

**PROOF**

---

---

**STATE OF IOWA**

# **House Journal**

**WEDNESDAY, APRIL 15, 2009**

---

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

---

---

## JOURNAL OF THE HOUSE

Ninety-fourth Calendar Day - Sixty-second Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Wednesday, April 15, 2009

The House met pursuant to adjournment at 9:18 a.m., Kressig of Black Hawk in the chair.

Prayer was offered by Reverend Melissa Drake of Silver Creek and Hancock United Methodist Churches, Hancock. She is a former Page and the granddaughter of Representative Jack Drake of Cass County.

### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Katie McKnight, House Page from Des Moines.

The Journal of Tuesday, April 14, 2009 was approved.

On motion by Gayman of Scott, the House was recessed at 9:23 a.m., until 11:00 a.m.

### MORNING SESSION

The House reconvened at 11:13 a.m., Speaker Murphy in the chair.

McCarthy of Polk asked and received unanimous consent for the immediate consideration of [Senate File 475](#).

### CONSIDERATION OF BILLS Appropriations Calendar

[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, with report of committee recommending amendment and passage, was taken up for consideration.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Watts of Dallas, until his return, on request of Roberts of Carroll.

McCarthy of Polk asked and received unanimous consent to suspend Rule 31, related to the timely filing of amendments, to consider amendments that have been filed thus far.

T. Taylor of Linn offered the following amendment [H-1580](#) filed by the committee on appropriations and moved its adoption:

[H-1580](#)

- 1 Amend [Senate File 475](#), as passed by the Senate, as
- 2 follows:
- 3 1. Page 21, line 28, by striking the word and
- 4 figure "[subsection 6](#)" and inserting the following:
- 5 "[subsection 7](#)".

The committee amendment [H-1580](#) was adopted.

Rants of Woodbury offered amendment [H-1621](#) filed by him from the floor as follows:

[H-1621](#)

- 1 Amend [Senate File 475](#), as passed by the Senate, as
- 2 follows:
- 3 1. Page 1, line 22, by striking the figure
- 4 "2,400,000" and inserting the following: "4,000,000".
- 5 2. Page 21, by inserting after line 1 the
- 6 following:
- 7 "Sec.\_\_\_\_. VEHICLE PURCHASES DEFERRED.
- 8 1. Notwithstanding any provision to the contrary,
- 9 except as otherwise provided by this section, the
- 10 department of administrative services shall defer the
- 11 purchase of replacement motor vehicles paid for from
- 12 the general fund of the state or from such moneys
- 13 credited to the depreciation fund maintained pursuant
- 14 to section 8A.365. The purchase deferral is
- 15 applicable to the remainder of the fiscal year
- 16 beginning July 1, 2008, commencing on the effective
- 17 date of this section, and to the succeeding fiscal
- 18 year. This section does not apply to the purchase of
- 19 motor vehicles for the department of public safety,

20 division of state patrol. The executive council may  
 21 authorize an exception to such deferral requirement to  
 22 allow purchase of a replacement vehicle when the  
 23 purchase is less costly than all other alternatives.  
 24 2. The \$1.6 million in savings achieved by  
 25 deferring the purchase of motor vehicles pursuant to  
 26 this section is appropriated to the department of  
 27 justice for victim assistance grants."  
 28 3. Page 23, line 11, by striking the words "The  
 29 section" and inserting the following:  
 30 "1. The section".  
 31 4. Page 23, by inserting after line 14 the  
 32 following:  
 33 "2. The section of this Act providing for deferral  
 34 of the purchase of motor vehicles, being deemed of  
 35 immediate importance, takes effect upon enactment."

T. Taylor of Linn rose on a point of order that amendment [H-1621](#) was not germane.

The Speaker ruled the point well taken and amendment [H-1621](#) not germane.

Rants of Woodbury moved to suspend the rules to consider amendment [H-1621](#).

Roll call was requested by Rants of Woodbury and T. Taylor of Linn.

On the question "Shall the rules be suspended to consider amendment [H-1621](#)?" ([S.F. 475](#))

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, 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      |
| 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, 3:

|        |          |       |
|--------|----------|-------|
| Bailey | Chambers | Watts |
|--------|----------|-------|

The motion to suspend the rules lost.

Worthan of Buena Vista offered the following amendment [H-1620](#) filed by him and moved its adoption:

T. Olson of Linn in the chair at 11:50 a.m.

[H-1620](#)

1 Amend [Senate File 475](#), as passed by the Senate, as  
 2 follows:  
 3 1. Page 2, by inserting after line 30 the  
 4 following:  
 5 " \_\_\_\_\_. As a condition of receiving funding  
 6 appropriated in this section, for the fiscal year  
 7 beginning July 1, 2009, and ending June 30, 2010, the  
 8 department of justice shall comply with all of the  
 9 following requirements:  
 10 a. The rates and fees set by the department of  
 11 justice to provide services for the fiscal year shall  
 12 not exceed the rates and fees set for providing  
 13 services as of January 1, 2009.  
 14 b. The department of justice shall not seek  
 15 reimbursement from other state agencies, commissions,  
 16 boards, or other similar entities in an amount that  
 17 exceeds the total amount reimbursed to the department  
 18 of justice by those other state agencies, commissions,

19 boards, or other similar entities for the fiscal year  
20 beginning July 1, 2008."

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

On the question "Shall amendment [H-1620](#) be adopted?" ([S.F. 475](#))

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, 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.  |
| 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.,<br>Presiding |            |

Absent or not voting, 3:

|          |               |       |
|----------|---------------|-------|
| Chambers | Murphy, Spkr. | Watts |
|----------|---------------|-------|

Amendment [H-1620](#) lost.

Hunter of Polk asked and received unanimous consent to withdraw amendment [H-1616](#) filed by him on April 14, 2009.

