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**STATE OF IOWA**

# **House Journal**

**THURSDAY, APRIL 9, 2009**

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

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# JOURNAL OF THE HOUSE

Eighty-eighth Calendar Day - Fifty-ninth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Thursday, April 9, 2009

The House met pursuant to adjournment at 9:16 a.m., Speaker Murphy in the chair.

Prayer was offered by the honorable Richard Anderson, state representative from Page County.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Katelyn Schofield, House Page from Essex.

The Journal of Wednesday, April 8, 2009 was approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Watts of Dallas on request of Paulsen of Linn.

## 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 8, 2009, passed the following bill in which the concurrence of the Senate was asked:

[House File 503](#), a bill for an act concerning the definition of veteran, and providing an effective date.

Also: That the Senate has on April 8, 2009, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

[Senate File 226](#), a bill for an act concerning the statewide fire and police retirement system by establishing a presumption that cancer and infectious diseases are work-related for purposes of disability and death benefits and by increasing the contribution rate.

Also: That the Senate has on April 8, 2009, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

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

Also: That the Senate has on April 8, 2009, passed the following bill in which the concurrence of the House is asked:

[Senate File 466](#), a bill for an act relating to the administration of the tax and related laws, including the administration of the income tax, the franchise tax, hotel and motel tax, the motor fuel tax, and of fees for new vehicle registration, modifying certain civil penalties, providing an exemption filing deadline extension and for the abatement or refund of property taxes for certain property owners, changing the ownership interest provisions related to certain automobile racetrack facilities, and including effective date, retroactive applicability date, and other applicability date provisions.

MICHAEL E. MARSHALL, Secretary

#### INTRODUCTION OF BILLS

[House File 814](#), by committee on ways and means, a bill for an act modifying provisions applicable to facilities qualifying for wind energy production and renewable energy tax credits and including effective and retroactive applicability provisions.

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

[House File 815](#), by committee on ways and means, a bill for an act relating to articulation agreements between public postsecondary institutions and to the dissemination of articulation information.

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

#### SENATE MESSAGE CONSIDERED

[Senate File 466](#), by committee on ways and means, a bill for an act relating to the administration of the tax and related laws, including the administration of the income tax, the franchise tax, hotel and motel tax, the motor fuel tax, and of fees for new vehicle registration, modifying certain civil penalties, providing an exemption filing deadline extension and for the abatement or refund of property taxes for certain property owners, changing the ownership interest provisions related to certain automobile racetrack facilities, and

including effective date, retroactive applicability date, and other applicability date provisions.

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

#### SUSPENSION OF THE RULES

Paulsen of Linn moved to suspend the rules to immediately consider [House Joint Resolution 6](#).

#### CALL OF THE HOUSE

Pursuant to Rule 77, the following members respectfully request a Call of the House on the motion to suspend the rules to consider [House Joint Resolution 6](#).

Linda Upmeyer  
Steven F. Lukan  
Jeff Kaufmann  
Rod Roberts  
Jodi Tymeson  
Kraig Paulsen

The Speaker ruled the motion to suspend the rules out of order.

The Speaker ruled the Call of the House out of order.

On motion by McCarthy of Polk, the House was recessed at 10:05 a.m., until 1:00 p.m.

#### AFTERNOON SESSION

The House reconvened at 1:04 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 9, 2009, passed the following bill in which the concurrence of the Senate was asked:

[House File 260](#), a bill for an act relating to the operation of county, city, and memorial hospitals and the duties and powers of hospital trustees and commissioners.

Also: That the Senate has on April 9, 2009, amended and passed the following bill in which the concurrence of the House is asked:

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

Also: That the Senate has on April 9, 2009, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

[Senate File 81](#), a bill for an act relating to assisting schools to recover from disaster by changing the approval method for transfers of emergency fund moneys, by modifying certain funding provisions to relate to disaster recovery, and by allowing area education agency boards greater authority to purchase and lease-purchase property.

Also: That the Senate has on April 9, 2009, passed the following bill in which the concurrence of the House is asked:

[Senate File 475](#), a bill for an act relating to and making appropriations to the justice system, and including effective and retroactive applicability date provisions.

MICHAEL E. MARSHALL, Secretary

#### INTRODUCTION OF BILL

[House File 816](#), by committee on ways and means, a bill for an act allowing the department of revenue to subpoena certain customer records of individuals owing taxes, penalties, or interest and including an effective date provision.

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

The House stood at ease at 1:05 p.m., until the fall of the gavel.

The House resumed session at 2:14 p.m., Speaker Murphy in the chair.

#### CONSIDERATION OF BILLS

##### Regular Calendar

[House File 753](#), a bill for an act relating to boards of directors associated with organizations promoting soybeans and corn, was taken up for consideration.

[SENATE FILE 342](#) SUBSTITUTED FOR [HOUSE FILE 753](#)

Marek of Washington asked and received unanimous consent to substitute [Senate File 342](#) for [House File 753](#).

[Senate File 342](#), a bill for an act relating to boards of directors associated with organizations promoting soybeans and corn, was taken up for consideration.

Marek of Washington 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. 342](#))

The ayes were, 97:

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

The nays were, 1:

Olson, R.

Absent or not voting and 2:

Chambers            Watts

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

[HOUSE FILE 753](#) WITHDRAWN

Marek of Washington asked and received unanimous consent to withdraw [House File 753](#) from further consideration by the House.

[House File 373](#), a bill for an act relating to the number of historic preservation grants that may be awarded in a county and providing an effective date, was taken up for consideration.

[SENATE FILE 114](#) SUBSTITUTED FOR [HOUSE FILE 373](#)

Steckman of Cerro Gordo asked and received unanimous consent to substitute [Senate File 114](#) for [House File 373](#).

[Senate File 114](#), a bill for an act relating to the number of historic preservation grants that may be awarded in a county and providing an effective date, was taken up for consideration.

Steckman of Cerro Gordo 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. 114](#))

The ayes were, 98:

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

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

The nays were, none.

Absent or not voting and 2:

Chambers            Watts

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

#### [HOUSE FILE 373](#) WITHDRAWN

Steckman of Cerro Gordo asked and received unanimous consent to withdraw [House File 373](#) from further consideration by the House.

[House File 734](#), a bill for an act relating to the uniform adult guardianship and protective proceedings Act relating to the establishment, transfer, and recognition of guardianships and conservatorships in multistate cases, and including effective date and applicability provisions, was taken up for consideration.

Swaim of Davis offered the following amendment [H-1228](#) filed by him and moved its adoption:

#### [H-1228](#)

- 1 Amend [House File 734](#) as follows:
- 2    1. Page 5, line 23, by striking the figure "1."
- 3    2. Page 5, line 26, by striking the word "a." and
- 4 inserting the following: "1."
- 5    3. Page 5, line 29, by striking the word "b." and
- 6 inserting the following: "2."
- 7    4. Page 5, line 32, by striking the word "c." and
- 8 inserting the following: "3."

9 5. Page 5, line 33, by striking the word "d." and  
 10 inserting the following: "4."  
 11 6. Page 8, line 30, by striking the figure "1."  
 12 7. Page 8, line 34, by striking the word "a." and  
 13 inserting the following: "1."  
 14 8. Page 8, line 35, by striking the word "b." and  
 15 inserting the following: "2."  
 16 9. Page 9, line 8, by striking the word "c." and  
 17 inserting the following: "3."  
 18 10. Page 9, line 10, by striking the figure "(1)"  
 19 and inserting the following: "a."  
 20 11. Page 9, line 13, by striking the figure "(2)"  
 21 and inserting the following: "b."  
 22 12. Page 9, line 16, by striking the figure "(3)"  
 23 and inserting the following: "c."  
 24 13. Page 9, line 20, by striking the word "d."  
 25 and inserting the following: "4."  
 26 14. Page 15, line 10, by striking the word and  
 27 figure "July 1" and inserting the following:  
 28 "February 15".

Amendment [H-1228](#) was adopted.

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

On the question "Shall the bill pass?" ([H.F. 734](#))

The ayes were, 54:

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

The nays were, 44:

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

Absent or not voting, 2:

Chambers            Watts

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

[House File 743](#), a bill for an act relating to the entry upon land by a surveyor for land survey purposes, was taken up for consideration.

Palmer of Mahaska offered the following amendment [H-1430](#) filed by him and moved its adoption:

[H-1430](#)

- 1 Amend [House File 743](#) as follows:
- 2 1. By striking everything after the enacting
- 3 clause and inserting the following:
- 4 "Section 1. NEW SECTION. 354.4A ENTRY UPON LAND
- 5 FOR SURVEY PURPOSES.
- 6 1. a. A land surveyor may enter public or private
- 7 land or water in the state only to occupy, locate,
- 8 relocate, install, or replace survey monuments, to
- 9 locate boundaries, rights-of-way, and easements, to
- 10 determine geodetic positions, and to make surveys and
- 11 maps and may carry with them their customary equipment
- 12 and vehicles. A surveyor may not enter buildings or
- 13 other structures located on the land. Entry under the
- 14 right granted in this section shall not constitute
- 15 trespass, and land surveyors shall not be liable to
- 16 arrest or a civil action by reason of the entry.
- 17 b. For purposes of this section, "land surveyor"
- 18 means a land surveyor licensed pursuant to chapter
- 19 542B or a person under the direct supervision of a
- 20 licensed land surveyor.
- 21 c. Vehicular access to perform surveys under this

22 section is limited to established roads and trails,  
23 unless approval for other vehicular access is granted  
24 by the landowner.  
25 2. A vehicle used for or during entry pursuant to  
26 this section shall be identified on the exterior by a  
27 legible sign listing the name, address, and telephone  
28 number of the land surveyor or the firm employing the  
29 land surveyor.  
30 3. Land surveyors shall announce and identify  
31 themselves and their intentions before entering upon  
32 private property. A land surveyor shall provide  
33 written notice to the landowner, or the person who  
34 occupies the land as a tenant or lessee, not less than  
35 seven days prior to the entry. The notice shall be  
36 sent by ordinary mail, postmarked not less than seven  
37 days prior to the entry, or delivered personally. A  
38 mailing is deemed sufficient if the surveyor mails the  
39 required notice to the address of the landowner as  
40 contained in the property tax records. For civil  
41 liability purposes receipt of this notice shall not be  
42 considered consent. This notice is not required for a  
43 survey along previously surveyed boundaries within a  
44 platted subdivision accepted or recorded by the  
45 federal government.  
46 3A. The written notice of the pending survey shall  
47 contain all of the following:  
48 a. The identity of the party for whom the survey  
49 is being performed and the purpose for which the  
50 survey will be performed.

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1 b. The employer of the surveyor.  
2 c. The identity of the surveyor.  
3 d. The dates the land will be entered, the time,  
4 location, and timetable for such entry, the estimated  
5 completion date, and the estimated number of entries  
6 that will be required.  
7 4. This section shall not be construed as giving  
8 authority to land surveyors to destroy, injure, or  
9 damage anything on the lands of another without the  
10 written permission of the landowner, and this section  
11 shall not be construed as removing civil liability for  
12 such destruction, injury, or damage.  
13 5. A land surveyor who enters on private land must  
14 comply with all biosecurity and restricted-access  
15 protocols established by the owner or occupant of the  
16 private land.  
17 A landowner or occupant shall owe the same duty to  
18 a land surveyor entering land without the consent of  
19 the landowner or occupant as the landowner or occupant  
20 would owe to a trespasser on that land."

Amendment [H-1430](#) was adopted, placing out of order amendment [H-1201](#) filed by D. Olson of Boone on March 18, 2009.

[SENATE FILE 435](#) SUBSTITUTED FOR [HOUSE FILE 743](#)

D. Olson of Boone asked and received unanimous consent to substitute [Senate File 435](#) for [House File 743](#).

[Senate File 435](#), a bill for an act relating to the entry upon land by a surveyor for land survey purposes, was taken up for consideration.

Palmer of Mahaska offered the following amendment [H-1431](#) filed by him and moved its adoption:

[H-1431](#)

- 1 Amend [Senate File 435](#), as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 2, line 1, by inserting after the word
- 4 "government" the following: "or an official plat as
- 5 defined in section 354.2, subsection 12".

Amendment [H-1431](#) was adopted.

