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DES MOINES, IA 50319

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LABOR

82nd General Assembly – Second Session – 2008

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House File 2194 by Committee on Labor
MINIMUM WAGE EXCEPTION CHANGES
Ranking Member: Representative Watts

This bill replaces minimum wage requirement exemptions in the Iowa Code by updating the reference in the Iowa Code to the federal minimum wage requirements as amended to January 1, 2007.

HF 2194 also codifies some of the Iowa Administrative Code in reference to exceptions for paying the minimum wage. The minimum wage requirement does not apply to an enterprise whose annual gross volume of sales made is less than \$300,000.

Further, this bill sets forth that the minimum wage requirement shall apply to the following (regardless of the annual sales amount):

- ◆ A business engaged in laundering, cleaning or repairing clothing or fabrics.
- ◆ Construction or reconstruction
- ◆ Engaged in the operation of hospitals; care of the sick, elderly, or mentally ill; a school for persons with mental or physical disabilities or for gifted children; a preschool, elementary or secondary school; an institution of higher education.
- ◆ A public agency

HOUSE PASSAGE:

The House **PASSED** House File 2194 on February 19, 2008 on a vote of 100-0 with:
47 Republicans and 53 Democrats voting **AYE**
0 Republicans and 0 Democrats voting **NAY**
0 Republicans and 0 Democrats **ABSENT OR NOT VOTING**

On the question "Shall the bill pass?" (H.F. 2194)

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	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	Heddens, 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.

SENATE PASSAGE:

The Senate **PASSED** House File 2194 on March 10, 2008 by a vote of 47-0.

FINAL ACTION:

The Governor **SIGNED** House File 2194 on March 25, 2008.

House File 2542 by Committee on Labor
WORKERS' COMPENSATION – OUT OF STATE CLAIMS
Ranking Member: Representative Horbach

This bill allow workers' compensation claims to be made in Iowa for injuries suffered by an employee while working outside Iowa when:

- The employer has a place of business in this state and the employee regularly works at or from that place of business
- The employee is working under a contract of hire made in Iowa and sustains an injury for which no remedy is available under the workers' compensation laws of another state
- The employee is working under a contract of hire made in Iowa for employment outside the United States
- The employer has a place of business in Iowa, and the employee is working under a contract of hire which provides that the employee's workers' compensation claims be governed by Iowa law.

HOUSE ACTION:

Amendments:

H-8139 by McCarthy: Strikes the section in the original bill which permits reopening a settled award/agreement in workers' compensation benefits. Under this section, the factors that could permit reopening an award are not limited to a change in the claimant's underlying medical condition, cessation of accommodation by the claimant's employer, a change in economic factors, or a change in other factors considered in assessing the extent of the reduction in the employee's earning capacity. **Amendment H-8139 was ADOPTED** on a voice vote.

HOUSE PASSAGE:

The House **PASSED** House File 2542, as amended, on March 18, 2008 by a vote of 54-43 with:
2 Republicans and 52 Democrats voting **AYE**
43 Republicans and 0 Democrats voting **NAY**
2 Republicans and 1 Democrat **ABSENT OR NOT VOTING**

On the question "Shall the bill pass?" (H.F. 2542)

The ayes were, 54:

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

The nays were, 43:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall

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Gipp	Granzow	Grassley	Greiner
Heaton	Hoffman	Huseman	Jacobs
Kaufmann	Lukan	May	Miller, L.
Olson, S.	Paulsen	Pettengill	Raecker
Rants	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Windschitl	

Absent or not voting, 3:

Horbach Shomshor Worthan

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

SENATE PASSAGE:

The Senate **PASSED** House File 2542 on April 3, 2008 by a vote of 31-16.

FINAL ACTION:

The Governor **SIGNED** House File 2542 on April 16, 2008.

House File 2568 by Committee on Labor
WORKERS' COMPENSATION CLAIMS – SHIFT DIFFERENTIAL
Ranking Member: Representative Horbach

This bill requires the calculation of the amount of weekly workers' compensation benefits to include an employee's shift differential pay.

Additionally, this bill changes the weekly workers' compensation rate for permanent disability compensation for inmates of certain state institutions from 66 and two-thirds of the state average weekly wage to the minimum rate provided by state law.

HOUSE PASSAGE:

The House **PASSED** House File 2568 on March 18, 2008 by a vote of 98-0 with:
46 Republicans and 52 Democrats voting **AYE**
0 Republicans and 0 Democrats voting **NAY**
1 Republican and 1 Democrat **ABSENT OR NOT VOTING**

On the question “Shall the bill pass?” (H.F. 2568)

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.
Olson, T.	Palmer	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
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:
Shomshor Worthan

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

SENATE PASSAGE:

The Senate **PASSED** House File 2568 on April 3, 2008 by a vote of 49-0.

FINAL ACTION:

The Governor **SIGNED** House File 2568 on April 11, 2008.

House File 2589 by Committee on Labor
UNEMPLOYMENT INSURANCE TAX PENALTIES
Ranking Member: Representative Tymeson

This bill was originally proposed by the Iowa Department of Workforce Development and changes the penalty for delinquent or insufficient wage reports, as well as requires a \$30 fee for faulty unemployment contribution payments.

The bill also creates a penalty of \$250 for those who fail to honor a subpoena for unemployment insurance.

HOUSE PASSAGE:

The House **PASSED** House File 2589 on March 18, 2008 by a vote of 94-3 with:

42 Republicans and 52 Democrats voting **AYE**

3 Republicans and 0 Democrats voting **NAY**

2 Republicans and 1 Democrat **ABSENT OR NOT VOTING**

On the question "Shall the bill pass?" (H.F. 2589)

The ayes were, 94:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	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	Raecker
Rants	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Smith	Soderberg	Staed
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Watts	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Wienczek	Winckler	Windschitl	Wise
Zirkelbach	Mr. Speaker		
	Murphy		

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The nays were, 3:

Forristall Greiner Van Fossen

Absent or not voting, 3:

Horbach Shomshor Worthan

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

FINAL ACTION:

The Senate **FAILED TO CONSIDER** House File 2589 during 2008.

House File 2645 by Committee on Labor

CHAPTER 20 – PUBLIC EMPLOYEE COLLECTIVE BARGAINING

Ranking Member: Representative Chambers

The original version of House File 2645 was proposed to the Legislature by the Public Employment Relations Board (PERB). The bill PERB proposed was only technical changes to Chapter 20 that reflect current practice, removes outdated language, and corrected typographical errors within Chapter 20. Additionally, PERB submitted initial Chapter 20 changes to **both** management and labor – and made sure that **both** parties were okay with the changes before moving forward.

HOUSE ACTION:

Amendments:

H-8164 by R. Olson. Division I Public Employee Collective Bargaining. The first part of this amendment changes 20.9, Scope of Negotiations. Adds the words “not limited to the following” in respect to negotiating. Additionally, the Scope of Negotiations is amended to include the following:

- Adds the establishment of work shifts and schedules and procedures and criteria for assigning work shifts and schedules
- Adds the determination of health insurance carrier
- Adds cash payments for accumulated leave
- Adds shift differentials
- Adds overtime compensation
- Adds supplemental pay including payments and benefits which are other than wages and are not paid as compensation for or conditioned upon the employees performance of services in addition to their regular services to the public employer
- Adds evaluation procedures, including the frequency of evaluations, the method of evaluation, evaluation forms and other evaluation instruments, evaluation criteria, the purpose for and use of evaluations, and remedial and employee performances improvement plans and procedures.
- Adds procedures for staff reduction
- Adds in-service training.
- **Strikes “and other mutually agreed upon matters”**
- Adds preparation time
- Adds class size
- Adds discipline and discharge, including grounds for discharge and imposition of other discipline, levels and types of disciplinary measures, and procedures for resolving disputes.
- Adds work uniforms and equipment and other required work clothing and equipment, including allowances for uniforms and equipment and other required work clothing and equipment.
- Adds staffing levels
- Adds retirement systems that are not excluded from negotiations (these are listed below)
- **Adds other terms and conditions of employment except as provided (listed below)**

This amendment specifically excludes the following from collective bargaining:

- All retirement systems established by statute **except** pension and annuity retirement systems established under Chapter 412 (Municipal Utility Retirement System) and except for supplemental and additional retirement benefits including severance payments, cash payments based on accumulated leave time, and insurance for retired employees.
- Discharge for teachers who are employed under Chapter 279. Discharge does not include procedures and criteria for staff reduction.

Amends Impasse Procedures, 20.19. Adds that if the public employer is not subject to budget certification (Local Budgets 24.17) then the agreement shall provide for implementation of impasse procedures not later than 120 days prior to a date agreed upon by the public employer and the employee organization. If no date is agreed upon, May 31 of the year the collective bargaining agreement is to be effective.