Raecker of Polk offered the following amendment [H-1606](#) filed by him and moved its adoption:

[H-1606](#)

1 Amend [Senate File 475](#), as passed by the Senate, as  
2 follows:  
3 1. Page 21, by inserting after line 1 the  
4 following:  
5 "Sec. \_\_\_\_ OFFICE EXPENSES – MANDATORY REDUCTION.  
6 For the fiscal year beginning July 1, 2009, and ending  
7 June 30, 2010, the appropriations from the general  
8 fund of the state to a state department or state  
9 agency to which appropriations are made pursuant to  
10 this Act are reduced by such amount, as necessary to  
11 effect a 50 percent reduction in the amount  
12 appropriated for expenditures for office supplies,  
13 service contracts, and equipment purchases. However,  
14 equipment that is critical to the execution of the  
15 duties of officers of the department of corrections or  
16 the department of public safety, is exempt from the  
17 reduction. The reduction of the individual  
18 appropriations shall be determined by the department  
19 of management in consultation with the affected  
20 departments and agencies on the basis of the expected  
21 expenditures for such items by the affected state  
22 department or agency for the fiscal year without the  
23 reduction required by this section. The specific  
24 amount that each individual appropriation is reduced  
25 shall be outlined in a memorandum prepared by the  
26 department of management which shall be submitted to  
27 the general assembly and legislative services agency  
28 within 30 days of the effective date of this section  
29 of this Act. The reduction of an individual  
30 appropriation pursuant to this section shall be  
31 applied prior to any reductions in full-time  
32 equivalent positions. The reduction of an individual  
33 appropriation pursuant to this section shall be in  
34 addition to any other reduction required by law and  
35 general fund appropriations reduced pursuant to this  
36 section shall not be expended for any other purposes  
37 but shall be retained in the general fund of the  
38 state."  
39 2. By renumbering as necessary.

Roll call was requested by Raecker of Polk and Worthan of Buena Vista.

On the question "Shall amendment [H-1606](#) be adopted?" ([S.F. 475](#))

The ayes were, 41:

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

The nays were, 52:

|             |                   |            |                         |
|-------------|-------------------|------------|-------------------------|
| Abdul-Samad | Bailey            | Beard      | Bell                    |
| Berry       | Bukta             | Burt       | Cohoon                  |
| Ficken      | Ford              | Frevert    | Gaskill                 |
| Gayman      | Heddens           | Hunter     | Huser                   |
| Isenhardt   | Jacoby            | Kearns     | Kelley                  |
| Kressig     | Kuhn              | Lensing    | Marek                   |
| Mascher     | Mertz             | Miller, H. | Oldson                  |
| Olson, D.   | 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.,<br>Presiding |

Absent or not voting, 7:

|               |           |         |          |
|---------------|-----------|---------|----------|
| Baudler       | Chambers  | Lykam   | McCarthy |
| Murphy, Spkr. | Olson, R. | Paulsen |          |

Amendment [H-1606](#) lost.

Tjepkes of Webster asked and received unanimous consent to withdraw amendment [H-1607](#) filed by him on April 14, 2009.

Anderson of Page asked and received unanimous consent to withdraw amendment [H-1608](#) filed by him on April 14, 2009.

Anderson of Page offered the following amendment [H-1609](#) filed by him and moved its adoption:

[H-1609](#)

1 Amend [Senate File 475](#), as passed by the Senate, as  
 2 follows:  
 3 1. Page 21, by inserting after line 1 the  
 4 following:  
 5 "Sec. \_\_\_\_ EXPENDITURES FOR CELLULAR TELEPHONES  
 6 AND PERSONAL DIGITAL ASSISTANTS PROHIBITED.  
 7 Notwithstanding any provision to the contrary, other  
 8 than for employees covered under a collective  
 9 bargaining agreement, employees performing  
 10 inspections, or employees whose use of the devices  
 11 addressed by this section is critical in the execution  
 12 of the duties of the employee, or employees who are  
 13 otherwise normally performing their primary duties  
 14 away from a fixed location more than 70 percent of the  
 15 time, for the fiscal year beginning July 1, 2009, a  
 16 department receiving appropriations in this Act shall  
 17 not expend moneys appropriated from the general fund  
 18 of the state to pay for or reimburse the initial or  
 19 associated service costs for cellular telephones,  
 20 personal digital assistant devices, or handheld  
 21 computers. However, the executive council may  
 22 authorize an exception on a case-by-case basis, to  
 23 address an emergency situation for a period of time  
 24 not more than three consecutive calendar months in  
 25 length or to complete the minimum period specified  
 26 under the terms of a lease or contract."  
 27 2. By renumbering as necessary.

Roll call was requested by Anderson of Page and Worthan of Buena Vista.

On the question "Shall amendment [H-1609](#) be adopted?" ([S.F. 475](#))

The ayes were, 41:

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

The nays were, 52:

|             |                   |            |                         |
|-------------|-------------------|------------|-------------------------|
| Abdul-Samad | Bailey            | Beard      | Bell                    |
| Berry       | Bukta             | Burt       | Cohoon                  |
| Ficken      | Ford              | Frevert    | Gaskill                 |
| Gayman      | Heddens           | Hunter     | Huser                   |
| Isenhart    | Jacoby            | Kearns     | Kelley                  |
| Kressig     | Kuhn              | Lensing    | Marek                   |
| Mascher     | Miller, H.        | 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.,<br>Presiding |

Absent or not voting, 7:

|         |               |         |          |
|---------|---------------|---------|----------|
| Baudler | Chambers      | Lykam   | McCarthy |
| Mertz   | Murphy, Spkr. | Paulsen |          |

Amendment [H-1609](#) lost.

Alons of Sioux offered the following amendment [H-1610](#) filed by him and moved its adoption:

[H-1610](#)

1 Amend [Senate File 475](#), as passed by the Senate, as  
 2 follows:  
 3 1. Page 21, by inserting after line 1 the  
 4 following:  
 5 "Sec.\_\_\_\_. CORRECTIONAL OFFICER AND PEACE OFFICER  
 6 – PRIORITY. As a condition of receiving an  
 7 appropriation in this Act, the department of  
 8 corrections and the department of public safety shall  
 9 make every effort to preserve correctional officer and  
 10 peace officer positions through the reduction of  
 11 administrative and related overhead costs."

