

PROOF

STATE OF IOWA

House Journal

MONDAY, MARCH 17, 2008

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JOURNAL OF THE HOUSE

Sixty-fourth Calendar Day - Forty-fifth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, March 17, 2008

The House met pursuant to adjournment at 1:03 p.m., Speaker Murphy in the chair.

Prayer was offered by the honorable Dolores Mertz, state representative from Kossuth County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Ellie and Anna Jacoby. They are the daughters of the honorable Dave Jacoby, state representative from Johnson County and his wife.

Matthew Hrdlicka, 4th grade student at Western Hills Elementary, West Des Moines, sang the National Anthem. He was the guest of Representative Libby Jacobs of Polk County.

The Journal of Friday, March 14, 2008 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Shomshor of Pottawattamie, until Wednesday, March 19, 2008, on request of Speaker Murphy.

INTRODUCTION OF BILLS

[House File 2654](#), by committee on environmental protection, a bill for an act relating to water use permit fees, creating a new water use permit fund, and making appropriations.

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

[House File 2655](#), by Granzow, May, Heaton, Greiner, L. Miller, Van Engelenhoven, Arnold, Huseman, Rasmussen, Worthan, Rayhons, Horbach, Drake, Soderberg, Pettengill, Roberts, Dolecheck, Lukan, De Boef, Hoffman, Van Fossen, Swaim, Grassley and Bailey, a bill for an act relating to state funding for the costs of juvenile detention homes by providing a supplemental appropriation and including an effective date.

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

SENATE MESSAGES CONSIDERED

[Senate File 2322](#), by committee on judiciary, a bill for an act establishing second deputy sheriff positions in certain counties.

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

[Senate File 2340](#), by committee on judiciary, a bill for an act requiring certain identity documents to be provided to children subject to a court order for out-of-home placement.

Read first time and referred to committee on **human resources**.

[Senate File 2347](#), by committee on appropriations, a bill for an act relating to the use of optical scan voting systems in every county, making an appropriation for the cost of purchasing and distributing optical scan voting systems, reducing certain appropriations, providing for continuing education for certain election personnel, and providing an effective date.

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

[Senate File 2368](#), by committee on state government, a bill for an act concerning persons voluntarily excluded from gambling facilities.

Read first time and referred to committee on **state government**.

[Senate File 2369](#), by committee on agriculture, a bill for an act regulating persons who transport, handle, store, or apply manure.

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

[Senate File 2381](#), by committee on agriculture, a bill for an act relating to animal feeding operations, by providing for open feedlot operations.

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

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 13, 2008, passed the following bill in which the concurrence of the House is asked:

[Senate File 2356](#), a bill for an act relating to the judicial branch including contested and uncontested parking violations, filing civil citations of municipal infractions with the clerk, and records kept by the clerk.

MICHAEL E. MARSHALL, Secretary

SPECIAL PRESENTATION

Bailey of Hamilton, Mertz of Kossuth, Bukta of Clinton and Quirk of Chickasaw celebrated St. Patrick's Day with the presentation of the Irish flag and Representative Mertz danced the traditional Irish jig.

The House stood at ease at 1:20 p.m., until the fall of the gavel.

The House resumed session at 1:35 p.m., Speaker Murphy in the chair.

McCarthy of Polk asked and received unanimous consent for the immediate consideration of [House Resolution 121](#).

ADOPTION OF [HOUSE RESOLUTION 121](#)

Kaufmann of Cedar and Jacoby of Johnson called up for consideration [House Resolution 121](#), a resolution recognizing the Uncommon Public Service Award, and moved its adoption.

The motion prevailed and the resolution was adopted.

SPECIAL PRESENTATION

Jacoby of Johnson introduced to the House the honorable Robert Ray, former Governor of Iowa who presented the Uncommon Public Service Award. The award winners were the honorable Dave Johnson, state senator from Osceola County and the honorable Mark Smith, state representative from Marshall County.

The House rose and expressed its appreciation.

On motion by McCarthy of Polk, the House was recessed at 1:59 p.m., until 3:00 p.m.

AFTERNOON SESSION

The House reconvened at 3:22 p.m., Speaker Murphy in the chair.

SENATE MESSAGES CONSIDERED

[Senate File 2349](#), by committee on commerce, a bill for an act relating to the preneed sale of cemetery and funeral merchandise and funeral services.