D. Olson of Boone 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. 435](#))

The ayes were, 80:

Abdul-Samad	Alons	Anderson	Bailey
Baudler	Beard	Bell	Berry
Bukta	Burt	Cohoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Ficken	Ford	Frevert	Gaskill
Gayman	Hagenow	Heaton	Heddens
Helland	Hunter	Huser	Isenhart
Jacoby	Kearns	Kelley	Koester
Kressig	Kuhn	Lensing	Lykam
Marek	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Quirk

Raecker	Rants	Rayhons	Reasoner
Reichert	Schueller	Schulte	Shomshor
Smith	Soderberg	Steckman	Struyk
Swaim	Taylor, D.	Taylor, T.	Thede
Thomas	Tjepkes	Wagner	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Willems	Winckler	Worthan	Mr. Speaker Murphy

The nays were, 18:

Arnold	Forristall	Grassley	Horbach
Huseman	Kaufmann	Lukan	Pettengill
Roberts	Sands	Schultz	Sorenson
Sweeney	Tymeson	Upmeyer	Van Engelenhoven
Windschitl	Zirkelbach		

Absent or not voting and 2:

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

#### [HOUSE FILE 743](#) WITHDRAWN

D. Olson of Boone asked and received unanimous consent to withdraw [House File 743](#) from further consideration by the House.

#### IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: [House File 734](#) and [Senate Files 114, 342](#) and [435](#).

McCarthy of Polk asked and received unanimous consent for the immediate consideration of [House File 811](#).

#### Appropriations Calendar

[House File 811](#), a bill for an act relating to and making appropriations for health and human services and including other related provisions and appropriations, providing penalties, making penalties applicable and providing effective, retroactive, and applicability date provisions, was taken up for consideration.

Mascher of Johnson in the chair at 2:53 p.m.

Heddens of Story offered amendment [H-1488](#) filed by her as follows:

[H-1488](#)

- 1 Amend [House File 811](#) as follows:
- 2 1. Page 1, line 26, by striking the figure
- 3 "39.50" and inserting the following: "37.50".
- 4 2. Page 2, line 20, by inserting after the word
- 5 "department" the following: "of human services".
- 6 3. Page 2, line 31, by inserting after the word
- 7 "department" the following: "of human services".
- 8 4. Page 3, by striking lines 8 through 10 and
- 9 inserting the following:
- 10 "5. In addition to any other funds appropriated in
- 11 this section for these purposes, \$220,000 shall be
- 12 used to provide for elder unmet home and
- 13 community-based services needs as identified in
- 14 reports submitted by the area agencies on aging."
- 15 5. Page 3, line 12, by inserting before the word
- 16 "There" the following: "The allocations made in this
- 17 section may include amounts carried forward from
- 18 appropriations and allocations made for the same
- 19 purposes in the previous fiscal year."
- 20 6. Page 3, line 24, by striking the figure
- 21 "19.10" and inserting the following: "18.00".
- 22 7. Page 4, by striking line 8 and inserting the
- 23 following: "\$17,546,252 shall be used for substance
- 24 abuse treatment and prevention."
- 25 8. Page 4, line 10, by striking the figure
- 26 "993,489" and inserting the following: "993,487".
- 27 9. Page 4, line 32, by striking the figure
- 28 "47,289" and inserting the following: "47,287".
- 29 10. Page 5, by striking line 4 and inserting the
- 30 following:
- 31 "c. (1) Of the funds appropriated in this
- 32 subsection,".
- 33 11. Page 5, line 15, by striking the figure "(4)"
- 34 and inserting the following: "(2)".
- 35 12. Page 5, by striking lines 28 and 29 and
- 36 inserting the following:
- 37 "(b) From the amounts designated for gambling
- 38 and".
- 39 13. Page 6, line 14, by striking the figure
- 40 "16.50" and inserting the following: "14.00".
- 41 14. Page 7, line 7, by striking the figure
- 42 "10.00" and inserting the following: "3.00".
- 43 15. Page 7, line 34, by striking the figure
- 44 "28.00" and inserting the following: "21.00".
- 45 16. Page 8, by striking lines 14 through 17 and
- 46 inserting the following: "address the focus of the

47 initiatives."

48 17. Page 8, by striking lines 19 and 20 and  
49 inserting the following: "\$1,054,060 shall be used  
50 for".

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1 18. Page 8, by striking lines 25 through 28 and  
2 inserting the following:  
3 "d. Of the funds appropriated in this section,  
4 \$100,000 shall be deposited in the governmental public  
5 health system fund created by this Act to be used to  
6 further develop the Iowa public health standards and  
7 to begin implementation of public health modernization  
8 in accordance with chapter 135A, as enacted by this  
9 Act, to the extent funding is available."

10 19. Page 9, line 8, by striking the figure "5.00"  
11 and inserting the following: "4.50".

12 20. Page 9, line 19, by striking the figure  
13 "7.00" and inserting the following: "5.00".

14 21. Page 9, line 25, by striking the figure  
15 "128.00" and inserting the following: "130.00".

16 22. Page 9, line 26, by striking the figure  
17 "\$955,779" and inserting the following: "not more  
18 than \$549,240".

19 23. Page 11, by striking lines 17 through 19 and  
20 inserting the following:  
21 "(1) The incentive therapy payment amount for  
22 domiciliary level of care residents shall not exceed  
23 \$150 per month and for nursing level of care residents  
24 shall not exceed \$75 per month."

25 24. Page 11, line 22, by inserting after the word  
26 "incentive" the following: "therapy".

27 25. Page 13, line 20, by striking the figure  
28 "18,986,177" and inserting the following:  
29 "28,331,177".

30 26. Page 16, line 19, by striking the figure  
31 "5,378,812" and inserting the following: "5,266,946".

32 27. Page 17, line 12, by striking the figure  
33 "22,310,116" and inserting the following:  
34 "21,638,263".

35 28. Page 17, lines 31 and 32, by striking the  
36 words "family development and self-sufficiency  
37 grant,".

38 29. Page 18, line 9, by striking the figure  
39 "8,975,588" and inserting the following: "8,553,735".

40 30. Page 18, line 11, by striking the figure  
41 "2,380,137" and inserting the following: "2,268,271".

42 31. Page 18, line 14, by striking the figure  
43 "230,244" and inserting the following: "219,423".

44 32. Page 20, by inserting after line 24 the  
45 following:

46 "4. For Iowa orders, notwithstanding section  
47 598.22A and effective October 1, 2009, support  
48 arrearages for which all rights have been and remain  
49 assigned to the department for time periods prior to  
50 October 1, 1997, when a child did not receive

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1 assistance under Title IV-A of the federal Social  
2 Security Act or when a child received foster care  
3 services, are considered satisfied up to the amount of  
4 assistance received or foster care funds expended, and  
5 the child support recovery unit shall update court  
6 records accordingly. The unit shall send information  
7 regarding the provisions of this subsection to the  
8 obligor and obligee by regular mail to the last known  
9 address, and any objection by an obligor or an obligee  
10 shall be heard by the district court."  
11 33. Page 24, line 14, by striking the figure  
12 "3,687,889" and inserting the following: "2,687,889".  
13 34. Page 24, line 32, by inserting after the word  
14 "section," the following: "up to".  
15 35. Page 24, line 33, by striking the word "is"  
16 and inserting the following: "may be".  
17 36. Page 25, by inserting after line 26, the  
18 following:  
19 "c. For the fiscal year beginning July 1, 2009,  
20 funds in the separate account are appropriated to the  
21 department of human services as state matching funds  
22 for the medical assistance program."  
23 37. Page 29, line 4, by striking the figure  
24 "34,365,770" and inserting the following:  
25 "34,417,754".  
26 38. Page 29, line 13, by striking the figure  
27 "2009" and inserting the following: "2010".  
28 39. By striking page 29, line 32, through page  
29 30, line 3, and inserting the following:  
30 "b. The department shall revise the achievement  
31 bonus provisions under the voluntary quality rating  
32 system to provide that the bonus amount paid for a  
33 provider renewing a rating at levels 2 through 4 in  
34 years subsequent to the initial rating shall not be  
35 more than 50 percent of the amount of the initial  
36 bonus award. For providers who renew at a lower  
37 rating level than previously awarded, the achievement  
38 bonus amount shall not be more than 50 percent of the  
39 award amount for the lower rating level."  
40 40. Page 32, line 29, by striking the figure  
41 "26,719,010" and inserting the following:  
42 "34,280,400".  
43 41. Page 33, line 32, by striking the figure  
44 "6,957,549" and inserting the following: "7,686,460".

45 42. Page 34, line 18, by striking the figure  
46 "3,076,999" and inserting the following: "2,257,277".  
47 43. Page 34, line 30, by striking the figure  
48 "832,205" and inserting the following: "819,722".  
49 44. Page 36, line 5, by striking the word  
50 "program" and inserting the following: "program,".

## Page 4

1 45. Page 36, line 11, by striking the figure  
2 "975,166" and inserting the following: "975,162".  
3 46. Page 36, line 34, by striking the figure  
4 "225,529" and inserting the following: "224,288".  
5 47. Page 37, by striking lines 10 through 13.  
6 48. Page 37, line 14, by striking the figure  
7 "190,400" and inserting the following: "227,987".  
8 49. Page 38, by inserting after line 8 the  
9 following:  
10 " \_\_\_\_\_. Of the funds appropriated in this section,  
11 \$125,000 is allocated for continuation of the  
12 contracts for the multidimensional treatment level  
13 foster care program established pursuant to 2006 Iowa  
14 Acts, chapter 1123, for an additional year. The  
15 contractor shall provide a 25 percent match to receive  
16 the funds and shall submit a report on the program to  
17 the persons designated by this division of this Act  
18 for submission of reports."  
19 50. Page 39, line 27, by striking the figure  
20 "433,212" and inserting the following: "385,475".  
21 51. Page 41, lines 5 and 6, by striking the words  
22 "The plan" and inserting the following: "The proposal  
23 shall provide for maintaining the existing levels of  
24 beds and services after the consolidation. The  
25 proposal".  
26 52. Page 48, by striking lines 19 through 26.  
27 53. Page 50, line 18, by inserting after the word  
28 "laboratories," the following: "rehabilitation  
29 agencies,".  
30 54. Page 53, by striking lines 30 through 33, and  
31 inserting the following: "service providers shall  
32 receive the same level of reimbursement under the same  
33 methodology in effect on June 30, 2009."  
34 55. Page 54, line 19, by inserting after the word  
35 "percentile." the following: "For the fiscal year  
36 beginning July 1, 2009, notwithstanding any provision  
37 to the contrary, the rate calculation methodology  
38 shall utilize a 3 percent consumer price index  
39 inflation factor. However, beginning July 1, 2010,  
40 the rate calculation methodology shall utilize the  
41 consumer price index inflation factor applicable to  
42 the fiscal year beginning July 1, 2010."  
43 56. Page 55, line 4, by striking the following:

44 "subsection 4,"  
 45 57. Page 57, by inserting after line 10 the  
 46 following:  
 47 "h. It is the intent of the general assembly that  
 48 the department of human services continue to convene  
 49 the workgroup established pursuant to 2008 Iowa Acts,  
 50 chapter 1187, section 33, to develop recommendations

Page 5

1 to design a quality improvement process for targeted  
 2 nursing facilities for implementation in the fiscal  
 3 year beginning July 1, 2010. Recommendations shall  
 4 include a process that identifies the best practices  
 5 used in facilities receiving pay-for-performance  
 6 payment and creates a system to assist other nursing  
 7 facilities in the implementation of those best  
 8 practices."  
 9 58. Page 60, line 7, by inserting after the word  
 10 "department" the following: "of human services".  
 11 59. Page 60, line 18, by inserting after the word  
 12 "department" the following: "of human services".  
 13 60. Page 61, line 26, by inserting after the word  
 14 "program." the following: "Of the funds appropriated  
 15 in this section, not more than \$35,000 may be used for  
 16 administrative costs."  
 17 61. Page 65, line 21, by inserting after the word  
 18 "TRANSFORMATION" the following: "- DEPARTMENT OF  
 19 HUMAN SERVICES".  
 20 62. Page 66, by inserting after line 17 the  
 21 following:  
 22 "7A. For medical contracts:  
 23 ..... \$ 1,300,000"  
 24 63. Page 66, by inserting after line 34 the  
 25 following:  
 26 "Sec. \_\_\_\_ APPROPRIATION FROM ACCOUNT FOR HEALTH  
 27 CARE TRANSFORMATION – DEPARTMENT OF ELDER AFFAIRS.  
 28 Notwithstanding any provision to the contrary, there  
 29 is appropriated from the account for health care  
 30 transformation created in section 249J.23 to the  
 31 department of elder affairs for the fiscal year  
 32 beginning July 1, 2009, and ending June 30, 2010, the  
 33 following amounts, or so much thereof as is necessary,  
 34 to be used for the purpose designated:  
 35 For re-programming of the SEAMLESS computer system  
 36 for case management:  
 37 ..... \$ 200,000"  
 38 64. Page 68, by inserting after line 16 the  
 39 following:  
 40 "NEW SUBSECTION. 1. Of the amount appropriated in  
 41 this section, \$146,750 shall be used for assistance to  
 42 the counties with limited county mental health, mental

43 retardation, and developmental disabilities services  
44 fund balances which were selected in accordance with  
45 2000 Iowa Acts, chapter 1221, section 3, to receive  
46 such assistance, in the same amount provided during  
47 the fiscal year beginning July 1, 2000, and ending  
48 June 30, 2001, to pay reimbursement increases in  
49 accordance with 2000 Iowa Acts, chapter 1221, section  
50 3."