Impasse Procedures is also amended to include that parties who agree to utilize a cooperative alternative bargaining process must, at the beginning of the process agree upon a method and schedule for the completion of impasse procedures should they fail to reach a collective bargaining agreement through the use of the alternative bargaining process.

Amends Mediation 20.20 to provide that if the public employer is not subject to budget certification (Local Budgets, 24.17) then in the absence of an impasse agreement negotiated or the failure of either party to utilize its procedures, 120 days prior to May 31 of the year when the collective bargaining agreement is to become effective, the board, upon the request of either party, shall appoint an impartial and disinterested person to act as mediator.

Amends 412.1, Authority to Establish System (Municipal Utility Retirement System) and states that a pension or annuity systems is excluded from the scope of negotiations.

Division II – Teacher Contracts and Discipline. This division amends 279.15 through 279.18 concerning teacher termination process. Additionally, provides that a teacher may request a private meeting with the school board in closed session following notification that the superintendent intends to fire the teacher.

New Code Section 2798.15A provides that if the school board determines that the teacher contract shall be terminated, the teacher may request that the decision be reviewed at a private meeting with the board or at a private hearing by an adjudicator selected by the parties from a list provided by PERB.

Currently, the decision is reviewed by the school board and Code section 279.16 which contains the procedures for the private hearing is amended to provide that the adjudicator selected, NOT the school board, is responsible for conducting the private hearing and for reaching a decision – which is deemed final.

Code section 279.17, which provides for an appeal from the school board's decision to an adjudicator and Code section 279.18, which allows for a further appeal to district court following the adjudicator's decision are **repealed**.

The probationary period for teachers in the first 3 years of employment is removed and rewritten to apply to beginning teachers as defined in 284.2

Provides that the procedures for termination of teachers applies to beginning teachers and allows that if an adjudicator is used, the adjudicator shall determine if the beginning teacher has

sufficiently demonstrated competency under the standards in 284.3, subsection 1. If the adjudicator does determine that competency has been established, then the Board of Educational Examiners **shall** issue a standard license to the teacher.

Amends public school employee sick leave so that the amounts shall not be reduced by benefits payable under workers' compensation.

Amends section 279.46 on early retirement incentives for school employees to provide the incentive program as an option if the school district and union have not negotiated an early retirement plan.

Amendments to H-8164:

H-8201 to H-8164 by Tymeson: Strikes Division II, Teacher Contracts and Discipline from H-8164. **Amendment H-8201 to H-8164 LOST** on a record roll call vote of 49-51 with:

47 Republicans and 2 Democrats voting **AYE**
0 Republicans and 51 Democrats voting **NAY**
0 Republicans and 0 Democrats **ABSENT OR NOT VOTING**

On the question "Shall amendment H-8201 to amendment H-8164 be adopted?" (H.F. 2645)

The ayes were, 49:

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

The nays were, 51:

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

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Absent or not voting, none.

Amendment H-8201 lost.

H-8207 to H-8164 by Horbach: Defines a "bargaining unit" as only those employees in a particular class of employees who **voluntarily** agree to be represented by a union. **Amendment H-8207 to H-8164 LOST** on a record roll call vote of 47-53 with:

47 Republicans and 0 Democrats voting **AYE**
0 Republicans and 53 Democrats voting **NAY**
0 Republicans and 0 Democrats **ABSENT OR NOT VOTING**

On the question "Shall amendment H-8207 to amendment 8164, be adopted?" (H.F. 2645)

The ayes were, 47:

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

The nays were, 53:

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

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Absent or not voting, none.

Amendment H-8207 lost.

H-8198 to H-8164 by McCarthy: Amends Section 20.8, Rights of Public Employees to state that the Scope of Negotiations (Section 20.9) shall not be construed to abrogate the rights of public employees. Section 20.8 includes the right to join a union and the right not to join a union. **Amendment H-8198 to H-8164** was **ADOPTED** on a record roll call vote of 100-0 with:

47 Republicans and 53 Democrats voting **AYE**
0 Republicans and 0 Democrats voting **NAY**
0 Republicans and 0 Democrats **ABSENT OR NOT VOTING**

On the question "Shall amendment H-8198 to amendment H-8164 be adopted?" (H.F. 2645)

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.
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	Worthan	Zirkelbach	Wise, Presiding

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The nays were, none.

Absent or not voting, none.

Amendment H-8198 was adopted.

H-8215 to H-8164 by Anderson: Amends Section 20.9 to state that nothing in Section 20.9 shall abrogate the rights of public employees and adds that the abrogation of the rights of public employees shall specifically be excluded from the scope of negotiations. **Amendment H-8215** was **PLACED OUT OF ORDER** with the adoption of H-8198.

H-8168 to H-8164 by Rants: Strikes the permissive clause of "but not limited to" and reinserts the "and other matters mutually agreed upon" clause into the scope of negotiations. **Amendment H-8168 to H-8164 LOST** on a record roll call vote of 47-52 with:

47 Republicans and 0 Democrats voting **AYE**
0 Republicans and 52 Democrats voting **NAY**
0 Republicans and 1 Democrat **ABSENT OR NOT VOTING**

On the question "Shall amendment H-8168 to amendment H-8164 be adopted?" (H.F. 2645)

The ayes were, 47:

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

The nays were, 52:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Miller, H.	Murphy, Spkr.	Oldson

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Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Quirk	Reasoner	Reichert
Schueller	Shomshor	Smith	Staed
Swaim	Taylor, D.	Taylor, T.	Thomas
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Zirkelbach	Wise, Presiding

Absent or not voting, 1:
Mertz

Amendment H-8168 lost.

H-8172 to H-8164 by Rants: Strikes the permissive clause of “but not limited to”; strikes the inclusion of “the establishment of work shifts and schedules and procedures and criteria for assigning work shifts and schedules”; and reinserts the “and other matters mutually agreed upon” clause into the scope of negotiations. **Amendment H-8172 to H-8164 LOST** on a record roll call vote of 47-53 with:
47 Republicans and 0 Democrats voting **AYE**
0 Republicans and 53 Democrats voting **NAY**
0 Republicans and 0 Democrats **ABSENT OR NOT VOTING**

On the question "Shall amendment H-8172 to amendment H-8164 be adopted?" (H.F. 2645)

The ayes were, 47:

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

The nays were, 53:

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

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Absent or not voting, none.

Amendment H-8172 lost.

H-8177A to H-8164 by Rants: Strikes the permissive clause of “but not limited to” and reinserts the “and other matters mutually agreed upon” clause into the scope of negotiations. **Amendment H-8177A to H-8164** was **PLACED OUT OF ORDER**.

H-8177B to H-8164 by Rants: Strikes including class size in the scope of negotiations. **Amendment H-8177B to H-8164** **LOST** on a record roll call vote of 47-52 with:

47 Republicans and 0 Democrats voting **AYE**
0 Republicans and 52 Democrats voting **NAY**
0 Republicans and 1 Democrat **ABSENT OR NOT VOTING**

On the question "Shall amendment H-8177B to amendment H-8164 be adopted?" (H.F. 2645)

The ayes were, 47:

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

The nays were, 52:

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

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Absent or not voting, 1:

Olson, T.

Amendment H-8177B lost.

H-8179A to H-8164 by Rants: Strikes the permissive clause of “but not limited to” and reinserts the “and other matters mutually agreed upon” clause into the scope of negotiations. **Amendment H-817A to H-8164** was **PLACED OUT OF ORDER**.

H-8179B to H-8164 by Rants: Strikes staffing levels from being a mandatory subject in the scope of negotiations. **Amendment H-8179B** **LOST** on a record roll call vote of 47-51 with:

47 Republicans and 0 Democrats voting **AYE**
0 Republicans and 51 Democrats voting **NAY**
0 Republicans and 2 Democrats **ABSENT OR NOT VOTING**

On the question "Shall amendment H-8179B to amendment H-8164 be adopted?" (H.F. 2645)

The ayes were, 47:

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

The nays were, 51:

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

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Absent or not voting, 2:

Olson, T. Shomshor

Amendment H-8179B lost.

MOTION TO DEFER ON HOUSE FILE 2645:

Representative Rants **MOVED** to **DEFER** on House File 2645.

The motion to defer **LOST** on a record roll call vote of 47-51 with:

47 Republicans and 0 Democrats voting **AYE**

0 Republicans and 51 Democrats voting **NAY**

0 Republicans and 2 Democrats **ABSENT OR NOT VOTING**

On the question "Shall the House defer on House File 2645?"

