, penalty, surcharge, or court cost is deemed  
45 delinquent as provided in section 602.8107, subsection  
46 3, and the person's driver's license has been  
47 suspended pursuant to section 321.210A, the person may  
48 enter into a second installment agreement with the  
49 county attorney or county attorney's designee to pay  
50 the delinquent amount and the fee, if assessed, in

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1 subsection 7 in installments.

2 12. If an installment agreement is in default, the  
3 fine, penalty, surcharge, or court cost covered under  
4 the agreement shall not become part of any new  
5 installment agreement.

6 13. A person is eligible to enter into five  
7 installment agreements in the person's lifetime.

8 14. Except for the civil penalty if assessed and  
9 collected pursuant to subsection 7, any amount  
10 collected under the installment agreement shall be  
11 distributed as provided in section 602.8107,  
12 subsection 4.

13 Sec. 3. Section 321.215, subsection 1, Code 2007,  
14 is amended by adding the following new paragraph:  
15 NEW PARAGRAPH. f. The person's appointments with  
16 the person's parole or probation officer.

17 Sec. 4. Section 321.210C, Code 2007, is amended to  
18 read as follows:

19 321.210C PROBATION PERIOD.

20 1. A person whose driver's license or operating  
21 privileges have been suspended, revoked, or barred  
22 under this chapter for a conviction of a moving  
23 traffic violation, or suspended, revoked, or barred  
24 under section 321.205 or section 321.210, subsection  
25 1, paragraph "e", or chapter 321J, must satisfactorily  
26 complete a twelve-month probation period beginning  
27 immediately after the end of the period of suspension,  
28 revocation, or bar. Upon a second conviction of a  
29 moving traffic violation which occurred during the  
30 probation period, the department may suspend the  
31 driver's license or operating privileges for an  
32 additional period equal in duration to the original  
33 period of suspension, revocation, or bar, or for one  
34 year, whichever is the shorter period.

35 2. A person whose driver's license or operating  
36 privileges have been revoked under chapter 321J, must  
37 satisfactorily complete a twelve-month probation  
38 period beginning immediately after the end of the  
39 period of revocation. Upon conviction of a moving  
40 traffic violation which occurs during the probation  
41 period, the department may revoke the driver's license  
42 or operating privileges for an additional period equal  
43 in duration to the original period of revocation, or  
44 for one year, whichever is the shorter period.

45 3. For purposes of determining a conviction under  
46 this section, the department shall not consider the  
47 first two speeding violations within the probation  
48 period that are ten miles per hour or less over the  
49 legal speed limit in speed zones having a legal speed  
50 limit between thirty-four miles per hour and fifty-six

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1 miles per hour.

2 Sec. 5. Section 321.218A, Code 2007, is amended to  
3 read as follows:

4 321.218A CIVIL PENALTY – DISPOSITION –  
5 REINSTATEMENT.

6 When the department suspends, revokes, or bars a

7 person's driver's license or nonresident operating  
8 privilege for a conviction under this chapter, the  
9 department shall assess the person a civil penalty of  
10 two hundred dollars. However, for persons age  
11 nineteen or under, the civil penalty assessed shall be  
12 fifty dollars. The civil penalty does not apply to a  
13 suspension issued for a violation of section 321.180B.  
14 The money collected by the department under this  
15 section shall be transmitted to the treasurer of state  
16 who shall deposit the money in the juvenile detention  
17 home fund created in section 232.142. A Except as  
18 provided in section 321.210B, a temporary restricted  
19 license shall not be issued or a driver's license or  
20 nonresident operating privilege reinstated until the  
21 civil penalty has been paid.

22 Sec. 6. Section 321J.20, subsection 1, unnumbered  
23 paragraph 1, Code 2007, is amended to read as follows:

24 The department may, on application, issue a  
25 temporary restricted license to a person whose  
26 noncommercial driver's license is revoked under this  
27 chapter allowing the person to drive to and from the  
28 person's home and specified places at specified times  
29 which can be verified by the department and which are  
30 required by the person's full-time or part-time  
31 employment, continuing health care or the continuing  
32 health care of another who is dependent upon the  
33 person, continuing education while enrolled in an  
34 educational institution on a part-time or full-time  
35 basis and while pursuing a course of study leading to  
36 a diploma, degree, or other certification of  
37 successful educational completion, substance abuse  
38 treatment, ~~and~~ court-ordered community service  
39 responsibilities, and appointments with the person's  
40 parole or probation officer if the person's driver's  
41 license has not been revoked previously under section  
42 321J.4, 321J.9, or 321J.12 and if any of the following  
43 apply:

44 Sec. 7. Section 331.756, subsection 5, Code 2007,  
45 is amended to read as follows:

46 5. a. Enforce all forfeited bonds and  
47 recognizances and prosecute all proceedings necessary  
48 for the recovery of debts, revenues, moneys, fines,  
49 penalties, restitution of court-appointed attorney  
50 fees ordered pursuant to section 815.9, including the

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1 expense of a public defender, and forfeitures accruing  
2 to the state, the county or a road district in the  
3 county, and all suits in the county against public  
4 service corporations which are brought in the name of  
5 the state. To assist in this duty, the county

6 attorney may procure ~~professional collection services~~  
7 ~~provided by persons or organizations, including~~  
8 ~~private attorneys, which are generally considered to~~  
9 ~~have knowledge and special abilities which are not~~  
10 ~~generally available to state or local government or~~  
11 ~~may designate another county official or agency a~~  
12 designee to assist with collection efforts.

13 b. If the designee is a professional collection  
14 ~~services are procured~~ agency, the county attorney  
15 shall file with the clerk of the district court an  
16 indication of the satisfaction of each obligation to  
17 the full extent of all moneys collected in  
18 satisfaction of that obligation, including all fees  
19 and compensation retained by the ~~collection service~~  
20 designee incident to the collection and not paid into  
21 the office of the clerk.

22 c. Before a county attorney designates another  
23 county official or agency to assist with collection of  
24 debts, revenues, moneys, fines, penalties, restitution  
25 of court-appointed attorney fees ordered pursuant to  
26 section 815.9, including the expense of a public  
27 defender, and forfeitures, the board of supervisors of  
28 the county must approve the designation.

29 d. All fines, penalties, court costs, fees, and  
30 restitution for court-appointed attorney fees ordered  
31 pursuant to section 815.9, including the expenses of a  
32 public defender which are delinquent as defined in  
33 section 602.8107 may be collected by the county  
34 attorney or the ~~person procured or designated by the~~  
35 ~~county attorney~~ county attorney's designee. The  
36 county attorney or the county attorney's designee may  
37 collect delinquent obligations under an installment  
38 agreement pursuant to section 321.210B.

39 e. In order to receive a percentage of the amounts  
40 collected pursuant to section 602.8107, the county  
41 attorney must file annually with the clerk of the  
42 district court on or before July 1 a notice of full  
43 commitment to collect delinquent obligations and must  
44 file on the first day of each month a list of the  
45 cases in which the county attorney or the ~~person~~  
46 ~~procured or designated by the county attorney~~ county  
47 attorney's designee is pursuing the collection of  
48 delinquent obligations. The list shall include a list  
49 of cases where delinquent obligations are being  
50 collected under an installment agreement pursuant to

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1 section 321.210B, and a list of cases in default which  
2 are no longer being collected under an installment  
3 agreement but remain delinquent. The annual notice  
4 shall contain a list of procedures which will be

5 initiated by the county attorney. Amounts collected  
6 by the county attorney or the ~~person procured or~~  
7 ~~designated by the county attorney~~ county attorney's  
8 designee shall be distributed in accordance with  
9 section 602.8107.

10 f. As used in this subsection, "designee" means a  
11 professional collection services agency operated by a  
12 person or organization, including a private attorney,  
13 that is generally considered to have knowledge and  
14 special abilities not generally possessed by the  
15 state, a local government, or another county official  
16 or agency, or a county attorney or a county attorney's  
17 designee in another county where the fine, penalty,  
18 surcharge, or court cost was not imposed."

19 2. Page 1, by inserting after line 23 the  
20 following:

21 "    . Page 2, by inserting after line 6 the  
22 following:

23 "Sec.    . Section 602.8107, subsection 6,  
24 unnumbered paragraph 1, Code 2007, is amended to read  
25 as follows:

26 If a county attorney does not file the notice and  
27 list of cases required in section 331.756, subsection  
28 5, including the list of installment agreements under  
29 section 321.210B, the judicial branch may assign cases  
30 to the centralized collection unit of the department  
31 of revenue or its designee to collect debts owed to  
32 the clerk of the district court. In addition, an  
33 installment agreement in default that remains  
34 delinquent may also be assigned to the centralized  
35 collection unit of the department of revenue or its  
36 designee."

37 3. Page 1, by inserting before line 24 the  
38 following:

39 "    . Page 3, by inserting before line 14 the  
40 following:

41 "Sec.    . PROCESSING OF INSTALLMENT AGREEMENTS.  
42 Notwithstanding section 602.8107, subsection 4, and  
43 section 602.8108, for the fiscal year beginning July  
44 1, 2007, and ending June 30, 2008, up to the first  
45 three hundred thousand dollars of the remainder to be  
46 paid to the clerk pursuant to section 602.8107,  
47 subsection 4, shall be allocated to the judicial  
48 branch to enhance the ability of the judicial branch  
49 to efficiently process installment agreements filed  
50 with the clerk pursuant to section 321.210B.

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1 Sec.    . INSTALLMENT AGREEMENT – COOPERATION.  
2 It is the intent of the general assembly that the  
3 judicial branch, the department of transportation, the

4 department of workforce development, county attorneys,  
 5 and other state and local agencies cooperate in the  
 6 collection of delinquent court fines, penalties,  
 7 surcharges, and court costs by coordinating efforts in  
 8 the collection of installment agreement payments under  
 9 section 321.210B.

10 Sec. \_\_. APPLICABILITY.

11 An installment agreement shall not be executed in  
 12 any county until January 1, 2008, except an  
 13 installment agreement may be executed and, if  
 14 executed, a driver's license shall be reinstated as  
 15 provided in section 321.210B for a fine, penalty,  
 16 court cost, or surcharge imposed in Polk or Linn  
 17 county."''

18 4. Page 1, line 27, by inserting after the word  
 19 "obligations" the following: "or after suspension or  
 20 revocation".

21 5. Page 1, line 30, by inserting after the word  
 22 "state" the following: ", and including applicability  
 23 provisions".

Amendment [H-2088](#) was adopted.

On motion by R. Olson of Polk the House concurred in the Senate amendment [H-1971](#), as amended.

Swaim of Davis moved that the bill, as amended by the Senate, further amended and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 641](#))

The ayes were, 94:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Bell	Berry	Boal
Bukta	Chambers	Clute	Cohoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Granzow	Grassley	Greiner	Heaton
Heddens	Hoffman	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	Rants
Rasmussen	Rayhons	Reasoner	Reichert
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, 1:

Baudler

Absent or not voting, 5:

Gipp	Horbach	Raecker	Roberts
Zirkelbach			

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

### IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that [House File 641](#) be immediately messaged to the Senate.

### MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 27, 2007, amended the House amendment, concurred in the House amendment as amended, and passed the following bill in which the concurrence of the House is asked:

[Senate File 588](#), a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, and providing effective dates.

MICHAEL E. MARSHALL, Secretary

McCarthy of Polk asked and received unanimous consent for the immediate consideration of [House File 924](#).

## Ways and Means Calendar

**House File 924**, a bill for an act relating to qualifications for licensure as a real estate broker or salesperson upon conviction of specified offenses, was taken up for consideration.

Grassley of Butler offered amendment [H-2111](#) filed by him from the floor as follows:

### [H-2111](#)

- 1 Amend [House File 924](#) as follows:
- 2 1. Page 1, line 5, by striking the word
- 3 "indictable".
- 4 2. Page 1, line 6, by inserting after the word
- 5 "offense" the following: "specified in this
- 6 subsection".
- 7 3. Page 1, by striking lines 10 and 11.
- 8 4. Page 1, line 12, by striking the figure "(2)"
- 9 and inserting the following: "(1)".
- 10 5. Page 1, by striking line 14 and inserting the
- 11 following:
- 12 "(2) Notwithstanding subparagraph (1), for".

Amendment [H-2111](#) was adopted.

Grassley of Butler 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. 924](#))

The ayes were, 94:

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	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	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	Rants
Rasmussen	Rayhons	Reasoner	Reichert

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, 6:

Gipp	Horbach	Quirk	Raecker
Roberts	Zirkelbach		

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

### IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that [House File 924](#) be immediately messaged to the Senate.

### Appropriations Calendar

[House File 928](#), a bill for an act relating to regulation of underground storage tanks by the department of natural resources, making appropriations, and providing contingent effective date provisions, was taken up for consideration.

### [SENATE FILE 499](#) SUBSTITUTED FOR [HOUSE FILE 928](#)

H. Miller of Webster asked and received unanimous consent to substitute [Senate File 499](#) for [House File 928](#).

[Senate File 499](#), a bill for an act relating to regulation of underground storage tanks by the department of natural resources, making appropriations, and providing contingent effective date provisions, was taken up for consideration.

H. Miller of Webster 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. 499](#))

The ayes were, 94:

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	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	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	Rants
Rasmussen	Rayhons	Reasoner	Reichert
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, 6:

Gipp	Horbach	Quirk	Raecker
Roberts	Zirkelbach		

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

[HOUSE FILE 928](#) WITHDRAWN

H. Miller of Webster asked and received unanimous consent to withdraw [House File 928](#) from further consideration by the House.

[Senate File 578](#), a bill for an act creating a Vietnam Conflict veterans bonus for a certain period of active duty military service, making an appropriation, providing a tax exemption and a penalty,

and including a retroactive applicability provision, with report of committee recommending passage, was taken up for consideration.

Kaufmann of Cedar asked and received unanimous consent to withdraw amendment [H-2070](#) filed by him from the floor.

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?" ([S.F. 578](#))

The ayes were, 94:

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	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	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	Rants
Rasmussen	Rayhons	Reasoner	Reichert
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, 6:

Gipp	Horbach	Quirk	Raecker
Roberts	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: **Senate Files 499** and **578**.

McCarthy of Polk asked and received unanimous consent for the immediate consideration of [House File 798](#).

### Unfinished Business Calendar

[House File 798](#), a bill for an act relating to the regulation of pharmacy benefits managers and providing penalties, was taken up for consideration.

Pettengill asked and received unanimous consent to withdraw the following amendments:

Amendment [H-1684](#) filed by Pettengill of Benton, et al., on April 11, 2007.

Amendment [H-1687](#) filed by Pettengill of Benton, et al., on April 11, 2007.

Lensing of Johnson offered the following amendment [H-2100](#) filed by her and Jacobs of Polk from the floor and moved its adoption:

#### [H-2100](#)

- 1 Amend [House File 798](#) as follows:
- 2 1. By striking everything after the enacting
- 3 clause and inserting the following:
- 4 "Section 1. NEW SECTION. 510B.1 DEFINITIONS.
- 5 As used in this chapter, unless the context
- 6 otherwise requires:
- 7 1. "Commissioner" means the commissioner of
- 8 insurance.
- 9 2. "Covered entity" means a nonprofit hospital or
- 10 medical services corporation, health insurer, health
- 11 benefit plan, or health maintenance organization; a
- 12 health program administered by a department or the

13 state in the capacity of provider of health coverage;  
14 or an employer, labor union, or other group of persons  
15 organized in the state that provides health coverage.  
16 "Covered entity" does not include a self-funded health  
17 coverage plan that is exempt from state regulation  
18 pursuant to the federal Employee Retirement Income  
19 Security Act of 1974 (ERISA), as codified at 29 U.S.C.  
20 § 1001 et seq., a plan issued for health coverage for  
21 federal employees, or a health plan that provides  
22 coverage only for accidental injury, specified  
23 disease, hospital indemnity, Medicare supplemental,  
24 disability income, or long-term care, or other limited  
25 benefit health insurance policy or contract.

26 3. "Covered individual" means a member,  
27 participant, enrollee, contract holder, policyholder,  
28 or beneficiary of a covered entity who is provided  
29 health coverage by the covered entity, and includes a  
30 dependent or other person provided health coverage  
31 through a policy, contract, or plan for a covered  
32 individual.

33 4. "Generic drug" means a chemically equivalent  
34 copy of a brand-name drug with an expired patent.

35 5. "Labeler" means a person that receives  
36 prescription drugs from a manufacturer or wholesaler  
37 and repackages those drugs for later retail sale and  
38 that has a labeler code from the federal food and drug  
39 administration pursuant to 21 C.F.R. § 207.20.

40 6. "Pharmacy" means pharmacy as defined in section  
41 155A.3.

42 7. "Pharmacy benefits management" means the  
43 administration or management of prescription drug  
44 benefits provided by a covered entity under the terms  
45 and conditions of the contract between the pharmacy  
46 benefits manager and the covered entity.

47 8. "Pharmacy benefits manager" means a person who  
48 performs pharmacy benefits management services.  
49 "Pharmacy benefits manager" includes a person acting  
50 on behalf of a pharmacy benefits manager in a

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1 contractual or employment relationship in the  
2 performance of pharmacy benefits management services  
3 for a covered entity. "Pharmacy benefits manager"  
4 does not include a health insurer licensed in the  
5 state if the health insurer or its subsidiary is  
6 providing pharmacy benefits management services  
7 exclusively to its own insureds, or a public  
8 self-funded pool or a private single employer  
9 self-funded plan that provides such benefits or  
10 services directly to its beneficiaries.

11 9. "Prescription drug" means prescription drug as

12 defined in section 155A.3.

13 10. "Prescription drug order" means prescription  
14 drug order as defined in section 155A.3.

15 Sec. 2. NEW SECTION. 510B.2 CERTIFICATION AS A  
16 THIRD-PARTY ADMINISTRATOR REQUIRED.

17 A pharmacy benefits manager doing business in this  
18 state shall obtain a certificate as a third-party  
19 administrator under chapter 510, and the provisions  
20 relating to a third-party administrator pursuant to  
21 chapter 510 shall apply to a pharmacy benefits  
22 manager.

23 Sec. 3. NEW SECTION. 510B.3 ENFORCEMENT –  
24 RULES.

25 1. The commissioner shall enforce the provisions  
26 of this chapter.

27 2. The commissioner shall adopt rules pursuant to  
28 chapter 17A to administer this chapter including rules  
29 relating to all of the following:

- 30 a. Timely payment of pharmacy claims.
- 31 b. A process for adjudication of complaints and  
32 settlement of disputes between a pharmacy benefits  
33 manager and a licensed pharmacy related to pharmacy  
34 auditing practices, termination of pharmacy  
35 agreements, and timely payment of pharmacy claims.

36 Sec. 4. NEW SECTION. 510B.4 PERFORMANCE OF  
37 DUTIES – GOOD FAITH – CONFLICT OF INTEREST.

38 1. A pharmacy benefits manager shall perform the  
39 pharmacy benefits manager's duties exercising good  
40 faith and fair dealing in the performance of its  
41 contractual obligations toward the covered entity.

42 2. A pharmacy benefits manager shall notify the  
43 covered entity in writing of any activity, policy,  
44 practice ownership interest, or affiliation of the  
45 pharmacy benefits manager that presents any conflict  
46 of interest.

47 Sec. 5. NEW SECTION. 510B.5 CONTACTING COVERED  
48 INDIVIDUAL – REQUIREMENTS.

49 A pharmacy benefits manager, unless authorized  
50 pursuant to the terms of its contract with a covered

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1 entity, shall not contact any covered individual  
2 without the express written permission of the covered  
3 entity.

4 Sec. 6. NEW SECTION. 510B.6 DISPENSING OF  
5 SUBSTITUTE PRESCRIPTION DRUG FOR PRESCRIBED DRUG.

6 1. The following provisions shall apply when a  
7 pharmacy benefits manager requests the dispensing of a  
8 substitute prescription drug for a prescribed drug to  
9 a covered individual:

- 10 a. The pharmacy benefits manager may request the

11 substitution of a lower priced generic and  
 12 therapeutically equivalent drug for a higher priced  
 13 prescribed drug.

14 b. If the substitute drug's net cost to the  
 15 covered individual or covered entity exceeds the cost  
 16 of the prescribed drug, the substitution shall be made  
 17 only for medical reasons that benefit the covered  
 18 individual.

19 2. A pharmacy benefits manager shall obtain the  
 20 approval of the prescribing practitioner prior to  
 21 requesting any substitution under this section.

22 3. A pharmacy benefits manager shall not  
 23 substitute an equivalent prescription drug contrary to  
 24 a prescription drug order that prohibits a  
 25 substitution.

