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82nd General Assembly – Second Session – 2008

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House File 2212 – by the Committee on Commerce

STATEWIDE RESTRICTIONS ON SMOKING

Subcommittee Members – Representatives Steve Lukan and Jamie Van Fossen

House File 2212 enacts a major revision to Iowa's smoking laws. The bill implements a ban on smoking in most public places and places of employment. House File 2212 does allow smoking in select places. Enforcement authority for the bill is granted to the Department of Public Health, who is authorized to deputize local and county public health agencies. Penalties for smoking and for allowing smoking in a prohibited place are in the bill, as is a provision to declare such places a public nuisance. The fines for smoking in prohibited areas are also revised under the bill.

**Where Smoking is Prohibited
under HF 2212**

- *Restaurants, including outdoor seating;*
- *Bars;*
- *Places of employment that are indoors;*
- *Seating areas of stadiums and outdoor entertainment venues;*
- *Government-owned property and buildings;*
- *All public and private school property and in any vehicles located on the property;*
- *Private clubs that have employees and volunteers or have functions that the public is allowed to attend;*
- *Construction cranes and bulldozers with enclosed cabs;*
- *Health care facilities;*
- *Child care facilities – even in a person's private home;*
- *Shopping malls, taxi cabs, and public buses; and*
- *Enclosed farm buildings.*

**Where Smoking is Allowed
under HF 2212**

- *In your home;*
- *The outdoor seating area of a bar;*
- *Smoking rooms in hotels and motels that meet certain conditions;*
- *Retail tobacco stores;*
- *Places of employment that are outside;*
- *The State fairgrounds and other fairgrounds;*
- *Farm tractors, trucks, and other farm equipment;*
- *Semi trucks, if there are no non-smokers present;*
- *Private rooms in nursing homes;*
- *Casino gaming floors;*
- *Places of employment or public places that offer smoking cessation programs;*
- *The Iowa Veterans' Home; and*
- *State prisons.*

INITIAL HOUSE ACTION:

Amendments:

H-8026 by Boal and May: The amendment inserts gaming facilities into the list of entertainment venues where smoking would be prohibited, and strikes the exemption for gaming facilities given in Section 4 of the bill.

H-8026 **LOST** on a non-record roll call vote of 43-51 on February 19, 2008 (House Journal page 325).

H-8018 by Lukan: The amendment inserts language into the bill which makes it illegal to smoke in a motor vehicle when a child under age 18 is present.
H-8018 was **WITHDRAWN** on February 19, 2008 (House Journal page 325).

H-8027 by T Olson: The amendment changes the distance that the smoking ban extends from covered facilities from 50 feet to 10 feet. It also exempts the Iowa Veterans Home from the ban.
H-8027 was **ADOPTED** by voice vote on February 19, 2008 (House Journal page 326).

H-8022 by Jacobs and Clute: The amendment strikes from the bill the language extending the smoking ban 50 feet out from the entrance, windows, ventilation systems of a place covered by the smoking ban.
H-8022 was ruled **OUT OF ORDER** on February 19, 2008 (House Journal page 326).

H-8023 by Raecker: The amendment strikes the list of exemptions and inserts language stating that smoking is not regulated only in private residences.
H-8023 was ruled **OUT OF ORDER** on February 19, 2008 (House Journal page 326).

H-8036, by Struyk: The amendment allows smoking in bars and restaurants that employ certain equipment to remove the smoke at least 10 times per hour.
H-8036 was ruled **OUT OF ORDER** on February 19, 2008 (House Journal page 326).

H-8017 by Struyk and others: The amendment strikes the list of exemptions (except private residences) and insert language permitting smoking in public places, places of employment and outdoor areas where only people age 21 and older are permitted.
H-8017 was ruled **OUT OF ORDER** on February 19, 2008 (House Journal page 326).

H-8016 by Horbach and others: The amendment adds property owned by a farm corporation to the list of areas exempted from the smoking ban.

H-8038, by Horbach: The amendment clarifies that the exemption applies to all farming operations.
H-8038 was **ADOPTED** on a voice vote on February 19, 2008 (House Journal page 327).

Amendment H-8016, as amended, **LOST** on a record roll call vote of 50-50 vote on February 19, 2008, with:

46 Republicans and 4 Democrats voting **AYE**;
1 Republican and 49 Democrats voting **NAY**; and
0 Republicans and 0 Democrats **ABSENT or NOT VOTING**.

On the question "Shall amendment H-8016, as amended, be adopted?" (H.F. 2212)

The ayes were, 50:

Alons	Anderson	Arnold	Bailey
Baudler	Boal	Chambers	Clute
De Boef	Deyoe	Dolecheck	Drake
Forristall	Gipp	Granzow	Grassley
Greiner	Heaton	Hoffman	Horbach
Huseman	Huser	Jacobs	Kaufmann
Lukan	May	Mertz	Miller, L.
Olson, S.	Paulsen	Pettengill	Raecker
Rants	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk

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Taylor, D.	Tjepkes	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wienczek
Windschitl	Worthan		

The nays were, 50:

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

Absent or not voting, none.

Amendment H-8016 lost.

H-8024 by Struyk, Dolecheck and Quirk: The amendment adds restaurants and bars that are open to only people 18 and older at specified times to the list of exempted areas. In order to qualify, the age-restricted time must be a regular, single, consecutive period of time and must be posted at all major entrances to the establishment.

Amendment H-8024 **LOST** on a record roll call vote of 49-51 on February 19, 2008, with:

42 Republicans and 7 Democrats voting **AYE**;
 5 Republicans and 46 Democrats voting **NAY**; and
 0 Republicans and 0 Democrats **ABSENT** or **NOT VOTING**.

On the question "Shall amendment H-8024 be adopted?" (H.F. 2212)

The ayes were, 49:

Alons	Anderson	Arnold	Bailey
Boal	Chambers	De Boef	Deyoe
Dolecheck	Drake	Forristall	Gipp
Granzow	Grassley	Greiner	Heaton
Hoffman	Horbach	Huseman	Huser
Kaufmann	Lukan	Lykam	May
Mertz	Miller, L.	Olson, S.	Paulsen
Pettengill	Quirk	Rants	Rasmussen
Rayhons	Roberts	Sands	Schickel
Schueller	Soderberg	Struyk	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wienczek	Windschitl	Worthan
Zirkelbach			

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The nays were, 51:

Abdul-Samad	Baudler	Bell	Berry
Bukta	Clute	Cohoon	Dandekar
Davitt	Foege	Ford	Frevert
Gaskill	Gayman	Heddens	Hunter
Jacobs	Jacoby	Jochum	Kelley
Kressig	Kuhn	Lensing	Mascher
McCarthy	Miller, H.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Raecker	Reasoner	Reichert	Shomshor
Smith	Staed	Swaim	Taylor, D.