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1 65. Page 68, line 18, by striking the word and  
2 figure "subsection 1" and inserting the following:  
3 "this section".  
4 66. Page 69, line 14, by striking the word "The"  
5 and inserting the following: "The following amount of  
6 the".  
7 67. Page 69, line 19, by striking the figure  
8 "42,108,770" and inserting the following:  
9 "41,962,020".  
10 68. Page 69, line 21, by inserting after the word  
11 "amounts" the following: "for the allowed growth  
12 factor adjustment".  
13 69. Page 69, line 29, by striking the figure  
14 "52,056,760" and inserting the following:  
15 "49,626,596".  
16 70. Page 69, line 35, by striking the figure  
17 "15,790,111" and inserting the following:  
18 "15,389,217".  
19 71. Page 71, line 18, by striking the figure  
20 "5,947,990" and inserting the following: "7,664,576".  
21 72. Page 72, line 29, by striking the figure  
22 "357,871" and inserting the following: "357,870".  
23 73. Page 73, line 20, by inserting after the word  
24 "promotion." the following: "Of the funds allocated  
25 in this lettered paragraph, not more than \$148,262 may  
26 be utilized by the department for administrative  
27 purposes."  
28 74. Page 74, by striking lines 26 through 29 and  
29 inserting the following:  
30 "a. Of the funds appropriated in this subsection,  
31 \$61,349 shall be deposited in the governmental public  
32 health system fund created by this Act to be used to  
33 further develop the Iowa public health standards and  
34 to begin implementation of public health modernization  
35 in accordance with chapter 135A, as enacted in this  
36 Act, to the extent funding is available."  
37 75. Page 76, by striking lines 14 through 19 and  
38 inserting the following:  
39 "e. Of the funds appropriated in this subsection,  
40 \$500,000 shall be used to continue funding for the  
41 community health center incubation grant program.

42 Funds shall be utilized by the recipient of the grant  
43 in the previous fiscal year to ensure continuation of  
44 affordable primary and preventive health care services  
45 to the uninsured and underserved in northwest Iowa."  
46 76. Page 76, by inserting before line 20 the  
47 following:  
48 "\_\_\_\_. Of the funds appropriated in this  
49 subsection, \$61,350 shall be used for continued  
50 implementation of the recommendations of the direct

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1 care worker task force established pursuant to 2005  
2 Iowa Acts, chapter 88, based upon the report submitted  
3 to the governor and the general assembly in December  
4 2006.  
5 \_\_\_\_\_. Of the funds appropriated in this subsection,  
6 \$114,520 shall be used for allocation to an  
7 independent statewide direct care worker association  
8 for education, outreach, leadership development,  
9 mentoring, and other initiatives intended to enhance  
10 the recruitment and retention of direct care workers  
11 in health and long-term care."  
12 77. Page 78, by striking lines 17 through 25 and  
13 inserting the following:  
14 "2. Notwithstanding the amount collected and  
15 distributed for deposit in the IowaCare account  
16 pursuant to section 249J.24, subsection 6, paragraph  
17 "a", subparagraph (2), a maximum of \$21,000,000 in  
18 proceeds collected pursuant to section 347.7 between  
19 January 1, 2009, and June 30, 2009, shall be  
20 distributed to the treasurer of state for deposit in  
21 the IowaCare account and collections during this time  
22 in excess of a maximum of \$21,000,000 shall be  
23 distributed to the acute care teaching hospital  
24 identified in section 249J.24, subsection 6. However,  
25 if the collections for the period between January 1,  
26 2009, and June 30, 2009, do not equal at least  
27 \$21,000,000, the initial proceeds collected pursuant  
28 to section 347.7 between January 1, 2009, and June 30,  
29 2009, that are in excess of \$17,000,000 and which are  
30 distributed to the acute care teaching hospital  
31 identified in section 249J.24, subsection 6, shall be  
32 redistributed to the treasurer of state for deposit in  
33 the IowaCare account in a total amount not to exceed a  
34 maximum of \$21,000,000."  
35 78. Page 78, by inserting after line 31 the  
36 following:  
37 "TOBACCO USE PREVENTION AND CONTROL  
38 INITIATIVE – HEALTHY IOWANS TOBACCO TRUST  
39 Sec.\_\_\_\_. 2008 Iowa Acts, chapter 1186, section 1,  
40 subsection 2, paragraph a, is amended by adding the

41 following new unnumbered paragraph:  
42 NEW UNNUMBERED PARAGRAPH. Notwithstanding section  
43 8.33, moneys appropriated in this lettered paragraph  
44 that remain unencumbered or unobligated at the close  
45 of the fiscal year shall not revert but shall remain  
46 available for expenditure for the purposes designated  
47 until the close of the succeeding fiscal year."  
48 79. Page 79, by inserting after line 30 the  
49 following:  
50 "FEDERAL TEMPORARY ASSISTANCE FOR NEEDY FAMILIES

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1 BLOCK GRANT - FAMILY INVESTMENT PROGRAM  
2 Sec.\_\_\_\_. 2008 Iowa Acts, chapter 1187, section 5,  
3 is amended by adding the following new unnumbered  
4 paragraph:  
5 NEW UNNUMBERED PARAGRAPH. Notwithstanding section  
6 8.33, moneys appropriated in this section that remain  
7 unencumbered or unobligated at the close of the fiscal  
8 year shall not revert but shall remain available for  
9 expenditure for the family investment program until  
10 the close of the succeeding fiscal year."  
11 80. Page 81, line 11, by inserting after the word  
12 "programs" the following: "and the senior internship  
13 program".  
14 81. Page 81, by inserting after line 14 the  
15 following:  
16 "ACCOUNT FOR HEALTH CARE TRANSFORMATION  
17 Sec.\_\_\_\_. 2008 Iowa Acts, chapter 1187, section  
18 46, is amended to read as follows:  
19 ~~Sec. 46. TRANSFER FROM ACCOUNT FOR HEALTH CARE~~  
20 ~~TRANSFORMATION. There is transferred from the account~~  
21 ~~for health care transformation created pursuant to~~  
22 ~~section 249J.23 to the IowaCare account created in~~  
23 ~~section 249J.24 a total of \$3,000,000 for the fiscal~~  
24 ~~year beginning July 1, 2008, and ending June 30,~~  
25 ~~2009."~~  
26 82. Page 83, by striking lines 17 and 18 and  
27 inserting the following:  
28 "1. The appropriation made from the healthy Iowans  
29 tobacco trust in 2008 Iowa Acts, chapter 1186, section  
30 1."  
31 83. By striking page 84, line 30, through page  
32 87, line 7, and inserting the following:  
33 "Sec.\_\_\_\_. Section 231.58, Code 2009, is amended  
34 by striking the section and inserting in lieu thereof  
35 the following:  
36 231.58 LONG-TERM LIVING COORDINATION.  
37 The director may convene meetings, as necessary, of  
38 the director and the directors of human services,  
39 public health, and inspections and appeals, to assist

40 in the coordination of policy, service delivery, and  
41 long-range planning relating to the long-term living  
42 system and older Iowans in the state. The group may  
43 consult with individuals, institutions and entities  
44 with expertise in the area of the long-term living  
45 system and older Iowans, as necessary, to facilitate  
46 the group's efforts."  
47 84. Page 87, by striking lines 12 through 13 and  
48 inserting the following: "elder group homes, if the  
49 ~~senior living coordinating unit determines that~~ new  
50 construction is more".

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1 85. Page 87, by striking lines 18 and 19 and  
2 inserting the following: "existing nursing facility  
3 beds are no longer licensed and ~~the senior living~~  
4 ~~coordinating unit determines that~~ new".  
5 86. Page 87, by striking lines 24 through 28 and  
6 inserting the following:  
7 "Sec. \_\_\_\_ Section 249H.4, subsection 6, Code  
8 2009, is amended by striking the subsection."  
9 87. By striking page 87, line 29, through page  
10 88, line 30, and inserting the following:  
11 "Sec. \_\_\_\_ Section 249H.7, subsection 1, Code  
12 2009, is amended to read as follows:  
13 1. ~~Beginning October 1, 2000, the~~ The department  
14 of elder affairs, ~~in consultation with the senior~~  
15 ~~living coordinating unit~~, shall use funds appropriated  
16 from the senior living trust fund for activities  
17 related to the design, maintenance, or expansion of  
18 home and community-based services for seniors,  
19 including but not limited to adult day services,  
20 personal care, respite, homemaker, chore, and  
21 transportation services designed to promote the  
22 independence of and to delay the use of institutional  
23 care by seniors with low and moderate incomes. At any  
24 time that moneys are appropriated, the department of  
25 elder affairs, ~~in consultation with the senior living~~  
26 ~~coordinating unit~~, shall disburse the funds to the  
27 area agencies on aging.  
28 Sec. \_\_\_\_ Section 249H.7, subsection 2, unnumbered  
29 paragraph 1, Code 2009, is amended to read as follows:  
30 The department of elder affairs shall adopt rules,  
31 in consultation with the ~~senior living coordinating~~  
32 ~~unit and the~~ area agencies on aging, pursuant to  
33 chapter 17A, to provide all of the following:  
34 Sec. \_\_\_\_ Section 249H.7, subsection 2, paragraph  
35 c, Code 2009, is amended to read as follows:  
36 c. Other procedures the department of elder  
37 affairs deems necessary for the proper administration  
38 of this section, ~~including but not limited to the~~

39 ~~submission of progress reports, on a bimonthly basis,~~  
40 ~~to the senior living coordinating unit.~~  
41 Sec. \_\_\_\_\_. Section 249H.9, subsection 1, Code 2009,  
42 is amended to read as follows:  
43 1. The department of elder affairs and the area  
44 agencies on aging, ~~in consultation with the senior~~  
45 ~~living coordinating unit,~~ shall create, on a county  
46 basis, a database directory of all health care and  
47 support services available to seniors. The department  
48 of elder affairs shall make the database  
49 electronically available to the public, and shall  
50 update the database on at least a monthly basis."

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1 88. Page 89, by striking lines 1 and 2 and  
2 inserting the following: "elder affairs, ~~in~~  
3 ~~consultation with the senior living coordinating unit,~~  
4 shall implement a caregiver".  
5 9. Page 89, by striking line 8.  
6 90. Page 89, by inserting after line 10 the  
7 following:  
8 "Sec. \_\_\_\_\_. Section 8.57, subsection 6, paragraph  
9 e, subparagraph (1), Code 2009, is amended to read as  
10 follows:  
11 (1) Notwithstanding provisions to the contrary in  
12 sections 99D.17 and 99F.11, for the fiscal year  
13 beginning July 1, 2000, and for each fiscal year  
14 thereafter, not more than a total of ~~sixty sixty-six~~  
15 million dollars shall be deposited in the general fund  
16 of the state in any fiscal year pursuant to sections  
17 99D.17 and 99F.11. The next fifteen million dollars  
18 of the moneys directed to be deposited in the general  
19 fund of the state in a fiscal year pursuant to  
20 sections 99D.17 and 99F.11 shall be deposited in the  
21 vision Iowa fund created in section 12.72 for the  
22 fiscal year beginning July 1, 2000, and for each  
23 fiscal year through the fiscal year beginning July 1,  
24 2019. The next five million dollars of the moneys  
25 directed to be deposited in the general fund of the  
26 state in a fiscal year pursuant to sections 99D.17 and  
27 99F.11 shall be deposited in the school infrastructure  
28 fund created in section 12.82 for the fiscal year  
29 beginning July 1, 2000, and for each fiscal year  
30 thereafter until the principal and interest on all  
31 bonds issued by the treasurer of state pursuant to  
32 section 12.81 are paid, as determined by the treasurer  
33 of state. The total moneys in excess of the moneys  
34 deposited in the general fund of the state, the vision  
35 Iowa fund, and the school infrastructure fund in a  
36 fiscal year shall be deposited in the rebuild Iowa  
37 infrastructure fund and shall be used as provided in

38 this section, notwithstanding section 8.60."

39 91. Page 94, by inserting after line 34 the  
40 following:

41 "DIVISION \_\_\_\_

42 PUBLIC HEALTH MODERNIZATION

43 Sec. \_\_\_\_ . LEGISLATIVE FINDINGS AND INTENT –

44 PURPOSE. The general assembly finds all of the  
45 following:

46 1. A sound public health system is vital to the  
47 good health of all Iowans. Iowa's public health  
48 system reduces health care costs by promoting healthy  
49 behaviors, preventing disease and injury, and  
50 protecting the health of the population.