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

[Senate File 2356](#), by committee on judiciary, a bill for an act relating to the judicial branch including contested and uncontested parking violations, assessment of city and county fines, filing civil citations of municipal infractions with the clerk, and records kept by the clerk.

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

CONSIDERATION OF BILLS
Regular Calendar

[House File 2547](#), a bill for an act modifying provisions relating to statewide licensure and certification of electricians and alarm system contractors and installers, and providing an effective date, was taken up for consideration.

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

On the question "Shall the bill pass?" ([H.F. 2547](#))

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	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	Worthan
Zirkelbach	Mr. Speaker Murphy		

The nays were, none.

Absent or not voting, 2:

Huser Shomshor

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

House File 2390, a bill for an act relating to the licensing and regulation of plumbers and mechanical professionals and providing an effective date, was taken up for consideration.

Quirk of Chickasaw asked and received unanimous consent to withdraw amendment [H-8059](#) filed by him on March 3, 2008.

Quirk of Chickasaw offered amendment [H-8089](#) filed by him as follows:

H-8089

- 1 Amend [House File 2390](#) as follows:
- 2 1. Page 1, by inserting before line 1 the
- 3 following:
- 4 "Section 1. 2007 Iowa Acts, chapter 198, section
- 5 6, subsection 2, is amended by striking the subsection
- 6 and inserting in lieu thereof the following:
- 7 2. Examinations for the licenses which may be
- 8 issued pursuant to this chapter shall be conducted at

9 least two times per year at such times and locations
 10 as the department may fix in consultation with the
 11 board. Applicants who fail to pass an examination
 12 shall be allowed to retake the examination at a future
 13 scheduled time. Any subsequent opportunities to take
 14 the examination are available only at the discretion
 15 of the board.

16 Sec. _____. 2007 Iowa Acts, chapter 198, section 6,
 17 is amended by adding the following new subsection:
 18 NEW SUBSECTION. 6. The board shall adopt by rule
 19 a specific plumbing examination and a specific
 20 mechanical examination for each license type to be
 21 used for all plumbing and mechanical license
 22 examinations throughout the state.

23 Sec. _____. 2007 Iowa Acts, chapter 198, section 7,
 24 is amended by adding the following new subsection:
 25 NEW SUBSECTION. 7. Allowing an applicant who has
 26 failed an examination to request information about the
 27 subject areas which the applicant failed to answer
 28 correctly. An applicant shall not have access to
 29 actual test questions and answers.

30 Sec. _____. 2007 Iowa Acts, chapter 198, section 11,
 31 subsections 1 and 2, are amended to read as follows:

32 1. Apply to a person licensed as an engineer
 33 pursuant to chapter 542B, licensed as a manufactured
 34 home retailer or certified as a manufactured home
 35 installer pursuant to chapter 103A, registered as an
 36 architect pursuant to chapter 544A, or licensed as a
 37 landscape architect pursuant to chapter 544B who
 38 provides consultations or develops plans or other work
 39 concerning plumbing, HVAC, refrigeration, or hydronic
 40 work who is exclusively engaged in the practice of the
 41 person's profession.

42 2. Require employees of municipal corporations,
 43 electric membership or cooperative associations,
 44 public utility corporations, rural water associations
 45 or districts, railroads, or commercial retail or
 46 industrial companies performing manufacturing,
 47 installation, service, or repair work for such
 48 employer to hold licenses while acting within the
 49 scope of their employment. This licensing exemption
 50 does not apply to employees of a rate-regulated gas or

Page 2

1 electric public utility which provides plumbing or
 2 mechanical services as part of a systematic marketing
 3 effort, as defined pursuant to section 476.80.

4 Sec. _____. 2007 Iowa Acts, chapter 198, section 11,
 5 is amended by adding the following new subsections:
 6 NEW SUBSECTION. 9. Apply to a state employee
 7 performing routine maintenance, as defined by rule, on

8 a mechanical system or plumbing system, which serves a
 9 state-owned facility while acting within the scope of
 10 the state employee's employment.

11 NEW SUBSECTION. 10. Apply to the employees of
 12 manufacturers, manufacturer representatives, or
 13 wholesale suppliers who provide consultation or
 14 develop plans concerning plumbing, HVAC,
 15 refrigeration, or hydronic work, or who assist a
 16 person licensed under this chapter in the installation
 17 of mechanical or plumbing systems.

18 Sec.____. 2007 Iowa Acts, chapter 198, section 12,
 19 is amended by adding the following new unnumbered
 20 paragraph:

21 NEW UNNUMBERED PARAGRAPH. In addition to the
 22 certificate, the department shall provide each
 23 licensee with a wallet-sized licensing identification
 24 card.