26 Sec. 7. NEW SECTION. 510B.7 DUTIES TO PHARMACY  
 27 NETWORK PROVIDERS.

28 1. A pharmacy benefits manager shall not mandate  
 29 basic recordkeeping that is more stringent than that  
 30 required by state or federal law or regulation.

31 2. If a pharmacy benefits manager receives notice  
 32 from a covered entity of termination of the covered  
 33 entity's contract, the pharmacy benefits manager shall  
 34 notify, within ten working days of the notice, all  
 35 pharmacy network providers of the effective date of  
 36 the termination.

37 3. Within three business days of a price increase  
 38 notification by a manufacturer or supplier, a pharmacy  
 39 benefits manager shall adjust its payment to the  
 40 pharmacy network provider consistent with the price  
 41 increase.

42 Sec. 8. PHARMACY BENEFITS MANAGER LEGISLATIVE  
 43 INTERIM COMMITTEE. The legislative council is  
 44 requested to establish a legislative interim committee  
 45 on pharmacy benefits managers to review all of the  
 46 following:

47 1. Transparency and disclosure arrangements  
 48 between pharmacy benefits managers and covered  
 49 entities.

50 2. Confidentiality protections for information

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1 disclosed to covered entities and remedies for  
 2 unauthorized disclosure.

3 3. The ability of covered entities to audit  
 4 pharmacy benefits managers.

5 4. Appropriate remedies for covered entities to  
 6 enforce a provision of or for violation of a provision  
 7 of chapter 510B, as enacted in this Act.

8 Sec. 9. EFFECTIVE DATE – DIRECTIVE TO  
 9 COMMISSIONER OF INSURANCE.

- 10 1. This Act takes effect January 1, 2008.  
11 2. Notwithstanding the effective date of this Act,  
12 the commissioner of insurance shall commence the  
13 process of developing proposed rules to implement and  
14 administer this Act beginning July 1, 2007."  
15 2. Title page, by striking line 2 and inserting  
16 the following: "and making penalties applicable, and  
17 providing an effective date."

Amendment [H-2100](#) was adopted, placing out of order the following amendments:

Amendment [H-1662](#) filed by Boal of Polk on April 10, 2007.

Amendment [H-1683](#) filed by Quirk of Chickasaw, et al., on April 11, 2007.

Amendment [H-1685](#) filed by Quirk of Chickasaw, et al., on April 11, 2007.

Amendment [H-1686](#) filed by Pettengill of Benton, et al., on April 11, 2007.

Amendment [H-1688](#) filed by Pettengill of Benton, et al., on April 11, 2007.

Amendment [H-1689](#) filed by Pettengill of Benton, et al., on April 11, 2007.

Amendment [H-1690](#) filed by Pettengill of Benton, et al., on April 11, 2007.

Amendment [H-1691](#) filed by Pettengill of Benton, et al., on April 11, 2007.

[SENATE FILE 512](#) SUBSTITUTED FOR [HOUSE FILE 798](#)

Lensing of Johnson asked and received unanimous consent to substitute [Senate File 512](#) for [House File 798](#).

[Senate File 512](#), a bill for an act relating to the regulation of pharmacy benefits managers and making penalties applicable, and providing an effective date, 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. 512](#))

The ayes were, 94:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Ford
Forristall	Frevert	Gaskill	Gayman
Granzow	Grassley	Greiner	Heaton
Heddens	Hoffman	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	Rants
Rasmussen	Rayhons	Reasoner	Reichert
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, 6:

Foege	Gipp	Horbach	Raecker
Roberts	Zirkelbach		

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

### IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that [Senate File 512](#) be immediately messaged to the Senate.

### 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 April 26, 2007, amended and passed the following bill in which the concurrence of the House is asked:

[House File 911](#), a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, vertical infrastructure fund, the endowment for Iowa's health restricted capitals fund, and the technology reinvestment fund, and related matters, and providing an effective date.

Also: That the Senate has on April 27, 2007, passed the following bill in which the concurrence of the Senate was asked:

[House File 918](#), a bill for an act establishing the office of energy independence and the Iowa power fund and related provisions, and providing an effective date.

Also: That the Senate has on April 27, 2007, passed the following bill in which the concurrence of the Senate was asked:

[House File 927](#), a bill for an act making appropriations for specified energy-related purposes and providing an effective date.

Also: That the Senate has on April 27, 2007, adopted the conference committee report and passed [Senate File 551](#), a bill for an act relating to and making appropriations involving state government, by providing for agriculture, natural resources, and environmental protection.

Also: That the Senate has on April 27, 2007, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

[Senate File 580](#), a bill for an act relating to a tax amnesty program, making appropriations, and including an effective date provision.

MICHAEL E. MARSHALL, Secretary

On motion by McCarthy of Polk, the House was recessed at 5:44 p.m., until 9:00 p.m.

## EVENING SESSION

The House reconvened at 9:36 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 April 27, 2007, amended and passed the following bill in which the concurrence of the House is asked:

[House File 556](#), a bill for an act establishing the Iowa propane education and research council, providing for the development of programs and projects related to propane, providing for an assessment on the sale of odorized propane, providing criminal penalties, and providing for effective dates.

Also: That the Senate has on April 27, 2007, passed the following bill in which the concurrence of the Senate was asked:

[House File 920](#), a bill for an act authorizing the state board of regents to borrow moneys and issue revenue bonds to finance the costs of certain building and facility improvement programs.

Also: That the Senate has on April 27, 2007, concurred in the House amendment and passed the following bill in which the concurrence of the Senate is asked:

[Senate File 593](#), a bill for an act relating to the assessment of civil and criminal court fees and penalties.

MICHAEL E. MARSHALL, Secretary

## QUORUM CALL

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

## CONSIDERATION OF BILLS Ways and Means Calendar

[House File 908](#), a bill for an act relating to the licensing and regulation of plumbers and mechanical professionals, and providing an appropriation and penalties, was taken up for consideration.

Schueller of Jackson offered the following amendment [H-1791](#) filed by him and moved its adoption:

### [H-1791](#)

- 1 Amend [House File 908](#) as follows:
- 2 1. Page 1, line 11, by inserting after the word
- 3 "is" the following: "progressing toward completion of
- 4 an apprenticeship training program registered by the
- 5 office of apprenticeship of the United States
- 6 department of labor while".
- 7 2. Page 12, line 32, by striking the words "or a
- 8 successor agency".
- 9 3. Page 17, line 24, by inserting after the word
- 10 "board." the following: "The board, in connection

11 with a proceeding under this chapter, may issue  
12 subpoenas to compel attendance and testimony of  
13 witnesses and the disclosure of evidence, and may  
14 request the attorney general to bring an action to  
15 enforce the subpoena."

16 4. Page 19, line 2, by inserting before the word  
17 "PENALTY" the following: "CIVIL".

18 5. Page 19, by striking lines 3 through 6 and  
19 inserting the following:

20 "1. In addition to any other penalties provided  
21 for in this chapter, the board may, by order, impose a  
22 civil penalty upon a person violating any provision of  
23 this chapter. Each day of a continued violation  
24 constitutes a separate offense, except that offenses  
25 resulting from the same or common facts or  
26 circumstances shall be considered a single offense.  
27 Before issuing an order under this section, the board  
28 shall provide the person written notice and the  
29 opportunity to request a hearing on the record. The  
30 hearing must be requested within thirty days of the  
31 issuance of the notice.

32 2. A person aggrieved by the imposition of a civil  
33 penalty under this section may seek judicial review in  
34 accordance with section 17A.19.

35 3. If a person fails to pay a civil penalty within  
36 thirty days after entry of an order under subsection  
37 1, or if the order is stayed pending an appeal within  
38 ten days after the court enters a final judgment in  
39 favor of the board, the board shall notify the  
40 attorney general. The attorney general may commence  
41 an action to recover the amount of the penalty,  
42 including reasonable attorney fees and costs.

43 4. An action to enforce an order under this  
44 section may be joined with an action for an  
45 injunction."

46 6. Page 19, line 20, by inserting after the word  
47 "report." the following: "The opening of an office or  
48 place of business for the purpose of providing any  
49 services for which a license is required by this  
50 chapter, the announcing to the public in any way the

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1 intention to provide any such service, the use of any  
2 professional designation, or the use of any sign,  
3 card, circular, device, vehicle, or advertisement, as  
4 a provider of any such services shall be prima facie  
5 evidence of engaging in the practice of a plumber or  
6 mechanical professional."

7 7. Page 19, by striking lines 21 and 22 and  
8 inserting the following:

9 "Sec.\_\_\_\_. NEW SECTION. 104C.30 ATTORNEY

10 GENERAL."

11 8. Page 19, by striking lines 26 through 28 and  
12 inserting the following: "any provision of this  
13 chapter."

14 9. Page 20, by inserting after line 27 the  
15 following:

16 "Sec. \_\_\_. EFFECTIVE DATE. This Act takes effect  
17 July 1, 2008."

18 10. Title page, line 3, by inserting after the  
19 word "penalties" the following: "and providing an  
20 effective date".

21 11. By renumbering as necessary.

Amendment [H-1791](#) was adopted.

Quirk of Chickasaw offered the following amendment [H-1977](#) filed by him and moved its adoption:

[H-1977](#)

1 Amend [House File 908](#) as follows:

2 1. Page 3, by striking lines 24 through 27 and  
3 inserting the following:

4 "a. The director of public health or the  
5 director's designee.

6 b. The commissioner of public safety or the  
7 commissioner's designee."

8 2. Page 11, line 27, by inserting after the word  
9 "professionals" the following: "and contractors".

Amendment [H-1977](#) was adopted.

Kelley of Black Hawk offered the following amendment [H-1937](#) filed by her and moved its adoption:

[H-1937](#)

1 Amend [House File 908](#) as follows:

2 1. Page 9, by inserting after line 2 the  
3 following:

4 "3. The board may allow a two-year delay in  
5 implementing the licensure requirements for  
6 contractors who employ less than ten mechanical  
7 professionals."

Amendment [H-1937](#) was adopted.

Jacobs of Polk offered the following amendment [H-2119](#) filed by her from the floor and moved its adoption:

[H-2119](#)

- 1 Amend [House File 908](#) as follows:
- 2 1. Page 9, line 16, by inserting after the word
- 3 "commercial" the following: "retail".

Amendment [H-2119](#) 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. 908](#))

The ayes were, 75:

Abdul-Samad	Alons	Anderson	Bailey
Bell	Berry	Boal	Bukta
Chambers	Clute	Cohoon	Dandekar
Davitt	Drake	Foege	Ford
Frevert	Gaskill	Gayman	Granzow
Greiner	Heaton	Heddens	Hoffman
Huseman	Huser	Jacobs	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	May
McCarthy	Mertz	Miller, H.	Miller, L.
Oldson	Olson, D.	Olson, R.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill
Quirk	Rants	Rasmussen	Reasoner
Reichert	Schickel	Schueller	Shomshor
Smith	Soderberg	Staed	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tomenga	Van Fossen	Wendt	Wenthe
Whitaker	Whitead	Wiencek	Winckler
Wise	Worthan	Mr. Speaker	
		Murphy	

The nays were, 19:

Arnold	Baudler	De Boef	Deyoe
Dolecheck	Forristall	Grassley	Hunter
Kaufmann	Lukan	Olson, S.	Rayhons
Sands	Tjepkes	Tymeson	Upmeyer
Van Engelenhoven	Watts	Windschitl	

Absent or not voting 6:

Gipp	Horbach	Raecker	Roberts
Wessel-Kroeschell	Zirkelbach		

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

## SENATE AMENDMENT CONSIDERED

Schueller of Jackson called up for consideration [House File 923](#), a bill for an act relating to the policy and technical administration of the tax and related laws by the department of revenue, including administration of income, sales, use, cigarette, and tobacco taxes, providing an effective date, and providing retroactive applicability date provisions, amended by the following Senate amendment [H-2110](#):

### [H-2110](#)

1 Amend [House File 923](#), as amended, passed, and  
 2 reprinted by the House, as follows:  
 3 1. Page 1, by inserting after line 20 the  
 4 following:  
 5 "Sec.\_\_\_\_. Section 331.434, subsection 1, Code  
 6 2007, is amended to read as follows:  
 7 1. The budget shall show the amount required for  
 8 each class of proposed expenditures, a comparison of  
 9 the amounts proposed to be expended with the amounts  
 10 expended for like purposes for the two preceding  
 11 years, the revenues from sources other than property  
 12 taxation, a tax increment financing budget including  
 13 information required under section 384.16 for each  
 14 urban renewal area established by the county, and the  
 15 amount to be raised by property taxation, in the  
 16 detail and form prescribed by the director of the  
 17 department of management.  
 18 Sec.\_\_\_\_. Section 384.16, subsection 1, Code 2007,  
 19 is amended by adding the following new paragraph:  
 20 NEW PARAGRAPH. d. A tax increment financing  
 21 budget for each urban renewal area established by the  
 22 city.  
 23 Sec.\_\_\_\_. Section 384.16, subsection 1, unnumbered  
 24 paragraph 2, Code 2007, is amended to read as follows:  
 25 A budget must show comparisons between the  
 26 estimated expenditures in each program in the  
 27 following year, the latest estimated expenditures in  
 28 each program in the current year, and the actual  
 29 expenditures in each program from the annual report as

30 provided in section 384.22, or as corrected by a  
 31 subsequent audit report. Wherever practicable, as  
 32 provided in rules of the committee, a budget,  
 33 including the tax increment financing budget, must  
 34 show comparisons between the levels of service  
 35 provided by each program as estimated for the  
 36 following year, and actual levels of service provided  
 37 by each program during the two preceding years.  
 38 Wherever practicable, the tax increment financing  
 39 budget shall include estimated and actual tax  
 40 increment financing revenues and all estimated and  
 41 actual expenditures of the revenues, proceeds from  
 42 debt and all estimated and actual expenditures of the  
 43 debt proceeds, and identification of any entity  
 44 receiving a direct payment of taxes funded by tax  
 45 increment financing revenues."

46 2. Page 9, by inserting after line 4 the  
 47 following:

48 "Sec.\_\_\_\_. Section 427.3, Code 2007, is amended to  
 49 read as follows:

50 427.3 ABATEMENT OF TAXES OF CERTAIN EXEMPT

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1 ENTITIES.

2 The board of supervisors may abate the taxes levied  
 3 against property acquired by gift or purchase by a  
 4 person or entity if the property acquired by gift or  
 5 purchase was transferred to the person or entity after  
 6 the deadline for filing for property tax exemption in  
 7 the year in which the property was transferred and the  
 8 property acquired by gift or purchase would have been  
 9 exempt under section 427.1, subsection 7, 8, or 9, if  
 10 the person or entity had been able to file for  
 11 exemption in a timely manner.

12 Sec.\_\_\_\_. REFUND OF PROPERTY TAXES.

13 Notwithstanding the deadline for filing a claim for  
 14 property tax exemption for property described in  
 15 section 427.1, subsection 8 or 9, and notwithstanding  
 16 any other provision to the contrary, the board of  
 17 supervisors of a county having a population based upon  
 18 the latest federal decennial census of more than  
 19 eighty-eight thousand but not more than ninety-five  
 20 thousand shall refund the property taxes paid, with  
 21 all interest, penalties, fees, and costs which were  
 22 due and payable in the fiscal year beginning July 1,  
 23 2002, and in the fiscal year beginning July 1, 2005,  
 24 on the land and buildings of an institution that  
 25 purchased property and that did not receive a property  
 26 tax exemption for the property due to the inability or  
 27 failure to file for the exemption. To receive the  
 28 refund provided for in this section, the institution

29 shall apply to the county board of supervisors by  
30 October 1, 2007, and provide appropriate information  
31 establishing that the land and buildings for which the  
32 refund is sought were used by the institution for its  
33 appropriate objectives during the fiscal year  
34 beginning July 1, 2002, and during the fiscal year  
35 beginning July 1, 2005. The refund allowed under this  
36 section only applies to property taxes, with all  
37 interest, penalties, fees, and costs, due and payable  
38 in the fiscal year beginning July 1, 2002, and in the  
39 fiscal year beginning July 1, 2005.

40 Sec.\_\_\_\_. IMMEDIATE EFFECTIVE DATE. The section  
41 of this division of this Act, amending section 427.3,  
42 being deemed of immediate importance, takes effect  
43 upon enactment and applies retroactively to property  
44 taxes due and payable in the fiscal year beginning  
45 July 1, 2002, and in the fiscal year beginning July 1,  
46 2005."

47 3. By renumbering, relettering, or redesignating  
48 and correcting internal references as necessary.

Schueller of Jackson offered the following amendment [H-2120](#), to the Senate amendment [H-2110](#), filed by him from the floor and moved its adoption:

[H-2120](#)

1 Amend the Senate amendment, H-2110, to House File  
2 923, as amended, passed, and reprinted by the House,  
3 as follows:

4 1. Page 1, by striking lines 12 through 14 and  
5 inserting the following: "taxation, and the".  
6 2. Page 1, line 17, by inserting after the word  
7 "management." the following: "For each county that  
8 has established an urban renewal area, the budget  
9 shall include estimated and actual tax increment  
10 financing revenues and all estimated and actual  
11 expenditures of the revenues, proceeds from debt and  
12 all estimated and actual expenditures of the debt  
13 proceeds, and identification of any entity receiving a  
14 direct payment of taxes funded by tax increment  
15 financing revenues and shall include the total amount  
16 of loans, advances, indebtedness, or bonds outstanding  
17 at the close of the most recently ended fiscal year,  
18 which qualify for payment from the special fund  
19 created in section 403.19, including interest  
20 negotiated on such loans, advances, indebtedness, or  
21 bonds. For purposes of this subsection,  
22 "indebtedness" includes written agreements whereby the  
23 county agrees to suspend, abate, exempt, rebate,  
24 refund, or reimburse property taxes, provide a grant

25 for property taxes paid, or make a direct payment of  
 26 taxes, with moneys in the special fund. The amount of  
 27 loans, advances, indebtedness, or bonds shall be  
 28 listed in the aggregate for each county reporting.  
 29 The county finance committee, in consultation with the  
 30 department of management and the legislative services  
 31 agency, shall determine reporting criteria and shall  
 32 prepare a form for reports filed with the department  
 33 pursuant to this section. The department shall make  
 34 the information available by electronic means."  
 35 3. Page 1, by striking lines 18 through 22.  
 36 4. Page 1, line 32, by striking the word  
 37 "budget," and inserting the following: "budget".  
 38 5. Page 1, by striking line 33 and inserting the  
 39 following: "must".  
 40 6. Page 1, by striking line 38 and inserting the  
 41 following: "For each city that has established an  
 42 urban renewal area, the".  
 43 7. Page 1, line 45, by inserting after the word  
 44 "revenues" the following: "and shall include the  
 45 total amount of loans, advances, indebtedness, or  
 46 bonds outstanding at the close of the most recently  
 47 ended fiscal year, which qualify for payment from the  
 48 special fund created in section 403.19, including  
 49 interest negotiated on such loans, advances,  
 50 indebtedness, or bonds. For purposes of this

Page 2

1 subsection, "indebtedness" includes written agreements  
 2 whereby the city agrees to suspend, abate, exempt,  
 3 rebate, refund, or reimburse property taxes, provide a  
 4 grant for property taxes paid, or make a direct  
 5 payment of taxes, with moneys in the special fund.  
 6 The amount of loans, advances, indebtedness, or bonds  
 7 shall be listed in the aggregate for each city  
 8 reporting. The city finance committee, in  
 9 consultation with the department of management and the  
 10 legislative services agency, shall determine reporting  
 11 criteria and shall prepare a form for reports filed  
 12 with the department pursuant to this section. The  
 13 department shall make the information available by  
 14 electronic means".  
 15 8. Page 2, by inserting after line 11 the  
 16 following:  
 17 "Sec. \_\_\_\_\_. Section 403.23, Code 2007, is  
 18 repealed."  
 19 9. By renumbering as necessary.

Amendment [H-2120](#) was adopted.

On motion by Schueller of Jackson the House concurred in the Senate amendment [H-2110](#), as amended.