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

On the question "Shall amendment [H-1610](#) be adopted?" ([S.F. 475](#))

The ayes were, 93:

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

|                         |            |            |                  |
|-------------------------|------------|------------|------------------|
| De Boef                 | Deyoe      | Dolecheck  | Drake            |
| Ficken                  | Ford       | Forristall | Frevert          |
| Gaskill                 | Gayman     | Grassley   | Hagenow          |
| Heaton                  | Heddens    | Helland    | Horbach          |
| Hunter                  | Huseman    | Huser      | Isenhart         |
| Jacoby                  | Kaufmann   | Kearns     | Kelley           |
| Koester                 | Kressig    | Kuhn       | Lensing          |
| Lukan                   | Marek      | Mascher    | May              |
| Mertz                   | Miller, H. | Miller, L. | Oldson           |
| Olson, D.               | Olson, R.  | Olson, S.  | Palmer           |
| Petersen                | Pettengill | Quirk      | Raecker          |
| Rants                   | Rayhons    | Reasoner   | Reichert         |
| Roberts                 | Sands      | Schueller  | Schulte          |
| Schultz                 | Smith      | Soderberg  | Sorenson         |
| Steckman                | Struyk     | Swaim      | Sweeney          |
| Taylor, D.              | Taylor, T. | Thede      | Thomas           |
| Tjepkes                 | Tymeson    | Upmeyer    | Van Engelenhoven |
| Wagner                  | Watts      | Wendt      | Wenthe           |
| Wessel-Kroeschell       | Whitaker   | Whitead    | Willems          |
| Winckler                | Windschitl | Worthan    | Zirkelbach       |
| Olson, T.,<br>Presiding |            |            |                  |

The nays were, none.

Absent or not voting, 7:

|               |          |          |          |
|---------------|----------|----------|----------|
| Baudler       | Chambers | Lykam    | McCarthy |
| Murphy, Spkr. | Paulsen  | Shomshor |          |

Amendment [H-1610](#) was adopted.

Tjepkes of Webster asked and received unanimous consent to withdraw amendment [H-1611](#) filed by him on April 14, 2009.

Reichert of Muscatine offered amendment [H-1612](#) filed by him as follows:

[H-1612](#)

1 Amend [Senate File 475](#), as passed by the Senate, as  
 2 follows:  
 3 1. Page 21, by inserting after line 1 the  
 4 following:  
 5 "Sec. \_\_\_\_ DEPARTMENT OF ADMINISTRATIVE SERVICES  
 6 – MULTIPLE SOURCE OFFICE FURNITURE CONTRACT.  
 7 1. The department of administrative services  
 8 shall, as soon as practicable, utilize a request for  
 9 proposals process to establish a multiple source  
 10 purchasing contract or contracts pursuant to section

11 8A.311, subsection 23, to allow governmental entities,  
12 as defined in section 8A.101, to purchase office  
13 furniture. The request for proposals shall indicate  
14 to prospective vendors that purchases from a contract  
15 shall be subject to the requirements of section  
16 904.808.

17 2. The request for proposals shall express a  
18 preference for awarding a contract or contracts to an  
19 Iowa-based furniture manufacturer consistent with the  
20 preference requirements of section 8A.311, subsection

21 1. In addition, the multiple source contract or  
22 contracts shall provide that furniture manufacturers  
23 make available to Iowa state industries, for purchase  
24 or for acquisition under applicable warranty  
25 provisions, suitable materials to refurbish and  
26 recycle office furniture obtained from the  
27 manufacturer pursuant to the contract or contracts so  
28 as to extend the useful life of the furniture. The  
29 multiple source contract or contracts shall provide  
30 that governmental entities, as defined in section  
31 8A.101, shall be allowed to purchase, subject to the  
32 requirements of section 904.808, office furniture  
33 included in the contract."

34 2. Page 21, by inserting before line 2 the  
35 following:

36 "Sec. \_\_\_\_ Section 8A.311, Code 2009, is amended  
37 by adding the following new subsection:  
38 NEW SUBSECTION. 23. The director may establish  
39 through a competitive selection process a multiple  
40 source office furniture purchasing contract for  
41 governmental entities, excluding institutions under  
42 the control of the state board of regents, and shall  
43 adopt rules governing the process for the governmental  
44 entities to purchase through the contract. The  
45 director may also enter into an agreement with the  
46 state board of regents to allow governmental entities  
47 to purchase, subject to the requirements of this  
48 subsection, office furniture under contracts  
49 established by an institution under the control of the  
50 state board of regents if the institution authorizes

Page 2

1 the purchase. The rules shall provide that  
2 governmental entities notify the department if the  
3 governmental entity is purchasing office furniture or  
4 is entering into a construction contract in which  
5 acquisition of office furniture is included. The  
6 rules shall provide that the department, upon receipt  
7 of notification from a governmental entity, shall,  
8 within two business days, notify Iowa state industries  
9 which shall determine whether, pursuant to section

10 904.808, the governmental entity can purchase from the  
 11 multiple source office furniture purchasing contract  
 12 or an office furniture contract established by an  
 13 institution under the control of the state board of  
 14 regents. Governmental entities who purchase office  
 15 furniture pursuant to a contract established by the  
 16 department or an institution under the control of the  
 17 state board of regents shall be deemed to satisfy any  
 18 otherwise applicable competitive bidding  
 19 requirements."  
 20 3. By renumbering as necessary.