25 Sec.____. 2007 Iowa Acts, chapter 198, section 17,
 26 subsection 1, is amended to read as follows:

27 1. The provisions of this chapter regarding the
 28 licensing of plumbing, HVAC, refrigeration, and
 29 hydronic professionals and contractors shall supersede
 30 and preempt all plumbing, HVAC, refrigeration, or
 31 hydronic licensing provisions of all governmental
 32 subdivisions. ~~On and after the effective date of this~~
 33 ~~Act~~

34 a. A governmental subdivision that issues licenses
 35 on July 1, 2008, shall continue to issue licenses
 36 until June 30, 2009. On July 1, 2009, all plumbing
 37 and mechanical licensing provisions promulgated by any
 38 governmental subdivision shall be null and void,
 39 except reciprocal licenses as provided in section
 40 104C.21, and of no further force and effect, and.

41 b. On and after July 1, 2008, a governmental
 42 subdivision may shall not prohibit a plumbing, HVAC,
 43 refrigeration, or hydronic professional licensed
 44 pursuant to this chapter from performing services for
 45 which that person is licensed pursuant to this chapter
 46 or enforce any plumbing and mechanical licensing
 47 provisions promulgated by the governmental subdivision
 48 against a person licensed pursuant to this chapter."

49 2. Page 1, by inserting after line 10 the
 50 following:

Page 3

1 "Sec.____. 2007 Iowa Acts, chapter 198, section
 2 20, subsection 7, is amended by striking the
 3 subsection and inserting in lieu thereof the
 4 following:

5 7. The board shall, by rule, establish a
 6 reinstatement process for a licensee who allows a

7 license to lapse for a period greater than one month,
8 including reasonable penalties."
9 3. Page 1, by striking lines 16 and 17 and
10 inserting the following:
11 "Sec. ____ EFFECTIVE DATE. 2007 Iowa Acts,
12 chapter 198, sections 5 through 27 and sections 30
13 through 34, take effect July 1, 2008.
14 Sec. ____ EFFECTIVE DATE. 2007 Iowa Acts,
15 chapter 198, sections 28 and 29, take effect January
16 1, 2009."
17 4. By renumbering as necessary.

Quirk of Chickasaw offered the following amendment [H-8111](#), to amendment [H-8089](#), filed by him from the floor and moved its adoption:

[H-8111](#)

1 Amend the amendment, H-8089, to [House File 2390](#) as
2 follows:
3 1. Page 1, line 42, by striking the word
4 "corporations" and inserting the following:
5 "utilities".

Amendment [H-8111](#) was adopted.

Quirk of Chickasaw offered the following amendment [H-8116](#), to amendment [H-8089](#), filed by him from the floor and moved its adoption:

[H-8116](#)

1 Amend the amendment, H-8089, to [House File 2390](#), as
2 follows:
3 1. Page 2, line 6, by striking the words "a state
4 employee" and inserting the following: "an employee
5 of any unit of state or local government, including
6 but not limited to cities, counties, or school
7 corporations,".

Amendment [H-8116](#) was adopted.

On motion by Quirk of Chickasaw amendment [H-8089](#), as amended, was adopted.

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

On the question "Shall the bill pass?" ([H.F. 2390](#))

The ayes were, 97:

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

The nays were, none.

Absent or not voting, 3:

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

[House File 2410](#), a bill for an act relating to alarm system installer or contractor certification and electrician licensure provisions, and providing an effective date, was taken up for consideration.

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

On the question "Shall the bill pass?" ([H.F. 2410](#))

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	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	Worthan
Zirkelbach	Mr. Speaker Murphy		

The nays were, none.

Absent or not voting, 2:

Huser Shomshor

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

[House File 2411](#), a bill for an act providing for changes in electrician licensure requirements for specified licensure classifications, and providing an effective date, was taken up for consideration.

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

On the question "Shall the bill pass?" ([H.F. 2411](#))

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	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	Worthan
Zirkelbach	Mr. Speaker Murphy		

The nays were, none.

Absent or not voting, 2:

Huser Shomshor

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

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2390, 2410, 2411 and 2547.**

[House File 2452](#), a bill for an act relating to vehicle titles and registration plates for specialty vehicles, and providing a penalty and an effective date, was taken up for consideration.