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

Absent or not voting, none.

Amendment H-8024 lost.

H-8035, by Struyk: The amendment makes the bill non-severable, meaning if any provision is struck down in court, the entire bill is null and void.

H-8035 **LOST** on a non-record roll call vote of 43-53 on February 19, 2008 (House Journal page 330).

H-8021 by Lukan: The amendment gives businesses covered by the ban on smoking a 1 percent reduction in their commercial property taxes.

H-8021 was **WITHDRAWN** on February 19, 2008 (House Journal page 330).

H-8025 by Paulsen: The amendment strikes the language of the bill and instead amends Iowa Code chapter 142B to prohibit smoking in all restaurants.

H-8025 **LOST** on a non-record roll call vote of 33-56 on February 19, 2008 (House Journal page 331).

H-8033, by Upmeyer: The amendment strikes the bill and provides a \$1000 tax credit for establishments that choose to go smoke-free.

H-8033 was ruled **NOT GERMANE** on February 19, 2008 (House Journal page 333).

H-8020 by Lukan: The amendment strikes the words “bingo facilities” from the list of entertainment venues where smoking would be prohibited and inserts bingo facilities into the list of exempted areas.

H-8020 **LOST** on a voice vote on February 19, 2008 (House Journal page 333).

H-8019, by Lukan: The amendment adds the private office of a business owner to the list of areas exempted from the smoking ban.

Amendment H-8019 **LOST** on a vote of 47-53 on x, with:

41 Republicans and 6 Democrats voting **AYE**;

6 Republicans and 47 Democrats voting **NAY**; and

0 Republicans and 0 Democrats **ABSENT or NOT VOTING**.

On the question "Shall amendment H-8019 be adopted?" (H.F. 2212)

The ayes were, 47:

Alons	Anderson	Arnold	Bailey
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Forristall	Gipp
Granzow	Grassley	Greiner	Heaton
Hoffman	Horbach	Huseman	Huser
Kaufmann	Lukan	May	Mertz
Olson, S.	Paulsen	Pettengill	Quirk
Rants	Rasmussen	Rayhons	Roberts
Sands	Schickel	Schueller	Soderberg
Struyk	Tjepkes	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wienczek
Windschitl	Worthan	Zirkelbach	

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The nays were, 53:

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

Absent or not voting, none

Amendment H-8019 lost.

First House Passage:

The House **PASSED** House File 2212 on a vote of 56-44 on February 19, 2008, with:

10 Republicans and 46 Democrats voting **AYE**;
37 Republicans and 7 Democrats voting **NAY**; and
0 Republicans and 0 Democrats **ABSENT or NOT VOTING**.

On the question "Shall the bill pass?" (H.F. 2212)

The ayes were, 56:

Abdul-Samad	Anderson	Bailey	Baudler
Bell	Berry	Bukta	Clute
Cohoon	Dandekar	Davitt	Ford
Frevert	Gaskill	Gayman	Gipp
Heddens	Hoffman	Hunter	Jacobs
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Mascher	May
McCarthy	Miller, H.	Miller, L.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Rayhons	Reasoner	Reichert
Shomshor	Smith	Staed	Taylor, D.
Taylor, T.	Thomas	Tomenga	Van Fossen
Wendt	Wessel-Kroeschell	Whitaker	Whitead
Winckler	Wise	Zirkelbach	Mr. Speaker
			Murphy

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The nays were, 44:

Alons	Arnold	Boal	Chambers
De Boef	Deyoe	Dolecheck	Drake
Foege	Forristall	Granzow	Grassley
Greiner	Heaton	Horbach	Huseman
Huser	Kaufmann	Lukan	Lykam
Mertz	Olson, S.	Paulsen	Pettengill
Quirk	Raecker	Rants	Rasmussen
Roberts	Sands	Schickel	Schueller
Soderberg	Struyk	Swaim	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Watts
Wenthe	Wienczek	Windschitl	Worthan

Absent or not voting, none.

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

FIRST SENATE ACTION:

The Senate **AMENDED** and **PASSED** House File 2212 on a vote of 29-21 on February 27, 2008 (Senate Journal page 412).

FURTHER HOUSE ACTION:

Amendments:

H-8054, by the Senate: The Senate amendment enacts significant changes to the initial House version. The amendment strikes the ban on smoking within 10 feet of an entrance to a public place or place of employment or a window of such a facility. The amendment also strikes the smoking prohibition within 10 feet of school property.

The Senate amendment changes the language banning smoking on public property, to exempt the state fairgrounds and other fairgrounds as defined in Iowa Code section 174.1, Department of Corrections facilities' designated smoking areas, and designated smoking areas of Iowa National Guard facilities.

The Senate amendment adds farm tractors, farm trucks, and implements of husbandry being used for their intended purposes to the list of non-regulated areas. The amendment strikes from the list on non-regulated areas any property, including hotel rooms, owned or operated by a casino; veterans' posts or chapters, except when the general public is invited; and the Iowa Veterans' Home.

H-8056, by Bailey and Dolecheck: The amendment to H-8054 adds to the list of areas not regulated by the smoking ban an establishment that is open at a specific time to only to those 21 years old or older. In order to qualify, the time the establishment is open to people 21 and older must be a regular, single, consecutive period of time and it must be posted at all entrances.

H-8056 was **WITHDRAWN** on March 12, 2008 (House Journal page 614).

H-8057, by Bailey, D Taylor, Wenthe, Smith, and Windschitl: The amendment adds the Iowa Veterans Home to the list of areas not subject to the smoking ban.

H-8057 was **WITHDRAWN** on March 12, 2008 (House Journal page 614).

H-8079, by Bailey and Smith: The amendment exempts the Iowa Veterans Home and makes the bill effective on January 1, 2009.

H-8079 was **DIVIDED**. H-8079A -exempting the Iowa Veterans' Home - was **ADOPTED** on a non-record roll call vote of 51-30 on March 12, 2008 (House Journal page 615).

H-8079B - making the bill effective on 1/1/09 - **LOST** on a voice vote on March 12, 2008 (House Journal page 615).

H-8084, by Bailey and others: The amendment inserts language permitting smoking in establishments that at some point in the day are restricted to persons 21 years old or older. The exemption would apply to restaurants, bars, and casinos. These entities would have to post when the age restricted time is each day.

H-8088, by Wise: The amendment changes the language to provide the age-restricted exemption to those facilities that are only open to people age 21 or older.