The ayes were, 47:

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

The nays were, 51:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill

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Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Miller, H.	Murphy, Spkr.	Oldson
Olson, D.	Olson, R.	Palmer	Petersen
Quirk	Reasoner	Reichert	Schueller
Shomshor	Smith	Staed	Swaim
Taylor, D.	Taylor, T.	Thomas	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Winckler	Zirkelbach Wise,		
Presiding			

Absent or not voting, 2:

Mertz Olson, T.

The motion to defer House File 2645 lost.

MOTION TO CLOSE DEBATE:

Representative McCarthy **MOVED** to close debate and the question be put on House File 2645 and all amendments, amendments to amendments, and motions thereto at 4:00 a.m. on March 20, 2008.

AMENDMENT TO MOTION TO CLOSE DEBATE:

Representative Raecker **MOVED** to **AMEND** Representative McCarthy's motion to close debate and the question be put on House File 2645 and all amendments, amendments to amendments, and motions thereto at 7:00 p.m. on March 20, 2008. The motion **LOST** on a record roll call vote of 46-53 with:

46 Republicans and 0 Democrats voting **AYE**

1 Republican and 52 Democrats voting **NAY**

0 Republicans and 1 Democrat **ABSENT OR NOT VOTING**

On the question "Shall House File 2645 be debated at the time certain of 7:00 p.m., March 21, 2008?" (H.F. 2645)

The ayes were, 46:

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

The nays were, 53:

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

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Wise,
Presiding

Absent or not voting, 1:
Olson, T.

The motion lost.

Representative Rants **MOVED** to **AMEND** Representative McCarthy's motion to close debate and the question be put on House File 2645 and all amendments, amendments to amendments, and motions thereto at 4:00 p.m. on March 20, 2008. The motion **LOST** on a record roll call vote of 47-52 with:

47 Republicans and 0 Democrats voting **AYE**
0 Republicans and 52 Democrats voting **NAY**
0 Republicans and 1 Democrat **ABSENT OR NOT VOTING**

On the question "Shall House File 2645 be debated at the time certain of 4:00 p.m., March 21, 2008?" (H.F. 2645)

The ayes were, 47:

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

The nays were, 52:

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

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Absent or not voting, 1:
Olson, T.

The motion lost.

Representative Kaufmann **MOVED** to **AMEND** Representative McCarthy's motion to close debate and the question be put on House File 2645 and all amendments, amendments to amendments, and motions thereto at 6:00 p.m. on March 20, 2008. The motion **LOST** on a record roll call vote of 46-52 with:

46 Republicans and 0 Democrats voting **AYE**
1 Republican and 51 Democrats voting **NAY**

0 Republicans and 2 Democrats **ABSENT OR NOT VOTING**

On the question "Shall House File 2645 be debated at the time certain of 6:00 p.m., March 21, 2008?"

The ayes were, 46:

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

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The nays were, 52:

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

Absent or not voting, 2:

Gaskill Olson, T.

The motion lost.

Representative Hunter **MOVED** to **AMEND** Representative McCarthy's motion to set a time certain of 4:05 a.m., on March 20, 2008.

Representative Raecker **MOVED** to **AMEND** Representative Hunter's motion to set a time certain of 12:00 p.m., March 20, 2008. The motion **LOST** on a record roll call vote of 46-53 with:

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

On the question "Shall House File 2645 be debated at the time certain of 12:00 p.m., March 20, 2008?"

The ayes were, 46:

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

Raecker
Roberts
Struyk
Van Engelenhoven
Windschitl

Rants
Sands
Tjepkes
Van Fossen
Worthan

Rasmussen
Schickel
Tymeson
Watts

Rayhons
Soderberg
Upmeyer
Wienczek

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The nays were, 53:

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

Absent or not voting, 1:
Olson, T.

The motion lost.

Representative McCarthy **MOVED** to **AMEND** Representative Hunter's motion to set a time certain of 11:30 a.m., on March 20, 2008. The motion prevailed on a voice vote.

DEFERRED ON HOUSE FILE 2645:

Representative McCarthy **ASKED** and **RECEIVED** unanimous consent that House File 2645 be deferred and that the bill retain its place on the calendar. (With amendment H-8164 and amendment H-8180 to amendment H-8164 pending).

RESUMED CONSIDERATION OF HOUSE FILE 2645:

The House resumed consideration of House File 2645, previously deferred. (Amendment H-8164 and amendment H-8180 to amendment H-8164 pending.)

H-8180 to H-8164 by Rants: Strikes permitting negotiation for the determination of health insurance carrier. **Amendment H-8180 to H-8164** was **WITHDRAWN**.

H-8184 to H-8164 by Rants: Strikes permitting negotiation to include cash payments for accumulated leave. **Amendment H-8181 to H-8164** was **WITHDRAWN**.

H-8185 to H-8164 by Rants: Strikes permitting negotiation for preparation time. **Amendment H-8185 to H-8164** was **WITHDRAWN**.

H-8186 to H-8164 by Rants: Strikes permitting negotiation to include payments and benefits which are other than wages and are not paid as compensation for or conditioned upon the employee's performance of services in addition to their regular services to the public employer. **Amendment H-8186 to H-8164** was **WITHDRAWN**.

H-8187 to H-8164 by Rants: Strikes permitting negotiation to include the frequency of evaluations, the method of evaluations, evaluation forms and other evaluation criteria, the purposes for and use of evaluations and remedial and employee performance

improvement plans and procedures. **Amendment H-8187 to H-8164** was **WITHDRAWN**.

H-8194 to H- 8164 by Rants: Strikes retirement systems that are not excluded from negotiations. **Amendment H-8194 to H-8164** was **WITHDRAWN**.

H-8197 to H- 8164 by Abdul-Samad: Inserts permitting negotiation to include the provision of paid or unpaid break time and a room or other private area other than a toilet stall for an employee who needs to breastfeed or express breast milk. **Amendment H-8197 to H-8164** was **WITHDRAWN**.

H-8212 to H- 8164 by Abdul-Samad: Inserts permitting negotiation to include the provision of paid or unpaid break time and a room or other private area other than a toilet stall for an employee who needs to express breast milk or breastfeed a child. **Amendment H-8212 to H-8164** was **WITHDRAWN**.

H-8208 to H-8164 by Chambers: Strikes all the portions of the amendment, H-8164 that refer to retirement and retirement plans. **H-8208 to H-8164 LOST** on a record roll call vote of 47-51 with:

47 Republicans and 0 Democrats voting **AYE**
0 Republicans and 51 Democrats voting **NAY**
0 Republicans and 2 Democrats **ABSENT OR NOT VOTING**

On the question "Shall amendment H-8208 to amendment H-8164 be adopted?" (H.F. 2645)

The ayes were, 47:

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

The nays were, 51:

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

Absent or not voting, 2:

Ford Olson, T.

Amendment H-8208 lost.

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H-8193 to H- 8164 by Rants: Returns to current law which specifies that all retirement systems shall be excluded from the scope of negotiations. **Amendment H-8193 to H-8164** was **WITHDRAWN**.

H-8184 to H- 8164 by Rants: Specifically excludes fair share fees/fees for service/any involuntary withholding of dues from a non-union member shall be included in the scope of negotiations. **Amendment H-8184 to H-8164 LOST** on a record roll call vote of 47-50 with:

47 Republicans and 0 Democrats voting **AYE**
0 Republicans and 50 Democrats voting **NAY**
0 Republicans and 3 Democrats **ABSENT OR NOT VOTING**

On the question "Shall amendment H-8184 to amendment H-8164 be adopted?" (H.F. 2645)

The ayes were, 47:

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

The nays were, 50:

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

Absent or not voting, 3:

Ford Olson, T. Quirk

Amendment H-8184 lost.

H-8211 to H-8164 by Rants: Property tax. States that an arbitrator cannot make an award as to supplemental pay, evaluation, preparation time, class size, disciplining and discharge; uniforms and equipments; staffing levels; retirement systems; other terms and conditions of employment if any of those items would require the public employer to raise its levy rate or increase its bonded indebtedness. **Amendment H-8211 to H-8164 LOST** on a record roll call vote of 49-50 with:

47 Republicans and 2 Democrats voting **AYE**
0 Republicans and 50 Democrats voting **NAY**
0 Republicans and 1 Democrat **ABSENT OR NOT VOTING**

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On the question “Shall amendment H–8211 to amendment H–8164 be adopted?” (H.F. 2645)

The ayes were, 49:

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

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The nays were, 50:

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

Absent or not voting, 1:

Olson, T.

Amendment H–8211 lost.