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

On the question "Shall the bill pass?" ([H.F. 2452](#))

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	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	Worthan
Zirkelbach	Mr. Speaker		
	Murphy		

The nays were, none.

Absent or not voting, 2:

Huser Shomshor

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

House File 2522, a bill for an act relating to nonsubstantive Code corrections and including effective and retroactive applicability date provisions, was taken up for consideration.

Schueller of Jackson offered the following amendment **H-8069** filed by the committee on judiciary and moved its adoption:

H-8069

- 1 Amend **House File 2522** as follows:
- 2 1. By striking page 11, line 34, through page 12,
- 3 line 15.
- 4 2. Page 20, line 30, by striking the word
- 5 "subsection" and inserting the following:
- 6 "subsections".
- 7 3. Page 49, line 10, by inserting before the word
- 8 "inserting" the following: "and".
- 9 4. Page 54, line 23, by striking the word "(c)"
- 10 and inserting the following: "(b)".
- 11 5. Page 100, line 23, by striking the word "to"
- 12 and inserting the following: "through".
- 13 6. By renumbering as necessary.

The committee amendment **H-8069** was adopted.

SENATE FILE 2320 SUBSTITUTED FOR **HOUSE FILE 2522**

Schueller of Jackson asked and received unanimous consent to substitute **Senate File 2320** for **House File 2522**.

Senate File 2320, a bill for an act relating to nonsubstantive Code corrections and including effective and retroactive applicability date provisions, was taken up for consideration.

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

On the question "Shall the bill pass?" (**S.F. 2320**)

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	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	Worthan
Zirkelbach	Mr. Speaker Murphy		

The nays were, none.

Absent or not voting and 2:

Huser Shomshor

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

[HOUSE FILE 2522](#) WITHDRAWN

Schueller of Jackson asked and received unanimous consent to withdraw [House File 2522](#) from further consideration by the House.

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: [House File 2452](#) and [Senate File 2320](#).

The House stood at ease at 4:08 p.m., until the fall of the gavel.

The House resumed session at 5:50 p.m., Speaker Murphy in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 17, 2008, passed the following bill in which the concurrence of the House is asked:

[Senate File 2308](#), a bill for an act relating to identity theft by providing for the notification of a breach in the security of computerized data that includes personal information, and providing penalties.

Also: That the Senate has on March 17, 2008, passed the following bill in which the concurrence of the House is asked:

[Senate File 2344](#), a bill for an act relating to the imposition of penalty benefits in workers' compensation cases.

Also: That the Senate has on March 17, 2008, passed the following bill in which the concurrence of the House is asked:

[Senate File 2357](#), a bill for an act requiring disclosure of employer group health benefit claims and premium information to certain employers.

Also: That the Senate has on March 17, 2008, passed the following bill in which the concurrence of the House is asked:

[Senate File 2379](#), a bill for an act relating to the regulation of the practice of certified public accounting and providing an effective date.

MICHAEL E. MARSHALL, Secretary

[House File 2157](#), a bill for an act expanding the time period during which a complaint may be filed with the Iowa civil rights commission, was taken up for consideration.

[SENATE FILE 2292](#) SUBSTITUTED FOR [HOUSE FILE 2157](#)

Smith of Marshall asked and received unanimous consent to substitute [Senate File 2292](#) for [House File 2157](#).

[Senate File 2292](#), a bill for an act expanding the time period during which a complaint may be filed with the Iowa civil rights commission, was taken up for consideration.

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

On the question "Shall the bill pass?" ([S.F. 2292](#))

The ayes were, 75:

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

The nays were, 23:

Alons	Baudler	Boal	Chambers
De Boef	Dolecheck	Drake	Forristall
Greiner	Hoffman	Horbach	May
Olson, S.	Paulsen	Rayhons	Roberts
Sands	Schickel	Soderberg	Upmeyer
Watts	Windschitl	Worthan	

Absent or not voting, 2:

Shomshor Taylor, D.

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

[HOUSE FILE 2139](#) WITHDRAWN

Quirk of Chickasaw asked and received unanimous consent to withdraw [House File 2139](#) from further consideration by the House.

[HOUSE FILE 2157](#) WITHDRAWN

Smith of Marshall asked and received unanimous consent to withdraw [House File 2157](#) from further consideration by the House.

[HOUSE FILE 2078](#) WITHDRAWN

Lykam of Scott asked and received unanimous consent to withdraw [House File 2078](#) from further consideration by the House.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that [Senate File 2292](#) be immediately messaged to the Senate.