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1 2. The current foundation and organizational  
2 capacity for the governmental public health system  
3 does not allow for the equitable delivery of public  
4 health services. Governmental public health is  
5 provided by county boards of health, city boards of  
6 health, one district board of health, the state board  
7 of health, and the department. Varying degrees of  
8 authority, administration, and organizational capacity  
9 for providing public health services exist from  
10 community to community.

11 3. The Iowa public health modernization Act will  
12 allow boards of health, designated local public health  
13 agencies, and the department to increase system  
14 capacity, improve the equitable delivery of public  
15 health services, address quality improvement, improve  
16 system performance, and provide a foundation to  
17 measure outcomes through a voluntary accreditation  
18 program. The Iowa public health modernization Act  
19 will assure the public of the availability of a basic  
20 level of public health service in every community.

21 4. The Iowa public health modernization Act is the  
22 result of extensive collaboration among governmental  
23 public health entities, including local boards of  
24 health, local public health agencies, the department,  
25 and the state board of health; academia; and  
26 professional associations.

27 Sec. \_\_\_\_ . NEW SECTION. 135A.1 SHORT TITLE.  
28 This chapter shall be known and may be cited as the  
29 "Iowa Public Health Modernization Act".

30 Sec. \_\_\_\_ . NEW SECTION. 135A.2 DEFINITIONS.

31 As used in this chapter, unless the context  
32 otherwise requires, the following definitions apply:

33 1. "Academic institution" means an institution of  
34 higher education in the state which grants  
35 undergraduate and postgraduate degrees and is  
36 accredited by a nationally recognized accrediting

37 agency as determined by the United States secretary of  
38 education. For purposes of this definition,  
39 "accredited" means a certification of the quality of  
40 an institution of higher education.  
41 2. "Accrediting entity" means a legal,  
42 independent, nonprofit or governmental entity or  
43 entities approved by the state board of health for the  
44 purpose of accrediting designated local public health  
45 agencies and the department pursuant to the voluntary  
46 accreditation program developed under this chapter.  
47 3. "Administration" means the operational  
48 procedures, personnel and fiscal management systems,  
49 and facility requirements that must be in place for  
50 the delivery and assurance of public health services.

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1 4. "Committee" means the governmental public  
2 health evaluation committee as established in this  
3 chapter.  
4 5. "Communication and information technology"  
5 means the processes, procedures, and equipment needed  
6 to provide public information and transmit and receive  
7 information among public health entities and community  
8 partners; and applies to the procedures, physical  
9 hardware, and software required to transmit, receive,  
10 and process electronic information.  
11 6. "Council" means the governmental public health  
12 advisory council as established in this chapter.  
13 7. "Department" means the department of public  
14 health.  
15 8. "Designated local public health agency" means  
16 an entity that is either governed by or contractually  
17 responsible to a local board of health and designated  
18 by the local board to comply with the Iowa public  
19 health standards for a jurisdiction.  
20 9. "Governance" means the functions and  
21 responsibilities of the local boards of health and the  
22 state board of health to oversee governmental public  
23 health matters.  
24 10. "Governmental public health system" means the  
25 system described in section 135A.6.  
26 11. "Iowa public health standards" means the  
27 governmental public health standards adopted by rule  
28 by the state board of health.  
29 12. "Local board of health" means a county or  
30 district board of health.  
31 13. "Organizational capacity" means the  
32 governmental public health infrastructure that must be  
33 in place in order to deliver public health services.  
34 14. "Public health region" means, at a minimum,  
35 one of six geographical areas approved by the state

36 board of health for the purposes of coordination,  
37 resource sharing, and planning and to improve delivery  
38 of public health services.  
39 15. "Public health services" means the basic  
40 public health services that all Iowans should  
41 reasonably expect to be provided by designated local  
42 public health agencies and the department.  
43 16. "Voluntary accreditation" means verification  
44 of a designated local public health agency or the  
45 department that demonstrates compliance with the Iowa  
46 public health standards by an accrediting entity.  
47 17. "Workforce" means the necessary qualified and  
48 competent staff required to deliver public health  
49 services.  
50 Sec. \_\_\_\_\_. NEW SECTION. 135A.3 GOVERNMENTAL

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1 PUBLIC HEALTH SYSTEM MODERNIZATION – LEAD AGENCY.

2 1. The department is designated as the lead agency  
3 in this state to administer this chapter.  
4 2. The department, in collaboration with the  
5 governmental public health advisory council and the  
6 governmental public health evaluation committee, shall  
7 coordinate implementation of this chapter including  
8 but not limited to the voluntary accreditation of  
9 designated local public health agencies and the  
10 department in accordance with the Iowa public health  
11 standards. Such implementation shall include  
12 evaluation of and quality improvement measures for the  
13 governmental public health system.

14 Sec. \_\_\_\_\_. NEW SECTION. 135A.4 GOVERNMENTAL

15 PUBLIC HEALTH ADVISORY COUNCIL.

16 1. A governmental public health advisory council  
17 is established to advise the department and make  
18 policy recommendations to the director of the  
19 department concerning administration, implementation,  
20 and coordination of this chapter and to make  
21 recommendations to the department regarding the  
22 governmental public health system. The council shall  
23 meet at a minimum of quarterly. The council shall  
24 consist of no fewer than fifteen members and no  
25 greater than twenty-three members. The members shall  
26 be appointed by the director. The director may  
27 solicit and consider recommendations from professional  
28 organizations, associations, and academic institutions  
29 in making appointments to the council.  
30 2. Council members shall not be members of the  
31 governmental public health evaluation committee.  
32 3. Council members shall serve for a term of two  
33 years and may be reappointed for a maximum of three  
34 consecutive terms. Initial appointment shall be in

35 staggered terms. Vacancies shall be filled for the  
36 remainder of the original appointment.  
37 4. The membership of the council shall satisfy all  
38 of the following requirements:  
39 a. One member who has expertise in injury  
40 prevention.  
41 b. One member who has expertise in environmental  
42 health.  
43 c. One member who has expertise in emergency  
44 preparedness.  
45 d. One member who has expertise in health  
46 promotion and chronic disease prevention.  
47 e. One member who has epidemiological expertise in  
48 communicable and infectious disease prevention and  
49 control.  
50 f. One member representing each of Iowa's six

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1 public health regions who is an employee of a  
2 designated local public health agency or member of a  
3 local board of health. Such members shall include a  
4 minimum of one local public health administrator and  
5 one physician member of a local board of health.  
6 g. Two members who are representatives of the  
7 department.  
8 h. The director of the state hygienic laboratory  
9 at the university of Iowa, or the director's designee.  
10 i. At least one representative from academic  
11 institutions which grant undergraduate and  
12 postgraduate degrees in public health or other related  
13 health field and are accredited by a nationally  
14 recognized accrediting agency as determined by the  
15 United States secretary of education. For purposes of  
16 this paragraph, "accredited" means a certification of  
17 the quality of an institution of higher education.  
18 j. Two members who serve on a county board of  
19 supervisors.  
20 k. Four nonvoting, ex officio members who shall  
21 consist of four members of the general assembly, two  
22 from the senate and two from the house of  
23 representatives, with not more than one member from  
24 each chamber being from the same political party. The  
25 two senators shall be designated one member each by  
26 the majority leader of the senate after consultation  
27 with the president and by the minority leader of the  
28 senate. The two representatives shall be designated  
29 one member each by the speaker of the house of  
30 representatives after consultation with the majority  
31 leader of the house of representatives and by the  
32 minority leader of the house of representatives.  
33 l. A member of the state board of health who shall

34 be a nonvoting, ex officio member.  
35 5. The council may utilize other relevant public  
36 health expertise when necessary to carry out its roles  
37 and responsibilities.  
38 6. The council shall do all of the following:  
39 a. Advise the department and make policy  
40 recommendations to the director of the department  
41 concerning administration, implementation, and  
42 coordination of this chapter and the governmental  
43 public health system.  
44 b. Propose to the director public health standards  
45 that should be utilized for voluntary accreditation of  
46 designated local public health agencies and the  
47 department that include but are not limited to the  
48 organizational capacity and public health service  
49 components described in section 135A.6, subsection 1,  
50 by October 1, 2009.

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1 c. Recommend to the department an accrediting  
2 entity and identify the roles and responsibilities for  
3 the oversight and implementation of the voluntary  
4 accreditation of designated local public health  
5 agencies and the department by January 2, 2010. This  
6 shall include completion of a pilot accreditation  
7 process for one designated local public health agency  
8 and the department by July 1, 2011.  
9 d. Recommend to the director strategies to  
10 implement voluntary accreditation of designated local  
11 public health agencies and the department effective  
12 January 2, 2012.  
13 e. Periodically review and make recommendations to  
14 the department regarding revisions to the public  
15 health standards pursuant to paragraph "b", as needed  
16 and based on reports prepared by the governmental  
17 public health evaluation committee pursuant to section  
18 135A.5.  
19 f. Review rules developed and adopted by the state  
20 board of health under this chapter and make  
21 recommendations to the department for revisions to  
22 further promote implementation of this chapter and  
23 modernization of the governmental public health  
24 system.  
25 g. Form and utilize subcommittees as necessary to  
26 carry out the duties of the council.  
27 Sec. \_\_\_\_. NEW SECTION. 135A.5 GOVERNMENTAL  
28 PUBLIC HEALTH EVALUATION COMMITTEE.  
29 1. A governmental public health evaluation  
30 committee is established to develop, implement, and  
31 evaluate the governmental public health system and  
32 voluntary accreditation program. The committee shall

33 meet at least quarterly. The committee shall consist  
34 of no fewer than eleven members and no greater than  
35 thirteen members. The members shall be appointed by  
36 the director of the department. The director may  
37 solicit and consider recommendations from professional  
38 organizations, associations, and academic institutions  
39 in making appointments to the committee.  
40 2. Committee members shall not be members of the  
41 governmental public health advisory council.  
42 3. Committee members shall serve for a term of two  
43 years and may be reappointed for a maximum of three  
44 consecutive terms. Initial appointment shall be in  
45 staggered terms. Vacancies shall be filled for the  
46 remainder of the original appointment.  
47 4. The membership of the committee shall satisfy  
48 all of the following requirements:  
49 a. At least one member representing each of Iowa's  
50 six public health regions. Each representative shall

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1 be an employee or administrator of a designated local  
2 public health agency or a member of a local board of  
3 health. Such members shall be appointed to ensure  
4 expertise in the areas of communicable and infectious  
5 diseases, environmental health, injury prevention,  
6 healthy behaviors, and emergency preparedness.  
7 b. Two members who are representatives of the  
8 department.  
9 c. A representative of the state hygienic  
10 laboratory at the university of Iowa.  
11 d. At least two representatives from academic  
12 institutions which grant undergraduate and  
13 postgraduate degrees in public health or other  
14 health-related fields.  
15 e. At least one economist who has demonstrated  
16 experience in public health, health care, or a  
17 health-related field.  
18 f. At least one research analyst.  
19 5. The committee may utilize other relevant public  
20 health expertise when necessary to carry out its roles  
21 and responsibilities.  
22 6. The committee shall do all of the following:  
23 a. Develop and implement processes for evaluation  
24 of the governmental public health system and the  
25 voluntary accreditation program.  
26 b. Collect and report baseline information for  
27 organizational capacity and public health service  
28 delivery based on the Iowa public health standards  
29 prior to implementation of the voluntary accreditation  
30 program on January 2, 2012.  
31 c. Evaluate the effectiveness of the accrediting

32 entity and the voluntary accreditation process.  
33 d. Evaluate the appropriateness of the Iowa public  
34 health standards and develop measures to determine  
35 reliability and validity.  
36 e. Determine what process and outcome improvements  
37 in the governmental public health system are  
38 attributable to voluntary accreditation.  
39 f. Assure that the evaluation process is capturing  
40 data to support key research in public health system  
41 effectiveness and health outcomes.  
42 g. Annually submit a report to the department by  
43 July 1.  
44 h. Form and utilize subcommittees as necessary to  
45 carry out the duties of the committee.  
46 Sec.\_\_\_\_. NEW SECTION. 135A.6 GOVERNMENTAL  
47 PUBLIC HEALTH SYSTEM.  
48 1. The governmental public health system, in  
49 accordance with the Iowa public health standards,  
50 shall include but not be limited to the following

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1 organizational capacity components and public health  
2 service components:  
3 a. Organizational capacity components shall  
4 include all of the following:  
5 (1) Governance.  
6 (2) Administration.  
7 (3) Communication and information technology.  
8 (4) Workforce.  
9 (5) Community assessment and planning. This  
10 component consists of collaborative data collection  
11 and analysis for the completion of population-based  
12 community health assessments and community health  
13 profiles and the process of developing improvement  
14 plans to address the community health needs and  
15 identified gaps in public health services.  
16 (6) Evaluation.  
17 b. Public health service components shall include  
18 all of the following:  
19 (1) Prevention of epidemics and the spread of  
20 disease. This component includes the surveillance,  
21 detection, investigation, and prevention and control  
22 measures that prevent, reduce, or eliminate the spread  
23 of infectious disease.  
24 (2) Protection against environmental hazards.  
25 This component includes activities that reduce or  
26 eliminate the risk factors detrimental to the public's  
27 health within the natural or man-made environment.  
28 (3) Prevention of injuries. This component  
29 includes activities that facilitate the prevention,  
30 reduction, or elimination of intentional and

31 unintentional injuries.  
32 (4) Promotion of healthy behaviors. This  
33 component includes activities to assure services that  
34 promote healthy behaviors to prevent chronic disease  
35 and reduce illness.  
36 (5) Preparation for, response to, and recovery  
37 from public health emergencies. This component  
38 includes activities to prepare the public health  
39 system and community partners to respond to public  
40 health threats, emergencies, and disasters and to  
41 assist in the recovery process.  
42 2. The governmental public health system shall  
43 include but not be limited to the following entities:  
44 a. Local boards of health.  
45 b. State board of health.  
46 c. Designated local public health agencies.  
47 d. The department.  
48 Sec. \_\_\_\_\_. NEW SECTION. 135A.7 GOVERNMENTAL  
49 PUBLIC HEALTH SYSTEM AND ACCREDITATION DATA COLLECTION  
50 SYSTEM.