H-8167 to H- 8164 by Rants: Reinserts current law to allow determination of standards of performance expected of school district personnel shall be reserved as an exclusive management right of the school board and shall not be subject to mandatory negotiations under Chapter 20. **Amendment H-8167 to H-8164** was **WITHDRAWN**.

H-8169 to H- 8164 by Rants: Strikes that hearsay evidence shall not form a sufficient basis for termination. **Amendment H-8169 to H-8164** was **WITHDRAWN**.

H-8170 to H- 8164 by Rants: Strikes the strike to allow that the comprehensive evaluation and instrument are not subject to negotiations or grievance procedures pursuant to chapter 20 or determinations made by the board of directors under section 279.14. **Amendment H-8170 to H-8164** was **WITHDRAWN**.

H-8171 to H- 8164 by Rants: Reinserts current law to allow for a further appeal to district court following the adjudicators decision. **Amendment H-8171 to H-8164** was **WITHDRAWN**.

H-8173 to H- 8164 by Rants: Strikes new language on beginning teachers that allows an adjudicator to determine competency. **Amendment H-8173 to H-8164** was **WITHDRAWN**.

H-8182 to H- 8164 by Rants: Amends Chapter 20 to include the same language that is in Iowa Code Chapter 731. Iowa Code Chapter 731 is Iowa’s Right to Work Statute and makes Right to Work applicable to public employees. **Amendment H-8182 to H-8164** was **WITHDRAWN**.

H-8209 to H- 8164 by Tymeson: Strikes new language on beginning teachers that allows an adjudicator to determine competency. Additionally, this amendment reinserts current law on probationary period for beginning teachers. **Amendment H-8209 to H-8164 LOST** on a voice vote.

H-8183 to H- 8164 by Rants: Strikes the entire amendment H-8164 and replaces with amending Chapter 20 to include the same language that is in Iowa Code Chapter 731. Iowa Code Chapter 731 is Iowa’s Right to Work Statute and makes Right to Work applicable to public employees. **Amendment H-8183 to H-8164 LOST** on a record roll call vote of 47-52 with:

47 Republicans and 0 Democrats voting **AYE**
0 Republicans and 52 Democrats voting **NAY**
0 Republicans and 1 Democrat **ABSENT OR NOT VOTING**

On the question “Shall amendment H–8183 to amendment H–8164 be adopted?” (H.F. 2645)

The ayes were, 47:

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

The nays were, 52:

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

Absent or not voting, 1:

Olson, T.

Amendment H–8183 lost.

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H-8216 to H- 8164 by Struyk: Strikes the entire amendment H-8164 and replaces with an interim study committee on public sector collective bargaining and teacher discipline. **Amendment H-8216 to H-8164** was **WITHDRAWN**.

DEFERRED ON HOUSE FILE 2645:

Representative McCarthy **ASKED** and **RECEIVED** unanimous consent that House File 2645 be deferred and that the bill retain its place on the calendar.

TIME CERTAIN RECONSIDERED:

Representative McCarthy **MOVED** to reconsider his previous motion that debate be closed and the question be put to House File 2645.

The motion **PREVAILED**.

Representative McCarthy **MOVED** to amend his motion to 11:45 a.m., March 19, 2008.

The motion **PREVAILED**.

RESUMED CONSIDERATION OF HOUSE FILE 2645:

Amendments:

Amendment H-8164 Divided. Division A Public Employee Collective Bargaining portion. Division B Teacher Contracts and Discipline portion.

TIME CERTAIN ALL AMENDMENTS PUT TO THE QUESTION:

The Speaker announced that the time certain having come to pass and all amendments be put to the question.

H-8164A by R. Olson: Includes all of the Public Employee Collective Bargaining portion.

Amendment H-8164A was **ADOPTED** on a record roll call vote of 52-47 with:

0 Republicans and 52 Democrats voting **AYE**

47 Republicans and 0 Democrats voting **NAY**

0 Republicans and 1 Democrat **ABSENT OR NOT VOTING**

On the question "Shall amendment H-8164A be adopted?" (H.F. 2645)

The ayes were, 52:

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

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The nays were, 47:

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

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

Absent or not voting, 1:
Olson, T.

Amendment H-8164A, as amended, was adopted.

H-8164B by R. Olson: Includes all of the Teacher Contracts and Discipline. **Amendment H-8164B** was **RULED NOT GERMANE**. Representative McCarthy **MOVED** to suspend the rules to consider **H-8164B**. The motion to suspend the rules **PREVAILED** on a record roll call vote of 52-47 with:

0 Republicans and 52 Democrats voting **AYE**
47 Republicans and 0 Democrats voting **NAY**
0 Republicans and 1 Democrat **ABSENT OR NOT VOTING**

On the question “Shall the rules be suspended to consider amendment H-8164B?” (H.F. 2645)

The ayes were, 52:

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

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The nays were, 47:

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

Absent or not voting, 1:
Olson, T.

The motion prevailed.

H-8164B was **ADOPTED** on a record roll call vote of 52-47 with:

0 Republicans and 52 Democrats voting **AYE**
47 Republicans and 0 Democrats voting **NAY**

0 Republicans and 1 Democrat **ABSENT OR NOT VOTING**

On the question "Shall amendment H-8164B be adopted?" (H.F. 2645)

The ayes were, 52:

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

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The nays were, 47:

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

Absent or not voting, 1:

Olson, T.

Amendment H-8164B was adopted.

H-8156 by Horbach: Amends the Scope of Negotiations portion of the bill and provides that negotiations shall not include terms authorizing furlough days. **Amendment H-8156** was **WITHDRAWN**.

H-8157 by Gipp: Paycheck protection. This provides that an agreement authorizing dues check-off shall not permit the deduction of dues or contributions for the benefit of a political organization, from an employee's earnings, wages, or compensation. **Amendment H-8157** was **WITHDRAWN**.

H-8163 by Upmeyer. Amends the Scope of Negotiations portion of the bill to require that multicultural diversity policies, harassment policies, discipline policies, shift assignments, transfer and promotion procedures and participation in workplace committees be part of collective bargaining negotiations. **Amendment H-8163** was **WITHDRAWN**.

H-8151 by May: Defines "bargaining unit" as employees who voluntarily agree to be represented by a union and allows multiple unions to represent teachers. **Amendment H-8151** **LOST** on a record roll call vote of 47-52 with:

47 Republicans and 0 Democrats voting **AYE**

0 Republicans and 52 Democrats voting **NAY**

0 Republicans and 1 Democrat **ABSENT OR NOT VOTING**

On the question "Shall amendment H-8151 be adopted?" (H.F. 2645)

The ayes were, 47:

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

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The nays were, 52:

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

Absent or not voting, 1:

Olson, T.

Amendment H-8151 lost.

H-8152 by Watts: Inserts the Legislature into the collective bargaining process, and after the Legislature's vote on the appropriation to be made for the "economic adjustments" (salary increase) then the collective bargaining agreement becomes final and binding. **Amendment H-8152 LOST** on a record roll call vote of 47-52 with:

47 Republicans and 0 Democrats voting **AYE**

0 Republicans and 52 Democrats voting **NAY**

0 Republicans and 1 Democrat **ABSENT OR NOT VOTING**

On the question "Shall amendment H-8152 be adopted?" (H.F. 2645)

The ayes were, 47:

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

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The nays were, 52:

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

Absent or not voting, 1:

Olson, T.

Amendment H-8152 lost.

H-8153 by Watts: Allows public employees to formally opt out of formal representation from the union. **Amendment H-8153 LOST** on a record roll call vote of 46-51 with:

46 Republicans and 0 Democrats voting **AYE**

0 Republicans and 51 Democrats voting **NAY**

1 Republican and 2 Democrats **ABSENT OR NOT VOTING**

On the question "Shall amendment H-8151 be adopted?" (H.F. 2645)

The ayes were, 46:

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

The nays were, 51:

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

Absent or not voting, 1:

Jacoby Olson, T. Tomenga

Amendment H-8153 lost.

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H-8154 by Watts.: Creates a new type of employee a “free agent employee” who is a public employee who has signed a release declaring that the employee chooses not to be represented by an employee organization and that the employee understands that signing the release waives any claim or right to representation by that employee organization. **Amendment H-8154 LOST** on a record roll call vote of 47-51 with:

47 Republicans and 0 Democrats voting **AYE**
 0 Republicans and 51 Democrats voting **NAY**
 0 Republicans and 2 Democrats **ABSENT OR NOT VOTING**

On the question “Shall amendment H–8154 be adopted?” (H.F. 2645)

The ayes were, 47:

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

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The nays were, 51:

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

Absent or not voting, 2:

Mertz Olson, T.