[HOUSE FILE 2391](#) REREFERRED

The Speaker announced that [House File 2391](#), previously referred to the **calendar** was rereferred to committee on **appropriations**.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on March 17, 2008. Had I been present, I would have voted "aye" on House Files 2390, 2410, 2411, 2452 and 2547 and [Senate File 2320](#).

HUSER of Polk

CERTIFICATES OF RECOGNITION

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

MARK W. BRANDSGARD
Chief Clerk of the House

- 2008\2062 Vernon Zach, Swisher – For celebrating his 85th birthday.
- 2008\2063 Robert Bible, Springville – For celebrating his 80th birthday.
- 2008\2064 Leo Beuter, Solon – For celebrating his 75th birthday.
- 2008\2065 Gloria Kimble, North Liberty – For celebrating her 85th birthday.

- 2008\2066 Joyce Mailey, Springville – For celebrating her 85th birthday.
- 2008\2067 Mary Stahle, Solon – For celebrating her 80th birthday.
- 2008\2068 Rosemary Lamb, Ely – For celebrating her 75th birthday.
- 2008\2069 Charlene Sojka, Swisher – For celebrating her 80th birthday.
- 2008\2070 James Speers, Oxford – For celebrating his 75th birthday.
- 2008\2071 Gladys Teague, Mount Vernon – For celebrating her 90th birthday.
- 2008\2072 Glen Zimmerman, Cedar Rapids – For celebrating his 80th birthday.
- 2008\2073 Mary Wehrheim, Solon – For celebrating her 85th birthday.
- 2008\2074 Grace Scheetz, Oxford – For celebrating her 90th birthday.
- 2008\2075 Stella Easker, Mount Vernon – For celebrating her 80th birthday.
- 2008\2076 Winifred Bulicek, Swisher – For celebrating her 95th birthday.
- 2008\2077 George Chaloupka, Solon – For celebrating his 80th birthday.
- 2008\2078 Margaret Brown, Mount Vernon – For celebrating her 90th birthday.
- 2008\2079 Leonard Milligan, Ottumwa – For celebrating his 80th birthday.
- 2008\2080 Jack McClure, Blakesburg – For celebrating his 85th birthday.
- 2008\2081 Blanche Galey, Ottumwa – For celebrating her 90th birthday.
- 2008\2082 Faye Sporer, Ottumwa – For celebrating her 75th birthday.
- 2008\2083 Ida Fye, Ottumwa – For celebrating her 80th birthday.
- 2008\2084 Catherine Clark, Ottumwa – For celebrating her 90th birthday.
- 2008\2085 Donald Stookesberry, Ottumwa – For celebrating his 80th birthday.
- 2008\2086 Lillian Johnson, Ottumwa – For celebrating her 80th birthday.
- 2008\2087 Ruby McCoy, Ottumwa – For celebrating her 75th birthday.
- 2008\2088 Shirley Rhynas, Ottumwa – For celebrating her 80th birthday.
- 2008\2089 Billy Christensen, Ottumwa – For celebrating his 80th birthday.
- 2008\2090 Veronica Babb, Ottumwa – For celebrating her 80th birthday.
- 2008\2091 Mary Hagglund, Ottumwa – For celebrating her 75th birthday.

- 2008\2092 Virgil Henry, Ottumwa – For celebrating his 75th birthday.
- 2008\2093 Willadene Thompson, Ottumwa – For celebrating her 75th birthday.
- 2008\2094 Mary Brown, Ottumwa – For celebrating her 80th birthday.
- 2008\2095 Marjorie Cowles, Ottumwa – For celebrating her 85th birthday.
- 2008\2096 Elizabeth Forgy, Ottumwa – For celebrating her 80th birthday.
- 2008\2097 Esther Nichols, Ottumwa – For celebrating her 80th birthday.
- 2008\2098 Reta Rowland, Ottumwa – For celebrating her 90th birthday.
- 2008\2099 Thomas Williams, Ottumwa – For celebrating his 80th birthday.
- 2008\2100 Oran Derby, Ottumwa – For celebrating his 80th birthday.
- 2008\2101 Helen Stewart, Ottumwa – For celebrating her 85th birthday.
- 2008\2102 Doris Jones, Ottumwa – For celebrating her 85th birthday.
- 2008\2103 Shirley Sigman, Ottumwa – For celebrating her 80th birthday.
- 2008\2104 Bettie Cowger, Ottumwa – For celebrating her 75th birthday.
- 2008\2105 John Hopkins, Ottumwa – For celebrating his 75th birthday.
- 2008\2106 Fred Sandeen, Blakesburg – For celebrating his 75th birthday.
- 2008\2107 Lois McCune, Ottumwa – For celebrating her 85th birthday.
- 2008\2108 Marietta Goins, Ottumwa – For celebrating her 85th birthday.
- 2008\2109 Albert Saffell, Ottumwa – For celebrating his 85th birthday.
- 2008\2110 Gilbert Harding, Ottumwa – For celebrating his 85th birthday.
- 2008\2111 Betty Lentner, Ottumwa – For celebrating her 85th birthday.