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1 1. The department shall establish and maintain a  
2 governmental public health system and an accreditation  
3 data collection system by which the state board of  
4 health, the director, the department, the council, and  
5 the committee may monitor the implementation and  
6 effectiveness of the governmental public health system  
7 based on the Iowa public health standards.  
8 2. Notwithstanding section 22.7 or any other  
9 provision of law, local boards of health shall provide  
10 to the department and the accrediting entity upon  
11 request all data and information necessary to  
12 determine the local board's capacity to comply with  
13 the Iowa public health standards, including but not  
14 limited to data and information regarding governance,  
15 administration, communication and information  
16 technology, workforce, personnel, staffing, budget,  
17 contracts, and other program and agency information.  
18 3. The department may share any data or  
19 information collected pursuant to this section with  
20 the council or the committee as necessary to perform  
21 the duties of the council and committee. Data and  
22 information provided to the department under this  
23 section which are confidential pursuant to section  
24 22.7, subsection 2, 11, or 50, section 139A.3, or  
25 other provision of law, remain confidential and shall  
26 not be released by the department, the council, or the  
27 committee.  
28 4. During the pendency of the accreditation  
29 process, all accreditation files and reports prepared

30 for or maintained by the accrediting entity are  
31 confidential and are not subject to discovery,  
32 subpoena, or other means of legal compulsion for their  
33 release. After the accrediting entity has issued its  
34 recommendation or report only the preliminary drafts  
35 of the recommendation or report, and records otherwise  
36 confidential pursuant to chapter 22 or other provision  
37 of state or federal law, shall remain confidential and  
38 are not subject to discovery, subpoena, or other means  
39 of legal compulsion for their release.

40 5. To the extent possible, activities under this  
41 section shall be coordinated with other health data  
42 collection systems including those maintained by the  
43 department.

44 Sec. \_\_\_\_\_. NEW SECTION. 135A.8 GOVERNMENTAL  
45 PUBLIC HEALTH SYSTEM FUND.

46 1. The department is responsible for the funding  
47 of the administrative costs for implementation of this  
48 chapter. A governmental public health system fund is  
49 created as a separate fund in the state treasury under  
50 the control of the department. The fund shall consist

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1 of moneys obtained from any source, including the  
2 federal government, unless otherwise prohibited by law  
3 or the entity providing the funding. Moneys deposited  
4 in the fund are appropriated to the department for the  
5 public health purposes specified in this chapter.  
6 Moneys in the fund shall not be transferred, used,  
7 obligated, appropriated, or otherwise encumbered  
8 except as provided in this section. Notwithstanding  
9 section 8.33, moneys in the governmental public health  
10 system fund at the end of the fiscal year shall not  
11 revert to any other fund but shall remain in the fund  
12 for subsequent fiscal years.

13 2. The fund is established to assist local boards  
14 of health and the department with the provision of  
15 governmental public health system organizational  
16 capacity and public health service delivery and to  
17 achieve and maintain voluntary accreditation in  
18 accordance with the Iowa public health standards. At  
19 least seventy percent of the funds shall be made  
20 available to local boards of health and up to thirty  
21 percent of the funds may be utilized by the  
22 department.

23 3. Moneys in the fund may be allocated by the  
24 department to a local board of health for  
25 organizational capacity and service delivery. Such  
26 allocation may be made on a matching,  
27 dollar-for-dollar basis for the acquisition of  
28 equipment, or by providing grants to achieve and

29 maintain voluntary accreditation in accordance with  
30 the Iowa public health standards.  
31 4. A local board of health seeking matching funds  
32 or grants under this section shall apply to the  
33 department. The state board of health shall adopt  
34 rules concerning the application and award process for  
35 the allocation of moneys in the fund and shall  
36 establish the criteria for the allocation of moneys in  
37 the fund if the moneys are insufficient to meet the  
38 needs of local boards of health.  
39 Sec. \_\_\_\_ NEW SECTION. 135A.9 RULES.  
40 The state board of health shall adopt rules  
41 pursuant to chapter 17A to implement this chapter  
42 which shall include but are not limited to the  
43 following:  
44 1. Incorporation of the Iowa public health  
45 standards recommended to the department pursuant to  
46 section 135A.5, subsection 6.  
47 2. A voluntary accreditation process to begin no  
48 later than January 2, 2012, for designated local  
49 public health agencies and the department.  
50 3. Rules relating to the operation of the

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1 governmental public health advisory council.  
2 4. Rules relating to the operation of the  
3 governmental public health system evaluation  
4 committee.  
5 5. The application and award process for  
6 governmental public health system fund moneys.  
7 6. Rules relating to data collection for the  
8 governmental public health system and the voluntary  
9 accreditation program.  
10 7. Rules otherwise necessary to implement the  
11 chapter.  
12 Sec. \_\_\_\_ NEW SECTION. 135A.10 PROHIBITED ACTS  
13 – FRAUDULENTLY CLAIMING ACCREDITATION – CIVIL  
14 PENALTY.  
15 A local board of health or local public health  
16 agency that imparts or conveys, or causes to be  
17 imparted or conveyed, information claiming that it is  
18 accredited pursuant to this chapter or that uses any  
19 other term to indicate or imply it is accredited  
20 without being accredited under this chapter is subject  
21 to a civil penalty not to exceed one thousand dollars  
22 per day for each offense. However, nothing in this  
23 chapter shall be construed to restrict a local board  
24 of health or local public health agency from providing  
25 any services for which it is duly authorized.  
26 Sec. \_\_\_\_ NEW SECTION. 135A.11 IMPLEMENTATION.  
27 The department shall implement this chapter only to

28 the extent that funding is available.  
29 Sec.\_\_\_\_. EFFECTIVE DATE. This division of this  
30 Act, being deemed of immediate importance, takes  
31 effect upon enactment."  
32 92. Page 96, by inserting after line 28 the  
33 following:  
34 "Sec.\_\_\_\_. CODE EDITOR DIRECTIVE – INTENT.  
35 1. References in this Act to the department of  
36 elder affairs mean the department on aging in  
37 accordance with 2009 Iowa Acts, [Senate File 204](#), as  
38 enacted, unless a contrary intent is clearly evident.  
39 2. The Iowa Code editor is directed to make  
40 conforming changes, as appropriate, to codified  
41 provisions of this Act to reflect the provisions of  
42 2009 Iowa Acts, [Senate File 204](#), as enacted, including  
43 but not limited to replacing the words "department of  
44 elder affairs" with the words "department on aging".  
45 93. Page 96, by inserting before line 29 the  
46 following:  
47 "Sec.\_\_\_\_. Sections 237A.28 and 422.100, Code  
48 2009, are repealed."  
49 94. By renumbering as necessary.

Rants of Woodbury offered the following amendment [H-1521](#), to amendment [H-1488](#), filed by Alons of Sioux, Anderson of Page, Arnold of Lucas, Baudler of Adair, Cownie of Polk, De Boef of Keokuk, Deyoe of Story, Dolecheck of Ringgold, Drake of Cass, Forristall of Pottawattamie, Grassley of Butler, Hagenow of Polk, Heaton of Henry, Helland of Polk, Horbach of Tama, Huseman of Cherokee, Kaufmann of Cedar, Koester of Polk, Lukan of Dubuque, May of Dickinson, L. Miller of Scott, S. Olson of Clinton, Paulsen of Linn, Pettengill of Benton, Raecker of Polk, Rayhons of Hancock, Roberts of Carroll, Sands of Louisa, Schulte of Linn, Schultz of Crawford, Soderberg of Plymouth, Sorenson of Warren, Struyk of Pottawattamie, Sweeney of Hardin, Tjepkes of Webster, Tymeson of Madison, Upmeyer of Hancock, Van Engelenhoven of Marion, Wagner of Linn, Watts of Dallas, Windschitl of Harrison and Worthan of Buena Vista from the floor and moved its adoption:

[H-1521](#)

1 Amend the amendment, [H-1488](#), to [House File 811](#) as  
2 follows:  
3 1. By striking page 1, line 1, through page 20,  
4 line 49 and inserting the following:  
5 "Amend [House File 811](#) as follows:  
6 \_\_\_\_\_. By striking the enacting clause and  
7 inserting the following: "BE IT RESOLVED BY THE

8 GENERAL ASSEMBLY OF THE STATE OF IOWA:"  
 9 \_\_\_\_\_. By striking page 1, line 1, through page 96,  
 10 line 28, and inserting the following:  
 11 "Section 1. The following amendment to the  
 12 Constitution of the State of Iowa is proposed:  
 13 Article I of the Constitution of the State of Iowa  
 14 is amended by adding the following new section:  
 15 MARRIAGE. SEC. 26. Marriage between one man and  
 16 one woman shall be the only legal union valid or  
 17 recognized in this state.  
 18 Sec. 2. REFERRAL AND PUBLICATION. The foregoing  
 19 amendment to the Constitution of the State of Iowa is  
 20 referred to the General Assembly to be chosen at the  
 21 next general election for members of the General  
 22 Assembly and the Secretary of State is directed to  
 23 cause the same to be published for three consecutive  
 24 months previous to the date of that election as  
 25 provided by law."  
 26 \_\_\_\_\_. Title page, the House enactment identifier,  
 27 by striking the words "HOUSE FILE" and inserting the  
 28 following: "HOUSE JOINT RESOLUTION".  
 29 \_\_\_\_\_. Title page, the enactment type identifier,  
 30 by striking the words "A BILL FOR" and inserting the  
 31 following: "HOUSE JOINT RESOLUTION".  
 32 \_\_\_\_\_. Title page, by striking lines 1 through 5  
 33 and inserting the following: "A Joint Resolution  
 34 proposing an amendment to the Constitution of the  
 35 State of Iowa specifying marriage between one man and  
 36 one woman as the only legal union that is valid or  
 37 recognized in the state.""

McCarthy of Polk rose on a point of order and questioned whether amendment [H-1521](#) was in order.

Speaker Murphy in the chair at 3:05 p.m.

The Speaker ruled the point well taken and amendment [H-1521](#) out of order.

Rants of Woodbury moved to suspend the rules to consider amendment [H-1521](#).

Roll call was requested by Rants of Woodbury and Paulsen of Linn.

On the question "Shall the rules be suspended?"

The ayes were, 44:

Alons	Anderson	Arnold	Baudler
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Grassley	Hagenow
Heaton	Helland	Horbach	Huseman
Huser	Kaufmann	Koester	Lukan
May	Mertz	Miller, L.	Olson, S.

Paulsen	Pettengill	Raecker	Rants
Rayhons	Roberts	Sands	Schulte
Schultz	Soderberg	Sorenson	Struyk
Sweeney	Tjepkes	Tymeson	Upmeyer
Van Engelenhoven	Wagner	Windschitl	Worthan

The nays were, 54:

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

Absent or not voting, 2:

Chambers	Watts
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The motion to suspend the rules lost.

Heddens of Story offered the following amendment [H-1491](#) filed by her from the floor and moved its adoption:

[H-1491](#)

- 1 Amend the amendment, H-1488, to [House File 811](#), as
- 2 follows:
- 3 1. Page 1, by inserting before line 15 the
- 4 following:
- 5 " \_\_\_\_\_. During the fiscal year beginning July 1,
- 6 2009, notwithstanding section 231.33, subsection 19,
- 7 relating to departmental training of area agency on
- 8 aging boards of directors and section 231.63 relating
- 9 to the development of end-of-life care information,
- 10 the department is not required to comply with these
- 11 requirements if funding is not available."
- 12 2. By renumbering as necessary.