Amendment H–8154 lost.

H-8162 by May: Changes the make up of the Public Employees Relations Board to provide that no more than one member can be of the same political party and adds one no party voter.

Amendment H-8162 LOST on a record roll call vote of 47-50 with:

47 Republicans and 0 Democrats voting **AYE**
 0 Republicans and 50 Democrats voting **NAY**
 0 Republicans and 3 Democrats **ABSENT OR NOT VOTING**

On the question “Shall amendment H–8162 be adopted?” (H.F. 2645)

The ayes were, 47:

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

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

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The nays were, 50:

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

Absent or not voting, 3:

Abdul-Samad Mertz Olson, T.

Amendment H-8162 lost.

H-8142 by Watts: Requires the public employer and the certified employee organization to file with PERB, either jointly or separately, a report on a form prescribed by PERB which shall include the number of employees covered by the agreement, the estimated cost of implementing each wage, benefit, and other provision of the agreement having an economic impact and the estimated percentage increase in cost for each item compared to the prior agreement, the estimated total cost of implementing the agreement for the entire term of the agreement, and any other information relating to the agreement as requested by PERB.

H-8196 to H-8142 by Watts: Requires PERB to submit the report in an electronic format and is made available to the public on PERB's website. **Amendment H-8196 to H-8142 was ADOPTED** on a voice vote.

Amendment H-8142, as amended by H-8196 **LOST** on a record roll call vote of 46-50 with:
46 Republicans and 0 Democrats voting **AYE**
0 Republicans and 50 Democrats voting **NAY**
1 Republican and 3 Democrats **ABSENT OR NOT VOTING**

On the question "Shall amendment H-8142, as amended be adopted?" (H.F. 2654)

The ayes were, 46:

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

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Windschitl Worthan

The nays were, 50:

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

Absent or not voting, 4:

Huser Mertz Olson, T. Van Engelenhoven

Amendment H-8142 lost.

H-8155 by Lukan: Requires the Public Employees Relations Board to annually prepare a report comparing public and private sector salaries and benefits. **Amendment H-8155 LOST** on a record roll call vote of 47-51 with:

47 Republicans and 0 Democrats voting **AYE**

0 Republicans and 51 Democrats voting **NAY**

0 Republicans and 2 Democrats **ABSENT OR NOT VOTING**

On the question "Shall amendment H-8155 be adopted?" (H.F. 2645)

The ayes were, 47:

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

The nays were, 51:

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

Absent or not voting, 2:

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Mertz Olson, T.

Amendment H-8155 lost.

H-8159 by Paulsen: Amends 20.15 (Elections) to require a vote every two years for union certification. **Amendment H-8159 LOST** on a record roll call vote of 47-51 with:

- 47 Republicans and 0 Democrats voting **AYE**
- 0 Republicans and 51 Democrats voting **NAY**
- 0 Republicans and 2 Democrats **ABSENT OR NOT VOTING**

On the question "Shall amendment H-8159 be adopted?" (H.F. 2645)

The ayes were, 47:

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

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The nays were, 51:

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

Absent or not voting, 2:

Mertz Olson, T.

Amendment H-8159 lost.

H-8160 by May: Changes the third member of panel of arbitrators to a private sector no party business person. **Amendment H-8160 LOST** on a record roll cal vote of 47-51 with:

- 47 Republicans and 0 Democrats voting **AYE**
- 0 Republicans and 51 Democrats voting **NAY**
- 0 Republicans and 2 Democrats **ABSENT OR NOT VOTING**

On the question "Shall amendment H-8160 be adopted?" (H.F. 2645)

The ayes were, 47:

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

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

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The nays were, 51:

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

Absent or not voting, 2:

Mertz	Olson, T.
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Amendment H-8160 lost.

H-8161 by May: Requires that during arbitration, comparison of wages of public employees with those of similar private sector employees doing comparable work, giving consideration to factors peculiar to the area and the classifications involved, and providing that the maximum wages awarded public sector employees shall be no more than five percent greater than comparable private sector employees unless the public employees are in a merit pay program.

Amendment H-8161 LOST on a record roll call vote of 47-51 with:

47 Republicans and 0 Democrats voting **AYE**
0 Republicans and 51 Democrats voting **NAY**
0 Republicans and 2 Democrats **ABSENT OR NOT VOTING**

On the question "Shall amendment H-8161 be adopted?" (H.F. 2645)

The ayes were, 47:

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

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The nays were, 51:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig

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

Absent or not voting, 2:

Mertz Olson, T.

Amendment H-8161 lost.

H-8165 by Soderberg: Requires the panel of arbitrators, in addition to the other factors prescribed in Chapter 20, to consider whether any proposed increase in wages to public employees is justified based upon an increase in productivity and performance of the employees and based upon the ability of the public employer to pay the increase using existing resources without any increase in taxes. **Amendment H-8165 LOST** on a record roll call vote of 47-51 with:

47 Republicans and 0 Democrats voting **AYE**
 0 Republicans and 51 Democrats voting **NAY**
 0 Republicans and 2 Democrats **ABSENT OR NOT VOTING**

On the question "Shall amendment H-8165 be adopted?" (H.F. 2645)

The ayes were, 47:

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

The nays were, 51:

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

Absent or not voting, 2:

Mertz Olson, T.

Amendment H-8165 lost.

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H-8141 by Watts: Requires Legislative Council to commission a public accounting service to conduct a comprehensive wage-benefits comparison of selected public sector employee positions with equivalent private sector employee positions. **Amendment H-8141 LOST** on a record roll call vote of 47-51 with:

47 Republicans and 0 Democrats voting **AYE**
0 Republicans and 51 Democrats voting **NAY**
0 Republicans and 2 Democrats **ABSENT OR NOT VOTING**

On the question "Shall amendment H-8141 be adopted?" (H.F. 2645)

The ayes were, 47:

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

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The nays were, 51:

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

Absent or not voting, 2:

Mertz Olson, T.

Amendment H-8141 lost.

H-8158 by Tymeson: Authorizes school districts, upon the request of a teacher or administrator, to pay through payroll deduction the teacher's or administrator's dues or membership fees in any not-for-profit, professional education association. If such a request is granted, all other requests for deductions for payment of dues or membership fees for membership in the same association shall also be granted. **Amendment H-8158 LOST** on a record roll call vote of 47-51 with:

47 Republicans and 0 Democrats voting **AYE**
0 Republicans and 51 Democrats voting **NAY**
0 Republicans and 2 Democrats **ABSENT OR NOT VOTING**

On the question "Shall amendment H-8158 be adopted?" (H.F. 2645)

The ayes were, 47:

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

The nays were, 51:

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

Absent or not voting, 2:

Mertz	Olson, T.
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Amendment H-8158 lost.

H-8178 by Rants: Strikes the entire bill and replaces with amending Chapter 20 to include the same language that is in Iowa Code Chapter 731. Iowa Code Chapter 731 is Iowa's Right to Work Statute and makes Right to Work applicable to public employees. Amendment H-8178 was **PLACED OUT OF ORDER** because the amendment was not filed in a timely manner (by 4:00pm on the day preceding debate).

RULE 32:

Representative Rants rose on a point of order that according to House Rule 32, relating to the levy, assessment or collection of taxes, House File 2645, as amended, be referred to the Committee on Ways and Means. The point was **NOT WELL TAKEN**.

HOUSE PASSAGE:

The House **PASSED** House File 2645, as amended, on March 19, 2008 by a vote of 52-47 with:
 0 Republicans and 52 Democrats voting **AYE**
 47 Republicans and 0 Democrats voting **NAY**
 0 Republicans and 1 Democrat **ABSENT OR NOT VOTING**

On the question "Shall the bill pass?" (H.F. 2645)

The ayes were, 52:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher

McCarthy	Mertz	Miller, H.	Murphy, Spkr.
Oldson	Olson, D.	Olson, R.	Palmer
Petersen	Quirk	Reasoner	Reichert
Schueler	Shomshor	Smith	Staed
Swaim	Taylor, D.	Taylor, T.	Thomas
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Zirkelbach	Wise, Presiding

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The nays were, 47:

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

Absent or not voting, 1:

Olson, T.

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

MOTION TO RECONSIDER:

Representative McCarthy **FILED** a motion to reconsider House File 2645 on March 19, 2008.

Representative McCarthy **WITHDREW** his motion to reconsider House File 2645 on March 20, 2008.

SENATE PASSGAE:

The Senate **PASSED** House File 2645 on March 24, 2008 by a vote of 27-23.