SUBCOMMITTEE ASSIGNMENTS

[Senate File 2325](#)

Economic Growth: Thomas, Chair; Staed and Wiencek.

[Senate File 2329](#)

Education: Wendt, Chair; Gayman and Tymeson.

[Senate File 2337](#)

Agriculture: Reichert, Chair; Dolecheck and Wenthe.

HOUSE STUDY BILL COMMITTEE ASSIGNMENT

[H.S.B. 784](#) **Appropriations**

Relating to and making appropriations involving state government, by providing for agriculture, natural resources, and environmental protection.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON JUDICIARY

[Senate File 199](#), a bill for an act granting the civil rights commission additional subpoena power to investigate unfair or discriminatory practices and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** March 13, 2008.

[Senate File 505](#), a bill for an act relating to civil liability for damages relating to the use of an automated external defibrillator in sudden cardiac arrest emergencies.

Fiscal Note is not required.

Recommended **Amend and Do Pass with Amendment** [H-8121](#) March 13, 2008.

RESOLUTIONS FILED

[HR 119](#), by Wise, Petersen and Oldson, a resolution expressing opposition to federal legislation that would threaten the power of the

states to oversee, regulate, and investigate the business of insurance and to protect consumers.

Laid over under **Rule 25**.

[HR 120](#), by Watts and Lykam, a resolution honoring Sam Wagner and Talia Leman, the Iowa Prudential Spirit of Community Award Winners.

Laid over under **Rule 25**.

[HR 122](#), by Palmer and Upmeyer, a resolution honoring the work of the department of elder affairs and Iowa's area agencies on aging home-delivered nutrition programs and March for Meals campaign.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-8110	H.F.	2557	Wendt of Woodbury
H-8112	H.F.	2544	Mascher of Johnson
H-8113	H.F.	2364	Heddens of Story
H-8114	H.F.	2623	Heddens of Story
H-8115	H.F.	2646	Quirk of Chickasaw
H-8117	H.F.	2610	Horbach of Tama
H-8118	H.F.	2612	Bell of Jasper
H-8119	H.F.	2623	Horbach of Tama
H-8120	H.F.	2606	Whitaker of Van Buren
H-8121	S.F.	505	Committee on Judiciary
H-8122	H.F.	2364	Gipp of Winneshiek
H-8123	H.F.	2610	Struyk of Pottawattamie
H-8124	H.F.	2610	Struyk of Pottawattamie
H-8125	H.F.	2610	Struyk of Pottawattamie
H-8126	H.F.	2555	Ford of Polk
H-8127	H.F.	2628	R. Olson of Polk
H-8128	H.F.	2619	R. Olson of Polk
H-8129	H.F.	2620	Jacobs of Polk
H-8130	S.F.	2124	Wiencek of Black Hawk
			Rasmussen of Buchanan
H-8131	H.F.	2603	Upmeyer of Hancock
			Smith of Marshall

<u>H-8132</u>	<u>H.F. 2610</u>	Baudler of Adair
<u>H-8133</u>	<u>H.F. 2610</u>	Van Fossen of Scott
<u>H-8134</u>	<u>H.F. 2610</u>	Deyoe of Story
<u>H-8135</u>	<u>H.F. 2537</u>	D. Olson of Boone
<u>H-8136</u>	<u>H.F. 2570</u>	D. Olson of Boone
<u>H-8137</u>	<u>H.F. 2570</u>	D. Olson of Boone
<u>H-8138</u>	<u>H.F. 2383</u>	Oldson of Polk
<u>H-8139</u>	<u>H.F. 2542</u>	McCarthy of Polk

On motion by McCarthy of Polk the House adjourned at 6:00 p.m., until 9:00 a.m., Tuesday, March 18, 2008.