Reichert of Muscatine offered the following amendment [H-1624](#), to amendment [H-1612](#), filed by him from the floor and moved its adoption:

[H-1624](#)

1 Amend the amendment, [H-1612](#), to [Senate File 475](#), as  
 2 passed by the Senate, as follows:  
 3 1. Page 1, line 44, by inserting after the word  
 4 "contract" the following: ", subject to the  
 5 requirements of section 904.808".  
 6 2. Page 1, line 48, by inserting after the word  
 7 "subsection" the following: "and section 904.808".  
 8 3. Page 2, line 2, by inserting after the word  
 9 "department" the following: ", at least ninety days  
 10 prior to purchase,".

Amendment [H-1624](#) was adopted.

Reichert of Muscatine moved the adoption of amendment [H-1612](#), as amended.

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

On the question "Shall amendment [H-1612](#) be adopted?" ([S.F. 475](#))

The ayes were, 95:

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

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

The nays were, 1:

Petersen

Absent or not voting, 4:

Abdul-Samad      Baudler      Chambers      Miller, H.

Amendment [H-1612](#), as amended, was adopted.

Worthan of Buena Vista offered the following amendment [H-1613](#) filed by him and moved its adoption:

[H-1613](#)

1 Amend [Senate File 475](#), as passed by the Senate, as  
 2 follows:  
 3 1. Page 21, by inserting after line 1 the  
 4 following:  
 5 "Sec.\_\_\_\_. EXPENSE REIMBURSEMENT – REQUIREMENTS.  
 6 Notwithstanding any provision to the contrary, for the  
 7 fiscal year beginning July 1, 2009, and ending June  
 8 30, 2010, the director of a department or state agency  
 9 to which appropriations are made pursuant to the  
 10 provisions of this Act shall require employees, in  
 11 order to receive reimbursement for expenses, to submit  
 12 actual receipts for meals and other costs.  
 13 Reimbursement up to the maximum amount shall only be  
 14 allowed in an amount equal to the sum of the actual  
 15 receipts submitted."  
 16 2. By renumbering as necessary.

Roll call was requested by Worthan of Buena Vista and Zirkelbach of Jones.

On the question "Shall amendment [H-1613](#) be adopted?" ([S.F. 475](#))

The ayes were, 42:

|            |                  |            |            |
|------------|------------------|------------|------------|
| Alons      | Anderson         | Arnold     | 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     | Watts      |
| Windschitl | Worthan          |            |            |

The nays were, 55:

|                   |            |                         |            |
|-------------------|------------|-------------------------|------------|
| 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. |
| 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.,<br>Presiding |            |

Absent or not voting, 3:

|             |         |          |
|-------------|---------|----------|
| Abdul-Samad | Baudler | Chambers |
|-------------|---------|----------|

Amendment [H-1613](#) lost.

Anderson of Page asked and received unanimous consent to suspend the rules for the immediate consideration of amendment [H-1622](#).

Anderson of Page offered the following amendment [H-1622](#) filed by him from the floor and moved its adoption:

[H-1622](#)

1 Amend [Senate File 475](#), as passed by the Senate, as  
 2 follows:  
 3 1. Page 4, by inserting after line 26 the  
 4 following:  
 5 "As a condition of receiving the appropriation in  
 6 this paragraph "g", the inmates housed at the Clarinda  
 7 lodge shall be transferred to correctional facilities  
 8 other than the Clarinda correctional facility on or  
 9 before the effective date of this Act."

Speaker Murphy in the chair at 1:00 p.m.

Roll call was requested by Anderson of Page and Raecker of Polk.

On the question "Shall amendment [H-1622](#) be adopted?" ([S.F. 475](#))

The ayes were, 44:

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

The nays were, 54:

|            |                       |            |                   |
|------------|-----------------------|------------|-------------------|
| 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   | Taylor, D.            | Taylor, T. | Thede             |
| Thomas     | Wendt                 | Wenthe     | Wessel-Kroeschell |
| Whitaker   | Whitead               | Willems    | Winckler          |
| Zirkelbach | Mr. Speaker<br>Murphy |            |                   |

Absent or not voting, 2:

Abdul-Samad      Chambers

Amendment [H-1622](#) lost.

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

On the question "Shall the bill pass?" ([S.F. 475](#))

The ayes were, 55:

|                   |            |             |            |
|-------------------|------------|-------------|------------|
| 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          | Zirkelbach | Mr. Speaker |            |
|                   |            | Murphy      |            |

The nays were, 43:

|            |            |                  |            |
|------------|------------|------------------|------------|
| Alons      | Anderson   | Arnold           | Baudler    |
| Cownie     | De Boef    | Deyoe            | Dolecheck  |
| Drake      | Forristall | Grassley         | Hagenow    |
| Heaton     | Helland    | Horbach          | Huseman    |
| Kaufmann   | 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     |
| Watts      | Windschitl | Worthan          |            |

Absent or not voting, 2:

Abdul-Samad      Chambers

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

#### ADOPTION OF [HOUSE RESOLUTION 37](#)

Raecker of Polk, Helland of Polk and Ford of Polk called up for consideration [House Resolution 37](#), a resolution commemorating the 100<sup>th</sup> anniversary of the Drake Relays, and moved its adoption.

The motion prevailed and the resolution was adopted.

#### INTRODUCTION OF BILL

[House File 825](#), by committee on government oversight, a bill for an act relating to regulatory requirements involving boarding homes and dependent adults and providing an appropriation and a penalty.

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

On motion by McCarthy of Polk, the House was recessed at 1:21 p.m., until 2:00 p.m.

#### AFTERNOON SESSION

The House reconvened at 2:10 p.m., Bukta of Clinton in the chair.

#### QUORUM CALL

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

#### SENATE AMENDMENT CONSIDERED

Lensing of Johnson called up for consideration [Senate File 137](#), a bill for an act providing that wage discrimination is an unfair employment practice under the Iowa civil rights Act and providing an enhanced remedy, amended by the House, further amended by the Senate and moved that the House concur in the following Senate amendment [H-1453](#) to the House amendment:

[H-1453](#)

- 1 Amend the House amendment, [S-3110](#), to Senate File
- 2 137, as passed by the Senate, as follows:
- 3 1. Page 1, line 19, by striking the words "and
- 4 wanton".