H-8088 **LOST** on a non-record roll call vote of 32-59 on March 12, 2008 (House Journal page 616).

H-8084 was **ADOPTED** on a non-record roll call vote of 51-44 on March 12, 2008 (House Journal page 616).

H-8071, by Bailey and Windschitl: The amendment states that, if a casino facility receives an exemption from the ban, then veterans facilities would be exempt at the time they were conducting a card tournament as permitted in Iowa Code 99B.7B.

H-8071 was **WITHDRAWN** on March 12, 2008 (House Journal page 617).

Second House Passage:

The House **PASSED** House File 2212, as amended, on a vote of 59-40 on March 12, 2008, with:

12 Republicans and 47 Democrats voting **AYE**;
34 Republicans and 6 Democrats voting **NAY**; and
1 Republican and 0 Democrats **ABSENT or NOT VOTING**.

On the question "Shall the bill pass?" (H.F. 2212)

The ayes were, 59:

Abdul-Samad	Anderson	Bailey	Baudler
Bell	Berry	Bukta	Clute
Cohoon	Dandekar	Davitt	Dolecheck
Ford	Frevert	Gaskill	Gayman
Gipp	Heddens	Jacobs	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	May
McCarthy	Mertz	Miller, H.	Miller, L.
Oldson	Olson, D.	Olson, T.	Palmer
Petersen	Quirk	Reasoner	Reichert
Schickel	Schueller	Shomshor	Smith
Staed	Taylor, D.	Taylor, T.	Thomas
Tomenga	Van Fossen	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Wiencek	Winckler
Wise	Zirkelbach	Mr. Speaker	
		Murphy	

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The nays were, 40:

Alons	Arnold	Boal	Chambers
De Boef	Deyoe	Drake	Foege
Forristall	Granzow	Grassley	Heaton
Hoffman	Horbach	Hunter	Huseman
Huser	Kaufmann	Lukan	Olson, R.
Olson, S.	Paulsen	Pettengill	Raecker
Rants	Rasmussen	Rayhons	Roberts
Sands	Soderberg	Struyk	Swaim
Tjepkes	Tymeson	Upmeyer	Van Engelenhoven
Watts	Wenthe	Windschitl	Worthan

Absent or not voting, 1:

Greiner

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

FURTHER SENATE ACTION:

The Senate **REFUSED TO CONCUR** with the House Amendment to the Senate Amendment to House File 2212 on March 13, 2008 (Senate Journal page 619).

HOUSE MOTION TO INSIST:

The House **INSISTED** on its version of House File 2212 on March 19, 2008 (House Journal page 710).

CONFERENCE COMMITTEE APPOINTED:

Senate – Appel (chair), Bolkcom, Dotzler, Wieck, and Ziemann
House – T Olson (chair), Dolecheck, Petersen, Reasoner, and Soderberg

CONFERENCE COMMITTEE REPORT:

The Conference Committee report addressed two issues of dispute between the House and Senate. The Report bans smoking in all restaurants and bars and only exempts the gaming floor in casinos, striking the age restricted language passed by the House. The Report also exempts the Iowa Veterans’ Home from the smoking ban. The remainder of the bill is the same as it was in the second version passed by the House.

FINAL HOUSE ACTION:

Adoption of the Conference Committee Report:

The House **ADOPTED** the Conference Committee Report on a non-record roll call vote of 52-48 on April 8, 2008 (House Journal page 1100).

Final House Passage:

The House **PASSED** House File 2212 on a vote of 54-45 on April 8, 2008, with:
9 Republicans and 45 Democrats voting **AYE**;
37 Republicans and 8 Democrats voting **NAY**; and
1 Republican and 0 Democrats **ABSENT or NOT VOTING**.

On the question “Shall the bill pass?” (H.F. 2212)

The ayes were, 54:

Abdul-Samad	Anderson	Baudler	Bell
Berry	Bukta	Clute	Cohoon
Dandekar	Davitt	Foege	Ford
Frevert	Gaskill	Gayman	Heddens
Hunter	Jacobs	Jacoby	Jochum
Kelley	Kressig	Kuhn	Lensing
Mascher	May	McCarthy	Miller, H.
Oldson	Olson, D.	Olson, R.	Olson, T.
Palmer	Petersen	Rayhons	Reasoner
Reichert	Schickel	Shomshor	Smith
Staed	Swaim	Taylor, D.	Taylor, T.
Tomenga	Wendt	Wessel-Kroeschell	Whitaker
Whitead	Wienczek	Winckler	Wise
Zirkelbach	Mr. Speaker		
	Murphy		

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April 8, 2008
Page 1100

The nays were, 45:

Alons	Arnold	Bailey	Boal
Chambers	De Boef	Deyoe	Dolecheck
Drake	Forristall	Gipp	Granzow
Grassley	Greiner	Heaton	Hoffman
Horbach	Huseman	Huser	Kaufmann
Lukan	Lykam	Mertz	Miller, L.
Olson, S.	Paulsen	Pettengill	Quirk
Raecker	Rants	Rasmussen	Roberts
Sands	Schueller	Soderberg	Struyk
Thomas	Tjepkes	Tymeson	Van Engelenhoven
Van Fossen	Watts	Wenthe	Windschitl
Worthan			

Absent or not voting, 1:

Upmeyer

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

FINAL SENATE ACTION:

The Senate **ADOPTED** the Conference Committee Report and **PASSED** House File 2212 on a vote of 28-22 on April 8, 2008 (Senate Journal page 1000).

FINAL ACTION:

The Governor **SIGNED** House File 2212 on April 15, 2008.

House File 2268 – by the Committee on Commerce
CONSUMER CREDIT CODE UPDATE
Ranking Member – Representative Tom Sands

House File 2268 updates the references in the Iowa Code to the Federal Truth In Lending Act, which was updated last year. The bill also states that mobile homes, cars, and other vehicles are not to be considered as personal property for the purposes of the Consumer Credit Code.

HOUSE ACTION:

House Passage:

The House **PASSED** House File 2268 on a vote of 98-0 on March 10, 2008, with:

45 Republicans and 53 Democrats voting **AYE**;
 0 Republicans and 0 Democrats voting **NAY**; and
 2 Republicans and 0 Democrats **ABSENT or NOT VOTING**.

On the question “Shall the bill pass?” (H.F. 2268)

The ayes were, 98:

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

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The nays were, none.

Absent or not voting, 2:

Greiner Soderberg

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

SENATE ACTION:

The Senate **PASSED** House File 2268 on a vote of 49-0 on March 17, 2008 (Senate Journal page 656).

FINAL ACTION:

The Governor **SIGNED** House File 2268 on March 26, 2008.