FINAL ACTION:

The Governor **SIGNED** House File 2645 on **May XX, 2008**

House File 2686 by Committee on Ways and Means

IDENTITY THEFT/ILLEGAL IMMIGRATION/EMPLOYEE CLASSIFICATION

Ranking Members: Representative Horbach and Representative Grassley

Division I creates new Article IX, Identity Theft Division in the Department of Inspections and Appeals. This division requires employers to verify the identity of each new employee for facial validity. Division I sets forth penalties if employers or the employer's designee does not fulfill the requirements of verifying each new hire.

Division I also provides for enforcement, as well as allowing the issuance of a non-operator Iowa ID to non-residents. Additionally, Division I amends the current identity theft statute to include the element of attempting to fraudulently use the identification information of a fictitious person to contract for various benefits including to obtain employment and includes employment and other benefits for determining the value derived from committing identity theft.

Division II provides that a person who is an identified unauthorized alien shall not be eligible for bail when charged with a criminal offense. And requires the law enforcement agency responsible for the arrest of an identified unauthorized alien to notify the United States Immigration and Customs Enforcement about the unauthorized alien.

Division III of the bill creates Chapter 91F, which prohibits employers from knowingly employing unauthorized aliens. Additionally, Division III provides for penalties for knowingly hiring unauthorized aliens.

Division IV creates Chapter 91G, which requires contractors to classify individuals who perform services for the contractor as employees of the contractor, unless certain conditions apply as listed in the bill. Additionally, Division IV provides for penalties and enforcement of this new Chapter.

Division V provides corresponding amendments for the administration of the new Chapter 91G.

Division VI provides a severability clause and a January 1, 2009 effective date.

HOUSE ACTION:

Amendments:

H-8490 by Wise and Gayman. Identity Theft – Falsifying Documents. This amendment makes it an aggravated misdemeanor for a person to make a driver's license or non-operator ID or any other form or document used to establish a persons identity (if the person does not have the authority to do so) in order to assist an unauthorized alien to obtain employment; or use a false or fictitious name in any application for a driver's license or non-operator ID or to knowingly make a false statement or knowingly conceal a material fact or otherwise commit fraud on an application in order to assist an unauthorized alien obtain employment. *(This had previously been voted on as amendment H-8453 to SF 239).*

Amendment H-8490 was **ADOPTED** by a record roll call vote of 96-2 with:

46 Republicans and 50 Democrats voting **AYE**

0 Republicans and 2 Democrats voting **NAY**

1 Republican and 1 Democrat **ABSENT OR NOT VOTING**

On the question "Shall amendment H-8490 be adopted?" (H.F. 2686)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Forristall	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Heddens	Horbach	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	Whitaker
Whitead	Wiencek	Winckler	Windschitl
Wise	Worthan	Zirkelbach	Mr. Speaker
			Murphy

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The nays were, 2:

Hunter Wessel-Kroeschell

Absent or not voting, 2:

Ford Hoffman

Amendment H-8490 was adopted.

H-8544 by R. Olson: Actions 1-5, 8, 11,12, and 14 – 17 are technical in nature. These are corrections to moving the identity theft division from Iowa Workforce Development to the Department of Inspections and Appeals from the original bill (HSB 717). Current code is amended to add the independent contractor chapter 91G as part of the report Iowa Workforce Development transmits to the Governor. Additionally, this amendment corrects the duty of office to include designees of state agency department heads.

Action 6. Upon determining that an employee is using false identity information, this amendment requires the following actions:

- Requires the Secretary of State to remove the false information from voter registration lists and voter qualification requirements.
- Requires the Department of Transportation to remove the employee's false information from the DOT's driver's license records
- Requires the Department of Human Services to investigate the employee's use of false information to gain access to federal and state resources.

Actions 7 and 9. Restricts the eligibility for Iowa driver's licenses to citizens, nationals and legal immigrants. This amendment specifically states that the Department of Transportation cannot issue a driver's license to anyone who is an unauthorized alien. An unauthorized alien is defined as a person who is not a citizen or legal resident and has not been lawfully admitted to the United States pursuant to federal law. *(This had previously been voted on as amendment H-8454 to SF 2394)*

Action 10. *Identity Theft – Aiding and Abetting.* This amendment states that a person who knowingly assists an unauthorized alien obtain false information in order to get a job commits the offense of identity theft by aiding and abetting. *(This had previously been voted on as amendment H-8452 to SF 2394)*

Action 13. Provides that a person shall not be classified as an employee or contractor when the person participates in agricultural activities on agricultural land.

Action 18.

Employer Incentive. States that any employer who chooses not to use the federal employment eligibility program (e-Verify) shall not be eligible for any state developmental assistance. For the purposes of this amendment, developmental assistance is considered any form of public assistance including tax expenditures, made for the purpose of stimulating the economic development of a corporation, industry, geographic jurisdiction, or any other sector of the state's economy. This includes public assistance involving industrial development bonds, training grants, loans, loan guarantees, enterprise zones, empowerment zones, tax increment financing, fee waivers, land price subsidies, infrastructure constructed or improved for the benefit of a single business or defined group of businesses at the time it is built or improved, matching funds, tax abatements, tax credits and tax discounts of every kind, including corporate, franchise, personal income, sales and use, raw materials, real property, job creation, individual investment, excise, utility, inventory, accelerated depreciation, and research and development tax credits and discounts. *(This had previously been voted on as amendment H-8383 to SF 2325)*

Unfair Trade Practice. Makes it an unfair trade practice to fire a United States citizen while employing an unauthorized alien. Gives the discharged employee a private cause of action for the unfair trade practice for damages due to termination. *(This had previously been voted on as amendment H-8479 to SF 2400)*

Assisting Unauthorized Aliens. Prohibits any employer, employee, or labor organization from assisting an unauthorized alien from avoiding authorities. If an employer, employee or labor organization that is found to be assisting an unauthorized alien avoid authorities is subject to a Class D Felony. *(This had previously been voted on as amendment H-8397 on HF 2660 and H-8478 on SF 2400)*

Immigration Law Enforcement. Memorandum of Understanding – Enforcement of Federal Law. This amendment authorizes the Attorney General to negotiate a memorandum of understanding on behalf of the state with the United States Department of Justice or the United States Department of Homeland Security concerning the enforcement of federal immigration and custom laws, detention removals, and investigations in the state of Iowa.

Also requires that the agreement provide that costs incurred by the state in detaining and deporting an unauthorized alien must be reimbursed by the federal government. A person, including the state and any local government, shall not restrict a public employee from communicating or cooperating with federal officials with regard to the immigration status of any person within this state. Any person may file for a writ of mandamus to compel compliance. *(This had previously been voted on as amendment H-8396 on HF 2660)*

Action 19. Creates an Illegal Immigration Task Force under the Department of Public Safety and appropriates \$565,000 and 12 FTEs. *(This has previously been voted on as amendment H-2062 on SF 601 from 2007)*

Action 20. Strikes effective date of the bill. With this amendment the entire bill will be effective July 1, 2008.

Actions 21-25. Miscellaneous title page clean-up.

H-8545 to H-8544 by R. Olson: Corrective amendment to H-8544. **Amendment H-8545 to H-8544** was **ADOPTED** on a voice vote.

H-8549 to H-8544 by R. Olson: Strikes the appropriation of \$565,000 in H-8544 and requires the Department of Public Safety to create an illegal immigration task force, that consists of 12 state troopers for the purpose of enforcing immigration laws. **Amendment H-8549 to H-8544** was **ADOPTED** on a voice vote.

Amendment H-8544 was **ADOPTED**, as amended by H-8545 and H-8549, on a record roll call vote of 86-12 with:

44 Republicans and 42 Democrats voting **AYE**
1 Republicans and 11 Democrats voting **NAY**
2 Republicans and 0 Democrats **ABSENT OR NOT VOTING**

On the question "Shall amendment H-8544, as amended, be adopted?" (H.F. 2686)

The ayes were, 86:

Alons	Anderson	Arnold	Bailey
Baudler	Bell	Berry	Boal
Bukta	Chambers	Clute	Cohoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Forristall	Frevert
Gaskill	Gayman	Gipp	Grassley
Greiner	Heaton	Horbach	Hunter
Huseman	Huser	Jacobs	Jacoby
Kaufmann	Kelley	Kressig	Kuhn
Lukan	Lykam	May	McCarthy
Mertz	Miller, H.	Miller, L.	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	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Whitaker	Whitead
Wienczek	Windschitl	Wise	Worthan
Zirkelbach	Mr. Speaker		
	Murphy		

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The nays were, 12:

Abdul-Samad	Foege	Ford	Heddens
Jochum	Lensing	Mascher	Oldson
Petersen	Tomenga	Wessel-Kroeschell	Winckler

Absent or not voting, 2:

Granzow Hoffman

Amendment H-8544, as amended, was adopted.