The motion prevailed and the House concurred in the Senate amendment [H-1453](#), to the House amendment.

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

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

The ayes were, 87:

|            |            |                  |                   |
|------------|------------|------------------|-------------------|
| Anderson   | Arnold     | Bailey           | Baudler           |
| Beard      | Bell       | Berry            | Burt              |
| Cohoon     | Cownie     | Deyoe            | Drake             |
| Ficken     | 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               |
| Mertz      | Miller, H. | Miller, L.       | Murphy, Spkr.     |
| Oldson     | Olson, D.  | Olson, R.        | Olson, S.         |
| Olson, T.  | Palmer     | Petersen         | Quirk             |
| Raecker    | Rants      | Rayhons          | Roberts           |
| Sands      | Schueller  | Schulte          | Shomshor          |
| Smith      | Soderberg  | Sorenson         | Steckman          |
| Struyk     | Swaim      | Sweeney          | Taylor, D.        |
| Taylor, T. | Thede      | Thomas           | Tjepkes           |
| Tymeson    | Upmeyer    | Van Engelenhoven | Wagner            |
| Watts      | Wendt      | Wenthe           | Wessel-Kroeschell |
| Whitaker   | Whitead    | Willems          | Winckler          |
| Windschitl | Zirkelbach | Bukta,           |                   |
|            |            | Presiding        |                   |

The nays were, 7:

|            |         |           |         |
|------------|---------|-----------|---------|
| Alons      | De Boef | Dolecheck | Paulsen |
| Pettengill | Schultz | Worthan   |         |

Absent or not voting, 6:

|                         |                      |      |          |
|-------------------------|----------------------|------|----------|
| Abdul-Samad<br>Reasoner | Chambers<br>Reichert | Ford | McCarthy |
|-------------------------|----------------------|------|----------|

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

Speaker Murphy in the chair at 2:42 p.m.

#### Unfinished Business Calendar

**House File 814**, 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, was taken up for consideration.

#### SENATE FILE 456 SUBSTITUTED FOR HOUSE FILE 814

Lensing of Johnson asked and received unanimous consent to substitute Senate File 456 for House File 814.

**Senate File 456**, 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 date provisions, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 456)

The ayes were, 94:

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

|            |                   |            |            |
|------------|-------------------|------------|------------|
| Marek      | Mascher           | May        | 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, 2:

Hunter                Watts

Absent or not voting, 4:

Abdul-Samad        Chambers            Ford                McCarthy

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

#### [HOUSE FILE 814](#) WITHDRAWN

Lensing of Johnson asked and received unanimous consent to withdraw [House File 814](#) from further consideration by the House.

[House File 810](#), a bill for an act providing for the establishment of small wind innovation zones, providing for the applicability of tax credits, and including effective and retroactive applicability date provisions, was taken up for consideration.

D. Olson of Boone offered the following amendment [H-1558](#) filed by him and moved its adoption:

#### [H-1558](#)

- 1 Amend [House File 810](#) as follows:
- 2 1. Page 3, by striking lines 2 through 4 and
- 3 inserting the following: "shall qualify for the
- 4 renewable energy tax credit pursuant to chapter 476C."
- 5 2. By striking page 3, line 13, through page 5,

- 6 line 16.  
7 3. By renumbering as necessary.

Amendment [H-1558](#) 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?" ([H.F. 810](#))

The ayes were, 96:

|            |            |                  |                   |
|------------|------------|------------------|-------------------|
| Alons      | Anderson   | Arnold           | Bailey            |
| Baudler    | Beard      | Bell             | Berry             |
| Bukta      | Burt       | Cphoon           | Cownie            |
| De Boef    | Deyoe      | Dolecheck        | Drake             |
| Ficken     | Forristall | Frevrt           | 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               |
| 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            |
| Watts      | Wendt      | Wenthe           | Wessel-Kroeschell |
| Whitaker   | Whitead    | Willems          | Winckler          |
| Windschitl | Worthan    | Zirkelbach       | Mr. Speaker       |
|            |            |                  | Murphy            |

The nays were, none.

Absent or not voting, 4:

|             |          |      |          |
|-------------|----------|------|----------|
| Abdul-Samad | Chambers | Ford | McCarthy |
|-------------|----------|------|----------|

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

**House File 817**, 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, was taken up for consideration.

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

On the question "Shall the bill pass?" ([H.F. 817](#))

The ayes were, 95:

|            |                  |                   |            |
|------------|------------------|-------------------|------------|
| Alons      | Anderson         | Arnold            | Bailey     |
| Baudler    | Beard            | Bell              | Berry      |
| Bukta      | Burt             | Cohoon            | Cownie     |
| De Boef    | Deyoe            | Dolecheck         | Drake      |
| Ficken     | Forristall       | Frevert           | Gaskill    |
| Gayman     | Grassley         | Hagenow           | Heaton     |
| Heddens    | Helland          | Horbach           | Huseman    |
| Huser      | Isenhart         | Jacoby            | Kaufmann   |
| Kearns     | Kelley           | Koester           | Kressig    |
| Kuhn       | Lensing          | Lukan             | Lykam      |
| Marek      | Mascher          | May               | 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            | Watts      |
| Wendt      | Wenthe           | Wessel-Kroeschell | Whitaker   |
| Whitead    | Willems          | Winckler          | Windschitl |
| Worthan    | Zirkelbach       | Mr. Speaker       |            |
|            |                  | Murphy            |            |

The nays were, 1:

Hunter

Absent or not voting, 4:

|             |          |      |          |
|-------------|----------|------|----------|
| Abdul-Samad | Chambers | Ford | McCarthy |
|-------------|----------|------|----------|

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

## IMMEDIATE MESSAGES

Whitaker of Van Buren asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 810 and 817 and Senate Files 456 and 475.**

The House stood at ease at 3:14 p.m., until the fall of the gavel.