Schueller of Jackson moved that the bill, as amended by the Senate, further amended and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 923](#))

The ayes were, 94:

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	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Hunter
Huseman	Huser	Jacobs	Jacoby
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	Rants
Rasmussen	Rayhons	Reasoner	Reichert
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, 6:

Gipp	Horbach	Jochum	Raecker
Roberts	Zirkelbach		

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

## SENATE AMENDMENT CONSIDERED

Reichert of Muscatine called up for consideration [House File 556](#), a bill for an act establishing the Iowa propane education and research council, providing for the development of programs and projects related to propane, providing for an assessment on the sale of odorized propane, providing criminal penalties, and providing for effective dates, amended by the Senate, and moved that the House concur in the following Senate amendment [H-2115](#):

[H-2115](#)

- 1 Amend [House File 556](#), as passed by the House, as  
2 follows:  
3 1. Page 2, line 21, by inserting after the word  
4 "ten" the following: "voting".  
5 2. Page 3, by inserting after line 11 the  
6 following:  
7 "\_\_\_\_. The following persons shall be ex officio,  
8 nonvoting members of the council designated for  
9 three-year terms as follows:  
10 a. A professional fire fighter designated by the  
11 Iowa association of professional fire chiefs.  
12 b. A volunteer fire fighter designated by the Iowa  
13 firemen's association.  
14 c. An experienced plumber involved in plumbing  
15 training programs designated by the Iowa state  
16 building and construction trades council.  
17 d. A heating, ventilation, and air conditioning  
18 professional involved in heating, ventilation, and air  
19 conditioning training programs designated by the Iowa  
20 state building and construction trades council.  
21 e. A community college instructor with experience  
22 in conducting fire safety programs designated by the  
23 Iowa association of community college presidents.  
24 f. A representative of a property and casualty  
25 insurance company with experience in insuring sellers  
26 of propane gas designated by the Iowa insurance  
27 institute."  
28 3. Page 3, line 32, by inserting after the word  
29 "The" the following: "voting members of the".  
30 4. Page 3, line 33, by striking the words "its  
31 membership" and inserting the following: "the voting  
32 members".  
33 5. Page 4, by striking lines 31 and 32, and  
34 inserting the following: "undertaken. The council  
35 shall submit the".  
36 6. Page 6, by striking lines 1 through 14 and  
37 inserting the following: "annual assessment. Upon

38 establishment of the council and each year thereafter  
 39 the annual assessment shall be made at a rate of  
 40 one-tenth of one cent on each gallon of odorized  
 41 propane sold."

42 7. Page 7, lines 14 and 15, by striking the words  
 43 "INCREASED ASSESSMENTS OR".

44 8. By striking page 7, line 16, through page 8,  
 45 line 1.

46 9. Page 8, line 2, by striking the figure "2."

47 10. Page 8, by striking lines 8 through 10 and  
 48 inserting the following: "whether the council should  
 49 be terminated or suspended. Voting rights in the  
 50 referendum shall be based on the volume of odorized

Page 2

1 propane sold in this state by each retail propane  
 2 marketer during the previous calendar year. Each  
 3 retail propane marketer voting in the referendum shall  
 4 certify to the independent auditing firm the volume of  
 5 odorized propane sold by that person as represented by  
 6 that person's vote. Upon the approval of those retail  
 7 propane".

8 11. Page 8, line 28, by striking the words "fire  
 9 marshal" and inserting the following: "general  
 10 assembly".

11 12. Page 9, by inserting after line 28 the  
 12 following:

13 "Sec. \_\_\_\_ NEW SECTION. 101B.14 FUTURE REPEAL.

14 This chapter is repealed December 31, 2014."

15 13. Title page, line 5, by inserting after the  
 16 word "for" the following: "a future repeal and for".

17 14. By renumbering, relettering, or redesignating  
 18 and correcting internal references as necessary.

The motion prevailed and the House concurred in the Senate  
 amendment [H-2115](#).

Reichert of Muscatine moved that the bill, as amended by the  
 Senate and concurred in by the House, be read a last time now and  
 placed upon its passage which motion prevailed and the bill was read  
 a last time.

On the question "Shall the bill pass?" ([H.F. 556](#))

The ayes were, 68:

Abdul-Samad  
 Berry

Anderson  
 Bukta

Bailey  
 Clute

Bell  
 Cohoon

Dandekar	Davitt	Drake	Foegen
Ford	Frevort	Gaskill	Gayman
Granzow	Greiner	Heaton	Heddens
Hoffman	Hunter	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Pettengill	Quirk	Reasoner	Reichert
Schueller	Shomshor	Smith	Soderberg
Staed	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	Mr. Speaker Murphy

The nays were, 27:

Alons	Arnold	Baudler	Boal
Chambers	De Boef	Deyoe	Dolecheck
Forristall	Grassley	Huseman	Miller, L.
Olson, S.	Paulsen	Rants	Rasmussen
Rayhons	Sands	Schickel	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wiencek	Windschitl	Worthan	

Absent or not voting, 5:

Gipp	Horbach	Raecker	Roberts
Zirkelbach			

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, 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 556, 908 and 923.**

## Ways and Means Calendar

[House File 883](#), a bill for an act relating to the state earned income tax credit by increasing the amount of the tax credit and making the tax credit refundable and including effective and retroactive applicability date provisions, was taken up for consideration.

SENATE FILE 590 SUBSTITUTED FOR HOUSE FILE 883

T. Olson of Linn asked and received unanimous consent to substitute Senate File 590 for House File 883, placing out of order the following amendments:

Amendment H-1578 filed by Tymeson of Madison on April 4, 2007  
Amendment H-1579 filed by Tymeson of Madison on April 4, 2007.  
Amendment H-1601 filed by Sands of Louisa on April 5, 2007.  
Amendment H-1602 filed by Lukan of Dubuque on April 5, 2007.  
Amendment H-1615 filed by Alons of Sioux on April 5, 2007.

Amendment H-1696 filed by Grassley of Butler on April 12, 2007.  
Amendment H-1697 filed by Upmeyer of Hancock on April 12, 2007.

Amendment H-1703 filed by Van Fossen of Scott on April 12, 2007.

Amendment H-1708 filed by Lukan of Dubuque, et al., on April 12, 2007.

Amendment H-1709 filed by Lukan of Dubuque, et al., on April 12, 2007.

Senate File 590, a bill for an act relating to the state earned income tax credit by increasing the amount of the tax credit and making the tax credit refundable and including effective and retroactive applicability date provisions, was taken up for consideration.

Grassley of Butler offered amendment H-2075 filed by him from the floor as follows:

H-2075

1 Amend Senate File 590, as passed by the Senate, as  
2 follows:  
3 1. Page 1, by inserting before line 1 the  
4 following:  
5 "Section 1. Section 422.12, subsection 2,  
6 unnumbered paragraph 1, Code 2007, is amended to read  
7 as follows:  
8 A tuition credit equal to ~~twenty five~~ fifty percent  
9 of the first one thousand dollars which the taxpayer  
10 has paid to others for each dependent in grades  
11 kindergarten through twelve, for tuition and textbooks  
12 of each dependent in attending an elementary or  
13 secondary school situated in Iowa, which school is  
14 accredited or approved under section 256.11, which is  
15 not operated for profit, and which adheres to the

16 provisions of the federal Civil Rights Act of 1964 and  
 17 chapter 216. As used in this subsection, "textbooks"  
 18 means books and other instructional materials and  
 19 equipment used in elementary and secondary schools in  
 20 teaching only those subjects legally and commonly  
 21 taught in public elementary and secondary schools in  
 22 this state and does not include instructional books  
 23 and materials used in the teaching of religious  
 24 tenets, doctrines, or worship, the purpose of which is  
 25 to inculcate those tenets, doctrines, or worship.  
 26 "Textbooks" includes books or materials used for  
 27 extracurricular activities including sporting events,  
 28 musical or dramatic events, speech activities,  
 29 driver's education, or programs of a similar nature.  
 30 Notwithstanding any other provision, all other credits  
 31 allowed under this section and section 422.12B shall  
 32 be deducted before the tuition credit under this  
 33 subsection. The department, when conducting an audit  
 34 of a taxpayer's return, shall also audit the tuition  
 35 tax credit portion of the tax return."  
 36 2. Title page, line 1, by inserting after the  
 37 words "relating to" the following: "the increase in  
 38 the tuition tax credit and to".

T. Olson of Linn rose on a point of order that amendment [H-2075](#) was not germane.

The Speaker ruled the point well taken and amendment [H-2075](#) not germane.

Grassley of Butler moved to suspend the rules to consider amendment [H-2075](#).

Roll call was requested by Rants of Woodbury and Grassley of Butler.

On the question "Shall the rules be suspended to consider amendment [H-2075](#)?" ([S.F. 590](#))

The ayes were, 42:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Granzow	Grassley	Greiner	Heaton
Hoffman	Huseman	Jacobs	Kaufmann
Lukan	May	Miller, L.	Olson, S.
Paulsen	Pettengill	Rants	Rasmussen

Rayhons	Sands	Schickel	Soderberg
Struyk	Tjepkes	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wiencsek
Windschitl	Worthan		

The nays were, 52:

Abdul-Samad	Bell	Berry	Bukta
Cohoon	Dandekar	Davitt	Foege
Ford	Frevert	Gaskill	Gayman
Heddens	Hunter	Huser	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Mertz	Miller, H.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Quirk	Reasoner	Reichert	Schueller
Shomshor	Smith	Staed	Swaim
Taylor, D.	Taylor, T.	Thomas	Tomenga
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	Mr. Speaker Murphy

Absent or not voting, 6:

Bailey	Gipp	Horbach	Raecker
Roberts	Zirkelbach		

The motion to suspend the rules lost.

Sands of Louisa offered amendment [H-2076](#) filed by him as follows:

[H-2076](#)

1 Amend [Senate File 590](#), as passed by the Senate, as  
 2 follows:  
 3 1. Page 1, by inserting before line 1 the  
 4 following:  
 5 "Section 1. Section 422.7, Code 2007, is amended  
 6 by adding the following new subsection:  
 7 **NEW SUBSECTION.** 50. Subtract, to the extent  
 8 included, the amount of gain realized from the sale of  
 9 farmland to the state department of transportation, if  
 10 such gain is deposited into a qualified pension plan  
 11 pursuant to section 401 of the Internal Revenue Code  
 12 for the benefit of the taxpayer. If only a portion of  
 13 the gain realized is deposited into the qualified  
 14 pension plan, then only that portion shall be  
 15 subtracted under this subsection. For purposes of  
 16 this subsection, "farmland" means land of two acres or  
 17 more that in good faith is used for agricultural or

18 horticultural purposes."

19 2. Title page, line 1, by inserting after the  
20 words "relating to" the following: "the taxable gain  
21 from the sale of farmland to the department of  
22 transportation and to".

T. Olson of Linn rose on a point of order that amendment [H-2076](#) was not germane.

The Speaker ruled the point well taken and amendment [H-2076](#) not germane.

Van Fossen of Scott offered the following amendment [H-2077](#) filed by him from the floor and moved its adoption:

[H-2077](#)

1 Amend [Senate File 590](#), as passed by the Senate, as  
2 follows:

3 1. Page 1, by inserting before line 1 the  
4 following:

5 "Section 1. Section 422.7, subsection 8, Code  
6 2007, is amended to read as follows:

7 8. a. Subtract the amount of the federal work  
8 opportunity tax credit allowable for the tax year  
9 under section 51 of the Internal Revenue Code to the  
10 extent that the credit increased federal adjusted  
11 gross income.

12 b. Add the amount of the state work opportunity  
13 tax credit allowable for the tax year.

14 Sec. \_\_\_\_. NEW SECTION. 422.11T STATE WORK  
15 OPPORTUNITY TAX CREDIT.

16 The taxes imposed under this division shall be  
17 reduced by a state work opportunity tax credit equal  
18 to twenty-five percent of the federal work opportunity  
19 tax credit provided in section 51 of the Internal  
20 Revenue Code. Any credit in excess of the tax  
21 liability is nonrefundable."

22 2. Page 1, by inserting after line 8 the  
23 following:

24 "Sec. \_\_\_\_.

 Section 422.33, Code 2007, is amended  
25 by adding the following new subsection:

26 NEW SUBSECTION. 24. The taxes imposed under this  
27 division shall be reduced by a state work opportunity  
28 tax credit equal to twenty-five percent of the federal  
29 work opportunity tax credit provided in section 51 of  
30 the Internal Revenue Code. Any credit in excess of  
31 the tax liability is nonrefundable.

32 Sec. \_\_\_\_. Section 422.35, subsection 5, Code 2007,

33 is amended to read as follows:

34 5. a. Subtract the amount of the federal work  
35 opportunity tax credit allowable for the tax year  
36 under section 51 of the Internal Revenue Code to the  
37 extent that the credit increased federal taxable  
38 income.

39 b. Add the amount of the state work opportunity  
40 tax credit allowable for the tax year.

41 Sec. \_\_\_\_. Section 422.60, Code 2007, is amended by  
42 adding the following new subsection:

43 NEW SUBSECTION. 13. The taxes imposed under this  
44 division shall be reduced by a state work opportunity  
45 tax credit equal to twenty-five percent of the federal  
46 work opportunity tax credit provided in section 51 of  
47 the Internal Revenue Code. Any credit in excess of  
48 the tax liability is nonrefundable."

49 3. Title page, line 3, by inserting after the  
50 word "refundable" the following: "and to a state work

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1 opportunity tax credit,".

T. Olson of Linn rose on a point of order that amendment [H-2077](#) was not germane.

The Speaker ruled the point well taken and amendment [H-2077](#) not germane.

Van Fossen of Scott moved to suspend the rules to consider amendment [H-2077](#).

Roll call was requested by Van Fossen of Scott and Grassley of Butler.

On the question "Shall the rules be suspended to consider amendment [H-2077](#)?" ([S.F. 590](#))

The ayes were, 40:

Alons	Arnold	Baudler	Boal
Chambers	Clute	De Boef	Deyoe
Dolecheck	Drake	Forristall	Granzow
Grassley	Greiner	Heaton	Hoffman
Huseman	Jacobs	Kaufmann	Lukan
May	Miller, L.	Olson, S.	Paulsen
Rants	Rasmussen	Rayhons	Sands
Schickel	Soderberg	Struyk	Tjepkes

Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wienczek	Windschitl	Worthan

The nays were, 53:

Abdul-Samad	Anderson	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Quirk	Reasoner	Reichert
Schueller	Shomshor	Smith	Staed
Swaim	Taylor, D.	Taylor, T.	Thomas
Tomenga	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise
Mr. Speaker			
Murphy			

Absent or not voting, 7:

Bailey	Gipp	Horbach	Pettengill
Raecker	Roberts	Zirkelbach	

The motion to suspend the rules lost.

Lukan of Dubuque offered amendment [H-2078](#) filed by him from the floor as follows:

[H-2078](#)

1 Amend [Senate File 590](#), as passed by the Senate, as  
2 follows:  
3 1. Page 1, by inserting before line 1 the  
4 following:  
5 "Section 1. Section 422.7, subsection 13, Code  
6 2007, is amended to read as follows:  
7 13. a. Subtract, to the extent included, the  
8 amount of additional social security benefits taxable  
9 under the Internal Revenue Code for tax years  
10 beginning on or after January 1, 1994, but before  
11 January 1, ~~2014~~ 2011. The amount of social security  
12 benefits taxable as provided in section 86 of the  
13 Internal Revenue Code, as amended up to and including  
14 January 1, 1993, continues to apply for state income  
15 tax purposes for tax years beginning on or after  
16 January 1, 1994, but before January 1, ~~2014~~ 2011.  
17 b. (1) For tax years beginning in the 2007  
18 calendar year, subtract, to the extent included,

19 thirty-two percent of taxable social security benefits  
20 remaining after the subtraction in paragraph "a".

21 (2) For tax years beginning in the 2008 calendar  
22 year, subtract, to the extent included, ~~thirty two~~  
23 forty percent of taxable social security benefits  
24 remaining after the subtraction in paragraph "a".

25 (3) For tax years beginning in the 2009 calendar  
26 year, subtract, to the extent included, ~~forty three~~  
27 sixty percent of taxable social security benefits  
28 remaining after the subtraction in paragraph "a".

29 (4) For tax years beginning in the 2010 calendar  
30 year, subtract, to the extent included, ~~fifty five~~  
31 eighty percent of taxable social security benefits  
32 remaining after the subtraction in paragraph "a".

33 ~~(5) For tax years beginning in the 2011 calendar~~  
34 ~~year, subtract, to the extent included, sixty seven~~  
35 ~~percent of taxable social security benefits remaining~~  
36 ~~after the subtraction in paragraph "a".~~

37 ~~(6) For tax years beginning in the 2012 calendar~~  
38 ~~year, subtract, to the extent included, seventy seven~~  
39 ~~percent of taxable social security benefits remaining~~  
40 ~~after the subtraction in paragraph "a".~~

41 ~~(7) For tax years beginning in the 2013 calendar~~  
42 ~~year, subtract, to the extent included, eighty nine~~  
43 ~~percent of taxable social security benefits remaining~~  
44 ~~after the subtraction in paragraph "a".~~

45 c. Married taxpayers, who file a joint federal  
46 income tax return and who elect to file separate  
47 returns or who elect separate filing on a combined  
48 return for state income tax purposes, shall allocate  
49 between the spouses the amount of benefits subtracted  
50 under paragraphs "a" and "b" from net income in the

Page 2

1 ratio of the social security benefits received by each  
2 spouse to the total of these benefits received by both  
3 spouses.

4 d. For tax years beginning on or after January 1,  
5 ~~2014 2011~~, subtract, to the extent included, the  
6 amount of social security benefits taxable under  
7 section 86 of the Internal Revenue Code."

8 2. Title page, line 1, by inserting after the  
9 words "relating to" the following: "the phase out of  
10 the tax on social security benefits, and to".

T. Olson of Linn rose on a point of order that amendment [H-2078](#) was not germane.

The Speaker ruled the point well taken and amendment [H-2078](#)

not germane.

Lukan of Dubuque asked for unanimous consent to suspend the rules to consider amendment [H-2078](#).

Objection was raised.

Lukan of Dubuque moved to suspend the rules to consider amendment [H-2078](#).

Roll call was requested by Lukan of Dubuque and Grassley of Butler.

On the question “Shall the rules be suspended to consider amendment [H-2078](#)?” ([S.F. 590](#))

The ayes were, 41:

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

The nays were, 54:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Pettengill	Quirk	Reasoner
Reichert	Schueller	Shomshor	Smith
Staed	Swaim	Taylor, D.	Taylor, T.
Thomas	Tomenga	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Winckler
Wise	Mr. Speaker		
	Murphy		

Absent or not voting, 5:

Gipp  
Zirkelbach

Horbach

Raecker

Roberts

The motion to suspend the rules lost.

Tymeson of Madison asked and received unanimous consent to withdraw amendment [H-2079](#) filed by her from the floor.

Tymeson of Madison offered amendment [H-2080](#) filed by her from the floor as follows:

[H-2080](#)

- 1 Amend [Senate File 590](#), as passed by the Senate, as
- 2 follows:
- 3 1. Page 1, by inserting after line 8 the
- 4 following:
- 5 "Sec.\_\_\_\_. Section 423.3, Code 2007, is amended by
- 6 adding the following new subsection:
- 7 NEW SUBSECTION. 68A. The sales price from the
- 8 sale of general school supplies which are intended for
- 9 classroom use if all of the following apply:
- 10 a. The sales price of each item is less than
- 11 twenty dollars.
- 12 b. The sale takes place during a period beginning
- 13 at 12:01 a.m. on the first Friday in August and ending
- 14 at midnight on the following Saturday."
- 15 2. Title page, line 1, by inserting after the
- 16 words "relating to" the following: "a sales tax
- 17 exemption for general school supplies and to".
- 18 3. By renumbering as necessary.

T. Olson of Linn rose on a point of order that amendment [H-2080](#) was not germane.

The Speaker ruled the point well taken and amendment [H-2080](#) not germane.

Tymeson of Madison moved to suspend the rules to consider amendment [H-2080](#).

Roll call was requested by Tymeson of Madison and Paulsen of Linn.

On the question “Shall the rules be suspended to consider amendment [H-2080](#)?” ([S.F. 590](#))

The ayes were, 40:

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

The nays were, 53:

Abdul-Samad	Anderson	Bailey	Bell
Berry	Bukta	Cohoon	Dandekar
Davitt	Foege	Ford	Frevert
Gaskill	Gayman	Heddens	Hunter
Huser	Jacoby	Jochum	Kelley
Kressig	Kuhn	Lensing	Lykam
Mascher	McCarthy	Mertz	Miller, H.
Olson, D.	Olson, R.	Olson, T.	Palmer
Pettengill	Quirk	Reasoner	Reichert
Schueller	Shomshor	Smith	Staed
Swaim	Taylor, D.	Taylor, T.	Thomas
Tomenga	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise
Mr. Speaker Murphy			

Absent or not voting, 7:

Gipp	Horbach	Oldson	Petersen
Raecker	Roberts	Zirkelbach	

The motion to suspend the rules lost.