H-8534 by Dandekar: Requires that the independent contractor portion of the bill apply to all employers, instead of contractors only. **Amendment H-8534 LOST** on a voice vote.

H-8499 by Wessel-Kroeschell: Living Wage Impact Study. This amendment calls for a study on the economic, fiscal and social impact of enacting a living wage in Iowa. Typically, a “living wage” is enacted as an ordinance at the municipal or county level and sets hourly take-home pay above the federally defined poverty level. No other state in the nation has a state living wage.

Amendment H-8499 was **ADOPTED** on a record roll call vote of 99-0 with:

46 Republicans and 53 Democrats voting **AYE**

0 Republicans and 0 Democrats voting **NAY**

1 Republican and 0 Democrats **ABSENT OR NOT VOTING**

On the question "Shall amendment H-8499 be adopted?" (H.F. 2686)

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	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, 1:

Hoffman

Amendment H-8499 was adopted.

H-8537 by R. Olson: Directs and authorizes the Iowa Attorney General to negotiate the terms of a memorandum of understanding between the State of Iowa and the United States Department of Justice or the Department of Homeland Security pertaining to a pilot program that allows state officials to initiate the procedures of naturalization for immigrants residing in Iowa. **Amendment H-8537** was **WITHDRAWN**.

H-8553 by Jochum: This amendment strikes the entire bill and then reinserts wage and hour law enforcement and the classification of employees and subcontractors by construction contractors. The amendment increases the penalties for employers who do not pay wages as required by law. Additionally, the amendment requires contractors to classify individuals who perform services for the contractor as employees of the contractor, unless certain conditions apply as listed in the

amendment (this provision is similar to Division IV of the bill). **Amendment H-8553 LOST** on a record roll call vote of 23-75 with:

0 Republicans and 23 Democrats voting **AYE**
45 Republicans and 30 Democrats voting **NAY**
2 Republicans and 0 Democrats **ABSENT OR NOT VOTING**

On the question "Shall amendment H-8553 be adopted?" (H.F. 2686)

The ayes were, 23:

Abdul-Samad	Foege	Ford	Frevert
Heddens	Hunter	Huser	Jacoby
Jochum	Lensing	Mascher	Oldson
Olson, D.	Olson, T.	Petersen	Schueller
Smith	Taylor, D.	Taylor, T.	Wendt
Wessel-Kroeschell	Whitead	Winckler	

The nays were, 75:

Alons	Anderson	Arnold	Bailey
Baudler	Bell	Berry	Boal
Bukta	Chambers	Clute	Cohoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Forristall	Gaskill
Gayman	Gipp	Grassley	Greiner
Heaton	Horbach	Huseman	Jacobs
Kaufmann	Kelley	Kressig	Kuhn
Lukan	Lykam	May	McCarthy
Mertz	Miller, H.	Miller, L.	Olson, R.
Olson, S.	Palmer	Paulsen	Pettengill
Quirk	Raecker	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Shomshor	Soderberg
Staed	Struyk	Swaim	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wenthe
Whitaker	Wiencek	Windschitl	Wise
Worthan	Zirkelbach	Mr. Speaker	
		Murphy	

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Absent or not voting, 2:

Granzow Hoffman

Amendment H-8553 lost.

HOUSE PASSAGE:

The House **PASSED** House File 2686 on April 16, 2008 by a vote of 84-16 with:

46 Republicans and 38 Democrats voting **AYE**
1 Republican and 15 Democrats voting **NAY**
0 Republicans and 0 Democrats **ABSENT OR NOT VOTING**

On the question "Shall the bill pass?" (H.F. 2686)

The ayes were, 84:

Alons	Anderson	Arnold	Bailey
Baudler	Bell	Berry	Boal
Bukta	Chambers	Clute	Cohoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Forristall	Frevert
Gaskill	Gayman	Gipp	Granzow
Grassley	Greiner	Heaton	Hoffman
Horbach	Huseman	Huser	Jacobs
Kaufmann	Kelley	Kressig	Kuhn

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Lukan	Lykam	May	McCarthy
Mertz	Miller, H.	Miller, L.	Olson, D.
Olson, R.	Olson, S.	Palmer	Paulsen
Pettengill	Quirk	Raecker	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Soderberg	Staed	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wendt	Wenthe
Whitaker	Whitead	Wienczek	Windschitl
Wise	Worthan	Zirkelbach	Mr. Speaker
			Murphy

The nays were, 16:

Abdul-Samad	Foege	Ford	Heddens
Hunter	Jacoby	Jochum	Lensing
Mascher	Oldson	Olson, T.	Petersen
Smith	Tomenga	Wessel-Kroeschell	Winckler

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.

FINAL ACTION:

The Senate **REFERRED** House File 2686 to the Committee on State Government on April 17, 2008.

Senate File 2154 by Committee on Labor and Business Relations
INCLINED OR VERTICAL WHEELCHAIR LIFTS
Ranking Member: Representative Grassley

This bill, originally proposed by the Iowa Department of Workforce Development, updates the definition of inclined or vertical wheelchair lifts to reflect the American Society of Mechanical Engineers safety standards.

SENATE PASSAGE:

The Senate **PASSED** Senate File 2154 on February 26, 2008 by a vote of 50-0.

HOUSE ACTION:

Amendments:

H-8087 by T. Taylor: This amendment limits the applicability of the scope of the Elevator Safety Chapter to exclude: Any conveyance installed in any single private dwelling residence; Material hoists subject to regulation under 875 IAC 26.1 and 29 C.F.R. } 1926.55; Lifts subject to regulation under chapter 88; Material lift elevators existing in the same location since prior to January 1, 1975; Conveyances over which an agency of the federal government is asserting similar enforcement jurisdiction. **Amendment H-8087** was **ADOPTED** on a voice vote.

HOUSE PASSAGE:

The House **PASSED** Senate File 2154, as amended by H-8087 on March 13, 2008 by a vote of 94-0 with:

43 Republicans and 51 Democrats voting **AYE**
 0 Republicans and 0 Democrats voting **NAY**
 4 Republicans and 2 Democrats **ABSENT OR NOT VOTING**

On the question "Shall the bill pass?" (S.F. 2154)

The ayes were, 94:

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

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The nays were, none.

Absent or not voting, 6:

Greiner
Winckler

Hoffman
Worthan

Raecker

Shomshor

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** in the House amendment and **PASSED** Senate File 2154 on March 25, 2008 by a vote of 49-0.

FINAL ACTION:

The Governor **SIGNED** Senate File 2154 on April 2, 2008.

Senate File 2157 by Committee on Labor and Business Relations

AMUSEMENT RIDE INSPECTORS

Ranking Member: Representative Van Engelenhoven

This bill eliminates the authorization for private amusement ride inspectors from the Code.

Currently, amusement rides can be inspected by inspectors employed by the Iowa Labor Commissioner. However, there is a provision in the code that allows private amusement ride inspectors to be sponsored by amusement ride operators and to perform inspections.

SENATE PASSAGE:

The Senate **PASSED** Senate File 2157 on March 3, 2008 by a vote of 49-0.

HOUSE ACTION:

Amendments:

H-8267 by Huser: Increases permit and inspection fees as follows:

- One through ten rides, or devices or concessions permit fee increase from \$20 to \$30
- Eleven or more rides, or devices or concessions permit fee increase from \$30 to \$40.
- Mechanical and electrical inspection fees for amusement rides and devices:
 - For rides which are designed for 75 pounds or less per passenger unit, increase from \$60 to \$75 for each inspection
 - For rides which are designed for 75 pounds or more and for which the manufacturer's recommended assembly time is less than forty work hours, increase from \$90 to \$110 for each inspection.
 - For rides for which the manufacturer's recommended assembly time is forty work hours or more, increase from \$120 to \$250 for each inspection
- Electrical inspection of concession booths, and amusement devices fees, increase from \$35 to \$40 forty dollars.

Amendment H-8267 was **ADOPTED** by a voice vote.

HOUSE PASSAGE:

The House **PASSED** Senate File 2157, as amended by H-8267, on March 24, 2008 by a vote of 100-0 with:

- 47 Republicans and 53 Democrats voting **AYE**
- 0 Republicans and 0 Democrats voting **NAY**
- 0 Republicans and 0 Democrats **ABSENT OR NOT VOTING**

On the question "Shall the bill pass?" (S.F. 2157)

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.

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Murphy, Spkr.	Oldson	Olson, D.	Olson, R.
Olson, S.	Olson, T.	Palmer	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rants	Rasmussen	Rayhons	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	Wienczek	Winckler	Windschitl
Wise	Worthan	Zirkelbach	Schickel, 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, as amended, was agreed to.