The House resumed session at 5:00 p.m., T. Olson of Linn 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 15, 2009, passed the following bill in which the concurrence of the Senate was asked:

[House File 722](#), a bill for an act relating to regulation of certain conservation and recreation activities under the jurisdiction of the department of natural resources, modifying fees, establishing an upland game bird study advisory committee, making penalties applicable, and providing an immediate effective date.

Also: That the Senate has on April 15, 2009, passed the following bill in which the concurrence of the House is asked:

[Senate File 116](#), a bill for an act providing that the casual sales exemption under the state sales tax does not apply to the sales of all-terrain vehicles, snowmobiles, off-road motorcycles, and off-road utility vehicles.

Also: That the Senate has on April 15, 2009, passed the following bill in which the concurrence of the House is asked:

[Senate File 484](#), a bill for an act relating to regulatory requirements involving boarding homes and dependent adults and providing an appropriation and a penalty.

MICHAEL E. MARSHALL, Secretary

## SENATE MESSAGE CONSIDERED

[Senate File 484](#), by committee on government oversight, a bill for an act relating to regulatory requirements involving boarding homes and dependent adults and providing an appropriation and a penalty.

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

## SENATE AMENDMENT CONSIDERED

Burt of Black Hawk called up for consideration [House File 705](#), a bill for an act concerning community safe rooms and storm shelters in newly constructed public buildings, amended by the Senate, and moved that the House concur in the following Senate amendment [H-1440](#):

[H-1440](#)

1 Amend [House File 705](#), as amended, passed, and  
2 reprinted by the House, as follows:  
3 1. Page 1, line 3, by striking the word  
4 "community".  
5 2. Page 1, line 5, by striking the word  
6 "COMMUNITY".  
7 3. Page 1, line 11, by striking the word  
8 "community".  
9 4. Page 1, line 16, by striking the word  
10 "community".  
11 5. Page 1, line 18, by striking the word  
12 "authorized" and inserting the following: "required".  
13 6. Page 1, line 20, by striking the word  
14 "community".  
15 7. Page 1, line 22, by striking the figure "2010"  
16 and inserting the following: "2011".  
17 8. Page 1, by inserting after line 24 the  
18 following:  
19 "The commissioner may provide education and  
20 training to promote the use of best practices in the  
21 design, construction, and maintenance of buildings,  
22 safe rooms, and shelters to reduce the risk of  
23 personal injury from tornadoes or other severe  
24 weather.  
25 Sec.\_\_\_\_. STATE BUILDING CODE – SAFE ROOMS AND  
26 STORM SHELTERS – RULEMAKING. The initial  
27 administrative rules required to be adopted pursuant  
28 to section 103A.8C, as enacted by this Act, shall be  
29 adopted by the state building code commissioner on or  
30 after February 1, 2010, but no later than April 1,  
31 2010, and shall not become effective prior to July 1,  
32 2010.  
33 Sec.\_\_\_\_. SAFE ROOMS AND STORM SHELTERS – BEST  
34 PRACTICES REVIEW – REPORT. The state building code  
35 commissioner, in cooperation with the department of  
36 public defense, the department of natural resources,  
37 and the rebuild Iowa office, shall review and assess  
38 best practices in the design, construction, and  
39 maintenance of buildings, safe rooms, and storm  
40 shelters to reduce the risk of personal injury from

41 tornadoes and other severe weather. The commissioner  
 42 shall report the findings of the review and assessment  
 43 to the governor and the general assembly by December  
 44 15, 2009. The review and assessment shall be  
 45 conducted as part of the rulemaking process for the  
 46 initial rulemaking required pursuant to this Act and  
 47 section 103A.8C, as enacted by this Act, and shall  
 48 include public comment received during that process."  
 49 9. Title page, line 1, by striking the word  
 50 "community".

Page 2

1 10. Title page, line 2, by striking the word  
 2 "public".  
 3 11. By renumbering as necessary.

The motion prevailed and the House concurred in the Senate amendment [H-1440](#).

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

On the question "Shall the bill pass?" ([H.F. 705](#))

The ayes were, 97:

|               |            |            |            |
|---------------|------------|------------|------------|
| Abdul-Samad   | Alons      | Anderson   | Arnold     |
| Bailey        | Baudler    | Beard      | Bell       |
| Berry         | Bukta      | Burt       | Cohoon     |
| Cownie        | De Boef    | Deyoe      | Dolecheck  |
| Drake         | Ficken     | Forristall | Frevert    |
| Gaskill       | Gayman     | Grassley   | Hagenow    |
| Heaton        | Heddens    | Helland    | Horbach    |
| Hunter        | Huseman    | Huser      | Isenhart   |
| 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                  | Watts      | Wendt   | Wenthe           |
| Wessel-Kroeschell       | Whitaker   | Whitead | Willems          |
| Winckler                | Windschitl | Worthan | Zirkelbach       |
| Olson, T.,<br>Presiding |            |         |                  |

The nays were, none.

Absent or not voting, 3:

|          |      |        |
|----------|------|--------|
| Chambers | Ford | Jacoby |
|----------|------|--------|

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

### Unfinished Business Calendar

**[House File 818](#)**, 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, was taken up for consideration.

Horbach of Tama offered the following amendment [H-1540](#) filed by him and moved its adoption:

#### [H-1540](#)

- 1 Amend [House File 818](#) as follows:
- 2 1. Page 1, lines 11 and 12, by striking the words
- 3 "~~used to administer the program~~" and inserting the
- 4 following: "deposited in the general fund of the
- 5 state".

Amendment [H-1540](#) lost.