Alons of Sioux offered amendment [H-2081](#) filed by him from the floor as follows:

[H-2081](#)

- 1 Amend [Senate File 590](#), as passed by the Senate, as
- 2 follows:
- 3 1. Page 1, by inserting after line 8 the
- 4 following:
- 5 "Sec.\_\_\_\_. Section 423.3, Code 2007, is amended by

6 adding the following new subsection:

7 NEW SUBSECTION. 92. a. The sales price from the  
8 sale of any of the following:

9 (1) Medical equipment and supplies, home  
10 respiratory equipment and accessories, hospital beds  
11 and accessories, ambulatory aids, manual and powered  
12 wheelchairs, stairway lifts, braille writers,  
13 electronic braille equipment, scooters, reading  
14 machines, electronic print enlargers and magnifiers,  
15 and electronic alternative and augmentative  
16 communication devices to or on behalf of individuals  
17 with disabilities to enable the disabled person to  
18 function more independently.

19 (2) Items used solely to modify a motor vehicle to  
20 permit its use by an individual with a disability in  
21 order to enable the disabled person to function more  
22 independently.

23 b. For purposes of this subsection, "disability"  
24 means, with respect to an individual, a physical or  
25 mental impairment that substantially limits one or  
26 more of the major life activities of the individual, a  
27 record of physical or mental impairment that  
28 substantially limits one or more of the major life  
29 activities of the individual, or being regarded as an  
30 individual with a physical or mental impairment that  
31 substantially limits one or more of the major life  
32 activities of the individual."

33 2. Title page, line 1, by inserting after the  
34 words "relating to" the following: "a sales tax  
35 exemption for certain medical assistive devices used  
36 by persons with mental or physical impairments and  
37 to".

T. Olson of Linn rose on a point of order that amendment [H-2081](#) was not germane.

The Speaker ruled the point well taken and amendment [H-2081](#) not germane.

Alons of Sioux asked for unanimous consent to suspend the rules to consider amendment [H-2081](#).

Objection was raised.

Alons of Sioux moved to suspend the rules to consider amendment [H-2081](#).

Roll call was requested by Alons of Sioux and Paulsen of Linn.

On the question “Shall the rules be suspended to consider amendment [H-2081](#)?” ([S.F. 590](#))

The ayes were, 42:

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

The nays were, 53:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Lensing	Lykam	Mascher	McCarthy
Mertz	Miller, H.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Pettengill	Quirk	Reasoner	Reichert
Schueller	Shomshor	Smith	Staed
Swaim	Taylor, D.	Taylor, T.	Thomas
Tomenga	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise
Mr. Speaker			
Murphy			

Absent or not voting, 5:

Gipp	Horbach	Raecker	Roberts
Zirkelbach			

The motion to suspend the rules lost.

Upmeyer of Hancock offered amendment [H-2083](#) filed by her from the floor as follows:

H-2083

1 Amend [Senate File 590](#), as passed by the Senate, as  
2 follows:

3 1. Page 1, by inserting after line 8 the  
4 following:

5 "Sec. \_\_\_\_ Section 422.12C, Code 2007, is amended  
6 by adding the following new subsection after  
7 subsection 1:

8 NEW SUBSECTION. 1A. For tax years beginning on or  
9 after January 1, 2007, but before January 1, 2008,  
10 each net income amount specified in subsection 1 shall  
11 be increased by five thousand dollars. For tax years  
12 beginning on or after January 1, 2008, each net income  
13 amount specified in subsection 1 shall be increased by  
14 ten thousand dollars.

15 Sec. \_\_\_\_ Section 422.12C, subsection 2,  
16 unnumbered paragraph 1, Code 2007, is amended to read  
17 as follows:

18 The taxes imposed under this division, less the  
19 amounts of nonrefundable credits allowed under this  
20 division, may be reduced by an early childhood  
21 development tax credit equal to twenty-five percent of  
22 the first one thousand dollars which the taxpayer has  
23 paid to others for each dependent, as defined in the  
24 Internal Revenue Code, ages three through five for  
25 early childhood development expenses. In determining  
26 the amount of early childhood development expenses for  
27 the tax year beginning in the 2006 calendar year only,  
28 such expenses paid during November and December of the  
29 previous tax year shall be considered paid in the tax  
30 year for which the tax credit is claimed. ~~This For~~  
31 the tax year beginning before January 1, 2007, this  
32 credit is available to a taxpayer whose net income is  
33 less than forty-five thousand dollars. For tax years  
34 beginning on or after January 1, 2007, but before  
35 January 1, 2008, this credit is available to taxpayers  
36 whose net income is less than fifty thousand dollars.  
37 For tax years beginning on or after January 1, 2008,  
38 this credit is available to a taxpayer whose net  
39 income is less than fifty-five thousand dollars. If  
40 the early childhood development tax credit is claimed  
41 for a tax year, the taxpayer and the taxpayer's spouse  
42 shall not claim the child and dependent care credit  
43 under subsection 1. As used in this subsection,  
44 "early childhood development expenses" means services  
45 provided to the dependent by a preschool, as defined  
46 in section 237A.1, materials, and other activities as  
47 follows:"

48 2. Title page, line 1, by inserting after the  
49 words "relating to" the following: "the increase in  
50 the child and dependent care and early childhood

Page 2

1 development tax credits and to".

T. Olson of Linn rose on a point of order that amendment [H-2083](#) was not germane.

The Speaker ruled the point well taken and amendment [H-2083](#) not germane.

Upmeyer of Hancock asked for unanimous consent to suspend the rules to consider amendment [H-2083](#).

Objection was raised.

Upmeyer of Hancock moved to suspend the rules to consider amendment [H-2083](#).

Roll call was requested by Struyk of Pottawattamie and Rants of Woodbury.

On the question "Shall the rules be suspended to consider amendment [H-2083](#)?" ([S.F. 590](#))

The ayes were, 39:

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

The nays were, 54:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Pettengill	Quirk	Reasoner
Reichert	Schueller	Shomshor	Smith
Staed	Swaim	Taylor, D.	Taylor, T.

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

Absent or not voting, 7:

Anderson	Drake	Gipp	Horbach
Raecker	Roberts	Zirkelbach	

The motion to suspend the rules lost.

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?" ([S.F. 590](#))

The ayes were, 94:

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	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	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, S.	Olson, T.	Palmer	Paulsen
Petersen	Pettengill	Quirk	Rants
Rasmussen	Rayhons	Reasoner	Reichert
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, 1:

Olson, R.

Absent or not voting, 5:

Gipp  
Zirkelbach

Horbach

Raecker

Roberts

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

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that [Senate File 590](#) be immediately messaged to the Senate.

ADOPTION OF THE REPORT OF THE  
CONFERENCE COMMITTEE  
([Senate File 551](#))

Kuhn of Floyd called up for consideration the report of the conference committee on [Senate File 551](#) and moved the adoption of the conference committee report and the amendments contained therein as follows:

REPORT OF THE CONFERENCE COMMITTEE  
ON [SENATE FILE 551](#)

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and the House of Representatives on [Senate File 551](#), a bill for an Act relating to and making appropriations involving state government, by providing for agriculture, natural resources, and environmental protection, respectfully make the following report:

- 1. That the Senate recedes from its amendment, H-2040.
- 2. That the House amendment, S-3436, to [Senate File 551](#), as amended, passed, and reprinted by the Senate, is amended to read as follows:

1. Page 1, by inserting before line 3, the following:  
"\_\_\_\_\_ . Page 3, by striking line 9, and inserting the following:"maintenance,miscellaneous purposes, and for not more than the following full-time equivalent positions:"

\_\_\_\_\_. Page 3, by inserting after line 10, the following:  
"..... FTEs 1.00"

\_\_\_\_\_. Page 11, line 26, by striking the figure "1,500,000" and inserting the following: "1,480,000".

\_\_\_\_. Page 12, line 35, by striking the figure "600,000" and inserting the following: "580,000".

\_\_\_\_. Page 13, line 2, by striking the figure "400,000" and inserting the following: "386,667".

\_\_\_\_. Page 13, line 8, by striking the figure "200,000" and inserting the following: "193,333".

\_\_\_\_. Page 13, by inserting after line 17, the following:

"\_\_\_\_. For purposes of supporting a farm-to-school program, as provided in chapter 190A, if enacted by 2007 Iowa Acts, [Senate File 601](#), including salaries, support, maintenance, and miscellaneous purposes:  
.....\$ 80,000

\_\_\_\_. For purposes of supporting the office of state apiarist, including the state apiarist who shall be appointed by the secretary of agriculture pursuant to section 160.1, and for carrying out the duties of the state apiarist as provided in chapter 160:  
..... \$ 40,000"

\_\_\_\_. Page 14, line 5, by striking the figure "2,490,00" and inserting the following: "2,470,000".

\_\_\_\_. Page 14, line 19, by striking the figure "400,000" and inserting the following: "360,000".

\_\_\_\_. Page 15, line 9, by striking the figure "500,000" and inserting the following: "480,000"."

2. Page 2, by inserting after line 16 the following:

"\_\_\_\_. Page 20, by inserting after line 27 the following  
"

"DIVISION\_\_\_\_  
CODE LANGUAGE – E-85 GASOLINE STORING AND  
DISPENSING INFRASTRUCTURE

Sec.\_\_\_\_. Section 15G.203, subsection 7, Code 2007, is amended to read as follows:

7. An award of financial incentives to a participating person shall be in the form of a grant.

In order to participate in the program an eligible person must execute a cost-share agreement with the department as approved by the infrastructure board in which the person contributes a percentage of the total costs related to improving the retail motor fuel site.

a. ~~The~~ Except as provided in paragraph "b", a participating person may be awarded standard financial incentives. ~~The standard financial incentives~~ awarded to the participating person shall not exceed fifty percent of the actual cost of less. The infrastructure board may approve multiple awards to make improvements to a retail

motor fuel site so long as the total amount of the awards does not exceed the limitations provided in this paragraph.

b. In addition to any standard financial incentives awarded to a participating person under paragraph "a", the participating person may be awarded supplemental financial incentives to upgrade or replace a dispenser which is part of gasoline storage and dispensing infrastructure used to store and dispense E-85 gasoline as provided in section 455G.31. The person is only eligible to receive the supplemental financial incentives if the person installed the dispenser not later than sixty days after the date of the publication in the Iowa administrative bulletin of the state fire marshal's order providing that a commercially available dispenser is listed as compatible for use with E-85 gasoline by an independent testing laboratory as provided in section 455G.31. The supplemental financial incentives awarded to the participating person shall not exceed seventy-five percent of the actual cost of making the improvement or thirty thousand dollars, whichever is less.

Sec. \_\_\_\_\_. Section 455G.31, subsection 1, paragraph a, Code 2007, is amended to read as follows:

a. "E-85 gasoline", "ethanol blended gasoline", and "retail dealer" mean the same as defined in section 214A.1.

Sec. \_\_\_\_\_. Section 455G.31, subsection 2, paragraph b, Code 2007, is amended to read as follows:

b. (1) For a dispenser, ~~the manufacturer must state~~ all of the following ~~shall apply~~:  
(1) ~~(a) That the dispenser is, in the opinion of the manufacturer, not incompatible with E-85 gasoline. The dispenser must be listed by an independent testing laboratory as compatible with ethanol blended gasoline.~~

~~(2) (b) The manufacturer has initiated the process of applying to an independent testing laboratory for listing of the equipment for use in dispensing E-85 gasoline. A manufacturer's statement must include a written statement, with reference to a particular type and model of equipment for use in dispensing E-85 gasoline, signed by a responsible official on behalf of the manufacturer, provided either to the retail dealer using the gasoline storage and dispensing infrastructure or to the department of natural resources or the state fire marshal. If the written statement is provided to a retail dealer, the statement shall be retained in the files on the premises of the retail dealer and shall be available to personnel of the department of natural resources or the state fire marshal upon request. The owner or operator or a person authorized by the owner or operator must visually inspect the dispenser and the dispenser sump daily for leaks and equipment failure and maintain a record of such inspection for at least one year after the inspection. The record shall be located on the premises of the retail dealer and shall be made available to the department of natural resources or the state fire marshal upon request. If a leak is detected, the department of natural resources shall be notified pursuant to section 455B.386.~~

(2) The state fire marshal shall issue an order as soon as practicable after determining that a commercially available dispenser is listed as compatible for use with E-85 gasoline by an independent testing laboratory. The state fire marshal shall publish the order in the Iowa administrative bulletin. A person shall not install a dispenser which would otherwise be permitted under subparagraph (1) after sixty days following the date that the order is published. A person who installed such dispenser

before the sixty-day period expired may use the dispenser as provided in subparagraph (1) until four years after the date that the order is published.

Sec. \_\_\_\_. Section 455G.31, subsection 3, Code 2007, is amended to read as follows:

3. This section is repealed ~~July 1, 2009~~ four years following the date that the order issued by the state fire marshal is published in the Iowa administrative bulletin as provided in this section."

3. By renumbering, relettering, or redesignating and correcting internal references as necessary correcting internal references as necessary.

ON THE PART OF THE SENATE:

DR. JOE M. SENG, Chair  
DENNIS H. BLACK  
E. THURMAN GASKILL  
HUBERT HOUSER  
THOMAS RIELLY

ON THE PART OF THE HOUSE:

MARK KUHN, Chair  
BETTY DE BOEF  
DOLORES MERTZ  
STEVE OLSON  
MIKE REASONER

Kuhn of Floyd moved the adoption of the conference committee report.

The motion prevailed and the conference committee report was adopted.

Kuhn of Floyd 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. 551](#))

The ayes were, 70:

Abdul-Samad	Anderson	Arnold	Bailey
Bell	Berry	Bukta	Cphoon
Dandekar	Davitt	De Boef	Deyoe
Drake	Foegen	Ford	Freyvert
Gaskill	Gayman	Granzow	Greiner
Heaton	Heddens	Hoffman	Hunter
Huser	Jacoby	Jochum	Kelley
Kressig	Kuhn	Lensing	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Oldson	Olson, D.	Olson, R.
Olson, S.	Olson, T.	Palmer	Petersen

Pettengill	Quirk	Rasmussen	Rayhons
Reasoner	Reichert	Schickel	Schueller
Shomshor	Smith	Staed	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Van Engelenhoven	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Wiencek	Winckler
Wise	Mr. Speaker		
	Murphy		

The nays were, 26:

Alons	Baudler	Boal	Chambers
Clute	Dolecheck	Forristall	Grassley
Huseman	Jacobs	Kaufmann	Lukan
Miller, L.	Paulsen	Rants	Roberts
Sands	Soderberg	Struyk	Tomenga
Tymeson	Upmeyer	Van Fossen	Watts
Windschitl	Worthan		

Absent or not voting, 4:

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

### IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that [Senate File 551](#) be immediately messaged to the Senate.

### ADOPTION OF THE REPORT OF THE CONFERENCE COMMITTEE ([House File 909](#))

Foege of Linn called up for consideration the report of the conference committee on [House File 909](#) and moved the adoption of the conference committee report and the amendments contained therein as follows:

### REPORT OF THE CONFERENCE COMMITTEE ON [HOUSE FILE 909](#)

To the Speaker of the House of Representatives and the President of the Senate:

We, the undersigned members of the conference committee appointed to resolve the differences between the House of Representatives and the Senate on [House File 909](#), a

bill for an Act relating to and making appropriations for health and human services and including other related provisions and appropriations, and including effective date provisions, respectfully make the following report:

1. That the Senate recedes from its amendment, [H-2041](#).

2. That [House File 909](#), as amended, passed, and reprinted by the House, is amended to read as follows:

1. Page 5, line 16, by striking the word "if" and inserting the following: "as".

2. Page 6, by striking lines 10 through 12 and inserting the following: "shall be used to administer or implement the information and".

3. Page 7, line 13, by striking the figure "1,690,000" and inserting the following: "2,215,000".

4. Page 7, by inserting after line 13 the following: "The amount appropriated in his subsection for addictive disorders reflects an increase of \$525,000 from the funding remaining in the gambling treatment fund from the carryforward of appropriations made for addictive disorders in previous fiscal years. Of this amount, \$50,000 shall be transferred to the department of corrections to supplement funding for the adult drug court program in the fifth judicial district, \$25,000 shall be transferred to the department of corrections to supplement funding for the adult drug court program in the second judicial district, \$150,000 shall be transferred to the department of human rights to supplement funding for the family development and self-sufficiency grant program, and \$300,000 shall be transferred to the department of human rights to be used in addition to any other funding appropriated in this Act for the energy utility assessment and resolution program established pursuant to section 216A.104, as enacted by this Act."

5. Page 8, line 21, by striking the figure "1,500,000" and inserting the following: "500,000".

6. By striking page 9, line 18, through page 10, line 17, and inserting the following:

"Sec.\_\_\_\_. VETERANS TRUST FUND. If the balance in the veterans trust fund for the fiscal year beginning July 1, 2007, exceeds \$5,000,000, exclusive of any amount from interest or earnings on moneys in the trust fund or otherwise received from a source other than the general fund of the state or the rebuild Iowa infrastructure fund, the amount in excess of \$5,000,000 is appropriated to the department of veterans affairs for the fiscal year beginning July 1, 2007, and ending June 30, 2008, for transfer to the Iowa finance authority to be used as funding in addition to the specific appropriations made for that fiscal year for the home ownership assistance program."

7. Page 10, line 26, by striking the word "commission" and inserting the following: "department".

8. Page 10, lines 29 and 30, by striking the words " , which shall be done by" and inserting the following: "no later than".

9. Page 11, by inserting after line 18 the following:

"Notwithstanding section 8.33, not more than 5 percent of the moneys designated in this subsection that are allocated by the department for contracted services other than family self-sufficiency grant services allocated under this subsection, that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year. However, unless such moneys are encumbered or obligated on or before September 30, 2008, the moneys shall revert."

10. Page 14, by inserting after line 22 the following:

"0a. To be retained by the department of human services to be used for coordinating with the department of human rights to more effectively serve participants in the FIP program and other shared clients and to meet federal reporting requirements under the federal temporary assistance for needy family block grant:

..... \$ 20,000"

11. Page 14, line 27, by striking the figure "5,583,042" and inserting the following: "5,563,042".

12. Page 12. Page 14, line 32, by inserting after the word "department" the following: "of human rights".

13. By striking page 14, line 35, through page 15, line 4, and inserting the following:

"(3) The department of human rights is responsible for complying with all federal temporary assistance for needy family block grant requirements with respect to the funds allocated in this lettered paragraph and for any federal penalty that may result from a failure to meet the requirements. These responsibilities include but are not limited to ensuring that all expenditures of federal block grant and state maintenance of effort funds are appropriate and allowable in accordance with federal requirements and meet federal work participation requirements with respect to the population receiving benefits or services under the family development and self-sufficiency grant program that are subject to work requirements.

(4) With the allocation of funding for the family development and self-sufficiency grant program directly to the department of human rights in lieu of allocation through the department of human services, the department of human rights shall assume all responsibility for the grant program. The responsibility includes identifying and addressing implementation of any revisions in state law or administrative rule needed to effect this change, including but not limited to identifying any amendments needed to section 217.12.

(5) The department of human rights, consistent with the Accountable Government Act in chapter 8E, shall adopt appropriate performance measures for the grant program, including but not limited to measures demonstrating how the program helps families achieve self-sufficiency. The department of human rights shall submit to the governor and general assembly on or before October 31, 2008, a report detailing these measures and the outcomes achieved for fiscal year 2007-2008.

(6) The department of human rights shall develop a memorandum of agreement with the department of human services to coordinate referrals and delivery of services to participants in the FIP program and other shared clients and shall provide the department of human services with information necessary for compliance with federal temporary assistance for needy families block grant state plan and reporting requirements, including but not limited to financial and data reports." "funding." the following: "If child support collections assigned under FIP are greater than estimated or are otherwise determined not to be required for maintenance of effort, the state share of either amount may be transferred to or retained in the child support payment account."

14. By striking page 15, line 34, through page 16, line 8.

15. Page 16, line 21, by inserting after the word "funding." The following: "If child support collections assigned under FIP are greater than estimated or are otherwise determined not to be required for maintenance of effort, the state share of either amount may be transferred to or retained in the child support payment account."

16. Page 16, line 35, by inserting after the word "designated" the following: "and for not more than the following full-time equivalent positions".

17. Page 17, by inserting after line 4 the following:  
 "..... FTEs 16.50"

18. Page 17, line 10, by inserting after the word "Act." the following: "The department of human rights shall ensure that the expenditures of moneys allocated from the general fund of the state pursuant to this subsection are eligible to be considered as state maintenance of effort expenditures under federal temporary assistance for needy families block grant requirements."