FURTHER SENATE ACTION:

The Senate **CONCURRED** with the House Amendment and **PASSED** Senate File 2157, as amended, on April 1, 2008 by a vote of 39-8.

FINAL ACTION:

The Governor **SIGNED** Senate File 2157 on April 11, 2008.

Senate File 2160 by Committee on Labor and Business Relations
EMPLOYERS' PARTICIPATION IN UNEMPLOYMENT ADJUDICATIONS AND
UNEMPLOYMENT INSURANCE TAX PENALTIES
Ranking Member: Representative Horbach

This bill deals with employers participating in the initial fact finding interview on unemployment insurance hearings and provides that an accounting firm, agent, unemployment insurance accounting firm, that represents an employer in unemployment claim matters and demonstrates a continuous pattern of failing to participate in the initial fact finding interview shall be denied permission from the Department of Workforce Development to represent any employers in unemployment insurance matters.

Additionally, Senate File 2160 changes the penalty for delinquent or insufficient wage reports, as well as requires a \$35 fee for faulty unemployment contribution payments.

The bill also creates a penalty of \$250 for those who fail to honor a subpoena for unemployment insurance.

SENATE PASSAGE:

The Senate **PASSED** Senate File 2160 on March 17, 2008 by a vote of 31-18.

HOUSE ACTION:

Amendments:

H-8641 by T. Taylor: Provides that if an accounting firm, agent or unemployment insurance accounting firm representing an employer in unemployment claim matters demonstrates a continuous pattern of failing to participate in the initial fact-finding interview, the firm will be denied permission from the Department of Workforce Development to represent employers in unemployment insurance matters.

H-8648 to H-8641 by T. Taylor: States that the representation clause does not apply to attorneys or counselors admitted to practice in Iowa. **H-8648** was **ADOPTED** on a voice vote.

Amendment H-8641 was **ADOPTED**, as amended, on a voice vote.

HOUSE PASSAGE:

The House **PASSED** Senate File 2160, as amended, on April 24, 2008 by a vote of 98-0 with:
45 Republicans and 53 Democrats voting **AYE**
0 Republicans and 0 Democrats voting **NAY**
2 Republicans and 0 Democrats **ABSENT OR NOT VOTING**

On the question "Shall the bill pass?" (S.F. 2160)

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	Foegel

Ford	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	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			

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The nays were, none.

Absent or not voting, 2:

Forristall Roberts

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** in the House Amendment and **PASSED** Senate File 2160 on a vote of 30-18.

FINAL ACTION:

The Governor **SIGNED** Senate File 2160 on **May XX, 2008**.

Senate File 2221 by Committee on Labor and Business Relations
WORKERS' COMPENSATION – BURIAL PAYMENTS
Ranking Member: Representative Horbach

This bill, originally proposed by the Iowa Department of Workforce Development, changes the workers' compensation benefit payments for burial expenses from a flat \$7,500 to twelve times the statewide average weekly wage rate.

SENATE PASSAGE:

The Senate **PASSED** Senate File 2221 on March 3, 2008 by a vote of 39-10.

HOUSE PASSAGE:

The House **PASSED** Senate File 2221 on March 13, 2008 by a vote of 94-0 with:

43 Republicans and 51 Democrats voting **AYE**

0 Republicans and 0 Democrats voting **NAY**

4 Republicans and 2 Democrats **ABSENT OR NOT VOTING**

On the question "Shall the bill pass?" (S.F. 2221)

The ayes were, 94:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Gipp	Granzow	Grassley
Heaton	Heddens	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
Rants	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	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	Windschitl	Wise
Zirkelbach	Mr. Speaker		
Murphy			

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The nays were, none.

Absent or not voting, 6:

Greiner	Hoffman	Raecker	Shomshor
Winckler	Worthan		

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 2221 on March 26, 2008.

Senate File 2222 by Committee on Labor and Business Relations
RECOURSE FOR LATE WAGE PAYMENT
Representative Chambers

This bill expands the circumstances under which an employee's overdraft charges that were caused by an employer's failure to pay wages timely would be the basis for a wage claim to all failures to timely pay wages rather than only failures to send wages for direct deposit.

Additionally, the bill provides that upon written request an employee may receive wages by mail. An employer is required to keep the request for as long as it is effective and for at least 2 years after.

SENATE PASSAGE:

The Senate **PASSED** Senate File 2222 on March 3, 2008 by a 49-0 vote.

HOUSE PASSAGE:

The House **PASSED** Senate File 2222 on April 23, 2008 by a 95-0 vote with:

43 Republicans and 52 Democrats voting **AYE**

0 Republicans and 0 Democrats voting **NAY**

4 Republicans and 1 Democrat **ABSENT OR NOT VOTING**

On the question "Shall the bill pass?" (S.F. 2222)

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
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
Raecker	Rants	Rasmussen	Rayhons
Reasoner	Reichert	Sands	Schickel
Schueller	Shomshor	Smith	Soderberg
Staed	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Van Fossen	Watts	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Wiencek	Winckler	Windschitl	Wise
Worthan	Zirkelbach	Kressig,	
		Presiding	

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The nays were, none.

Absent or not voting, 5:

Forristall	Quirk	Roberts	Upmeyer
Van Engelenhoven			

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 2222 on **May XX, 2008**

Senate File 2303 by Committee Labor and Business Relations
WORKERS' COMPENSATION – CONTINUED MEDICALLY RELATED BENEFITS
Ranking Member: Representative Horbach

Senate File 2303 was recommended by the Iowa Workers' Compensation Advisory Council and allows parties to a settlement for workers' compensation benefits to agree that the employee has the right to medically related benefits under such terms and conditions as agreed to by the parties in the settlement, for a specified period of time after the settlement has been approved by the workers' compensation commissioner.

During the specified period of time, the workers' compensation commissioner retains jurisdiction of the settlement for the purpose of adjudicating the employee's entitlement to the medically related benefits, as agreed upon in the settlement.

SENATE PASSAGE:

The Senate **PASSED** Senate File 2303 on March 12, 2008 by a 48-0 vote.

HOUSE PASSAGE:

The House **PASSED** Senate File 2303 on April 16, 2008 by a 100-0 vote with:

47 Republicans and 53 Democrats voting **AYE**

0 Republicans and 0 Democrats voting **NAY**

0 Republicans and 0 Democrats **ABSENT OR NOT VOTING**

On the question "Shall the bill pass?" (S.F. 2303)

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.

FINAL ACTION:

The Governor **SIGNED** Senate File 2303 on **May XX, 2008**.

Senate File 2304 by Committee on Labor and Business Relations
BOILER AND PRESSURE VESSEL SAFETY REVOLVING FUNDS
Ranking Member: Representative Van Engelenhoven

Senate File 2304 removes the sunset for the Boiler and Pressure Vessel Safety Revolving Fund and the Elevator Safety Revolving Fund, allowing those revolving funds to continue in perpetuity. Both of these funds are set to terminate July 1, 2012.

Currently, the Boiler and Pressure Vessel Safety Fund is under the control of the Labor Commissioner and consists of fees collected. The moneys in the fund are used by the Labor Commissioner to pay the actual costs and expenses to operate the Boiler and Pressure Vessel Safety Board and administer the provisions of Chapter 89, Boilers and Unfired Steam Pressure Vessels.

The Elevator Safety Revolving Fund is also under the control of the Labor Commissioner and consists of fees collected. The fund is to be used by the Labor Commissioner to pay the actual costs and expenses necessary to operate the Elevator Safety Board and perform the duties of the Labor Commissioner in Chapter 89A, Elevators.

SENATE PASSAGE:

The Senate **PASSED** Senate File 2304 on March 10, 2008 by a vote of 47-0.

HOUSE PASSAGE:

The House **PASSED** Senate File 2304 on March 13, 2008 by a vote of 94-0 with:

42 Republicans and 52 Democrats voting **AYE**

0 Republicans and 0 Democrats voting **NAY**

5 Republicans and 1 Democrat **ABSENT OR NOT VOTING**

On the question "Shall the bill pass?" (S.F. 2304)

The ayes were, 94:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Gipp	Granzow	Grassley
Heaton	Heddens	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
Rants	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	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	Windschitl	Wise
Zirkelbach	Mr. Speaker		
	Murphy		

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The nays were, none.

Absent or not voting, 6:

Greiner	Hoffman	Raecker	Shomshor
Winckler	Worthan		

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

FINAL ACTION:

The Governor **SIGNED** Senate File 2304 on March 13, 2008.