House File 2383 – by the Committee on Commerce
INSURANCE DIVISION NONSUBSTANTIVE CORRECTIONS
Ranking Member – Representative Clarence Hoffman

House File 2383 makes a number of grammatical, punctuation, and consistency corrections in the Iowa Code chapters governed by the Insurance Division.

HOUSE ACTION:

Amendments:

H-8138, by Oldson: The amendment corrects changes in the bill over the applicability of Iowa Code chapter 515. The amendment adds that corporations governed by chapters 518 or 518A are not under chapter 515.

H8176, by Oldson: The amendment to H-8138 adds additional groups that are not covered by chapter 515.

H-8176 was **ADOPTED** on a voice vote on March 20, 2008 (House Journal page 793).

H-8138, as amended, was **ADOPTED** on a voice vote on March 20, 2008 (House Journal page 793).

House Passage:

The House **PASSED** House File 2383 on a vote of 98-0 on March 20, 2008, with:

46 Republicans and 52 Democrats voting **AYE**;
 0 Republicans and 0 Democrats voting **NAY**; and
 1 Republican and 1 Democrat **ABSENT or NOT VOTING**.

On the question “Shall the bill pass?” (H.F. 2383)

The ayes were, 98:

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

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The nays were, none.

Absent or not voting, 2:

Olson, T. Worthan

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

SENATE ACTION:

The Senate **PASSED** House File 2383 on a vote of 49-0 on March 31, 2008 (Senate Journal page 869).

FINAL ACTION:

The Governor **SIGNED** House File 2383 on April 11, 2008.

House File 2555 – by the Committee on Commerce
INSURANCE DIVISION POLICY REVISIONS
Floor Manager – Representative Clarence Hoffman

House File 2555 is the annual proposal from the Insurance Division containing policy revisions. The major change included in this year's bill is the creation of a Consumer Advocate Office within the Division, to assist Iowans who are having issues with their insurance coverage.

INITIAL HOUSE ACTION:

Amendments:

H-8126, by Ford: The amendment strikes the creation of the consumer advocate in the Insurance Division, and places it in the Attorney General's office instead.

H-8126 **LOST** on a voice vote on March 20, 2008 (House Journal page 804).

First House Passage:

The House **PASSED** House File 2555 on a vote of 97-1 on March 20, 2008, with:

45 Republicans and 52 Democrats voting **AYE**;
 1 Republican and 0 Democrats voting **NAY**; and
 1 Republican and 1 Democrat **ABSENT or NOT VOTING**.

On the question "Shall the bill pass?" (H.F. 2555)

The ayes were, 97:

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

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The nays were, 1:

Horbach

Absent or not voting, 2:

Olson, T. Worthan

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

SENATE ACTION:

The Senate **AMENDED and PASSED** House File 255 on a vote of 49-0 on April 1, 2008 (Senate Journal page 892).

FURTHER HOUSE ACTION:

Amendments:

H-8386, by the Senate: The amendment revises the language governing the new Consumer Advocate and ensures that the Governor is involved in the appointment of the Consumer Advocate.

The House **CONCURRED** with amendment H-8386 on a voice vote on April 10, 2008 (House Journal page 1165).

Final House Passage:

The House **PASSED** House File 2555, as amended, on a vote of 98-1 on April 10, 2008, with:

46 Republicans and 52 Democrats voting **AYE**;
1 Republican and 0 Democrats voting **NAY**; and
0 Republicans and 1 Democrat **ABSENT or NOT VOTING**.

On the question "Shall the bill pass?" (H.F. 2555)

The ayes were, 98:

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

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Page 1166

The nays were, 1:

Horbach

Absent or not voting, 1:

Abdul-Samad

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

FINAL ACTION:

The Governor **SIGNED** House File 2555 on April 25, 2008.

**House File 2556 – by the Committee on Commerce
BANKING DIVISION STATUTORY REVISIONS**

Subcommittee Members – Representatives Libby Jacobs, Tom Sands, and Jamie Van Fossen

House File 2556 makes a number of revisions to the Iowa Code chapters dealing with banks. The bill adds to the list of entities that may use the term “bank” in their name, eliminates an outdated restriction on a bank’s ability to move, and makes it a fraudulent practice to provide false information in an effort to obtain credit. The bill requires a delayed deposit service to be physically located in Iowa in order to operate as a business in this state and makes a series of changes to the industrial loan chapter in the Code.

HOUSE ACTION:

House Passage:

The House **PASSED** House File 2556 on a vote of 98-0 on March 20, 2008, with:

46 Republicans and 52 Democrats voting **AYE**;
 0 Republicans and 0 Democrats voting **NAY**; and
 1 Republican and 1 Democrat **ABSENT or NOT VOTING**.

On the question “Shall the bill pass?” (H.F. 2556)

The ayes were 98:

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

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The nays were, none.

Absent or not voting, 2:

Olson, T. Worthan

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

SENATE ACTION:

The Senate **PASSED** House File 2556 on a vote of 49-0 on April 15, 2008 (Senate Journal page 1096).

FINAL ACTION:

The Governor

House File 2650 – by the Committee on Commerce
HEALTH INSURANCE MANDATE COMMISSION
Subcommittee Members – Representatives Doug Struyk and Linda Upmeyer

House File 2650 would insert a new step in the legislative process to require additional services to be covered by state-regulated health insurance policies in Iowa. The Health Insurance Mandate Commission would review all proposed bills implementing new mandated coverage and present the Legislature with a report on the proposed bill along with a recommendation for action.

The bill establishes the Commission and the process by which these bills will be handled. The Legislature would be prevented from acting upon the bills until the Commission has completed its actions. The process established in House File 2650 does not apply to amendments proposing new mandates.

HOUSE ACTION:

Amendments:

H-8274, by Van Fossen: The amendment would require health insurance companies regulated by the state of Iowa to provide coverage for prosthetic devices.

H-8274 was ruled **NON-GERMANE** on March 25, 2008 (House Journal page 901).

House Passage:

The House **PASSED** House File 2650 on a vote of 60-39 on March 25, 2008, with:

10 Republicans and 50 Democrats voting **AYE**;
36 Republicans and 3 Democrats voting **NAY**; and
1 Republican and 0 Democrats **ABSENT or NOT VOTING**.