Amendment [H-1491](#) was adopted.

Heddens of Story offered the following amendment [H-1495](#) filed by her from the floor and moved its adoption:

[H-1495](#)

- 1 Amend the amendment, [H-1488](#), to [House File 811](#) as
- 2 follows:
- 3 1. Page 4, by inserting after line 25 the
- 4 following:
- 5 "\_\_\_\_. Page 43, line 31, by striking the figure
- 6 "15,535,967" and inserting the following:
- 7 "15,763,951".
- 8 \_\_\_\_\_. Page 45, by striking lines 6 through 10."
- 9 2. Page 6, line 18, by striking the figure
- 10 "15,389,217" and inserting the following:
- 11 "15,763,951".
- 12 3. By renumbering as necessary.

Amendment [H-1495](#) was adopted.

Schulte of Linn offered the following amendment [H-1496](#) filed by her from the floor and moved its adoption:

[H-1496](#)

- 1 Amend the amendment, [H-1488](#), to [House File 811](#) as
- 2 follows:
- 3 1. Page 4, by inserting after line 25 the
- 4 following:
- 5 "\_\_\_\_. Page 43, by striking lines 16 through 20."
- 6 2. Page 5, by inserting after line 37 the
- 7 following:
- 8 "\_\_\_\_. Page 67, by striking lines 12 through 23."
- 9 3. Page 7, by striking lines 35 through 47 and
- 10 inserting the following:
- 11 "\_\_\_\_. By striking page 78, line 32, through page
- 12 79, line 13."
- 13 4. Page 8, by inserting after line 10 the
- 14 following:
- 15 "\_\_\_\_. By striking page 80, lines 24 through 32."
- 16 5. Page 8, by inserting before line 26 the
- 17 following:
- 18 "\_\_\_\_. By striking page 81, line 15, through page
- 19 82, line 6."
- 20 6. Page 8, by striking lines 26 through 30 and
- 21 inserting the following:
- 22 "\_\_\_\_. Page 83, by striking lines 10 through 23."
- 23 7. By renumbering as necessary.

Roll call was requested by Schulte of Linn and Paulsen of Linn.

On the question "Shall amendment [H-1496](#) to amendment [H-1488](#) be adopted?" ([H.F. 811](#))

The ayes were, 42:

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

The nays were, 56:

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

Absent or not voting, 2:

Chambers            Watts

Amendment [H-1496](#) to amendment [H-1488](#) lost.

#### RULES SUSPENDED

McCarthy of Polk asked and received unanimous consent to suspend Rule 31, related to the timely filing of amendments.

On motion by Heddens of Story amendment [H-1488](#), as amended, was adopted.

Heaton of Henry offered the following amendment [H-1497](#) filed by him from the floor and moved its adoption:

[H-1497](#)

- 1 Amend [House File 811](#) as follows:
- 2 1. Page 26, by inserting after line 31 the
- 3 following:
- 4 "\_\_\_\_. The department shall develop a proposal to
- 5 revise psychiatric medical institution for children
- 6 services in order for the services to provide dual
- 7 diagnosis treatment of both the mental health and
- 8 substance abuse needs of children. The proposal shall
- 9 include implementation provisions and shall be
- 10 submitted to the persons designated by this division
- 11 of this Act for submission of reports on or before
- 12 December 15, 2009."
- 13 2. By renumbering as necessary.

Mascher of Johnson in the chair at 4:00 p.m.

Amendment [H-1497](#) lost.

Heaton of Henry offered the following amendment [H-1498](#) filed by him from the floor and moved its adoption:

[H-1498](#)

- 1 Amend [House File 811](#) as follows:
- 2 1. Page 27, line 17, by striking the figure
- 3 "13,651,503" and inserting the following:
- 4 "13,477,410".

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

On the question "Shall amendment [H-1498](#) be adopted?" ([H.F. 811](#))

The ayes were, 43:

Alons	Anderson	Arnold	Baudler
Bukta	Cownie	De Boef	Deyoe
Dolecheck	Drake	Forristall	Grassley
Hagenow	Heaton	Helland	Horbach

Huseman	Kaufmann	Koester	Lukan
May	Miller, L.	Olson, S.	Paulsen
Pettengill	Raecker	Rants	Rayhons
Roberts	Sands	Schulte	Schultz
Soderberg	Sorenson	Struyk	Sweeney
Tjepkes	Tymeson	Upmeyer	Van Engelenhoven
Wagner	Windschitl	Worthan	

The nays were, 54:

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

Absent or not voting, 3:

Chambers	Murphy, Spkr.	Watts
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Amendment [H-1498](#) lost.

Koester of Polk offered the following amendment [H-1499](#) filed by Heaton of Henry from the floor and moved its adoption:

[H-1499](#)

- 1 Amend [House File 811](#) as follows:
- 2 1. Page 31, by inserting after line 7 the
- 3 following:
- 4 "\_\_\_\_. The department shall work with personnel of
- 5 the department, state and local public health
- 6 departments, child care resource and referral
- 7 services, extension, and others who visit or inspect
- 8 child care providers to streamline and eliminate
- 9 duplication in the inspection processes. The
- 10 department shall report on or before December 15,
- 11 2009, to the persons designated by this division of
- 12 this Act for submission of reports on the changes made
- 13 as a result of the work."
- 14 2. By renumbering as necessary.

Roll call was requested by L. Miller of Scott and Raecker of Polk.

On the question "Shall amendment [H-1499](#) be adopted?" ([H.F. 811](#))

The ayes were, 97:

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

The nays were, none.

Absent or not voting, 3:

Chambers            Murphy, Spkr.    Watts

Amendment [H-1499](#) was adopted.

Heaton of Henry offered the following amendment [H-1500](#) filed by him from the floor and moved its adoption:

[H-1500](#)

- 1 Amend [House File 811](#) as follows:
- 2 1. Page 34, line 1, by inserting after the figure

3 "7." the following: "However, the contract provisions  
 4 shall be revised to pay for the child welfare  
 5 emergency services on a fee-for-service basis. The  
 6 department shall include information on the usage of  
 7 the emergency services in the monthly shelter care  
 8 report."

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

On the question "Shall amendment [H-1500](#) be adopted?" ([H.F. 811](#))

The ayes were, 42:

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

The nays were, 53:

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

Absent or not voting, 5:

Chambers	Kuhn	Shomshor	Watts
Zirkelbach			

Amendment [H-1500](#) lost.

Heaton of Henry offered the following amendment [H-1501](#) filed by him from the floor and moved its adoption:

[H-1501](#)

- 1 Amend [House File 811](#) as follows:
- 2 1. Page 38, by inserting after line 8 the
- 3 following:
- 4 "Sec. \_\_\_\_\_. The department of human services shall
- 5 work jointly with the juvenile court and juvenile
- 6 court services in studying the provision of child
- 7 abuse information to juvenile court services
- 8 concerning children under the supervision of juvenile
- 9 court services, barriers to timely provision of the
- 10 information, and how the provision of the information
- 11 can be improved. A final report with findings and
- 12 recommendations shall be submitted to the governor,
- 13 supreme court, and general assembly, on or before
- 14 December 15, 2009."
- 15 2. By renumbering as necessary.

Roll call was requested by Heaton of Henry and Upmeyer of Hancock.

On the question "Shall amendment [H-1501](#) be adopted?" ([H.F. 811](#))

The ayes were, 97:

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

Thede	Thomas	Tjepkes	Tymeson
Upmeyer	Van Engelenhoven	Wagner	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Willems	Winckler	Windschitl	Worthan
Mascher, Presiding			

The nays were, none.

Absent or not voting, 3:

Chambers	Watts	Zirkelbach
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Amendment [H-1501](#) was adopted.

Soderberg of Plymouth offered the following amendment [H-1502](#) filed by him from the floor and moved its adoption:

[H-1502](#)

- 1 Amend [House File 811](#) as follows:
- 2 1. Page 38, by inserting after line 33 the
- 3 following:
- 4 "4. The department shall review the potential
- 5 outcomes of instituting a policy of suspending all or
- 6 a portion of adoption subsidy payments during a period
- 7 that a child for whom payments are provided is placed
- 8 by the court in a placement other than the adoptive
- 9 family. The department shall report on the review on
- 10 or before December 15, 2009, providing findings and
- 11 recommendations, to the persons designated by this
- 12 division of this Act for submission of reports."
- 13 2. By renumbering as necessary.

Roll call was requested by Soderberg of Plymouth and Paulsen of Linn.

On the question "Shall amendment [H-1502](#) be adopted?" ([H.F. 811](#))

The ayes were, 95:

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

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

The nays were, none.

Absent or not voting, 5:

Bailey	Chambers	Murphy, Spkr.	Olson, T.
Watts			

Amendment [H-1502](#) was adopted.

The Speaker announced that with the passage of amendment [H-1488](#), amendment [H-1503](#) filed by Huseman of Cherokee, Anderson of Page and Heaton of Henry from the floor was placed out of order.

Anderson of Page offered the following amendment [H-1516](#) filed by Anderson, et al., from the floor and moved its adoption:

[H-1516](#)

1 Amend [House File 811](#) as follows:  
 2 1. Page 41, by inserting before line 9 the  
 3 following:  
 4 "3. The department shall staff a task force  
 5 appointed by the governor consisting of knowledgeable  
 6 citizens to perform an in-depth review of the four  
 7 state mental health institutes, services provided,  
 8 public benefits of the services provided, economic  
 9 effects connected to the presence of the institutes  
 10 that are realized by the communities in the areas  
 11 served and the families of personnel, and other public

12 costs and benefits associated with the presence and  
 13 availability of the four institutes. The task force  
 14 shall submit a report providing findings and  
 15 recommendations to the governor and general assembly  
 16 on or before December 15, 2009."

Roll call was requested by Raecker of Polk and Huseman of Cherokee.

On the question "Shall amendment [H-1516](#) be adopted?" ([H.F. 811](#))

The ayes were, 97:

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

The nays were, none.

Absent or not voting, 3:

Chambers            Quirk            Watts

Amendment [H-1516](#) was adopted.

Forristall of Pottawattamie offered the following amendment [H-1517](#) filed by him from the floor and moved its adoption:

[H-1517](#)

1 Amend [House File 811](#) as follows:  
 2 1. Page 42, by inserting after line 19 the  
 3 following:  
 4 "6. The superintendents of the state resource  
 5 centers shall report to the persons designated by this  
 6 division of this Act for submission of reports at  
 7 least quarterly concerning the use of the  
 8 authorization in this section for adding new  
 9 positions, reclassifying positions, pooling vacant  
 10 positions, opening units or other facilities, and  
 11 implementing services or addressing special needs."

Roll call was requested by Forristall of Pottawattamie and Raecker of Polk.

On the question "Shall amendment [H-1517](#) be adopted?" ([H.F. 811](#))

The ayes were, 98:

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

The nays were, none.

Absent or not voting, 2:

Chambers            Watts

Amendment [H-1517](#) was adopted.

De Boef of Keokuk offered the following amendment [H-1519](#) filed by her from the floor and moved its adoption:

[H-1519](#)

- 1 Amend [House File 811](#) as follows:
- 2 1. Page 47, by striking lines 20 through 34.
- 3 2. By renumbering as necessary.

Roll call was requested by De Boef of Keokuk and Smith of Marshall.

On the question "Shall amendment [H-1519](#) be adopted?" ([H.F. 811](#))

The ayes were, 42:

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

The nays were, 54:

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

Whitaker Zirkelbach	Whitead Mascher, Presiding	Willems	Winckler
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Absent or not voting, 4:

Chambers	Quirk	Struyk	Watts
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Amendment [H-1519](#) lost.

Heaton of Henry offered the following amendment [H-1515](#) filed by him from the floor and moved its adoption:

[H-1515](#)

- 1 Amend [House File 811](#) as follows:
- 2 1. Page 48, line 9, by striking the word
- 3 "continue" and inserting the following: "reissue the
- 4 request for proposals for".

Roll call was requested by Heaton of Henry and L. Miller of Scott.

On the question "Shall amendment [H-1515](#) be adopted?" ([H.F. 811](#))

The ayes were, 43:

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

The nays were, 54:

Abdul-Samad	Bailey	Beard	Bell
Berry	Burt	Cohoon	Ficken
Ford	Frevert	Gaskill	Gayman
Heddens	Hunter	Huser	Isenhart
Jacoby	Kearns	Kelley	Kressig
Kuhn	Lensing	Lykam	Marek
McCarthy	Miller, H.	Murphy, Spkr.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer

Petersen	Quirk	Reasoner	Reichert
Schueller	Shomshor	Smith	Steckman
Swaim	Taylor, D.	Taylor, T.	Thede
Thomas	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Willems	Winckler
Zirkelbach	Mascher, Presiding		

Absent or not voting, 3:

Chambers	Rants	Watts
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Amendment [H-1515](#) lost.