19. Page 20, line 10, by striking the figure "618,926,820" and inserting the following: "616,771,820".

20. Page 23, line 2, by inserting after the figure "2008." the following: "If a prescriber determines that all smoking cessation aids on the preferred drug list are not effective or medically appropriate for a patient, the prescriber may apply for an exception to policy for another product approved by the United States food and drug administration for smoking cessation pursuant to 441 IAC 1.8(1)."

21. Page 24, line 9, by inserting after the word "purposes" the following: "and for not more than the following full-time equivalent positions".

22. Page 24, by inserting after line 10 the following:  
 "..... FTEs 21.00"

23. Page 24, line 17, by inserting after the word "purposes" the following: "and for not more than the following full-time equivalent positions".

24. Page 24, by inserting after line 18, the following:

"..... FTEs 6.00"

25. Page 25, line 22, by inserting after the word "PROGRAM." the following:  
"1."

26. Page 25, by inserting after line 33 the following:

"2. If sufficient funding is available under this Act, and if federal reauthorization of the state children's health insurance program provides sufficient federal allocations to the state and authorization to cover the following populations as an option under the state children's health insurance program, the department may expand coverage under the state children's health insurance program as follows:

a. By eliminating the categorical exclusion of state employees from receiving state children's health insurance program benefits.

b. By providing coverage for legal immigrant children and pregnant women not eligible under current federal guidelines.

c. By covering children up to age twenty-one, or up to age twenty-three if the child is attending school."

27. Page 25, by inserting after line 33 the following:

"3. If the United States congress does not authorize additional federal funds necessary to address the shortfall for the state children's health insurance program for the federal fiscal year beginning October 1, 2006, and ending September 30, 2007, the department may use 100 percent state funds from the appropriation made in this section for the period beginning July 1, 2007, and ending September 30, 2007, and may, after consultation with the governor and the general assembly, utilize funding from the appropriations made in this Act for medical assistance to maintain the state children's health insurance program. If deemed necessary, the department shall request a supplemental appropriation from the Eighty-second General Assembly, 2008 Session, to address any remaining shortfall for the fiscal year beginning July 1, 2007."

28. Page 26, line 5, by striking the figure "38,225,701" and inserting the following:  
"37,875,701".

29. Page 26, line 23, by striking the figure "1,530,288" and inserting the following:  
"1,180,288".

30. Page 33, line 31, by striking the words "and related".

31. Page 37, line 25, by striking the figure "5,273,361" and inserting the following:  
"5,367,652".

32. Page 37, line 31, by striking the figure "6,409,501" and inserting the following:  
"6,540,101".

33. Page 38, line 2, by striking the figure "9,358,177" and inserting the following: "9,606,542".

34. Page 38, line 8, by striking the figure "1,339,216" and inserting the following: "1,522,598".

35. Page 43, line 10, by striking the figure "63,768,895" and inserting the following: "63,358,895".

36. Page 43, line 29, by striking the figure "15,901,927" and inserting the following: "15,851,927".

37. Page 44, by inserting after line 3 the following:

"3. Of the funds appropriated in this section, \$100,000 is transferred to the department of human rights to be used in addition to any other funding appropriated in this Act for the energy utility assessment and resolution program established pursuant to section 216A.104, as enacted by this Act."

38. Page 47, line 3, by striking the figure "160.71: and inserting the following: "165.53".

39. Page 50, by inserting after line 19 the following:

"Sec.\_\_\_\_. DEPARTMENT OF CORRECTIONS. There is appropriated from the general fund of the state to the department of corrections for the fiscal year beginning July 1, 2007, and ending June 30, 2008, the following amount, or so much thereof as is necessary, for the purposes designated:

For additional funding for the drug court program in the fourth judicial district:  
..... \$ 25,000"

"Sec.\_\_\_\_. Section 217.23, subsection 2, Code 2007, is amended to read as follows:

2. The department is hereby authorized to may expend moneys from the support allocation of the department as reimbursement for replacement or repair of personal items of the department's employees damaged or destroyed by clients of the department during the employee's tour of duty. However, the reimbursement shall not exceed ~~one three~~ three hundred ~~fifty~~ dollars for each item. The department shall establish rules in accordance with chapter 17A to carry out the purpose of this section."

41. Page 51, by inserting after line 32 the following:

"Sec.\_\_\_\_. Section 231.33, Code 2007, is amended by adding the following new subsection:

NEW SUBSECTION. 21. Provide the opportunity for elders residing in the planning and service area to offer substantive suggestions regarding the employment practices of the area agency on aging."

42. Page 57, by inserting after line 31 the following:

"Sec. \_\_\_\_\_. 2006 Iowa Acts, chapter 1184, section 5, subsection 1, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Notwithstanding section 8.33, moneys appropriated in this section for department of veterans affairs administration that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available to be used for the purchase of crypts for the veterans cemetery until the close of the succeeding fiscal year."

43. Page 62, by striking lines 3 through 5 and inserting the following: "fiscal year. In addition, notwithstanding section 8.33, moneys appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year and of this amount, the initial \$250,000 shall be credited to the risk".

44. Page 63, by inserting after line 23 the following:

"Sec. \_\_\_\_\_. 2006 Iowa Acts, chapter 1184, section 5, subsection 4, as enacted by 2007 Iowa Acts, [Senate File 95](#), section 1, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. If during the fiscal year beginning July 1, 2007, the funding available under all contingencies for the home ownership assistance program implemented pursuant to section 35A.15 for persons who are or were eligible members of the armed forces of the United States has been exhausted, and the amount available for the purposes of this subsection is projected to be sufficient to allow for transfer of funds that would otherwise be unused, not more than \$250,000 of the funds appropriated in this subsection may be transferred to the Iowa finance authority to be used for the home ownership assistance program."

45. Page 64, line 6, by striking the word "provision" inserting the following: "provisions".

46. By striking page 72, line 35, through page 73, line 8.

47. Page 74, by inserting before line 14 the following:

"Sec. \_\_\_\_\_. Section 331.439, subsection 5, Code 2007, is amended to read as follows:

5. a. A county shall implement the county's management plan in a manner so as to provide adequate funding for the entire fiscal year by budgeting for ninety-nine percent of the funding anticipated to be available for the plan. A county may expend all of the funding anticipated to be available for the plan.

b. If a county determines that the county cannot provide services in accordance with the county's management plan and remain in compliance with the budgeting

requirement of paragraph "a" for the fiscal year, the county may implement a waiting list for the services. The procedures for establishing and applying a waiting list shall be specified in the county's management plan. If a county implements a waiting list for services, the county shall notify the department of human services. The department shall maintain on the department's internet website an up-to-date listing of the counties that have implemented a waiting list and the services affected by each waiting list.

Sec. \_\_\_\_ Section 331.440, subsection 4, as enacted by 2006 Iowa Acts, chapter 1115, section 17, is amended to read as follows:

4. a. An application for services may be made through the central point of coordination process of an adult person's county of residence. Effective July 1, 2007, if an adult person who is subject to a central point of coordination process has legal settlement in another county, the central point of coordination process functions relating to the application shall be performed by the central point of coordination process of the person's county of residence in accordance with the county of residence's management plan approved under section 331.439 and the person's county of legal settlement is responsible for the cost of the services or other support authorized at the rates reimbursed by the county of residence.

b. The county of residence shall determine whether or not the person's county of legal settlement has implemented a waiting list in accordance with section 331.439, subsection 5. If the person's county of legal settlement has implemented a waiting list, the services or other support for the person shall be authorized by the county of residence in accordance with the county of legal settlement's waiting list provisions.

c. At the time services or other support are authorized, the county of residence shall send the county of legal settlement a copy of the authorization notice."

48. Page 84, line 30, by inserting after the word "pool." the following: "The mental health, mental retardation, developmental disabilities, and brain injury commission shall adopt rules pursuant to chapter 17A providing criteria for the purposes of this lettered paragraph and as necessary to implement the other provisions of this subsection."

49. Page 85, line 19, by striking the word "A".

50. Page 85, by striking lines 20 and 21 and inserting the following: "Any unobligated".

51. Page 85, line 30, by inserting after the word "individual." the following: "A county may submit apreapproval application beginning on July 1 for the fiscal yearof submission and the risk pool board shall notify the countyof the risk pool board's decision concerning the applicationwithin forty-five days of receiving the application."

52. Page 86, line 12, by striking the word "The" and inserting the following: "The Subject to the amount available and obligated from the risk pool for a fiscal year, the".

53. Page 86, line 12, by striking the word "The" and inserting the following:

"l. If the board has made its decisions but has determined that there are otherwise qualifying requests for risk pool assistance that are beyond the amount available in the risk pool fund for a fiscal year, the board shall compile a list of such requests and the supporting information for the requests. The list and information shall be submitted to the mental health, mental retardation, developmental disabilities, and brain injury commission, the department of human services, and the general assembly."

54. Page 94, line 18, by inserting after the figure "331.424A." the following: "A county transferring moneys from other funds of the county to the county's services fund pursuant to this section or utilizing the nonreversion authority provided in the division of this Act relating to decategorization project funding, shall submit a report detailing the transfers made and fund affected and explaining how the moneys made available by the nonreversion authority were expended. The county shall submit the report along with the county expenditure and information report submitted by December 1, 2007, in accordance with section 331.439."

55. Page 94, line 31, by striking the figure "9,332,254" and inserting the following: "6,993,754".

56. Page 95, line 14, by striking the figure "8,200,254" and inserting the following: "5,861,754".

57. Page 95, line 24, by inserting after the word "promotion." the following: "Of the funds allocated in this lettered paragraph, not more than \$500,000 shall be used for cessation media promotion. Of the funds allocated in this lettered paragraph, \$255,000 may be utilized by the department for administrative purposes."

58. Page 95, by striking lines 25 and 26.

59. Page 95, line 30, by striking the figure "439,000" and inserting the following: "687,500".

60. Page 96, line 8, by striking the figure "337" and inserting the following: "910".

61. Page 96, line 12, by striking the figure "517" and inserting the following: "906".

62. Page 96, by inserting after line 12 the following:

"e. Of the funds appropriated in this subsection, \$10,000 shall be used for public health education and awareness of the children's vision initiatives, including the InfantSee program and the student vision program, administered through a statewide association of optometric professionals for infants and preschool children.

f. Of the funds appropriated in this subsection, \$238,500 shall be used to provide audiological services and hearing aids for children. The department may enter into a contract to administer this paragraph."

61. Page 96, line 14, by striking the figure "1,178,981" and inserting the following: "1,188,981".

64. Page 96, by striking lines 20 and 21 and inserting the following: "shall be used for the comprehensive cancer control program to reduce the burden of cancer in Iowa through".

65. Page 96, by inserting after line 31 the following:

"e. Of the funds appropriated in this subsection, \$10,000 shall be allocated to the university of Iowa, Carver college of medicine, department of cardiothoracic surgery, to offer extracorporeal support for donation after cardiac death."

66. Page 96, line 33, by striking the figure "3,025,000" and inserting the following: "2,790,000".

67. Page 98, by striking lines 18 through 20.

68. Page 98, by inserting after line 26 the following:

"ff. Of the funds appropriated in this subsection, \$75,000 shall be used for implementation of the recommendations of the direct care worker task force established pursuant to 2005 Iowa Acts, chapter 88, based upon the report submitted to the governor and the general assembly in December 2006.

fff. Of the funds appropriated in this subsection, \$140,000 shall be used for allocation to an independent statewide direct care worker association for education, outreach, leadership development, mentoring, and other initiatives intended to enhance the recruitment and retention of direct care workers in health and long-term care."

69. Page 99, line 8, by striking the figure "97,103,096" and inserting the following: "99,518,096".

70. Page 99, line 10, by striking the figure "78,065,357" and inserting the following: "80,480,357".

71. Page 100, by striking lines 28 through 32.

72. Page 106, by striking lines 23 through 35 and inserting the following: providers for provision to patients at the point of care, including the development of a centralized intake concept to determine the eligibility of safety net provider patients for the prescription drug donation repository program pursuant to chapter 135M and pharmaceutical manufacturer assistance programs."

73. Page 107, by striking lines 5 through 7 and inserting the following:

"3. Utilization of a fully transparent pharmacy benefits manager to work with local pharmacies to provide low cost patient access to drug therapies."

74. Page 107, by striking lines 8 through 10.

75. Page 107, line 18, by striking the word "three" and inserting the following: "two".

76. Page 117, by striking lines 24 through 29 and inserting the following:

"Sec.\_\_\_\_. FUNDING – CONTINGENCY.

1. The provision in this division of this Act relating to eligibility for certain persons with disabilities under the medical assistance program shall only be implemented if the department of human services determines that funding is available in appropriations made in this Act, in combination with federal allocations to the state, for the state children's health insurance program, in excess of the amount needed to cover the current and projected enrollment under the state children's health insurance program. If such a determination is made, the department of human services shall transfer funding from the appropriations made in this Act for the state children's health insurance program, not otherwise required for that program, to the appropriations made in this Act for medical assistance, as necessary, to implement such provision of this division of this Act.

2. The provision in this division of this Act relating to the development and support of a family-to-family health information center shall be implemented only if discretionary funding is received from the health resources and services administration of the United States department of health and human services for this purpose."

76. Page 124, by inserting after line 21 the following:

"DIVISION\_\_\_\_  
ENERGY UTILITY ASSESSMENT AND  
RESOLUTION PROGRAM

Sec.\_\_\_\_. NEW SECTION. 216A.104 ENERGY UTILITY ASSESSMENT AND RESOLUTION PROGRAM.

1. The general assembly finds that provision of assistance to prevent utility disconnections will also prevent the development of public health risks due to such disconnections. The division shall establish an energy utility assessment and resolution program administered by each community action agency for persons with low incomes who have or need a deferred payment agreement or are in need of an emergency fuel delivery to address home energy utility costs.

2. A person must meet all of the following requirements to be eligible for the program:

a. The person is eligible for the federal low-income home energy assistance program.

b. The person is a residential customer of an energy utility approved for the program by the division.

c. The person has or is in need of a deferred payment agreement to address the person's home energy utility costs.

d. The person is able to maintain or regain residential energy utility service in the person's own name.

e. The person provides the information necessary to determine the person's eligibility for the program.

f. The person complies with other eligibility requirements adopted in rules by the division.

3. The program components shall include but are not limited to all of the following:

a. Analysis of a program participant's current financial situation.

b. Review of a program participant's resource and money management options.

c. Skills development and assistance for a program participant in negotiating a deferred payment agreement with the participant's energy utility.

d. Development of a written household energy affordability plan.

e. Provision of energy conservation training and assistance.

f. A requirement that a program participant must make uninterrupted, regular utility payments while participating in the program.

4. The division shall implement accountability measures for the program and require regular reporting on the measures by the community action agencies.

5. The division shall implement the program statewide, subject to the funding made available for the program.

DIVISION \_\_\_\_\_  
PASSPORT SANCTIONS

Sec. \_\_\_\_\_. Section 252B.5, subsection 11, paragraph a, Code 2007, is amended to read as follows:

a. Comply with federal procedures to periodically certify to the secretary of the United States department of health and human services, a list of the names of obligors determined by the unit to owe delinquent support, under a support order as defined in section 252J.1, in excess of ~~five two~~ thousand ~~five hundred~~ dollars. The certification of the delinquent amount owed may be based upon one or more support orders being enforced by the unit if the delinquent support owed exceeds ~~five two~~ thousand ~~five hundred~~ dollars. The certification shall include any amounts which are delinquent pursuant to the periodic payment plan when a modified order has been retroactively

applied. The certification shall be in a format and shall include any supporting documentation required by the secretary.

Sec. \_\_\_\_\_. Section 252B.5, subsection 11, paragraph b, subparagraph (1), subparagraph subdivision (b), Code 2007, is amended to read as follows:

(b) A statement providing information that if the delinquency is in excess of ~~five~~ two thousand five hundred dollars, the United States secretary of state may apply a passport sanction by revoking, restricting, limiting, or refusing to issue a passport as provided in 42 U.S.C. § 652(k).

Sec. \_\_\_\_\_. Section 252B.5, subsection 11, paragraph b, subparagraph (2), subparagraph subdivision (a), unnumbered paragraph 1, Code 2007, is amended to read as follows:

A challenge shall be based upon mistake of fact. For the purposes of this subsection, "mistake of fact" means a mistake in the identity of the obligor or a mistake in the amount of the delinquent child support owed if the amount did not exceed ~~five~~ two thousand five hundred dollars on the date of the unit's decision on the challenge.

Sec. \_\_\_\_\_. Section 252B.5, subsection 11, paragraph c, Code 2007, is amended to read as follows:

c. Following certification to the secretary, if the unit determines that an obligor no longer owes delinquent support in excess of ~~five two~~ thousand five hundred dollars, the unit shall provide information and notice as the secretary requires to withdraw the certification for passport sanction.

Sec. \_\_\_\_\_. EFFECTIVE DATE. This division of this Act takes effect October 1, 2007.

DIVISION \_\_\_\_  
MANDATORY REVIEW AND ADJUSTMENT  
OF CHILD SUPPORT ORDERS

Sec. \_\_\_\_\_. Section 252B.26, Code 2007, is amended to read as follows:

252B.26 SERVICE OF PROCESS.

Notwithstanding any provision of law to the contrary, the unit may serve a petition, notice, or rule to show cause under chapter 252A, 252C, 252F, 252H, 252K, 598, or 665 as specified in each chapter, or as follows:

1. The unit may serve a petition, notice, or rule to show cause by certified mail. Return acknowledgment is required to prove service by certified mail, rules of civil procedure 1.303(5) and 1.308(5) shall not apply, and the return acknowledgment shall be filed with the clerk of court.

2. The unit may serve a notice of intent under chapter 252H, or a notice of decision under section 252H.14A, upon any party or parent who is receiving family investment program assistance for the parent or child by sending the notice by regular mail to the

address maintained by the department. Rules of civil procedure 1.303(5) and 1.308(5) shall not apply and the unit shall file proof of service as provided in chapter 252H. If the notice is determined to be undeliverable, the unit shall serve the notice as otherwise provided in this section or by personal service.

Sec.\_\_\_\_. Section 252H.7, subsection 2, unnumbered paragraph 1, Code 2007, is amended to read as follows:

A parent may waive the postreview waiting period provided for in section 252H.8, subsection 1A or 6, for a court hearing or in section 252H.17 for requesting of a second review.

Sec.\_\_\_\_. Section 252H.8, subsection 1, Code 2007, is amended to read as follows:

1. For actions initiated under ~~subchapter II~~ section 252H.15, either parent or the unit may request a court hearing within thirty days from the date of issuance of the notice of decision under section 252H.16, or within ten days of the date of issuance of the second notice of decision under section 252H.17, whichever is later.

Sec.\_\_\_\_. Section 252H.8, Code 2007, is amended by adding the following new subsection:

NEW SUBSECTION. 1A. For actions initiated under section 252H.14A, either parent or the unit may request a court hearing within ten days of the issuance of the second notice of decision under section 252H.17.

Sec.\_\_\_\_. Section 252H.8, subsection 4, paragraph b, Code 2007, is amended to read as follows:

b. The return of service, proof of service, acceptance of service, or signed statement by the parent requesting review and adjustment or requesting modification, waiving service of the notice.

Sec.\_\_\_\_. Section 252H.8, subsection 6, Code 2007, is amended to read as follows:

6. For actions initiated under ~~subchapter II~~ section 252H.15, a hearing shall not be held for at least thirty-one days following the date of issuance of the notice of decision unless the parents have jointly waived, in writing, the thirty-day postreview period.

Sec.\_\_\_\_. Section 252H.9, subsection 1, Code 2007, is amended to read as follows:

1. If timely request for a court hearing is not made pursuant to section 252H.8, the unit shall prepare and present an administrative order for adjustment or modification, as applicable, for review and approval, ex parte, to the district court where the order to be adjusted or modified is filed. Notwithstanding any other law to the contrary, if more than one support order exists involving children with the same legally established parents, for the purposes of this subsection, the district court reviewing and approving the matter shall have jurisdiction over all other support orders entered by a court of this state and affected under this subsection.

Sec.\_\_\_\_. Section 252H.10, unnumbered paragraph 1, Code 2007, is amended to read as follows:

Pursuant to section 598.21C, any administrative or court order resulting from an action initiated under this chapter may be made retroactive only ~~to~~ from three months after the date that all parties were successfully served the notice required under section 252H.14A, 252H.15, or section 252H.19, as applicable.