On the question “Shall the bill pass?” (H.F. 2650)

The ayes were, 60:

Abdul-Samad	Anderson	Bailey	Bell
Berry	Bukta	Clute	Cohoon
Dandekar	Davitt	Foege	Ford
Frevert	Gaskill	Gayman	Gipp
Heddens	Hoffman	Hunter	Jacobs
Jacoby	Kelley	Kressig	Kuhn
Lensing	Lukan	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Murphy, Spkr.
Oldson	Olson, D.	Olson, R.	Olson, T.
Palmer	Petersen	Quirk	Rants
Reasoner	Reichert	Roberts	Schueller
Shomshor	Staed	Swaim	Taylor, D.
Taylor, T.	Thomas	Tomenga	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Wienczek	Winckler	Wise	Jochum, Presiding

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The nays were, 39:

Alons	Arnold	Baudler	Boal
Chambers	De Boef	Deyoe	Dolecheck
Drake	Forristall	Granzow	Grassley
Greiner	Heaton	Horbach	Huseman
Huser	May	Miller, L.	Olson, S.
Paulsen	Pettengill	Raecker	Rasmussen
Rayhons	Sands	Schickel	Smith

Soderberg	Struyk	Tjepkes	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Windschitl	Worthan	Zirkelbach	

Absent or not voting. 1:

Kaufmann

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

SENATE ACTION:

House File 2650 **DIED** on the Senate Floor.

**House File 2653 – by the Committee on Commerce
REGULATING MORTGAGE CONSULTANTS AND MORTGAGE RECONVEYANCES
Ranking Member – Representative Tom Sands**

House File 2653 attempts to get ahead of the curve by implementing state regulation over a new “service” emerging in other states – mortgage consulting. This business, which is really a scam, has people help homeowners with mortgage troubles deal with the problems. But what happens is that the homeowner signs over their interest in the house and then lose any equity they might have. The bill regulates this practice to prevent it from occurring in Iowa.

HOUSE ACTION:

House Passage:

The House **PASSED** House File 2653 on a vote of 100-0 on March 24, 2008, with:

47 Republicans and 53 Democrats voting **AYE**;
0 Republicans and 0 Democrats voting **NAY**; and
0 Republicans and) Democrats **ABSENT or NOT VOTING**.

On the question “Shall the bill pass?” (H.F. 2653)

The ayes were, 100:

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

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The nays were, none.

Absent or not voting, none.

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

SENATE ACTION:

The Senate **PASSED** House File 2653 on a vote of 48-0 on April 9, 2008 (Senate Journal page 1015).

FINAL ACTION:

The Governor

House File 2694 – by the Committee on Appropriations
LONG TERM CARE INSURANCE REFORM
Ranking Member – Representative Doug Struyk

House File 2694 is a response to growing concerns amongst Iowans that the state was not doing enough to regulate long term care insurance. The bill expands the Insurance Commissioner’s powers to oversee and standardize long term care insurance plans offered in the state. The bill also establishes a process for an independent review of contested cases of coverage. The bill also gives the Senior Health Insurance Information Program additional resources and authority to educate the public on long term care insurance.

HOUSE ACTION:

House Passage:

The House **PASSED** House File 2694 on a vote of 97-0 on April 22, 2008, with:

44 Republicans and 53 Democrats voting **AYE**;
 0 Republicans and 0 Democrats voting **NAY**; and
 3 Republicans and 0 Democrats **ABSENT or NOT VOTING**.

On the question “Shall the bill pass?” (H.F. 2694)

The ayes were, 97:

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

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The nays were, none.

Absent or not voting, 3:

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

SENATE ACTION:

The Senate **PASSED** House File 2694 on a vote of 48-0 on April 23, 2008 (Senate Journal page 1220).

FINAL ACTION:

The Governor

Senate File 517 – by the Senate Committee on Commerce

STATE BUILDING CODE UPDATE

Subcommittee Members – Representatives Chuck Soderberg, Steve Lukan, and Jamie Van Fossen

Senate File 517 updates the state’s Building Code for residential construction and buildings built by governmental entities. The bill also makes changes to the Iowa Energy Center, Energy Loan Fund and other energy efficiency efforts under the Department of Natural Resources.

SENATE ACTION:

The Senate **PASSED** Senate File 517 on a vote of 30-20 on March 20, 2007 (Senate Journal page 867).

HOUSE ACTION:

Amendments:

H-1628, by the Committee on Commerce: The amendment amends Code language to have the energy efficiency standards for single and two family housing units to the efficiency standards in effect on July 1, 2007. The amendment also establishes a study of energy efficiency standards. H-1628 was **WITHDRAWN** on April 17, 2008 (House Journal page 1340).

H-2017, by Reichert: The amendment inserts the correct name for the Office of Energy Independence.

H-2017 was ruled **OUT OF ORDER** on April 17, 2008 (House Journal page 1340).

H-8348, by the Committee on Commerce: The amendment strikes the language of the bill and replaces it with a number of new provisions. The amendment revises Code language which gives the building code commissioner authority to promulgate rules for energy conservation requirements in new construction and also grants the commissioner rulemaking authority for sustainable design standards.

The amendment revises Code language governing the standard for energy efficiency. The standard applies to new construction of buildings that are heated or cooled, and gives the commissioner to waive or modify a standard if they determine it to be unreasonable, and that no standard is to be interpreted to require the replacement of existing equipment. The amendment also changes the language on the applicable energy code.

The bill makes the energy code in effect on July 1, 2008 the standard for new single-family or two-family residential construction that begins after that date. The amendment also revises the language concerning the local applicability of the state building code, in this case as to heating, cooling, and lighting. The new language gives the commissioner the authority to waive the energy conservation standards if they would be impractical in that situation. The amendment also makes the lighting standards applicable to all new construction and replacement lighting in existing buildings.

The amendment revises the state’s energy efficiency goal by stating that the goal of Iowa is to efficiently utilize energy resources in a manner to reduce the state’s dependence on nonrenewable sources of energy. The new language inserts alternative or renewable energy in a number of places and emphasizes the commercialization of new energy technologies.

The amendment makes several changes to the Energy Bank program. Among the changes included in the section is language allowing the Energy Bank to help facilitate financing for projects and to submit an annual report. Finally, the section dedicates funds received due to Oil Overcharge account or the Stripper Well Fund to be used for energy program staff support.

The amendment also creates a new section establishing the Energy Bank Fund, which will be funded with the moneys in the Oil Overcharge account and the Stripper Well Fund at the end of FY 2008. The section also establishes the fees charged for utilizing the Energy Bank Fund. Beginning on July 1, 2019 funds in the Intermodal revolving loan fund will be deposited in the Energy Bank Fund. The Fund will have no more than \$1 million.

H-8504, by Reichert: The amendment changes the language on the building standards applicable for public building projects.
H-8504 was **ADOPTED** on a voice vote on April 17, 2008 (House Journal page 1356).