Alons of Sioux offered the following amendment [H-1504](#) filed by him from the floor and moved its adoption:

[H-1504](#)

- 1 Amend [House File 811](#) as follows:
- 2 1. Page 52, by striking lines 8 through 12.
- 3 2. By renumbering as necessary.

Roll call was requested by Alons of Sioux and Smith of Marshall.

On the question "Shall amendment [H-1504](#) be adopted?" ([H.F. 811](#))

The ayes were, 44:

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

The nays were, 53:

Abdul-Samad	Bailey	Beard	Bell
Berry	Bukta	Burt	Cohoon
Ficken	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Isenhart	Jacoby	Kearns	Kelley

Kressig	Kuhn	Lensing	Lykam
McCarthy	Miller, H.	Murphy, Spkr.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Quirk	Reasoner	Reichert
Schueller	Shomshor	Smith	Steckman
Taylor, D.	Taylor, T.	Thede	Thomas
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Willems	Winckler	Zirkelbach
Mascher, Presiding			

Absent or not voting, 3:

Chambers                      Struyk                      Watts

Amendment [H-1504](#) lost.

Schulte of Linn asked and received unanimous consent to withdraw amendment [H-1489](#) and amendment [H-1493](#) filed by her from the floor.

Schulte of Linn offered the following amendment [H-1505](#) filed by her from the floor and moved its adoption:

[H-1505](#)

1 Amend [House File 811](#) as follows:  
 2 1. Page 58, by inserting after line 27 the  
 3 following:  
 4 "Sec.\_\_\_\_. VACANT, FUNDED FULL-TIME EQUIVALENT  
 5 POSITIONS. Notwithstanding any provision to the  
 6 contrary, for the fiscal year beginning July 1, 2009,  
 7 and ending June 30, 2010, the director of a department  
 8 or state agency to which appropriations are made  
 9 pursuant to the provisions of this Act shall revert to  
 10 the general fund of the state at the close of the  
 11 fiscal year an amount equal to the salary and benefits  
 12 cost of each full-time equivalent position funded with  
 13 an appropriation made in this Act that remains vacant  
 14 for a period of six months or more."  
 15 2. By renumbering as necessary.

Roll call was requested by Schulte of Linn and Helland of Polk.

On the question "Shall amendment [H-1505](#) be adopted?" ([H.F. 811](#))

The ayes were, 41:

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

The nays were, 55:

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

Absent or not voting, 4:

Bailey	Chambers	Pettengill	Watts
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Amendment [H-1505](#) lost.

Baudler of Adair offered the following amendment [H-1506](#) filed by him from the floor and moved its adoption:

[H-1506](#)

- 1 Amend [House File 811](#) as follows:
- 2 1. Page 58, by inserting after line 27 the
- 3 following:
- 4 "Sec.\_\_\_\_. EXPENSE REIMBURSEMENT – REQUIREMENTS.
- 5 Notwithstanding any provision to the contrary, for the
- 6 fiscal year beginning July 1, 2009, and ending June
- 7 30, 2010, the director of a department or state agency
- 8 to which appropriations are made pursuant to the

9 provisions of this Act shall require employees, in  
 10 order to receive reimbursement for expense, to submit  
 11 actual receipts for meals and other costs.  
 12 Reimbursement up to the maximum amount shall only be  
 13 allowed in an amount equal to the sum of the actual  
 14 receipts submitted."  
 15 2. By renumbering as necessary.

T. Olson of Linn in the chair at 5:47 p.m.

Roll call was requested by Baudler of Adair and Sweeney of Hardin.

On the question "Shall amendment [H-1506](#) be adopted?" ([H.F. 811](#))

The ayes were, 98:

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

The nays were, none.

Absent or not voting, 2:

Chambers            Watts

Amendment [H-1506](#) was adopted.

Rayhons of Hancock offered the following amendment [H-1507](#) filed by him from the floor and moved its adoption:

[H-1507](#)

- 1 Amend [House File 811](#) as follows:
- 2 1. Page 58, by inserting after line 27 the
- 3 following:
- 4 "Sec.\_\_\_\_. OUT-OF-STATE TRAVEL – RESTRICTIONS.
- 5 Notwithstanding any provision to the contrary, for the
- 6 fiscal year beginning July 1, 2009, and ending June
- 7 30, 2010, out-of-state travel by an employee of a
- 8 department or state agency to which appropriations are
- 9 made pursuant to this Act shall not be authorized
- 10 unless the executive council authorizes the travel as
- 11 necessary for the performance of official state
- 12 business."
- 13 2. By renumbering as necessary.

Roll call was requested by Rayhons of Hancock and Raecker of Polk.

On the question "Shall amendment [H-1507](#) be adopted?" ([H.F. 811](#))

The ayes were, 98:

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

Thede	Thomas	Tjepkes	Tymeson
Upmeyer	Van Engelenhoven	Wagner	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Willems	Winckler	Windschitl	Worthan
Zirkelbach	Olson, T., Presiding		

The nays were, none.

Absent or not voting, 2:

Chambers            Watts

Amendment [H-1507](#) was adopted.

Alons of Sioux offered the following amendment [H-1508](#) filed by him from the floor and moved its adoption:

[H-1508](#)

1 Amend [House File 811](#) as follows:  
 2 1. Page 58, by inserting after line 27 the  
 3 following:  
 4 "Sec. \_\_\_\_ EXPENDITURES FOR CELLULAR TELEPHONES  
 5 AND PERSONAL DIGITAL ASSISTANTS PROHIBITED.  
 6 Notwithstanding any provision to the contrary, other  
 7 than for employees performing inspections or who are  
 8 otherwise normally performing their primary duties  
 9 away from a fixed location more than 70 percent of the  
 10 time, for the fiscal year beginning July 1, 2009, a  
 11 department receiving appropriations in this Act shall  
 12 not expend moneys appropriated from the general fund  
 13 of the state to pay for or reimburse the initial or  
 14 associated service costs for cellular telephones,  
 15 personal digital assistant devices, or handheld  
 16 computers. However, the executive council may  
 17 authorize an exception on a case-by-case basis, to  
 18 address an emergency situation for a period of time  
 19 not more than three consecutive calendar months in  
 20 length or to complete the minimum period specified  
 21 under the terms of a lease or contract."  
 22 2. By renumbering as necessary.

Roll call was requested by Alons of Sioux and Raecker of Polk.

On the question "Shall amendment [H-1508](#) be adopted?" ([H.F. 811](#))

The ayes were, 42:

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

The nays were, 56:

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

Absent or not voting, 2:

Chambers            Watts

Amendment [H-1508](#) lost.

Raecker of Polk asked and received unanimous consent to withdraw amendment [H-1509](#) filed by him from the floor.

Schulte of Linn offered the following amendment [H-1520](#) filed by her from the floor and moved its adoption:

[H-1520](#)

- 1 Amend [House File 811](#) as follows:
- 2    1. Page 58, by inserting after line 27 the
- 3 following:
- 4 "Sec.\_\_\_\_. LEAN GOVERNMENT EXCHANGE. Beginning

5 July 1, 2009, the department of human services shall  
 6 participate in the lean government exchange through  
 7 consultation with the department of management, office  
 8 of lean enterprise, to improve the speed and  
 9 efficiency of departmental and program processes by  
 10 eliminating waste. The department shall initially  
 11 apply this methodology to general administration. The  
 12 department shall submit periodic progress reports  
 13 regarding such implementation to the persons  
 14 designated by this division of this Act for submission  
 15 of reports."  
 16 2. By renumbering as necessary.

Speaker Murphy in the chair at 6:18 p.m.

Roll call was requested by Schulte of Linn and Worthan of Buena Vista.

On the question "Shall amendment [H-1520](#) be adopted?" ([H.F. 811](#))

The ayes were, 98:

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

The nays were, none.

Absent or not voting, 2:

Chambers            Watts

Amendment [H-1520](#) was adopted.

Raecker of Polk asked and received unanimous consent to withdraw amendment [H-1524](#) filed by him from the floor.

L. Miller of Scott asked and received unanimous consent to withdraw amendment [H-1525](#) filed by her from the floor.

Upmeyer of Hancock asked and received unanimous consent to withdraw amendment [H-1490](#) filed by her from the floor.

L. Miller of Scott offered the following amendment [H-1510](#) filed by her from the floor and moved its adoption:

[H-1510](#)

- 1 Amend [House File 811](#) as follows:
- 2 1. Page 71, by inserting after line 29 the
- 3 following:
- 4 "NEW SUBSECTION. 7. The county management plans
- 5 for the services funded under this section shall
- 6 provide that if a consumer is receiving targeted case
- 7 management services under the medical assistance
- 8 program that the consumer shall not also receive other
- 9 case management services duplicative of the targeted
- 10 case management services."

Amendment [H-1510](#) lost.

Ford of Polk asked and received unanimous consent to withdraw amendment [H-1523](#) filed by him from the floor.

Heaton of Henry offered the following amendment [H-1511](#) filed by him from the floor and moved its adoption:

[H-1511](#)

- 1 Amend [House File 811](#) as follows:

- 2 1. Page 71, line 33, by inserting after the word  
 3 "services" the following: ", in consultation with the  
 4 ranking members of the subcommittee,".

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

On the question "Shall amendment [H-1511](#) be adopted?" ([H.F. 811](#))

The ayes were, 97:

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

The nays were, none.

Absent or not voting, 3:

Chambers            Taylor, D.            Watts

Amendment [H-1511](#) was adopted.

Heaton of Henry offered the following amendment [H-1512](#) filed by him from the floor and moved its adoption:

[H-1512](#)

- 1 Amend [House File 811](#) as follows:

2 1. Page 72, line 16, by inserting after the word  
 3 "bodies." the following: "The bodies shall report to  
 4 the persons designated by this division of this Act  
 5 for submission of reports on or before January 15,  
 6 2010, concerning the coordination efforts."

Roll call was requested by Heaton of Henry and Cownie of Polk.

On the question "Shall amendment [H-1512](#) be adopted?" ([H.F. 811](#))

The ayes were, 96:

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

The nays were, none.

Absent or not voting, 4:

Chambers	Taylor, D.	Watts	Zirkelbach
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Amendment [H-1512](#) was adopted.

Heaton of Henry offered the following amendment [H-1513](#) filed by him from the floor and moved its adoption:

[H-1513](#)

- 1 Amend [House File 811](#) as follows:
- 2 1. Page 80, by striking lines 8 through 23.
- 3 2. By renumbering as necessary.

Roll call was requested by Heaton of Henry and L. Miller of Scott.

On the question "Shall amendment [H-1513](#) be adopted?" ([H.F. 811](#))

The ayes were, 41:

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

The nays were, 55:

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

Absent or not voting, 4:

Chambers	Pettengill	Watts	Zirkelbach
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Amendment [H-1513](#) lost.

Dolecheck of Ringgold asked and received unanimous consent to withdraw amendment [H-1518](#) filed by him and Heaton of Henry from the floor.

Rants of Woodbury offered the following amendment [H-1487](#) filed by him and moved its adoption:

[H-1487](#)

- 1 Amend [House File 811](#) as follows:
- 2 1. Page 96, by inserting after line 28 the
- 3 following:
- 4 "DIVISION \_\_\_\_
- 5 VEHICLE PURCHASES
- 6 Sec. \_\_\_\_ VEHICLE PURCHASES DEFERRED.
- 7 Notwithstanding any provision to the contrary, except
- 8 as otherwise provided by this section, the department
- 9 of administrative services shall defer the purchase of
- 10 replacement motor vehicles paid for from the general
- 11 fund of the state or from such moneys credited to the
- 12 depreciation fund maintained pursuant to section
- 13 8A.365. The purchase deferral is applicable to the
- 14 remainder of the fiscal year beginning July 1, 2008,
- 15 commencing on the effective date of this section and
- 16 to the succeeding fiscal year. However, the executive
- 17 council may authorize an exception to allow purchase
- 18 of a replacement vehicle when the purchase is less
- 19 costly than all other alternatives.
- 20 Sec. \_\_\_\_ EFFECTIVE DATE. The section of this
- 21 division of this Act providing for vehicle purchases
- 22 to be deferred, being deemed of immediate importance,
- 23 takes effect upon enactment."
- 24 2. By renumbering as necessary.

Heddens of Story rose on a point of order that amendment [H-1487](#) was not germane.

The Speaker ruled the point well taken and amendment [H-1487](#) not germane.

Rants of Woodbury moved to suspend the rules to consider amendment [H-1487](#).

Roll call was requested by Rants of Woodbury and Paulsen of Linn.

On the question "Shall the rules be suspended to consider amendment [H-1487?](#)" ([H.F. 811](#))

The ayes were, 42:

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

The nays were, 56:

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

Absent or not voting, 2:

Chambers            Watts

The motion to suspend the rules lost.