Sec. \_\_\_\_ Section 252H.11, subsection 2, Code 2007, is amended to read as follows:

2. If the modification action filed by the parent is subsequently dismissed before being heard by the court, the unit shall continue the action previously initiated under subchapter II or III, or initiate a new action as follows:

a. If the unit previously initiated an action under subchapter II, and had not issued a notice of decision as required under section 252H.14A or 252H.16, the unit shall proceed as follows:

(1) If notice of intent to review was served ninety days or less prior to the date the modification action filed by the parent is dismissed, the unit shall complete the review and issue the notice of decision.

(2) If the modification action filed by the parent is dismissed more than ninety days after the original notice of intent to review was served, the unit shall serve or issue a new notice of intent to review and conduct the review.

(3) If the unit initiated a review under section 252H.14A, the unit may issue the notice of decision.

b. If the unit previously initiated an action under subchapter II and had issued the notice of decision as required under section 252H.14A or 252H.16, the unit shall proceed as follows:

(1) If the notice of decision was issued ninety days or less prior to the date the modification action filed by the parent is dismissed, the unit shall request, obtain, and verify any new or different information concerning the financial circumstances of the parents and issue a revised notice of decision to each parent, or if applicable, to the parent's attorney.

(2) If the modification action filed by the parent is dismissed more than ninety days after the date of issuance of the notice of decision, the unit shall serve or issue a new notice of intent to review pursuant to section 252H.15 and conduct a review pursuant to section 252H.16, or conduct a review and serve a new notice of decision under section 252H.14A.

c. If the unit previously initiated an action under subchapter III, the unit shall proceed as follows:

(1) If the modification action filed by the parent is dismissed more than ninety days after the original notice of intent to modify was served, the unit shall serve a new notice of intent to modify pursuant to section 252H.19.

(2) If the modification action filed by the parent is dismissed ninety days or less after the original notice of intent to modify was served, the unit shall complete the original modification action initiated by the unit under this subchapter.

(3) Each parent shall be allowed at least twenty days from the date the administrative modification action is reinstated to request a court hearing as provided for in section 252H.8.

Sec. \_\_\_\_ **NEW SECTION.** 252H.14A REVIEWS INITIATED BY THE CHILD SUPPORT RECOVERY UNIT – ABBREVIATED METHOD.

1. Notwithstanding section 252H.15, to assist the unit in meeting the requirement for reviews and adjustments under the federal Deficit Reduction Act of 2005, Pub. L. No. 109-171, the unit may use procedures under this section to review a support order if all the following apply:

a. The right to ongoing child support is assigned to the state of Iowa due to the receipt of family investment program assistance, and a review of the support order is required under section 7302 of the federal Deficit Reduction Act of 2005, Pub. L. No. 109-171.

b. The unit has access to information concerning the financial circumstances of each parent and one of the following applies:

(1) The parent is a recipient of family investment program assistance, medical assistance, or food assistance from the department.

(2) The parent's income is from supplemental security income paid pursuant to 42 U.S.C. § 1381a.

(3) The parent is a recipient of disability benefits under the Act because of the parent's disability.

(4) The parent is an inmate of an institution under the control of the department of corrections.

2. If the conditions of subsection 1 are met, the unit may conduct a review and determine whether an adjustment is appropriate using information accessible by the unit without issuing a notice under section 252H.15 or requesting additional information from the parent.

3. Upon completion of the review, the unit shall issue a notice of decision to each parent, or if applicable, to each parent's attorney. The notice shall be served in accordance with the rules of civil procedure or as provided in section 252B.26.

4. All of the following shall be included in the notice of decision:

a. The legal basis and purpose of the action, including an explanation of the procedures for determining child support, the criteria for determining the appropriateness of an adjustment, and a statement that the unit used the child support guidelines established pursuant to section 598.21B and the provisions for medical support pursuant to chapter 252E.

b. Information sufficient to identify the affected parties and the support order or orders affected.

c. An explanation of the legal rights and responsibilities of the affected parties, including time frames in which the parties must act.

d. A statement indicating whether the unit finds that an adjustment is appropriate and the basis for the determination.

e. Procedures for contesting the action, including that if a parent requests a second review both parents will be requested to submit financial or income information as necessary for application of the child support guidelines established pursuant to section 598.21B.

f. Other information as appropriate.

5. Section 252H.16, subsection 5, regarding a revised notice of decision shall apply to a notice of decision issued under this section.

6. Each parent shall have the right to challenge the notice of decision issued under this section by requesting a second review by the unit as provided in section 252H.17. If there is no new or different information to consider for the second review, the unit shall issue a second notice of decision based on prior information. Each parent shall have the right to challenge the second notice of decision by requesting a court hearing as provided in section 252H.8.

Sec. \_\_\_\_ Section 252H.15, subsection 1, Code 2007, is amended to read as follows:

1. ~~Prior~~ Unless an action is initiated under section 252H.14A, prior to conducting a review of a support order, the unit shall issue a notice of intent to review and adjust to each parent, or if applicable, to each parent's attorney. However, notice to a child support agency or an agency entitled to receive child or medical support payments as the result of an assignment of support rights is not required.

Sec. \_\_\_\_ Section 252H.16, subsection 1, Code 2007, is amended to read as follows:

1. ~~The~~ For actions initiated under section 252H.15, the unit shall conduct the review and determine whether an adjustment is appropriate. As necessary, the unit shall make a determination of the controlling order or the amount of delinquent support due based upon the receipt of social security disability payments as provided in sections 598.22 and 598.22C.

Sec. \_\_\_\_ Section 252H.17, subsections 1, 2, and 6, Code 2007, are amended to read as follows:

1. Each parent shall have the right to challenge the notice of decision issued under section 252H.14A or 252H.16, by requesting a second review by the unit.

2. A challenge shall be submitted, in writing, to the local child support office that issued the notice of decision, within thirty days of service of the notice of decision under section 252H.14A or within ten days of the issuance of the notice of decision under section 252H.16.

6. The unit shall conduct a second review, utilizing any new or additional information provided or available since issuance of the notice of decision under section

252H.14A or under section 252H.16, to determine whether an adjustment is appropriate.

Sec.\_\_\_\_. RULES. Until the department of human services amends rules pursuant to chapter 17A necessary to conform with this Act, any existing rule relating to review and adjustment of support orders shall also apply to reviews initiated under section 252H.14A, as created in this Act, except that a provision for a time limit, notice, or other procedure which conflicts with a provision of this Act shall not apply.

Sec.\_\_\_\_. EFFECTIVE DATE. This division of this Act takes effect October 1, 2007.

DIVISION \_\_\_\_\_  
MEDICAL SUPPORT

Sec.\_\_\_\_. Section 252B.5, subsection 2, Code 2007, is amended to read as follows:

2. Aid in establishing paternity and securing a court or administrative order for support pursuant to chapter 252A, 252C, 252F, or 600B, or any other chapter providing for the establishment of paternity or support. In an action to establish support, the resident parent may be a proper party defendant for purposes of determining medical support as provided in section 252E.1A. The unit's independent cause of action shall not bar a party from seeking support in a subsequent proceeding.

Sec.\_\_\_\_. Section 252C.1, subsection 6, Code 2007, is amended to read as follows:

6. "Medical support" means either the provision of coverage under a health benefit plan, including a group or employment-related or an individual health benefit plan, or a health benefit plan provided pursuant to chapter 514E, to meet the medical needs of a dependent and the cost of any premium required by a health benefit plan, or the payment to the obligee of a monetary amount in lieu of providing coverage under a health benefit plan, either of which is an obligation separate from any monetary amount of child support ordered to be paid. "Medical support" which consists of payment of a monetary amount in lieu of a health benefit plan is also an obligation separate from any monetary amount a parent is ordered to pay for uncovered medical expenses pursuant to the guidelines established pursuant to section 598.21B.

Sec.\_\_\_\_. Section 252C.3, subsection 1, unnumbered paragraph 1, Code 2007, is amended to read as follows:

The administrator may issue a notice stating the intent to secure an order for either ~~payment of~~ medical support established as defined provided in chapter 252E or payment of an accrued or accruing support debt due and owed to the department or an individual under section 252C.2, or both. The notice shall be served upon the responsible person in accordance with the rules of civil procedure. The notice shall include all of the following:

Sec.\_\_\_\_. Section 252C.3, subsection 1, paragraph c, subparagraph (1), Code 2007, is amended to read as follows:

(1) A statement that if the responsible person desires to discuss the amount of support that ~~the a~~ responsible person should be required to pay, the responsible person

may, within ten days after being served, contact the office of the child support recovery unit which sent the notice and request a negotiation conference.

Sec \_\_\_\_\_. Section 252C.12, subsection 2, Code 2007, is amended to read as follows:

2. Upon receipt of a signed statement from ~~the each~~ responsible person waiving the time limitations established in section 252C.3, the administrator may proceed to enter an order for support and the court may approve the order, whether or not the time limitations have expired.

Sec. \_\_\_\_\_. Section 252D.18A, Code 2007, is amended to read as follows:

252D.18A MULTIPLE INCOME WITHHOLDING ORDERS – ORDERS FOR HEALTH BENEFIT PLANS – AMOUNTS WITHHELD BY PAYOR.

When the obligor ~~is responsible for paying~~ has more than one support obligation ~~and or~~ the payor of income has received more than one ~~income withholding~~ order or notice ~~of an order~~ for the obligor for income withholding or for coverage under a health benefit plan pursuant to chapter 252E, the payor shall withhold amounts in accordance with all of the following:

1 The total of all amounts withheld shall not exceed the amounts specified in 15 U.S.C. §1673(b). For orders or notices issued by the child support recovery unit, the limit for the amount to be withheld shall be specified in the order or notice.

2. As reimbursement for the payor's processing costs, the payor may deduct a fee of no more than two dollars for each payment withheld in addition to the amount withheld for support.

3. Priority shall be given to the withholding of current support ~~rather than delinquent support~~. The payor shall not allocate amounts withheld in a manner which results in the failure to withhold an amount for one or more of the current child or spousal support obligations. If the limits specified in subsection 1 prevent withholding the full amount specified in the order or notice, the payor shall withhold amounts in the following priority:

a. Withhold the amount specified for current child and spousal support. To arrive at the amount to be withheld for each obligee, the payor shall total the amounts due for current child and spousal support under the income withholding orders and the notices of orders and determine the proportionate share for each obligee. The proportionate share shall be determined by dividing the amount due for current child and spousal support for each order or notice of order by the total due for current child and spousal support for all orders and notices of orders. The results are the percentages of the obligor's net income which shall be withheld for each obligee.

b. If, after completing the calculation in paragraph "a", the withholding limit specified under subsection 1 has not been attained, the payor shall withhold the amount necessary to comply with an order or notice of order for a current premium for coverage of a child under a health benefit plan as provided in section 252D.30 or section 252E.1A, subsection 2, or for a current monetary amount for the child for medical support. If there is more than one medical support order or notice of order for

a current monetary amount for a child, the payor shall total the amounts due for current monetary amounts for all children for medical support and determine the proportionate share for each obligee. The proportionate amounts shall be established utilizing the procedures established in paragraph "a" for current child and spousal support obligations.

~~b. c.~~ If, after completing the ~~calculation~~ calculations in ~~paragraph~~ paragraphs "a" and "b", the withholding limit specified under subsection 1 has not been attained, the payor shall total the amounts due for arrearages and determine the proportionate share for each obligee. The proportionate share amounts shall be established utilizing the procedures established in paragraph "a" for current child and spousal support obligations.

d. If after completing the calculations in paragraphs "a", "b", and "c", the withholding limit specified in subsection 1 has not been attained, the payor shall withhold the amount necessary for other child support obligations, unless the order or notice directs otherwise as provided by Title IV, part D, of the federal Social Security Act.

4. The payor shall identify and report payments by the obligor's name, account number, amount, and date withheld pursuant to section 252D.17. ~~Until October 1, 1999, if payments for multiple obligees are combined, the portion of the payment attributable to each obligee shall be specifically identified. Beginning October 1, 1999,~~ if ~~if~~ payments for multiple obligees are combined, the portion of the payment attributable to each obligee shall be specifically identified only if the payor is directed to do so by the child support recovery unit.

Sec.\_\_\_\_. Section 252E.1, subsection 9, Code 2007, is amended to read as follows:

9. "Medical support" means either the provision of a health benefit plan, including a group or employment-related or an individual health benefit plan, or a health benefit plan provided pursuant to chapter 514E, to meet the medical needs of a dependent and the cost of any premium required by a health benefit plan, or the payment to the obligee of a monetary amount in lieu of a health benefit plan, either of which is an obligation separate from any monetary amount of child support ordered to be paid. Medical support is not alimony. "Medical support" which consists of payment of a monetary amount in lieu of a health benefit plan is also an obligation separate from any monetary amount a parent is ordered to pay for uncovered medical expenses pursuant to the guidelines established pursuant to section 598.21B.

Sec.\_\_\_\_. NEW SECTION. 252E.1A ESTABLISHING AND MODIFYING ORDERS FOR MEDICAL SUPPORT.

This section shall apply to all initial or modified orders for support entered under chapter 234, 252A, 252C, 252F, 252H, 598, 600B, or any other applicable chapter.

1. An order or judgment that provides for temporary or permanent support for a child shall include a provision for medical support for the child as provided in this section.

2. The court shall order as medical support for the child a health benefit plan if available to either parent at the time the order is entered or modified. A plan is available if the plan is accessible and the cost of the plan is reasonable.

a. The cost of a health benefit plan is considered reasonable, and such amount shall be stated in the order, if one of the following applies:

(1) The premium cost for a child to the parent ordered to provide the plan does not exceed five percent of that parent's gross income.

(2) The premium cost for a child exceeds five percent of the gross income of the parent ordered to provide the plan and that parent consents or does not object to entry of that order.

b. For purposes of this section, "gross income" has the same meaning as gross income for calculation of support under the guidelines established under section 598.21B.

c. For purposes of this section, the premium cost for a child to the parent ordered to provide the plan means the amount of the premium cost for family coverage to the parent which is in excess of the premium cost for single coverage, regardless of the number of individuals covered under the plan. However, this paragraph shall not be interpreted to reduce the amount of the health insurance premium deduction a parent may be entitled to when calculating the amount of a child support obligation under Iowa court rule 9.5 of the child support guidelines.

3. If a health benefit plan is not available at the time of the entry of the order, the court shall order a reasonable monetary amount in lieu of a health benefit plan, which amount shall be stated in the order. For purposes of this subsection, a reasonable amount means five percent of the gross income of the parent ordered to provide the monetary amount for medical support. This subsection shall not apply in any of the following circumstances:

a. If the parent's monthly support obligation established pursuant to the child support guidelines prescribed by the supreme court pursuant to section 598.21B is the minimum obligation amount.

b. If subsection 7, paragraph "e" applies.

4. If the court orders the custodial parent to provide a health benefit plan under subsection 2, the court may also order the noncustodial parent to provide a reasonable monetary amount in lieu of a health benefit plan. For purposes of this subsection, a reasonable monetary amount means an amount not to exceed the lesser of a reasonable amount as described in subsection 3, or the premium cost of coverage for the child to the custodial parent as described in subsection 2, paragraph "c".

5. Notwithstanding the requirements of this section, the court may order provisions in the alternative to those provided in this section to address the health care needs of the child if the court determines that extreme circumstances so require and documents the court's written findings in the order.

6. An order, decree, or judgment entered before March 1, 2008, that provides for the support of a child may be modified in accordance with this section.

7. If the child support recovery unit is providing services under chapter 252B and initiating an action to establish or modify support, all the following shall also apply:

a. If a health benefit plan is available as described in subsection 2 to the noncustodial parent, the unit shall seek an order for the noncustodial parent to provide the plan.

b. If a health benefit plan is available as described in subsection 2 to the custodial parent and not to the noncustodial parent, the unit shall seek an order for the custodial parent to provide the plan.

c. If a health benefit plan is available as described in subsection 2 to each parent, and if there is an order for joint physical care, the unit shall seek an order for the parent currently ordered to provide a health benefit plan to provide the plan. If there is no current order for a health benefit plan for the child, the unit shall seek an order for the parent who is currently providing a health benefit plan to provide the plan.

d. If a health benefit plan is not available, and the noncustodial parent does not have income which may be subject to income withholding for collection of a reasonable monetary amount in lieu of a health benefit plan at the time of the entry of the order, the unit shall seek an order that the noncustodial parent provide a health benefit plan when a plan becomes available at reasonable cost, and the order shall specify the amount of reasonable cost as defined in subsection 2.

e. This section shall not apply to chapter 252H, subchapter IV.

Sec. \_\_\_\_\_. NEW SECTION. 252E.2A SATISFACTION OF MEDICAL SUPPORT ORDER.

This section shall apply if the child support recovery unit is providing services under chapter 252B.

1. Notwithstanding any law to the contrary and without a court order, a medical support order for a child shall be deemed satisfied with regard to the department, the child, the obligor, and the obligee for the period during which all the following conditions are met:

a. The order is issued under any applicable chapter of the Code.

b. The unit is notified that the conditions of paragraph "c" are met and there is a pending action to establish or modify support initiated by the unit, or the parent ordered to provide medical support submits a written statement to the unit that the requirements of paragraph "c" are met.

c. The parent ordered to provide medical support or the parent from whom the unit is seeking to establish or modify medical support meets at least one of the following conditions:

(1) The parent is an inmate of an institution under the control of the department of corrections or a comparable institution in another state.

(2) The parent's monthly child support obligation under the guidelines established pursuant to section 598.21B is the minimum obligation amount.

(3) The parent is a recipient of assistance under chapter 239B or 249A, or under comparable laws of another state.

(4) The parent is residing with any child for whom the parent is legally responsible and that child is a recipient of assistance under chapter 239B, 249A, or 514I, or under comparable laws of another state. For purposes of this subparagraph, "legally responsible" means the parent has a legal obligation to the child as specified in Iowa court rule 9.7 of the child support guidelines.

d. The unit files a notice of satisfaction with the clerk of the district court. The effective date of the satisfaction shall be stated in the notice and the effective date shall be no later than forty-five days after the unit issues the notice of satisfaction.

2. If a medical support order is satisfied under subsection 1, the satisfaction shall continue until all of the following apply:

a. The unit is notified that none of the conditions specified in subsection 1, paragraph "c", still applies.

b. The unit files a satisfaction termination notice that the requirements for a satisfaction under this section no longer apply. The effective date shall be stated in the satisfaction termination notice and the effective date shall be no later than forty-five days after the unit issues the satisfaction termination notice.

3. The unit shall mail a copy of the notice of satisfaction and the satisfaction termination notice to the last known address of the obligor and obligee.

4. The department of human services may match data for enrollees of the hawk-i program created pursuant to chapter 514I with data of the unit to assist the unit in implementing this section.

5. An order, decree, or judgment entered or pending on or before March 1, 2008, that provides for the support of a child may be satisfied as provided in this section.

Sec. \_\_\_\_\_. Section 252E.4, subsection 1, Code 2007, is amended to read as follows:

1. When a support order requires an obligor to provide coverage under a health benefit plan, the district court or the department may enter an ex parte order directing an employer to take all actions necessary to enroll an obligor's dependent for coverage under a health benefit plan or may include the provisions in an ex parte income withholding order or notice of income withholding pursuant to chapter 252D. The child support recovery unit, where appropriate, shall issue a national medical support notice to an employer within two business days after the date information regarding a newly hired employee is entered into the centralized employee registry and matched with a noncustodial parent in the case being enforced by the unit, or upon receipt of other employment information for such parent. The department may amend the information in the ex parte order or may amend or terminate the national medical support notice

regarding health insurance provisions if necessary to comply with health insurance requirements including but not limited to the provisions of section 252E.2, subsection 2, or to correct a mistake of fact.

Sec.\_\_\_\_. Section 252E.5, subsection 3, Code 2007, is amended to read as follows:

3. The employer shall withhold from the employee's compensation, the employee's share, if any, of premiums for the health benefit plan in an amount that does not exceed the amount specified in the national medical support notice or order or the amount specified in 15 U.S.C. § 1673(b) and which is consistent with federal law. The employer shall forward the amount withheld to the insurer. If the employee has more than one obligation and if there is insufficient compensation available to meet the employee's share necessary for coverage of the child under a health benefit plan as required under this section or section 252D.30, and to comply with an order to withhold or notice under section 252D.17, the employer shall allocate the funds available in accordance with section 252D.18A.

Sec.\_\_\_\_. Section 252F.1, Code 2007, is amended by adding the following new subsection:

NEW SUBSECTION. 3A. "Party" means a putative father or a mother.