H-8503, by Reichert: The amendment clarifies the applicability of building standards for projects at Regents institutions.
H-8503 was **ADOPTED** on a voice vote on April 17, 2008 (House Journal page 1356).

H-8348 was **ADOPTED**, as amended, on a voice vote on April 17, 2008 (House Journal page 1356).

House Passage:

The House **PASSED** Senate File 517, as amended, on a vote of 90-10 on April 17, 2008, with:

37 Republicans and 53 Democrats voting **AYE**;
10 Republicans and 0 Democrats voting **NAY**; and
0 Republicans and 0 Democrats **ABSENT or NOT VOTING**.

On the question "Shall the bill pass?" (S.F. 517)

The ayes were, 90:

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

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The nays were, 10:

Alons	Baudler	Boal	De Boef
Greiner	Horbach	Raecker	Rayhons
Schickel Windschitl			

Absent or not voting, none.

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

FURTHER SENATE ACTION:

The Senate **CONCURRED** with the House amendment and **PASSED** Senate File 517 on a vote of 49-0 on April 21, 2008 (Senate Journal page 1166).

FINAL ACTION:

The Governor **SIGNED** Senate File 517 on April 29, 2008.

Senate File 2117 – by the Senate Committee on Commerce
COVERAGE OF CLOSING PROTECTION LETTERS
Ranking Member – Representative Steve Lukan

Senate File 2117 adds to the list of parties involved in real estate transactions who have protection under closing protection letters issued by the Iowa Finance Authority. The bill adds “closer” to the list.

SENATE ACTION:

The Senate **PASSED** Senate File 2117 on a vote of 46-0 on February 13, 2008 (Senate Journal page 248).

HOUSE ACTION:

House Passage:

The House **PASSED** Senate File 2117 on a vote of 100-0 on April 2, 2008, with:

47 Republicans and 53 Democrats voting **AYE**;
0 Republicans and 0 Democrats voting **NAY**; and
0 Republicans and 0 Democrats **ABSENT or NOT VOTING**.

On the question “Shall the bill pass?” (S.F. 2117)

The ayes were, 100:

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

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The nays were, none.

Absent or not voting, none.

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

FINAL ACTION:

The Governor **SIGNED** Senate File 2117 on April 11, 2008.

Senate File 2136 – by the Senate Committee on Economic Growth
REAL ESTATE BROKER TRUST ACCOUNTS
Ranking Member – Representative Dan Clute

Under current Iowa law, real estate agents are required to maintain interest-bearing accounts with the interest being given to the Department of Economic Development for use by the local housing assistance program. The bill abolishes that program and puts the interest earned off these accounts into the Housing Trust Fund.

SENATE ACTION:

The Senate **PASSED** Senate File 2136 on a vote of 48-0 on February 20, 2008 (Senate Journal page 310).

HOUSE ACTION:

House Passage:

The House **PASSED** Senate File 2136 on a vote of 98-0 on April 2, 2008, with:

46 Republicans and 52 Democrats voting **AYE**;
0 Republicans and 0 Democrats voting **NAY**; and
1 Republican and 1 Democrat **ABSENT or NOT VOTING**.

On the question “Shall the bill pass?” (S.F. 2136)

The ayes were, 98:

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

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The nays were, none.

Absent or not voting, 2:

Davitt Pettengill

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

FINAL ACTION:

The Governor **SIGNED** Senate File 2136 on April 18, 2008.

Senate File 2179 – by the Senate Committee on Commerce
PROFESSIONAL STANDARDS UNDER THE BANKING DIVISION
Subcommittee Members – Representatives Libby Jacobs and Tom Sands

Senate File 2179 addresses several issues related to the licensure under the Banking Division, including a number of professional licensure boards. Among these are clarifying that an exemption from state or local building code regulations for factory-built structures other than manufactured homes does not extend to services rendered by engineers or architects. The bill also lifts the confidentiality provision for criminal histories of licensure applicants.

SENATE ACTION:

The Senate **PASSED** Senate File 2179 on a vote of 48-0 on March 12, 2008 (Senate Journal page 601).

HOUSE ACTION:

House Passage:

The House **PASSED** Senate File 2179 on a vote of 100-0 on April 2, 2008, with:

47 Republicans and 53 Democrats voting **AYE**;
0 Republicans and 0 Democrats voting **NAY**; and
0 Republicans and 0 Democrats **ABSENT** or **NOT VOTING**.

On the question “Shall the bill pass?” (S.F. 2179)

The ayes were, 100:

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

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The nays were, none.

Absent or not voting, none.

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

FINAL ACTION:

The Governor **SIGNED** Senate File 2179 on April 11, 2008.

Senate File 2199 – by the Senate Committee on Commerce
APPEALS OF DENIAL OF COVERAGE FOR DENTAL CARE
Ranking Member – Representative Dan Clute

The bill strikes from the Iowa Code a provision that prevented Iowans from appealing a denial of coverage under their dental insurance plan. Other health insurance coverage provides Iowans with this right of appeal.

SENATE ACTION:

The Senate **PASSED** Senate File 2199 on a vote of 47-0 on March 18, 2008 (Senate Journal page 667).

HOUSE ACTION:

House Passage:

The House **PASSED** Senate File 2199 on a vote of 98-0 on March 25, 2008, with:

45 Republicans and 53 Democrats voting **AYE**;
0 Republicans and 0 Democrats voting **NAY**; and
2 Republicans and 0 Democrats **ABSENT or NOT VOTING**.

On the question “Shall the bill pass?” (S.F. 2199)

The ayes were, 98:

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

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The nays were, none.

Absent or not voting, 2:

Granzow Kaufmann

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

FINAL ACTION:

The Governor **SIGNED** Senate File 2199 on April 2, 2008.

Senate File 2246 – by the Senate Committee on Commerce
DISCLOSURES IN REAL ESTATE TRANSACTIONS
Ranking Member – Representative Steve Lukan

Senate File 2246 cleans up language governing the disclosures provided to buyers in real estate transactions. The bill strikes a requirement to notify a buyer if the property was in Real Estate Improvement District and any special assessment due to that status.

SENATE ACTION:

The Senate **PASSED** Senate File 2246 on a vote of 46-0 on March 17, 2008 (Senate Journal page 645).

HOUSE ACTION:

Amendments:

H-8235, by Ford: The amendment adds to the disclosure requirement that the seller disclose any information related to whether the property has lead paint or there has been work done to remove lead paint.

H-8235 **LOST** on a voice vote on April 9, 2008 (House Journal page 1140).