Heddens of Story offered the following amendment [H-1494](#) filed by her from the floor and moved its adoption:

[H-1494](#)

- 1 Amend [House File 811](#) as follows:
- 2 1. Page 96, by inserting after line 28 the
- 3 following:
- 4 "Sec. \_\_\_\_ Section 249A.3, subsection 14, Code

5 2009, is amended to read as follows:  
6 14. Once initial ongoing eligibility for the  
7 ~~family medical assistance program related medical~~  
8 ~~assistance~~ is determined for a child described under  
9 ~~subsection 1, paragraph "b", "f", "g", "j", "k", "l",~~  
10 ~~or "n" or under subsection 2, paragraph "c", "f", or~~  
11 ~~"h" the age of nineteen~~, the department shall provide  
12 continuous eligibility for a period of up to twelve  
13 months regardless of changes in family circumstances,  
14 until the child's next annual review of eligibility  
15 under the medical assistance program, ~~if the child~~  
16 ~~would otherwise be determined ineligible due to excess~~  
17 ~~countable income but otherwise remains eligible with~~  
18 the exception of the following children:  
19 a. A newborn child of a medical  
20 assistance-eligible woman.  
21 b. A child whose eligibility was determined under  
22 the medically needy program.  
23 c. A child who is eligible under a state-only  
24 funded program.  
25 d. A child who is no longer an Iowa resident.  
26 e. A child who is incarcerated in a jail or other  
27 correctional institution.  
28 Sec. \_\_\_\_ EFFECTIVE DATE - RETROACTIVE  
29 APPLICABILITY. The section of this division of this  
30 Act amending section 249A.3, subsection 14, being  
31 deemed of immediate importance, takes effect upon  
32 enactment and is retroactively applicable to July 1,  
33 2008."  
34 2. By renumbering as necessary.

Amendment [H-1494](#) was adopted.

Rants of Woodbury asked and received unanimous consent to withdraw amendment [H-1522](#) filed by him from the floor.

Struyk of Pottawattamie asked and received unanimous consent to suspend Rule 31, related to the timely filing of amendments, to consider amendment [H-1526](#).

Struyk of Pottawattamie offered the following amendment [H-1526](#) filed by him, Heddens of Story and Smith of Marshall from the floor and moved its adoption:

[H-1526](#)

1 Amend [House File 811](#) as follows:  
2 1. Page 5, by inserting after line 33 the  
3 following:  
4 "(5) The requirement of section 123.53, subsection

5 3, is met by the appropriations and allocations made  
 6 in this Act for purposes of substance abuse treatment  
 7 and addictive disorders for the fiscal year beginning  
 8 July 1, 2009."  
 9 2. Page 95, by striking lines 2 through 24.  
 10 3. By renumbering as necessary.

Amendment [H-1526](#) was adopted.

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

On the question "Shall the bill pass?" ([H.F. 811](#))

The ayes were, 56:

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

The nays were, 42:

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

Absent or not voting, 2:

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

MOTION TO RECONSIDER WITHDRAWN  
([Senate File 467](#))

McCarthy of Polk asked and received unanimous consent to withdraw the motion to reconsider [Senate File 467](#), a bill for an act relating to and making appropriations involving state government, by providing for agriculture, natural resources, and environmental protection, and providing effective dates, filed by him on April 8, 2009.

MOTION TO RECONSIDER WITHDRAWN  
([Senate File 469](#))

McCarthy of Polk asked and received unanimous consent to withdraw the motion to reconsider [Senate File 469](#), a bill for an act relating to and making appropriations to the department of cultural affairs, the department of economic development, certain board of regents institutions, the department of workforce development, and the public employment relations board, and related matters, filed by him on April 8, 2009.

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: [House File 811](#) and [Senate Files 467](#) and [469](#).

SENATE MESSAGE CONSIDERED

[Senate File 475](#), by committee on appropriations, a bill for an act relating to and making appropriations to the justice system, and including effective and retroactive applicability date provisions.

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

On motion by McCarthy of Polk, the House was recessed at 7:42 p.m., until the conclusion of the meeting of the committee on appropriations.

## EVENING SESSION

The House reconvened at 10:35 p.m., T. Taylor of Linn in the chair.

## INTRODUCTION OF BILLS

[House File 817](#), by committee on ways and means, a bill for an act relating to the research activities tax credit for innovative renewable energy generation components and making an appropriation and providing applicability date provisions.

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

[House File 818](#), by committee on ways and means, a bill for an act relating to the eligibility for tax credits and income reductions for qualified expenditures under the film, television, and video project promotion program, providing for a fee, and providing an applicability date provision.

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

[House File 819](#), by committee on ways and means, a bill for an act relating to historic preservation and cultural and entertainment district tax credits by increasing the aggregate amount of credits that may be approved, changing the amounts allocated to various projects, and modifying certain administrative duties of the department of cultural affairs.

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

[House File 820](#), by committee on appropriations, a bill for an act appropriating federal funds made available from federal block grants, federal American Recovery and Reinvestment Act of 2009 funding, and other federal grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated.

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

[House File 821](#), by the committee on appropriations, a bill for an act concerning public employee collective bargaining.

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

[House File 822](#), by the committee on appropriations, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund and the technology reinvestment fund and other funds, and providing for properly related matters.

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

[HOUSE FILE 777](#) REREFERRED

The Speaker announced that [House File 777](#), previously referred to committee on **appropriations** was placed on the **calendar**.

HOUSE FILES AND SENATE FILES  
PLACED ON THE UNFINISHED BUSINESS CALENDAR

Hunter of Polk asked and received unanimous consent that the following House Files and Senate Files be placed on the unfinished business calendar.

[House File 209](#)  
[House File 234](#)  
[House File 426](#)  
[House File 491](#)  
[House File 520](#)  
[House File 562](#)  
[House File 629](#)  
[House File 657](#)  
[House File 670](#)  
[House File 671](#)  
[House File 674](#)  
[House File 686](#)  
[House File 691](#)  
[House File 705](#)  
[House File 711](#)  
[House File 712](#)  
[House File 744](#)

[House File 781](#)  
[House File 783](#)  
[House File 785](#)  
[House File 790](#)  
[House File 791](#)  
[House File 795](#)  
[House File 807](#)  
[House File 810](#)  
[House File 812](#)  
[House File 814](#)  
[House File 815](#)  
[House File 816](#)  
[House File 817](#)  
[House File 818](#)  
[House File 819](#)  
[House File 820](#)  
[House File 821](#)

[House File 756](#)  
[House File 767](#)  
[House File 775](#)  
[House File 777](#)  
[House File 778](#)

[House File 822](#)  
[Senate File 236](#)  
[Senate File 414](#)  
[Senate File 433](#)

#### HOUSE FILE 794 REFERRED

The Speaker announced that [House File 794](#), previously placed on the **calendar** was referred to committee on **appropriations**.

#### SENATE FILE 344 REFERRED

The Speaker announced that [Senate File 344](#), previously placed on the **calendar** was referred to committee on **appropriations**.

#### BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 9, 2009, he approved and transmitted to the Secretary of State the following bills:

[House File 315](#), an Act creating an Iowa collaboration for youth development council and state of Iowa youth advisory council in the department of human rights.

[House File 687](#), an Act relating to certain reporting requirements or actions required of the department of education, school districts, accredited nonpublic schools, and community colleges.

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

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

[Senate File 365](#), an Act relating to trusts and estates including the administration of small estates and including retroactive and other applicability provisions.

#### CERTIFICATES OF RECOGNITION

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

MARK W. BRANDSGARD  
Chief Clerk of the House

- 2009\3559 Robert and Marie Johnson, Swedesburg – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2009\3560 Ruth Kolbe, Story – For celebrating her 100<sup>th</sup> birthday.
- 2009\3561 Eleanore Barkey, Iowa Falls – For celebrating her 90<sup>th</sup> birthday.
- 2009\3562 Phyllis McGill, Iowa Falls – For celebrating her 80<sup>th</sup> birthday.
- 2009\3563 Arnold Schaap, Ackley – For celebrating his 80<sup>th</sup> birthday.
- 2009\3564 Harold Priske, Eldora – For celebrating his 92<sup>nd</sup> birthday.
- 2009\3565 Lester and Susie Hinz, Iowa Falls – For celebrating their 70<sup>th</sup> wedding anniversary.
- 2009\3566 Leita Steckelberg, Denison – For celebrating her 90<sup>th</sup> birthday.
- 2009\3567 Eleanor Harvey, Akron – For celebrating her 90<sup>th</sup> birthday.
- 2009\3568 Cynthia Cleveringa, Sioux Center – For celebrating her 95<sup>th</sup> birthday.
- 2009\3569 Elnora McGilvra, Orange City – For celebrating her 100<sup>th</sup> birthday.
- 2009\3570 Lorene Franken, Sioux Center – For celebrating her 80<sup>th</sup> birthday.
- 2009\3571 Luella Smit, Boyden – For celebrating her 80<sup>th</sup> birthday.
- 2009\3572 Jacqueline Telford, Rock Rapids – For celebrating her 80<sup>th</sup> birthday.
- 2009\3573 Harold Kuiken, Sioux Center – For celebrating his 80<sup>th</sup> birthday.
- 2009\3574 Kenneth Klaahsen, George – For celebrating his 80<sup>th</sup> birthday.
- 2009\3575 Bernice Winter, George – For celebrating her 85<sup>th</sup> birthday.
- 2009\3576 Helen Schol, Rock Rapids – For celebrating her 85<sup>th</sup> birthday.
- 2009\3577 Gertrude Folkerts, Inwood – For celebrating her 75<sup>th</sup> birthday.
- 2009\3578 Jim Kramer, George – For celebrating his 75<sup>th</sup> birthday.
- 2009\3579 Lewis Arkema, Sioux Center – For celebrating his 75<sup>th</sup> birthday.

## SUBCOMMITTEE ASSIGNMENTS

[House File 764](#)

Ways and Means: D. Olson, Chair; Frevert and Hagenow.

[House File 769](#)

Ways and Means: D. Olson, Chair; Frevert and Hagenow.

[Senate File 304](#)

Ways and Means: Wendt, Chair; D. Olson and Sands.

[Senate File 474](#)

Appropriations: Cohoon, Chair; Huseman and Oldson.

HOUSE STUDY BILL COMMITTEE ASSIGNMENT

[H.S.B. 291](#) Appropriations

Relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund and the technology reinvestment fund and other funds, and providing for properly related matters.

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 APPROPRIATIONS

**Committee Bill** (Formally [House File 794](#)), concerning public employee collective bargaining and decisions rendered by administrative law judges.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 9, 2009.

**Committee Bill** (Formerly [House Study Bill 291](#)), relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund and the technology reinvestment fund and other funds, and providing for properly related matters.

Fiscal Note is not required.

Recommended **Do Pass** April 9, 2009.

**Committee Bill** (Formerly [House Study Bill 174](#)), appropriating federal funds made available from federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 9, 2009.

#### COMMITTEE ON WAYS AND MEANS

**Committee Bill** (Formerly [House File 528](#)), relating to the research activities tax credit for innovative renewable energy generation components.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 9, 2009.

**Committee Bill** (Formerly [House File 631](#)), relating to the eligibility for tax credits and income reductions for qualified expenditures under the film, television, and video project promotion program, providing for a fee, and providing an applicability date provision.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 9, 2009.

**Committee Bill** (Formerly [House File 751](#)), relating to historic preservation and cultural and entertainment district tax credits by increasing the aggregate amount of credits that may be approved, changing the amounts allocated to various projects, and modifying certain administrative duties of the department of cultural affairs.

Fiscal Note is not required

Recommended **Amend and Do Pass** April 9, 2009.

#### AMENDMENTS FILED

<a href="#">H-1492</a>	<a href="#">H.F. 712</a>	Struyk of Pottawattamie
<a href="#">H-1514</a>	<a href="#">H.F. 580</a>	Senate Amendment
<a href="#">H-1527</a>	<a href="#">S.F. 457</a>	T. Olson of Linn
		Helland of Polk
		Wagner of Linn
		Windschitl of Harrison
		Grassley of Butler
<a href="#">H-1528</a>	<a href="#">S.F. 415</a>	Grassley of Butler
<a href="#">H-1529</a>	<a href="#">H.F. 812</a>	Thomas of Clayton

<a href="#">H-1530</a>	<a href="#">H.F. 816</a>	Petersen of Polk Struyk of Pottawattamie
<a href="#">H-1531</a>	<a href="#">S.F. 283</a>	D. Olson of Boone R. Olson of Polk
<a href="#">H-1532</a>	<a href="#">H.F. 812</a>	Thomas of Clayton

On motion by Hunter of Polk the House adjourned at 10:39 p.m., until 10:00 a.m., Monday, April 13, 2009.