Sec.\_\_\_\_. Section 252F.3, subsection 1, unnumbered paragraph 1, Code 2007, is amended to read as follows: The unit may prepare a notice of alleged paternity and support debt to be served on ~~the putative father~~ a party if the mother of the child provides a written statement to the unit certifying in accordance with section 622.1 that the putative father is or may be the biological father of the child or children involved. The notice shall be accompanied by a copy of the statement and served on the putative father in accordance with rule of civil procedure 1.305. Service upon the mother shall not constitute valid service upon the putative father. The notice shall include or be accompanied by all of the following:

Sec.\_\_\_\_. Section 252F.3, subsection 1, paragraphs d, f, g, h, j, k, and m, Code 2007, are amended to read as follows:

d. A statement that if paternity is established, ~~the putative father~~ a party has a duty to provide accrued and accruing medical support to the child or children in accordance with chapter 252E.

f. (1) The right of ~~the putative father~~ a party to request a conference with the unit to discuss paternity establishment and the amount of support that ~~the putative father~~ a party may be required to ~~pay~~ provide, within ten days of the date of service of the original notice or, if paternity is contested and paternity testing is conducted, within ten days of the date the paternity test results are issued or mailed to ~~the putative father~~ a party by the unit.

(2) A statement that if a conference is requested, ~~the putative father~~ a party shall have one of the following time frames, whichever is the latest, to send a written request for a court hearing on the issue of support to the unit:

(a) Ten days from the date set for the conference.

(b) Twenty days from the date of service of the original notice.

(c) If paternity was contested and paternity testing was conducted, and ~~the putative father~~ a party does not deny paternity after the testing or challenge the paternity test results, twenty days from the date paternity test results are issued or mailed by the unit to the ~~putative father~~ party.

(3) A statement that after the holding of the conference, the unit shall issue a new notice of alleged paternity and finding of financial responsibility for child support or medical support, or both, to be provided in person to ~~the putative father~~ each party or sent to ~~the putative father~~ each party by regular mail addressed to the ~~putative father's party's~~ last known address or, if applicable, to the last known address of the ~~putative father's party's~~ party's attorney.

(4) A statement that if the unit issues a new notice of alleged paternity and finding of financial responsibility for child support or medical support, or both, ~~the putative father~~ a party shall have one of the following time frames, whichever is the latest, to send a written request for a court hearing on the issue of support to the unit:

(a) Ten days from the date of issuance of the new notice.

(b) Twenty days from the date of service of the original notice.

(c) If paternity was contested and paternity testing conducted, and ~~the putative father~~ a party does not deny paternity after the testing or challenge the paternity test results, twenty days from the date the paternity test results are issued or mailed to the ~~putative father~~ party by the unit.

g. A statement that if a conference is not requested, and ~~the putative father~~ a party does not deny paternity or challenge the results of any paternity testing conducted but objects to the finding of financial responsibility or the amount of child support or medical support, or both, the ~~putative father~~ party shall send a written request for a court hearing on the issue of support to the unit within twenty days of the date of service of the original notice, or, if paternity was contested and paternity testing conducted, and ~~the putative father~~ a party does not deny paternity after the testing or challenge the paternity test results, within twenty days from the date the paternity test results are issued or mailed to the ~~putative father~~ party by the unit, whichever is later.

h. A statement that if a timely written request for a hearing on the issue of support is received by the unit, the ~~putative father~~ party shall have the right to a hearing to be held in district court and that if no timely written request is received and paternity is not contested, the administrator shall enter an order establishing the putative father as the father of the child or children and establishing child support or medical support, or both, in accordance with the notice of alleged paternity and support debt.

j. A written explanation of ~~the putative father's~~ a party's right to deny paternity, the procedures for denying paternity, and the consequences of the denial.

k. A statement that if ~~the putative father~~ a party contests paternity, the ~~putative father~~ party shall have twenty days from the date of service of the original notice to submit a written denial of paternity to the unit.

m. A statement that if paternity tests are conducted, the unit shall provide a copy of the test results to ~~the putative father~~ each party in person or send a copy to ~~the putative father~~ each party by regular mail, addressed to the ~~putative father's~~ party's last known address, or, if applicable, to the last known address of the ~~putative father's~~ party's attorney.

Sec. \_\_\_\_\_. Section 252F.3, subsection 3, unnumbered paragraph 1, Code 2007, is amended to read as follows:

If notice is served on ~~the putative father~~ a party, the unit shall file a true copy of the notice and the original return of service with the appropriate clerk of the district court as follows:

Sec. \_\_\_\_\_. Section 252F.3, subsection 4, unnumbered paragraph 1, Code 2007, is amended to read as follows:

A ~~putative father~~ party or the child support recovery unit may request a court hearing regarding establishment of paternity or a determination of support, or both.

Sec. \_\_\_\_\_. Section 252F.3, subsection 4, paragraph c, Code 2007, is amended to read as follows:

c. Any objection to the results of paternity tests shall be filed no later than twenty days after the date paternity test results are issued or mailed to ~~the putative father~~ each party by the unit. Any objection to paternity test results filed by a party more than twenty days after the date paternity tests are issued or mailed to the ~~putative father~~ party by the unit shall not be accepted or considered by the court.

Sec. \_\_\_\_\_. Section 252F.3, subsection 5, Code 2007, is amended to read as follows:

5. If a timely written response and request for a court hearing is not received by the unit and ~~the putative father~~ a party does not deny paternity, the administrator shall enter an order in accordance with section 252F.4.

Sec. \_\_\_\_\_. Section 252F.3, subsection 6, paragraphs a, f, and m, Code 2007, are amended to read as follows:

a. If a party contests the establishment of paternity, the party shall submit, within twenty days of service of the notice on the ~~putative father~~ party under subsection 1, a written statement contesting paternity establishment to the unit. Upon receipt of a written challenge of paternity establishment, or upon initiation by the unit, the administrator shall enter ex parte administrative orders requiring the mother, child or children involved, and the putative father to submit to paternity testing. Either the mother or putative father may contest paternity under this chapter.

f. An original copy of the test results shall be filed with the clerk of the district court in the county where the notice was filed. The child support recovery unit shall issue a copy of the filed test results to ~~the putative father and mother of the child or children~~ each party in person, or by regular mail to the last known address of each, or if applicable, to the last known address of the attorney for each. However, if the action is the result of a request from a foreign jurisdiction, the unit shall issue a copy of the results to the initiating agency in that foreign jurisdiction.

m. If the paternity test results exclude the putative father as a potential biological father of the child or children, and additional tests are not requested by either party or conducted on the unit's initiative, or if additional tests exclude the putative father as a potential biological father, the unit shall withdraw its action against the putative father and shall file a notice of the withdrawal with the clerk of the district court, and shall provide a copy of the notice to ~~the putative father~~ each party in person, or by regular mail sent to ~~the putative father's~~ each party's last known address, or if applicable, the last known address of the ~~putative father's~~ party's attorney.

Sec. \_\_\_\_\_. Section 252F.4, Code 2007, is amended to read as follows:  
252F.4 ENTRY OF ORDER.

1. If ~~the putative father fails~~ both parties fail to respond to the initial notice within twenty days after the date of service of the notice or ~~fails~~ fail to appear at a conference pursuant to section 252F.3 on the scheduled date of the conference, and paternity has not been contested and ~~the putative father fails~~ both parties fail to timely request a court hearing on the issue of support, the administrator shall enter an order against the ~~putative father~~ parties, declaring the putative father to be the legal father of the child or children involved and assessing any accrued and accruing child support obligation pursuant to the guidelines established under section 598.21B, and medical support pursuant to chapter 252E, ~~against the father~~.

2. If paternity is contested pursuant to section 252F.3, subsection 6, and the party contesting paternity fails to appear for a paternity test and fails to request a rescheduling pursuant to section 252F.3, or fails to appear for both the initial and the rescheduled paternity tests and ~~the putative father fails~~ both parties fail to timely request a court hearing on the issue of support, the administrator shall enter an order against the ~~putative father~~ parties declaring the putative father to be the legal father of the child or children involved and assessing any accrued and accruing child support obligation pursuant to the guidelines established under section 598.21B, and medical support pursuant to chapter 252E, ~~against the father~~.

3. If ~~the putative father appears at~~ a conference pursuant to section 252F.3 is held, and paternity is not contested, and ~~the putative father fails~~ both parties fail to timely request a court hearing on the issue of support, the administrator shall enter an order against the ~~putative father~~ parties after the second notice has been sent declaring the putative father to be the legal father of the child or children involved and assessing any accrued and accruing child support obligation pursuant to the guidelines established under section 598.21B, and medical support pursuant to chapter 252E, ~~against the father~~.

4. If paternity was contested and paternity testing was performed and the putative father was not excluded, if the test results indicate that the probability of the putative father's paternity is ninety-five percent or greater, if the test results are not timely challenged, and if ~~the putative father fails~~ both parties fail to timely request a court hearing on the issue of support, the administrator shall enter an order against the ~~putative father~~ parties declaring the putative father to be the legal father of the child or children involved and assessing any accrued and accruing child support obligation pursuant to the guidelines established under section 598.21B, and medical support pursuant to chapter 252E, ~~against the father~~.

5. The administrator shall establish a support obligation under this section based upon the best information available to the unit and pursuant to section 252B.7A.

6. The order shall contain all of the following:

a. A declaration of paternity.

b. The amount of monthly support to be paid, with direction as to the manner of payment.

c. The amount of accrued support.

d. The name of the custodial parent or caretaker.

e. The name and birth date of the child or children to whom the order applies.

f. A statement that property of ~~the father~~ a party ordered to provide support is subject to income withholding, liens, garnishment, tax offset, and other collection actions.

g. The medical support required pursuant to chapter 598 and chapter 252E.

h. A statement that ~~the father~~ a party who is ordered to provide support is required to inform the child support recovery unit, on a continuing basis, of the name and address of the ~~father's party's~~ current employer, whether the ~~father-party~~ has access to health insurance coverage ~~through employment or at reasonable cost through other sources~~ as required in the order, and if so, the health insurance policy information.

i. If paternity was contested by the putative father, the amount of any judgment assessed to the father for costs of paternity tests conducted pursuant to this chapter.

j. Statements as required pursuant to section 598.22B.

7. If paternity is not contested but ~~the putative father~~ a party does wish to challenge the issues of child or medical support, the administrator shall enter an order establishing paternity and reserving the issues of child or medical support for determination by the district court.

Sec.\_\_\_\_. Section 252F.5, subsection 2, Code 2007, is amended to read as follows:

2. An action under this chapter may be certified to the district court if a party timely contests paternity establishment or paternity test results, or if ~~the putative father~~ a party requests a court hearing on the issues of child or medical support, or both, or upon the initiation of the unit as provided in this chapter. Review by the district court shall be an original hearing before the court.

Sec.\_\_\_\_. Section 252F.5, subsection 3, paragraph c, Code 2007, is amended to read as follows:

c. A timely written objection to paternity establishment or paternity test results has been received from a party, or a timely written request for a court hearing on the

issue of support has been received from ~~the putative father~~ a party by the unit, or the unit has requested a court hearing on the unit's own initiative.

Sec. \_\_\_\_\_. Section 252H.2, subsection 2, paragraph b, Code 2007, is amended to read as follows:

b. An addition of or change to provisions for medical support as ~~defined~~ provided in ~~section 252E.1~~ chapter 252E.

Sec. \_\_\_\_\_. Section 252H.2, subsection 13, Code 2007, is amended to read as follows:

13. "Support order" means ~~a "court order" as defined in section 252C.1 or an order establishing support entered pursuant to an administrative or quasi judicial process if authorized by law~~ an order for support issued pursuant to chapter 232, 234, 252A, 252C, 252E, 252F, 252H, 598, 600B, or any other applicable chapter, or under a comparable statute of a foreign jurisdiction as registered with the clerk of court or certified to the child support recovery unit.

Sec. \_\_\_\_\_. NEW SECTION. 252H.3A ADDING A PARTY.

A mother or father may be added as a proper party defendant to a support order upon service of a notice as provided in this chapter and without a court order as provided in the rules of civil procedure.

Sec. \_\_\_\_\_. Section 252H.14, subsection 1, paragraph b, Code 2007, is amended to read as follows:

~~b. The right to any ongoing medical support obligation is currently assigned to the state due to the receipt of public assistance unless:~~

(1) ~~b.~~ The support order does not already ~~includes~~ include provisions requiring the parent ordered to pay child support to also provide for medical support.

(2) ~~The parent entitled to receive support has satisfactory health insurance coverage for the children, excluding coverage resulting from the receipt of public assistance benefits.~~

Sec. \_\_\_\_\_. Section 252H.14, subsection 2, Code 2007, is amended to read as follows:

2. The unit may periodically initiate a request to a child support agency of another state to conduct a review of a support order entered in that state when the right to any ongoing child or medical support obligation due under the order is currently assigned to the state of Iowa or if the order does not include provisions for medical support.

Sec. \_\_\_\_\_. Section 598.21B, subsection 3, Code 2007, is amended to read as follows:

3. MEDICAL SUPPORT. The court shall order ~~as child medical support~~ a health benefit plan as defined in chapter 252E if available to either parent at a reasonable cost. A health benefit plan is considered reasonable in cost if it is employment related or other group health insurance, regardless of the service delivery mechanism as provided in section 252E.1A. The premium cost of ~~the~~ a health benefit plan may be considered by the court as a reason for varying from the child support guidelines. ~~If a~~

~~health benefit plan is not available at a reasonable cost, the court may order any other provisions for medical support as defined in chapter 252E.~~

Sec. \_\_\_\_\_. Section 598.21C, subsection 2, paragraph a, Code 2007, is amended to read as follows:

a. Subject to 28 U.S.C. § 1738B, but notwithstanding subsection 1, a substantial change of circumstances exists when the court order for child support varies by ten percent or more from the amount which would be due pursuant to the most current child support guidelines established pursuant to section 598.21B or ~~the obligor a parent has access to~~ a health benefit plan, available as provided in section 252E.1A and the current order for support does not contain provisions for medical support, ~~and the dependents are not covered by a health benefit plan provided by the obligee, excluding coverage pursuant to chapter 249A or a comparable statute of a foreign jurisdiction.~~

Sec. \_\_\_\_\_. AMENDING AND NULLIFICATION OF ADMINISTRATIVE RULES.

1. Until the department of human services amends rules pursuant to chapter 17A necessary to conform with this Act, all of the following shall apply:

a. The child support recovery unit may initiate proceedings to establish or modify orders for medical support for a child in accordance with section 252E.1A as created in this Act, regardless of whether support is assigned to the state.

b. The term "child support account" in existing rules shall also mean a specified monetary amount for medical support, unless the context otherwise requires.

c. A reference to a health benefit plan at reasonable cost shall mean reasonable cost as defined in section 252E.1A, as enacted in this Act.

d. A requirement for including a provision for an employment-related or other group health benefit plan, or for determining medical support, shall be limited and applied in accordance with section 252E.1A, as created in this Act.

2. 441 Iowa administrative Code, rule 98.3, relating to the establishment of medical support is nullified.

Sec. \_\_\_\_\_. EFFECTIVE DATE. This division of this Act takes effect March 1, 2008.

#### DIVISION \_\_\_\_ PHYSICIAN ASSISTANTS

Sec. \_\_\_\_\_. Section 147.14, subsection 12, Code 2007, is amended to read as follows:

12. For the board of physician assistant examiners, ~~three-five~~ members licensed to practice as physician assistants, at least two of whom practice in counties with a population of less than fifty thousand, one member licensed to practice medicine and surgery who supervises a physician assistant, one member licensed to practice osteopathic medicine and surgery who supervises a physician assistant, and two members who are not licensed to practice either medicine and surgery or osteopathic medicine and surgery or licensed as a physician assistant and who shall represent the

general public. At least one of the physician members shall be in practice in a county with a population of less than fifty thousand. A majority of members of the board constitutes a quorum.

Sec. \_\_\_\_\_. NEW SECTION. 148C.12 ANNUAL REPORT.

By January 31 of each year the board and the board of medical examiners shall provide to the general assembly and the governor a joint report detailing the boards' collaborative efforts and team building practices.

DIVISION \_\_\_\_  
TELECOMMUTING

Sec. \_\_\_\_\_. STATE EMPLOYEE TELECOMMUTING – POLICY DEVELOPMENT – IMPLEMENTATION.

1. The director of a department or state agency to which appropriations are made pursuant to the provisions of this Act shall assess the extent to which job classifications or individual employment positions with the department or agency might be effectively performed from an employee's residence or other remote location through telecommuting, thereby increasing office space within the department or agency and reducing administrative costs. The assessment shall include an estimate of the number of department or agency employees whose job responsibilities could be effectively performed on a telecommuting basis, projected costs of establishing and maintaining work stations at an employee's residence or other remote location and providing telecommuter support, anticipated savings to the department or agency through a reduction in the office-based workforce, and anticipated time and cost savings to telecommuting employees. A report summarizing the assessment shall be submitted to the director of the department of administrative services, and the members of the general assembly, by November 1, 2007.

2. Based on the assessment conducted pursuant to subsection 1, the director shall develop a telecommuter employment policy for the department or agency and a timeline for initial policy implementation and plans for expanding the number of telecommuting employees. Specific office-based workforce reduction percentages shall be left to the discretion of the director, but the director shall implement a policy transferring some number of office-based employees to telecommuter status by January 1, 2008. The director shall report to the director of the department of administrative services and the members of the general assembly on an annual basis beginning January 1, 2009, the number of telecommuting employees, cost savings achieved by the department or agency, and plans for continued transfer of office-based employees to telecommuter status.

DIVISION \_\_\_\_  
DENTAL BOARD

Sec. \_\_\_\_\_. Section 10A.402, subsection 1, Code 2007, as amended by 2007 Iowa Acts, [Senate File 74](#), section 6, is amended to read as follows:

1. Investigations relative to the practice of regulated professions and occupations, except those within the jurisdiction of the board of medicine, the board of pharmacy, the dental board ~~of dentistry~~, and the board of nursing.

Sec.\_\_\_\_. Section 135.11A, unnumbered paragraph 1, Code 2007, as amended by 2007 Iowa Acts, [Senate File 74](#), section 19, is amended to read as follows:

There shall be a professional licensure division within the department of public health. Each board under chapter 147 or under the administrative authority of the department, except the board of nursing, board of medicine, dental board ~~of dentistry~~, and board of pharmacy, shall receive administrative and clerical support from the division and may not employ its own support staff for administrative and clerical duties.

Sec.\_\_\_\_. Section 135.24, subsection 2, paragraph a, Code 2007, as amended by 2007 Iowa Acts, [Senate File 74](#), section 20, is amended to read as follows:

a. Procedures for registration of health care providers deemed qualified by the board of medicine, the board of physician assistants, the dental board ~~of dentistry~~, the board of nursing, the board of chiropractic, the board of psychology, the board of social work, the board of behavioral science, the board of pharmacy, the board of optometry, the board of podiatry, the board of physical and occupational therapy, the board for respiratory care, and the Iowa department of public health, as applicable.

Sec.\_\_\_\_. Section 135.31, Code 2007, as amended by 2007 Iowa Acts, [Senate File 74](#), section 21, is amended to read as follows:

#### 135.31 LOCATION OF BOARDS – RULEMAKING.

The offices for the board of medicine, the board of pharmacy, the board of nursing, and the dental board ~~of dentistry~~ shall be located within the department of public health. The individual boards shall have policymaking and rulemaking authority.

Sec.\_\_\_\_. Section 136C.3, subsection 2, unnumbered Paragraph 1, Code 2007, as amended by 2007 Iowa Acts, [Senate File 74](#), section 23, is amended to read as follows:

Establish minimum training standards including continuing education requirements, and administer examinations and disciplinary procedures for operators of radiation machines and users of radioactive materials. A state of Iowa license to practice medicine, osteopathy, chiropractic, podiatry, dentistry, dental hygiene, or veterinary medicine, or licensure as a physician assistant pursuant to chapter 148C, or certification by the dental board ~~of dentistry~~ in dental radiography, or by the board of podiatry in podiatric radiography, or enrollment in a program or course of study approved by the Iowa department of public health which includes the application of radiation to humans satisfies the minimum training standards for operation of radiation machines only.

Sec.\_\_\_\_. Section 139A.22, subsection 6, Code 2007, as amended by 2007 Iowa Acts, [Senate File 74](#), section 25, is amended to read as follows:

6. The board of medicine, the board of physician assistants, the board of podiatry, the board of nursing, the ~~dental board of dentistry~~, and the board of optometry shall require that licensees comply with the recommendations issued by the centers for disease control and prevention of the United States department of health and human services for preventing transmission of human immunodeficiency virus and hepatitis B virus to patients during exposure-prone invasive procedures, with the recommendations of the expert review panel established pursuant to subsection 3, with hospital protocols established pursuant to subsection 1, and with health care facility procedures established pursuant to subsection 2, as applicable.