House Passage:

The House **PASSED** Senate File 2246 on a vote of 98-1 on April 9, 2008, with:

47 Republicans and 51 Democrats voting **AYE**;
 0 Republicans and 1 Democrat voting **NAY**; and
 0 Republicans and 1 Democrat **ABSENT or NOT VOTING**.

On the question “Shall the bill pass?” (S.F. 2246)

The ayes were, 98:

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

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The nays were, 1:

Ford

Absent or not voting, 1:

Abdul-Samad

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

FINAL ACTION:

The Governor **SIGNED** Senate File 2246 on April 22, 2008.

Senate File 2248 – by the Senate Committee on Commerce
STATEWIDE CABLE FRANCHISE CLEANUP
Ranking Member – Representative Steve Lukan

Senate File 2248 corrects some errors in the landmark 2007 law establishing a statewide cable franchise. The main correction is a provision that made counties to be municipalities. This was not intended under the bill.

SENATE ACTION:

The Senate **PASSED** Senate File 2248 on a vote of 49-0 on March 10, 2008 (Senate Journal page 533).

HOUSE ACTION:

The House **PASSED** Senate File 2248 on a vote of 99-0 on April 1, 2008, with:

47 Republicans and 52 Democrats voting **AYE**;
0 Republicans and 0 Democrats voting **NAY**; and
0 Republicans and 1 Democrat **ABSENT or NOT VOTING**.

On the question “Shall the bill pass?” (S.F. 2248)

The ayes were, 99:

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

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The nays were, none.

Absent or not voting, 1:
Petersen

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

FINAL ACTION:

The Governor **SIGNED** Senate File 2248 on April 11, 2008.

Senate File 2250 – by the Senate Committee on Commerce
BACKGROUND CHECKS FOR REAL ESTATE LICENSE APPLICANTS
Ranking Member – Representative Steve Lukan

The bill extends the time period in which the Real Estate Licensure Commission can conduct background checks of license applicants. The current timeframe – within 90 days prior to issuance of a license – is not workable. Senate File 2250 extends this to 210 days prior to issuance.

SENATE ACTION:

The Senate **PASSED** Senate File 2250 on a vote of 48-0 on March 12, 2008 (Senate Journal page 599).

HOUSE ACTION:

House Passage:

The House **PASSED** Senate File 2250 on a vote of 99-0 on April 0, 2008, with:

47 Republicans and 52 Democrats voting **AYE**;
0 Republicans and 0 Democrats voting **NAY**; and
0 Republicans and 1 Democrat **ABSENT or NOT VOTING**.

On the question “Shall the bill pass?” (S.F. 2250)

The ayes were, 99:

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

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The nays were, none.

Absent or not voting, 1:

Abdul-Samad

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

FINAL ACTION:

The Governor **SIGNED** Senate File 2250 on April 18, 2008.

Senate File 2277 – by the Senate Committee on Commerce
PERSONAL IDENTITY SECURITY FREEZE
Subcommittee members – Representatives Libby Jacobs and Tom Sands

Senate File 2277 creates security freeze procedure for Iowans who have their identity stolen. The bill mirrors security freezes adopted in a number of states. The bill allows Iowans to request consumer reporting agencies to establish a security freeze on their name and identifying information. The request must be submitted via certified mail and must include proper identification and pay of a fee, if required.

Within 5 days of receiving the request, the consumer reporting agency must put the freeze into effect and within 10 days following that, the agency must send written confirmation of the freeze. The confirmation must include a personal identification number or password – other than the person’s social security number – so that the consumer can authorize the suspension or removal of the freeze.

The bill also provides a mechanism for a person to temporarily lift a security freeze to allow the release of credit information. This is to be lifted via telephone, fax, internet, or regular mail. If requested by mail, the freeze must be lifted within 3 days. If the request is made via telephone, fax, internet, or other electronic means it shall be lifted within 15 minutes.

SENATE ACTION:

The Senate **PASSED** Senate File 2277 on a vote of 49-0 on March 17, 2008 (Senate Journal page 640).

HOUSE ACTION:

House Passage:

The House **PASSED** Senate File 2277 on a vote of 100-0 on April 2, 2008, with:

47 Republicans and 53 Democrats voting **AYE**;
0 Republicans and 0 Democrats voting **NAY**; and
0 Republicans and 0 Democrats **ABSENT or NOT VOTING**.

On the question “Shall the bill pass?” (S.F. 2277)

The ayes were, 100:

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

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Roberts	Sands	Schickel	Schueller
Shomshor	Smith	Soderberg	Staed
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wienczek	Winckler	Windschitl
Wise	Worthan	Zirkelbach	Jacobs, Presiding

The nays were, none.

Absent or not voting, none.

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

FINAL ACTION:

The Governor **SIGNED** Senate File 2277 on April 11, 2008.

Senate File 2308 – by the Senate Committee on Commerce

PERSONAL INFORMATION SECURITY BREACHES

Subcommittee Members – Representatives Libby Jacobs and Tom Sands

Senate File 2308 creates standards for a breach of security of personal information that occurs in the state of Iowa. The bill implements requirements on entities where the breach occurs to notify the potentially injured parties and fines for those who do not provide the required notification.

SENATE ACTION:

The Senate **PASSED** Senate File 2308 on a vote of 48-0 on March 17, 2008 (Senate Journal page 638).

HOUSE ACTION:

Amendments:

H-8323, by the Committee on Commerce: The amendment makes a number of changes in the bill. The amendment strikes from the definition of “breach of security” language saying the transmission of information over emergency communication systems is not a breach of security. The amendment also changes the definition to require the information covered by the bill has to be maintained in computerized form.

The amendment changes the definition of “personal information” by striking voice print or recording from the description of biometric data. The amendment also requires that a written notice be sent to the last known address for the victim.

H-8323 was **ADOPTED** on a voice vote on April 2, 2008 (House Journal page 987).

H-8352, by Granzow: The amendment requires a governmental body in this state to notify the Citizen’s Aide office when they have had a breach of security. The Office shall compile an annual report of these events and provide to the Legislature and the Governor.

H-8352 was **WITHDRAWN** on April 2, 2008 (House Journal page 987).

H-8353, by Tjepkes: The amendment makes it a Class D felony for a public official or public employee to intentionally disclose or release personal information for compensation outside their usual salary.

H-8376, by Kelley: The amendment makes the definition of “personal information” consistent with the definition in the bill.

H-8376 was **ADOPTED** on a voice vote on April 2, 2008 (House Journal page 988).

H-8353, as amended, was **ADOPTED** on a voice vote on April 2, 2008 (House Journal page 989).