Thomas of Clayton offered the following amendment [H-1603](#) filed by him and moved its adoption:

#### [H-1603](#)

- 1 Amend [House File 818](#) as follows:
- 2 1. Page 1, by inserting before line 15 the
- 3 following:
- 4 "Sec. \_\_\_\_ Section 15.393, subsection 2, paragraph
- 5 a, subparagraph (1), Code 2009, is amended to read as

6 follows:

7 (1) For tax years beginning on or after January 1,  
8 2007, a qualified expenditure tax credit shall be  
9 allowed against the taxes imposed in chapter 422,  
10 divisions II, III, and V, and in chapter 432, and  
11 against the moneys and credits tax imposed in section  
12 533.329, for a portion of a taxpayer's qualified  
13 expenditures in a project registered under the  
14 program. The tax credit shall equal an amount not to  
15 exceed twenty-five percent of the qualified  
16 expenditures on a project. The department may  
17 negotiate the amount of the tax credit. An individual  
18 may claim a tax credit under this paragraph "a" of a  
19 partnership, limited liability company, S corporation,  
20 estate, or trust electing to have income taxed  
21 directly to the individual. The amount claimed by the  
22 individual shall be based upon the pro rata share of  
23 the individual's earnings from the partnership,  
24 limited liability company, S corporation, estate, or  
25 trust. Any tax credit in excess of the taxpayer's  
26 liability for the tax year may be credited to the tax  
27 liability for the following five years or until  
28 depleted, whichever is earlier. A tax credit shall  
29 not be carried back to a tax year prior to the tax  
30 year in which the taxpayer claims the tax credit."

31 2. Page 2, line 35, by inserting after the word  
32 "eligible" the following: "and negotiable".

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

35 "Sec. \_\_\_\_ Section 15.393, subsection 2, paragraph  
36 b, subparagraph (1), Code 2009, is amended to read as  
37 follows:

38 (1) For tax years beginning on or after January 1,  
39 2007, an investment tax credit shall be allowed  
40 against the taxes imposed in chapter 422, divisions  
41 II, III, and V, and in chapter 432, and against the  
42 moneys and credits tax imposed in section 533.329, for  
43 a portion of a taxpayer's investment in a project  
44 registered under the program. The tax credit shall  
45 equal ~~twenty five percent of the investment in the~~  
46 ~~project, except that the tax credit shall~~ an amount  
47 not to exceed twenty-five percent of the qualified  
48 expenditures on the project. The department may  
49 negotiate the amount of the tax credit. An individual  
50 may claim a tax credit under this paragraph of a

Page 2

1 partnership, limited liability company, S corporation,  
2 estate, or trust electing to have income taxed  
3 directly to the individual. The amount claimed by the  
4 individual shall be based upon the pro rata share of

5 the individual's earnings from the partnership,  
 6 limited liability company, S corporation, estate, or  
 7 trust. Any tax credit in excess of the taxpayer's  
 8 liability for the tax year may be credited to the tax  
 9 liability for the following five years or until  
 10 depleted, whichever is earlier. A tax credit shall  
 11 not be carried back to a tax year prior to the tax  
 12 year in which the taxpayer claims the tax credit. A  
 13 taxpayer shall not claim a tax credit under this  
 14 paragraph "b" for qualified expenditures for which a  
 15 tax credit is claimed under paragraph "a".  
 16 4. By renumbering as necessary.

Amendment [H-1603](#) was adopted.

[SENATE FILE 480](#) SUBSTITUTED FOR [HOUSE FILE 818](#)

Thomas of Clayton asked and received unanimous consent to substitute [Senate File 480](#) for [House File 818](#).

[Senate File 480](#), 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, was taken up for consideration.

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

On the question "Shall the bill pass?" ([S.F. 480](#))

The ayes were, 96:

|             |            |            |               |
|-------------|------------|------------|---------------|
| Abdul-Samad | Alons      | Anderson   | Arnold        |
| Bailey      | Baudler    | Beard      | Bell          |
| Berry       | Bukta      | Burt       | Cohoon        |
| Cownie      | De Boef    | Deyoe      | Dolecheck     |
| Drake       | Ficken     | Forristall | Frevert       |
| Gaskill     | Gayman     | Grassley   | Hagenow       |
| Heaton      | Heddens    | Helland    | Horbach       |
| Huseman     | Huser      | Isenhardt  | 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                  |
| Watts      | Wendt     | Wenthe           | Wessel-Kroeschell       |
| Whitaker   | Whitead   | Willems          | Winckler                |
| Windschitl | Worthan   | Zirkelbach       | Olson, T.,<br>Presiding |

The nays were, 1:

Hunter

Absent or not voting, 3:

Chambers            Ford            Jacoby

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

[HOUSE FILE 818](#) WITHDRAWN

Thomas of Clayton asked and received unanimous consent to withdraw [House File 818](#) 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 705](#) and [Senate File 480](#).

McCarthy of Polk asked and received unanimous consent for meetings of the committee on appropriations and ways and means upon adjournment.

MOTION TO RECONSIDER  
([Senate File 137](#))

I move to reconsider the vote by which [Senate File 137](#) passed the House on April 15, 2009.

LENSING of Johnson

**BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR**

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 15 day of April, 2009: House Files 381, 672 and 707.

**MARK W. BRANDSGARD**  
Chief Clerk of the House

Report adopted.

**PRESENTATION OF VISITORS**

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

The A.G.W.S.R. Girls State Champion Basketball Team, Ackley, Iowa, accompanied by Coach Dall and Assistant Coach Dan Karsjens. By Sweeney of Hardin and Heaton of Henry.

**COMMUNICATION RECEIVED**

The following communication was received and filed in the office of the Chief Clerk:

**DEPARTMENT OF EDUCATION**

Report on the Iowa Early Intervention Block Grant Program, pursuant to Chapter 256D.3, Code of Iowa.

**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\3636 Sadie Kusters, Orange City – For celebrating her 90<sup>th</sup> birthday.