Sec.\_\_\_\_. Section 147.13, subsection 8, Code 2007, as amended by 2007 Iowa Acts, [Senate File 74](#), section 32, is amended to read as follows:

8. For dentistry, dental hygiene, and dental assisting, the ~~dental board of dentistry~~.

Sec.\_\_\_\_. Section 147.40, Code 2007, as amended by 2007 Iowa Acts, [Senate File 74](#), section 50, is amended to read as follows:

#### 147.40 CERTIFICATION OF APPLICANTS.

Every examination shall be passed upon in accordance with the established rules of the board and shall be satisfactory to at least a majority of the professional members of the board. In the case of the ~~dental board of dentistry~~, only licensed dentist members of the board shall determine whether an applicant has passed the examination to practice as a licensed dentist. After each examination, the board shall certify the names of the successful applicants to the department in the manner prescribed by it. The department shall then issue the proper license.

Sec.\_\_\_\_. Section 147.80, subsections 1 and 11, Code 2007, as amended by 2007 Iowa Acts, [Senate File 74](#), section 63, are amended to read as follows:

1. License to practice dentistry issued upon the basis of an examination given by the ~~dental board of dentistry~~, license to practice dentistry issued under a reciprocal agreement, resident dentist's license, renewal of a license to practice dentistry.

11. License to practice dental hygiene issued upon the basis of an examination given by the ~~dental board of dentistry~~, license to practice dental hygiene issued under a reciprocal agreement, renewal of a license to practice dental hygiene.

Sec.\_\_\_\_. Section 147.80, unnumbered paragraph 3, Code 2007, as amended by 2007 Iowa Acts, [Senate File 74](#), section 63, is amended to read as follows:

The board of medicine, the board of pharmacy, the ~~dental board of dentistry~~, and the board of nursing shall retain individual executive officers, but shall make every effort to share administrative, clerical, and investigative staffs to the greatest extent possible. The department shall annually submit a status report to the general assembly in December regarding the sharing of staff during the previous fiscal year.

Sec.\_\_\_\_. Section 147.88, Code 2007, as amended by 2007 Iowa Acts, [Senate File 74](#), section 65, is amended to read as follows:

## 147.88 INSPECTIONS.

The department of inspections and appeals may perform inspections as required by this subtitle, except for the board of medicine, board of pharmacy, board of nursing, and the dental board of ~~dentistry~~. The department of inspections and appeals shall employ personnel related to the inspection functions.

Sec. \_\_\_\_\_. Section 147.107, subsection 2, unnumbered paragraph 1, Code 2007, as amended by 2007 Iowa Acts, [Senate File 74](#), section 78, is amended to read as follows:

A pharmacist, physician, dentist, or podiatric physician who dispenses prescription drugs, including but not limited to controlled substances, for human use, may delegate nonjudgmental dispensing functions to staff assistants only when verification of the accuracy and completeness of the prescription is determined by the pharmacist or practitioner in the pharmacist's or practitioner's physical presence. However, the physical presence requirement does not apply when a pharmacist or practitioner is utilizing an automated dispensing system. When using an automated dispensing system the pharmacist or practitioner shall utilize an internal quality control assurance plan that ensures accuracy for dispensing. Verification of automated dispensing accuracy and completeness remains the responsibility of the pharmacist or practitioner and shall be determined in accordance with rules adopted by the board of pharmacy, the board of medicine, the dental board of ~~dentistry~~, and the board of podiatry for their respective licensees.

Sec. \_\_\_\_\_. Section 147.114, Code 2007, as amended by 2007 Iowa Acts, [Senate File 74](#), section 81, is amended to read as follows:

## 147.114 INSPECTOR.

An inspector may be appointed by the dental board of ~~dentistry~~ pursuant to the provisions of chapter 8A, subchapter IV.

Sec. \_\_\_\_\_. Section 153.12, as enacted by 2007 Iowa Acts, [Senate File 74](#), section 132, is amended to read as follows:

## 153.12 BOARD DEFINED.

As used in this chapter, "board" means the dental board of ~~dentistry~~, created under chapter 147.

Sec. \_\_\_\_\_. Section 272C.1, subsection 6, paragraph j, Code 2007, as amended by 2007 Iowa Acts, [Senate File 74](#), section 171, is amended to read as follows:

- j. The dental board of ~~dentistry~~, created pursuant to chapter 147.

## DIVISION \_\_\_\_

## GRANDPARENT AND GREAT-GRANDPARENT VISITATION

Sec. \_\_\_\_\_. NEW SECTION. 600C.1 GRANDPARENT AND GREAT-GRANDPARENT VISITATION.

1. The grandparent or great-grandparent of a minor child may petition the court for grandchild or great-grandchild visitation.

2. The court shall consider a fit parent's objections to granting visitation under this section. A rebuttable presumption arises that a fit parent's decision to deny visitation to a grandparent or great-grandparent is in the best interest of a minor child.

3. The court may grant visitation to the grandparent or great-grandparent if the court finds all of the following by clear and convincing evidence:

a. The grandparent or great-grandparent has established a substantial relationship with the child prior to the filing of the petition.

b. The parent who is being asked to temporarily relinquish care, custody, and control of the child to provide visitation is unfit to make the decision regarding visitation.

c. It is in the best interest of the child to grant such visitation.

4. For the purposes of this section, "court" means the district court or the juvenile court if that court currently has jurisdiction over the child in a pending action. If an action is not pending, the district court has jurisdiction.

5. Notwithstanding any provision of this chapter to the contrary, venue for any action to establish, enforce, or modify visitation under this section shall be in the county where either parent resides if no final custody order determination relating to the grandchild or great-grandchild has been entered by any other court. If a final custody order has been entered by any other court, venue shall be located exclusively in the county where the most recent final custody order was entered. If any other custodial proceeding is pending when an action to establish, enforce, or modify visitation under this section is filed, venue shall be located exclusively in the county where the pending custodial proceeding was filed.

6. Notice of any proceeding to establish, enforce, or modify visitation under this section shall be personally served upon all parents of a child whose interests are affected by a proceeding brought pursuant to this section and all grandparents or great-grandparents who have previously obtained a final order or commenced a proceeding under this section.

7. The court shall not enter any temporary order to establish, enforce, or modify visitation under this section.

8. An action brought under this section is subject to chapter 598B, and in an action brought to establish, enforce, or modify visitation under this section, each party shall submit in its first pleading or in an attached affidavit all information required by section 598B.209.

9. In any action brought to establish, enforce, or modify visitation under this section, the court may award attorney fees to the prevailing party in an amount deemed reasonable by the court.

10. If a proceeding to establish or enforce visitation under this section is commenced when a dissolution of marriage proceeding is pending concerning the parents of the affected minor child, the record and evidence of the dissolution action shall remain impounded pursuant to section 598.26. The impounded information shall not be released or otherwise made available to any person who is not the petitioner or respondent or an attorney of record in the dissolution of marriage proceeding. Access to the impounded information by the attorney of record for the grandparent or great-grandparent shall be limited to only that information relevant to the grandparent's or great-grandparent's request for visitation.

Sec. \_\_\_\_\_. Section 600.11, subsection 2, paragraph e, Code 2007, is amended to read as follows:

e. A person who has been granted visitation rights with the child to be adopted pursuant to section ~~598.35~~ 600C.1.

Sec. \_\_\_\_\_. Section 598.35, Code 2007, is repealed. "

78. By renumbering, relettering, or redesignating and correcting internal references as necessary.

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE

RO FOEGE, Chair  
JO OLDSON  
PHIL WISE

JACK HATCH, Chair  
JOE BOLKCOM  
ROBERT E. DVORSKY

Foege of Linn moved the adoption of the conference committee report.

The motion prevailed and the conference committee report was adopted.

Foege 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. 909](#))

The ayes were, 54:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Pettengill	Quirk	Reasoner

Reichert	Schueller	Shomshor	Smith
Staed	Swaim	Taylor, D.	Taylor, T.
Thomas	Tomenga	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Winckler
Wise	Mr. Speaker		
	Murphy		

The nays were, 41:

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

Absent or not voting, 5:

Dolecheck	Gipp	Horbach	Raecker
Zirkelbach			

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

### IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that [House File 909](#) be immediately messaged to the Senate.

### REPORT OF THE CHIEF CLERK OF THE HOUSE

MR SPEAKER: Pursuant to House Rule 42, I report that in enrolling the bills the following correction was made:

**House Amendment to [Senate File 588](#)**

1. Page 2, Line 38 – Change chapter to section.

MARK W. BRANDSGARD  
Chief Clerk of the House

**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 26<sup>th</sup> day of April, 2007: [House File 829](#).

**MARK W. BRANDSGARD**  
Chief Clerk of the House

Report adopted.

**BILLS SIGNED BY THE GOVERNOR**

A communication was received from the Governor announcing that on April 26, 2007, he approved and transmitted to the Secretary of State the following bills:

[House File 309](#), an Act requiring development of a uniform cost report for certain services reimbursed through the department of human services and counties.

[House File 744](#), an Act relating to a debtor's exempt personal injury payments in state court debt collection and federal bankruptcy actions.

[House File 849](#), an Act concerning the department of administrative services and including an effective date provision.

[House File 851](#), an Act relating to expenditure approval requirements applicable to the purchase of telecommunications equipment or services by the Iowa communications network.

[Senate File 175](#), an Act relating to the disposition of seized property in a criminal proceeding.

[Senate File 339](#), an Act relating to county general obligation bonds by modifying the definition of essential county purpose and by changing the requirements under which a county may issue general county purpose bonds without an election.

[Senate File 384](#), an Act relating to statute of limitations provisions relating to minors and persons with mental illness and tort claims against a municipality and providing an applicability date.

[Senate File 406](#), an Act relating to dogs, including the right to kill a tagged dog.

[Senate File 416](#), an Act relating to city elections by providing procedures for filling a city council vacancy by special election and by providing satellite absentee voting at certain city elections.

Also: the Governor announced that on April 27, 2007 he approved and transmitted to the Secretary of State the following bills:

[House File 829](#), an Act relating to the development and commercialization of businesses in the targeted industry areas of advanced manufacturing, bioscience, and information technology and including appropriations and an effective date provision.

[Senate File 155](#), an Act relating to local governments by creating a local government innovation commission and fund, creating a center for governing excellence, and including an effective date.

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

[Senate File 414](#), an Act concerning the licensure, operation, and taxation of card game tournaments by organizations representing veterans and allowable prizes at annual game nights by certain qualified organizations and making penalties applicable.

[Senate File 485](#), an Act relating to greenhouse gas emissions.

[Senate File 489](#), an Act creating an Alzheimer's disease task force.

## GOVERNOR'S ITEM VETO MESSAGE

A copy of the following communication was received and placed on file:

April 26, 2007

The Honorable John P. Kibbie  
President of the Senate  
State Capitol  
L O C A L

Dear President Kibbie:

I hereby transmit [Senate File 277](#), an Act relating to the state's educational standards regarding teacher librarians and qualified guidance counselors, and to teacher and administrator quality, including the student achievement and teacher quality program and an administrator quality program, making appropriations, and providing an effective date.

I am unable to approve the designated portion of Section 49, paragraph 3. The designated portion of this paragraph requires that the state board of education shall adopt rules requiring implementation of the successful components of the pilots by

school districts statewide upon completion of the career ladder planning and implementation pilots, subject to the sufficiency of funds. I am unable to approve this designated portion because I do not believe these pilot projects should automatically be mandated statewide.

The bill calls for 10 pilot projects, which I support. Eight of these projects are centered on implementing the last two parts of the career ladder system. We have already put the first two parts of this ladder into place and need to take a close look at whether implementing the rest of this system will result in improved student achievement and will help to recruit and retain the best and brightest teachers. The other two projects are to test pay-for-performance compensation methods. While I generally do not agree that pay-for-performance is the right method to improve our education system, I think it is important to test this out at the local level before we make a final decision.

While I support these pilot projects, I do not support that they be mandated statewide at the end of them. The goal of the projects is to allow us to better assess whether these methods are the right ones for this state to improve education for our students. Another goal of the projects is to allow us to assess whether these methods will attract more people to the teaching profession and make sure they want to work in Iowa. We cannot make that determination now, prior to beginning the projects, and it would be irresponsible to mandate that as a part of this bill. I look forward to working with the Legislature and other education partners throughout the state to take a close look at the models developed in these projects and make a determination about statewide implementation upon their completion.

For the above reasons, I respectfully disapprove these items in accordance with Article III, Section 16 of the Constitution of the State of Iowa. All other items in [Senate File 277](#) are hereby approved as of this date.

Sincerely,  
Chester J. Culver  
Governor

## PRESENTATION OF VISITORS

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

Fourth grade students from Meeker Elementary, Ames, Iowa. By Wessel-Kroeschell of Story.

## 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\3088 Ron and Bev Schuknecht, Greene – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2007\3089 Gerald Krull, Clarksville – For celebrating his 80<sup>th</sup> birthday.
- 2007\3090 Catherine Teeple, Greene – For celebrating her 90<sup>th</sup> birthday.
- 2007\3091 Thane Somers, Iowa City – For receiving first place nationally on the Junior Engineering Technical Society’s Test of Engineering Aptitude in Math and Science.
- 2007\3092 Margaret and Larry Kautman, Hedrick – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2007\3093 Francis “Jake” and Myrna Jacoby, Waterloo – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2007\3094 Gust and Vivian Johnson, Waterloo – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2007\3095 Mike and Mary Jane Staebell, Waterloo – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2007\3096 Eugene “Dinty” Moore, Waterloo – For celebrating his 80<sup>th</sup> birthday.
- 2007\3097 Norbert and Marcie Trainor, Waterloo – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2007\3098 Lorraine Bral, Denison – For celebrating her 80<sup>th</sup> birthday.
- 2007\3099 Arlo and Marlys Riessen, Denison – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2007\3100 Merlyn and Dorothy Spilger, Atalissa – For celebrating their 65<sup>th</sup> wedding anniversary.
- 2007\3101 Herold and Gertrude Hoffmeier, Lowden – For celebrating their 65<sup>th</sup> wedding anniversary.
- 2007\3102 Spencer Verlo, West Branch – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\3103 David Hoffman, West Branch – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\3104 Tyler Laughlin, West Branch – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2007\3105 Tyler O’Neil, West Branch – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.

### [H.S.B. 322](#) Government Oversight

Relating to student loans, including the protection of students and parents from certain lenders and institutions of higher education with conflicts of interest, and establishing penalties and a student lending education fund.

### [H.S.B. 323](#) Government Oversight

Authorizing leases and agreements relating to the Iowa communications network under specified circumstances.

## 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 ADMINISTRATION AND RULES

[House Joint Resolution 10](#), a joint resolution authorizing the temporary use and consumption of alcoholic beverages on the state capitol complex grounds in conjunction with the Hy-Vee BG World Cup Triathlon, and providing an effective date.

Fiscal Note is not required.

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

[House Joint Resolution 11](#), a joint resolution approving the permanent acknowledgement of elementary and secondary schools and individual citizens of this state for their contributions of foliage and items to be permanently located on the west capitol terrace and other capitol grounds and providing an effective date.

Fiscal Note is not required.

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

## RESOLUTIONS FILED

**HR 53**, by committee on administration and rules, a resolution relating to an annual budget for the daily operations of the House of Representatives.

**Placed on the calendar.**

**SCR 7**, by Kreiman, a concurrent resolution relating to the establishment of a criminal code revisions legislative study committee.

Referred to **administration and rules**.

## AMENDMENTS FILED

<u>H-2067</u>	<u>S.F.</u>	<u>601</u>	Staed of Linn May of Dickinson
<u>H-2068</u>	<u>S.F.</u>	<u>601</u>	Rants of Woodbury Raecker of Polk
<u>H-2069</u>	<u>S.F.</u>	<u>601</u>	Heddens of Story Ford of Polk Mascher of Johnson
<u>H-2071</u>	<u>S.F.</u>	<u>601</u>	Ford of Polk
<u>H-2072</u>	<u>S.F.</u>	<u>601</u>	Thomas of Clayton Hunter of Polk
<u>H-2073</u>	<u>S.F.</u>	<u>601</u>	Watts of Dallas Boal of Polk Raecker of Polk Jacobs of Polk Tomenga of Polk
<u>H-2074</u>	<u>S.F.</u>	<u>601</u>	Gaskill of Wapello
<u>H-2082</u>	<u>S.F.</u>	<u>348</u>	Quirk of Chickasaw De Boef of Keokuk D. Olson of Boone
			Mertz of Kossuth Sands of Louisa Greiner of Washington
<u>H-2084</u>	<u>S.F.</u>	<u>601</u>	Tymeson of Madison
<u>H-2085</u>	<u>S.F.</u>	<u>601</u>	T. Olson of Linn
<u>H-2086</u>	<u>H.F.</u>	<u>844</u>	Jacobs of Polk
<u>H-2087</u>	<u>H.F.</u>	<u>844</u>	Jacobs of Polk
<u>H-2089</u>	<u>H.F.</u>	<u>844</u>	Jacobs of Polk

<a href="#">H-2090</a>	<a href="#">H.F.</a>	<a href="#">844</a>	Jacobs of Polk
<a href="#">H-2091</a>	<a href="#">H.F.</a>	<a href="#">844</a>	Jacobs of Polk
<a href="#">H-2092</a>	<a href="#">H.F.</a>	<a href="#">844</a>	Jacobs of Polk
<a href="#">H-2093</a>	<a href="#">H.F.</a>	<a href="#">844</a>	Jacobs of Polk
<a href="#">H-2094</a>	<a href="#">H.F.</a>	<a href="#">844</a>	Jacobs of Polk
<a href="#">H-2095</a>	<a href="#">H.F.</a>	<a href="#">844</a>	Jacobs of Polk
<a href="#">H-2096</a>	<a href="#">H.F.</a>	<a href="#">844</a>	Jacobs of Polk
<a href="#">H-2097</a>	<a href="#">H.F.</a>	<a href="#">844</a>	Jacobs of Polk
<a href="#">H-2098</a>	<a href="#">H.F.</a>	<a href="#">844</a>	Jacobs of Polk
<a href="#">H-2099</a>	<a href="#">H.F.</a>	<a href="#">844</a>	Jacobs of Polk
<a href="#">H-2101</a>	<a href="#">H.F.</a>	<a href="#">844</a>	Jacobs of Polk
<a href="#">H-2102</a>	<a href="#">H.F.</a>	<a href="#">844</a>	Jacobs of Polk
<a href="#">H-2103</a>	<a href="#">H.F.</a>	<a href="#">844</a>	Jacobs of Polk
<a href="#">H-2104</a>	<a href="#">H.F.</a>	<a href="#">844</a>	Jacobs of Polk
<a href="#">H-2105</a>	<a href="#">S.F.</a>	<a href="#">601</a>	Wessel-Kroeschell of Story
<a href="#">H-2106</a>	<a href="#">S.F.</a>	<a href="#">601</a>	Ford of Polk
<a href="#">H-2107</a>	<a href="#">H.F.</a>	<a href="#">922</a>	Mascher of Johnson
<a href="#">H-2108</a>	<a href="#">S.F.</a>	<a href="#">601</a>	Kaufmann of Cedar
			Anderson of Page
<a href="#">H-2109</a>	<a href="#">S.F.</a>	<a href="#">601</a>	Swaim of Davis
<a href="#">H-2112</a>	<a href="#">S.F.</a>	<a href="#">588</a>	Senate Amendment
<a href="#">H-2113</a>	<a href="#">H.F.</a>	<a href="#">844</a>	Jacobs of Polk
<a href="#">H-2114</a>	<a href="#">H.F.</a>	<a href="#">911</a>	Senate Amendment
<a href="#">H-2116</a>	<a href="#">S.F.</a>	<a href="#">601</a>	Whitaker of Van Buren
<a href="#">H-2117</a>	<a href="#">S.F.</a>	<a href="#">601</a>	Kaufmann of Cedar
<a href="#">H-2118</a>	<a href="#">S.F.</a>	<a href="#">601</a>	Whitaker of Van Buren
<a href="#">H-2121</a>	<a href="#">S.F.</a>	<a href="#">601</a>	Bailey of Hamilton
			D. Olson of Boone
			Huser of Polk
			Bailey of Hamilton
<a href="#">H-2122</a>	<a href="#">S.F.</a>	<a href="#">601</a>	Granzow of Hardin
<a href="#">H-2123</a>	<a href="#">H.F.</a>	<a href="#">911</a>	Hoffman of Crawford
<a href="#">H-2124</a>	<a href="#">H.F.</a>	<a href="#">911</a>	Jacobs of Polk

On motion by McCarthy of Polk the House adjourned at 12:07 a.m., until 9:00 a.m., Saturday, April 28, 2007.