H-8356, by Pettengill: The amendment requires governmental bodies to take reasonable steps to destroy personal information it has in its possession, after there is no reason to continue holding on to it. The amendment specifies various manners which can be used to destroy both written or electronic information. Failure to properly destroy the information would result in a \$100 fine per record, with a maximum of \$50,000.

H-8356 was **WITHDRAWN** on April 2, 2008 (House Journal page 988).

H-8365, by Kelley: The amendment changes the situations requiring notification by changing the language to have the released information be in computerized form.

H-8365 was **ADOPTED** on a voice vote on April 2, 2008 (House Journal page 989).

House Passage:

The House **PASSED** Senate File 2308, as amended, on a vote of 100-0 on April 2, 2008, with:

On the question "Shall the bill pass?" (S.F. 2308)

The ayes were, 100:

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

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The nays were, none.

Absent or not voting, none.

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

FURTHER SENATE ACTION:

The Senate **AMENDED and CONCURRED** with the House amendment and **PASSED** Senate File 2308, as amended, on a vote of 47-0 on April 9, 2008 (Senate Journal page 1012).

FURTHER HOUSE ACTION:

Amendments:

H-8465, by the Senate: The Senate amendment strikes the language added by the House implementing a penalty for public officials or employees who sell personal information for personal gain.

The House **REFUSED to CONCUR** with amendment H-8465 on April 15, 2008 (House Journal page 1272).

CONFERENCE COMMITTEE APPOINTED:

Senate – Warnstadt (chair); Behn; Courtney; Heckroth; and Kettering.
House – Kelley (chair); Huser; Jacoby; Jacobs; and Tjepkes.

CONFERENCE COMMITTEE REPORT:

The Conference Committee Report to Senate File 2308 strips the House language setting penalties for the release of information by a public employee and replaces it with an interim study on the standards for protecting such information by a public employee.

FINAL SENATE ACTION:

The Senate **ADOPTED** the Conference Committee Report and **PASSED** Senate File 2308 on a vote of 49-0 on April 17, 2008 (Senate Journal page 1140).

FINAL HOUSE ACTION:

The House **ADOPTED** the Conference Committee Report and **PASSED** Senate File 2308 on a vote of 95-0 on April 17, 2008, with:

44 Republicans and 51 Democrats voting **AYE**;
0 Republicans and 0 Democrats voting **NAY**; and
3 Republicans and 2 Democrats **ABSENT or NOT VOTING**.

On the question "Shall the bill pass?" (S.F. 2308)

The ayes were, 95:

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

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The nays were, none.

Absent or not voting, 5:

Baudler	Boal	Frevert	Granzow
Whitead			

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

FINAL ACTION:

The Governor

Senate File 2349 – by the Senate Committee on Commerce
PRE-NEED FUNERAL AND CEMETERY SALES
Ranking Member – Representative Steve Lukan

Senate File 2349 corrects a number of provisions that were revised in last-years re-write of Iowa's cemetery and funeral laws.

SENATE ACTION:

The Senate **PASSED** Senate File 2349 on a vote of 43-3 on March 13, 2008 (Senate Journal page 625).

HOUSE ACTION:

Amendments:

H-8324, by the Commerce Committee: The amendment makes further corrections to the provisions of the bill.

H-8324 was **ADOPTED** on a voice vote on April 2, 2008 (House Journal page 1018).

H-8355, by Pettengill: The amendment requires that all money placed in a pre-need funeral trust remain in the trust for use at the time of the funeral.

H-8355 was **WITHDRAWN** on April 2, 2008 (House Journal page 1019).

House Passage:

The House **PASSED** Senate File 2349, as amended, on a vote of 99-0 on April 2, 2008, with:

46 Republicans and 53 Democrats voting **AYE**;
0 Republicans and 0 Democrats voting **NAY**; and
1 Republican and 0 Democrats **ABSENT or NOT VOTING**.

On the question "Shall the bill pass?" (S.F. 2349)

The ayes were, 99:

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

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Senate File 2386 – by the Senate Committee on Commerce
ENERGY EFFICIENCY STANDARDS AND PRACTICES
Subcommittee Members – Representatives Chuck Soderberg and Jamie Van Fossen

Senate File 2386 implements a series of initiatives to improve and promote energy efficiency. The bill creates a commission on Energy Efficiency Standards and Practices to evaluate the standards in the state for residential and commercial construction and public building projects. The bill also requires utilities to report on the effectiveness of their energy efficiency programs and calls for a study on the ability to expand renewable energy efficiency generation on a cost-effective basis in Iowa.

HOUSE ACTION:

Amendments:

H-8349, by the Committee on Commerce: The amendment sets up requirements for all utilities in Iowa to report on their energy efficiency activities and savings generated to the Iowa Utilities Board by dates established in the amendment. The amendment also allows the Iowa Utilities Board to participate in the monitoring of Alternative Energy credit trading. H-8349 also requests that the Legislative Council establish an Energy Efficiency interim committee during the 2008 interim.

H-8558, by Reichert and Petersen: The amendment makes a number of corrections to the Committee amendment. It also instructs the Iowa Utility Association to conduct a study of the potential for alternative energy production in Iowa.
H-8558 was **ADOPTED** on a voice vote on April 17, 2008 (House Journal page 1362).

H-8566, by Berry and Kressig: The amendment would require a merchant power plant built in Iowa to allocate one-tenth of one percent of revenue to fund various energy efficiency programs at Regents institutions.
H-8566 was **WITHDRAWN** on April 17, 2008 (House Journal page 1363).

H-8349 was **ADOPTED**, as amended, on April 17, 2008 (House Journal page 1363).

House Passage:

The House **PASSED** Senate File 2386, as amended, on a vote of 100-0 on April 17, 2008, with:

47 Republicans and 53 Democrats voting **AYE**;
0 Republicans and 0 Democrats voting **NAY**; and
0 Republicans and 0 Democrats **ABSENT or NOT VOTING**.

On the question “Shall the bill pass?” (S.F. 2386)

The ayes were, 100:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevort	Gaskill
Gayman	Gipp	Granzow	Grassley
Greiner	Heaton	Heddens	Hoffman
Horbach	Hunter	Huseman	Huser

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Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	Mascher	May
McCarthy	Mertz	Miller, H.	Miller, L.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Palmer	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Smith	Soderberg	Staed
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wienczek	Winckler	Windschitl
Wise	Worthan	Zirkelbach	Mr. Speaker Murphy

The nays were, none.

Absent or not voting, none.

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

FURTHER SENATE ACTION:

The Senate **CONCURRED** with the House amendment and **PASSED** Senate File 2386, as amended, on a vote of 45-4 on April 21, 2008 (Senate Journal page 1167).

FINAL ACTION:

The Governor