- 2009\3637 Nick Urban, Le Mars Troop 188 – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2009\3638 Ryan DeVos, Le Mars Troop 188 – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America
- 2009\3639 Tyler Anderson, Le Mars Troop 188 – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2009\3640 Andrew Thiesen, Le Mars Troop 188 – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2009\3641 Alex Cook, Le Mars Troop 188 – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2009\3642 Charles Varley, Jr., Stuart – For celebrating his 80<sup>th</sup> birthday.
- 2009\3643 Becky Olafsen, Monona – For her 36 years of dedicated service to the children of the Postville Community School District.
- 2009\3644 Donna Ginter, Dubuque – For celebrating her 80<sup>th</sup> birthday.
- 2009\3645 Bill and Barb Kelzer, Dubuque – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2009\3646 Mabel and Richard Hafner, Dubuque – For celebrating their 72<sup>nd</sup> wedding anniversary.
- 2009\3647 John Koolstra, Hull – For celebrating his 75<sup>th</sup> birthday.
- 2009\3648 James Vander Sluis, Rock Valley – For celebrating his 75<sup>th</sup> birthday.
- 2009\3649 Paul Reinke, Larchwood – For celebrating his 75<sup>th</sup> birthday.
- 2009\3650 Agnes Scholten, Hull – For celebrating her 75<sup>th</sup> birthday.
- 2009\3651 Kathryn Slykhuis, Boyden – For celebrating her 75<sup>th</sup> birthday.
- 2009\3652 Doris Wiarda, Rock Rapids – For celebrating her 75<sup>th</sup> birthday.
- 2009\3653 Rallyn Van Beek, Sioux Center – For celebrating his 75<sup>th</sup> birthday.
- 2009\3654 Joanne Kringen, Rock Rapids – For celebrating her 75<sup>th</sup> birthday.
- 2009\3655 Elizabeth Arends, Little Rock – For celebrating her 75<sup>th</sup> birthday.
- 2009\3656 Herlon Vander Schaaf, Sioux Center – For celebrating his 75<sup>th</sup> birthday.
- 2009\3657 Ella De Gooyer, Sioux Center – For celebrating her 75<sup>th</sup> birthday.

- 2009\3658 Marlene Doherty, Larchwood – For celebrating her 75<sup>th</sup> birthday.
- 2009\3659 Henry Hoekstra, Hull – For celebrating his 75<sup>th</sup> birthday.
- 2009\3660 Ronald Hasche, Rock Rapids – For celebrating his 80<sup>th</sup> birthday.
- 2009\3661 Ann Vander Maten, Boyden – For celebrating her 80<sup>th</sup> birthday.
- 2009\3662 Ruth Horstman, Sioux Center – For celebrating her 80<sup>th</sup> birthday.
- 2009\3663 Harold Boer, Sioux Center – For celebrating his 80<sup>th</sup> birthday.
- 2009\3664 David Visser, George – For celebrating his 80<sup>th</sup> birthday.
- 2009\3665 Alydia Post, Rock Valley – For celebrating her 85<sup>th</sup> birthday.
- 2009\3666 Martin Halma, Inwood – For celebrating his 85<sup>th</sup> birthday.
- 2009\3667 Wallace Mouw, Sioux Center – For celebrating his 85<sup>th</sup> birthday.
- 2009\3668 Dolores Lens, Inwood – For celebrating her 90<sup>th</sup> birthday.
- 2009\3669 Gustave Streyle, Hull – For celebrating his 90<sup>th</sup> birthday.
- 2009\3670 Jacob Weerheim, Rock Rapids – For celebrating his 90<sup>th</sup> birthday.
- 2009\3671 Joan Kooiker, Orange City – For celebrating her 90<sup>th</sup> birthday.
- 2009\3672 George Jansen, George – For celebrating his 95<sup>th</sup> birthday.
- 2009\3673 Jim and Anita Snook, Derby – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2009\3674 Richard and Jane Hullinger, Humeston – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2009\3675 Kelly Barnes, Chariton – For celebrating his 75<sup>th</sup> birthday.

#### SUBCOMMITTEE ASSIGNMENTS

##### [House File 825](#)

Appropriations: Jacoby, Chair; Heddens and Watts.

##### [Senate File 459](#)

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

##### [Senate File 466](#)

Ways and Means: Willems, Chair; Isenhart and Wagner.

[Senate File 479](#)

Ways and Means: Isenhart, Chair; Grassley and Willems.

## COMMITTEE RECOMMENDATION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk.

MARK W. BRANDSGARD  
Chief Clerk of the House

## COMMITTEE ON GOVERNMENT OVERSIGHT

**Committee Bill** (Formerly [House Study Bill 289](#)), relating to regulatory requirements involving boarding homes and dependent adults and providing a penalty.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 15, 2009.

## RESOLUTION FILED

[HCR 8](#), by Paulsen, a concurrent resolution to suspend joint rule 20 of the joint rules of the Senate and House of Representatives for the Eighty-third General Assembly to allow for the consideration of House Joint resolution 6.

Referred to committee on **administration and rules**.

## AMENDMENTS FILED

|                        |                          |                       |
|------------------------|--------------------------|-----------------------|
| <a href="#">H-1623</a> | <a href="#">H.F. 813</a> | Gaskill of Wapello    |
| <a href="#">H-1625</a> | <a href="#">H.F. 819</a> | Rants of Woodbury     |
| <a href="#">H-1626</a> | <a href="#">S.F. 344</a> | Raecker of Polk       |
| <a href="#">H-1627</a> | <a href="#">S.F. 344</a> | Paulsen of Linn       |
| <a href="#">H-1628</a> | <a href="#">S.F. 344</a> | Kaufmann of Cedar     |
| <a href="#">H-1629</a> | <a href="#">H.F. 756</a> | Isenhart of Dubuque   |
| Kearns of Lee          |                          | Beard of Winneshiek   |
| Bukta of Clinton       |                          | Reichert of Muscatine |

Gayman of Scott  
Winckler of Scott  
Lykam of Scott

Thede of Scott  
Cohoon of Des Moines

On motion by McCarthy of Polk the House adjourned at 5:31 p.m.,  
until 9:00 a.m., Thursday, April 16, 2009.