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**STATE OF IOWA**

**House Journal**

**THURSDAY, JANUARY 24, 2008**

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(The official bound copy will be available after a reasonable time upon adjournment.)

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# JOURNAL OF THE HOUSE

Eleventh Calendar Day - Eighth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Thursday, January 24, 2008

The House met pursuant to adjournment at 9:03 a.m., Zirkelbach of Jones in the chair.

Prayer was offered by Reverend Ron Burcham, pastor of the Gloria Dei Lutheran Church, Urbandale. He was the guest of Representative Scott Raecker of Polk County.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Jeni Danielson of Boone. She is the legislative secretary to Representative Donovan Olson of Boone County.

The Journal of Wednesday, January 23, 2008 was approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Dandekar of Linn on request of Speaker Murphy; Deyoe of Story on request of Kaufmann of Cedar.

## INTRODUCTION OF BILLS

**House File 2066**, by Wendt, Kaufmann, D. Olson, Dolecheck, Bukta, Hoffman, Whitaker, Tjepkes, Davitt, Wenthe, Frevert, Tomenga, Chambers and Baudler, a bill for an act relating to the repeal of the local option sales and services tax for school infrastructure purposes by using the revenues from the increase in the state sales and use taxes for replacing lost school district revenues resulting from the repeal and for road construction, providing property tax relief, providing a penalty, and including an effective date provision.

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

[House File 2067](#), by Foege, a bill for an act relating to local regulation of smoking.

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

[House File 2068](#), by Chambers, a bill for an act relating to hunting by certain nonresident landowners on land owned by them.

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

[House File 2069](#), by Smith, a bill for an act relating to the maximum finance charge allowed and to terms and conditions for consumer loans made for postsecondary education purposes and making penalties applicable.

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

[House File 2070](#), by McCarthy, a bill for an act relating to campaign contributions by lobbyists and political committees and providing an effective date.

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

**House file 2071**, by Wise, a bill for an act relating to state and local measures for preparing a student for a career or postsecondary education, including a statewide core curriculum for school districts and accredited nonpublic schools and a state-designated career information and decision-making system.

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

[House File 2072](#), by committee on public safety, a bill for an act eliminating provisions relating to the contents of the uniform citation and complaint.

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

#### SENATE MESSAGE CONSIDERED

[Senate File 2023](#), by committee on appropriations, a bill for an act relating to the distribution to counties of certain utility

replacement tax revenues credited to the property tax relief fund and providing an effective date.

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

## RULES SUSPENDED

McCarthy of Polk asked and received unanimous consent to suspend the rules for the immediate consideration of [House File 2065](#).

## CONSIDERATION OF BILLS

### Regular Calendar

[House File 2065](#), a bill for an act relating to military leaves of absence and reemployment and providing an effective date, was taken up for consideration.

Bailey of Hamilton 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. 2065](#))

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Davitt	De Boef	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.	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, Presiding			

The nays were, none.

Absent or not voting, 3:

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

### IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that [House File 2065](#) be immediately messaged to the Senate.

### 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\492 | Charles and Erma Lou Scearcy, Ollie – For celebrating their 50 <sup>th</sup> wedding anniversary,   |
| 2008\493 | Dickinson County Soil and Water Conservation District Commissioners – For receiving the National Association of Conservation Districts’ 2007 Excellence Award for Urban Conservation. |
| 2008\494 | Lillian Shaffer, Burlington – For celebrating her 101 <sup>st</sup> birthday.   |
| 2008\495 | Dorothy Campbell, West Burlington – For celebrating her 80 <sup>th</sup> birthday.  |
| 2008\496 | Bessie Avon Finke, Burlington – For celebrating her 90 <sup>th</sup> birthday.  |
| 2008\497 | Helen Roach, Burlington – For celebrating her 91 <sup>st</sup> birthday.  |
| 2008\498 | Mr. and Mrs. Allen Bruce, Carlisle – For celebrating their 60 <sup>th</sup> wedding anniversary.  |

2008\499 Galen and Shirley Van Beek, Inwood – For being named 2007 Master Pork Producers by the Iowa Pork Producers Association.

2008\500 Opal Jacobsen, Greenfield – For celebrating her 92<sup>nd</sup> birthday.

#### SUBCOMMITTEE ASSIGNMENTS

##### **House File 104 Reassigned**

State Government: Lensing, Chair; L. Miller and Whitead.

##### **House File 162 Reassigned**

State Government: T. Taylor, Chair; Abdul-Samad and Pettengill.

##### **House File 248 Reassigned**

State Government: Gaskill, Chair; Abdul-Samad, Jacobs, Pettengill and T. Taylor.

##### **House File 320**

Transportation: Huser, Chair; Lykam and Tjepkes.

##### **House File 359 Reassigned**

State Government: T. Taylor, Chair; Abdul-Samad and Pettengill.

##### **House File 393**

Commerce: Petersen, Chair; Jacoby and Soderberg.

##### **House File 609**

Environmental Protection: D. Olson, Chair; Frevert and S. Olson.

##### **House File 646**

Transportation: Huser, Chair; Lykam and Tjepkes.

##### **House File 692**

Labor: Hunter, Chair; Mascher and Tymeson.

##### **House File 791**

Commerce: Petersen, Chair; Jacoby and Soderberg.

##### **House File 818**

Judiciary: Schueller, Chair; Heaton and Oldson.

[House File 843](#)

Environmental Protection: D. Olson, Chair; Frevert and S. Olson.

[House File 847](#)

Transportation: Huser, Chair; Lykam and Tjepkes.

[House File 866](#)

Environmental Protection: D. Olson, Chair; Frevert and S. Olson.

[House File 2014](#)

Human Resources: Wessel-Kroeschell, Chair; Heaton and Hunter.

[House File 2028](#)

Education: Cohoon, Chair; Foege and Forristall.

[House File 2030](#)

Education: Mascher, Chair; Gayman and Tymeson.

[House File 2031](#)

Education: Cohoon, Chair; L. Miller and Staed.

[House File 2032](#)

Education: Cohoon, Chair; Foege and Forristall.

[House File 2036](#)

Education: Cohoon, Chair; Chambers and Foege.

[House File 2039](#)

Education: Heddens, Chair; Dolecheck and Staed.

[House File 2040](#)

Transportation: Bukta, Chair; Dandekar and Windschitl.

[House File 2043](#)

Transportation: Dandekar, Chair; Cohoon and Windschitl.

[House File 2047](#)

Education: Cohoon, Chair; Foege and Kaufmann.

[House File 2054](#)

Commerce: T. Olson, Chair; Lukan, Petersen, Van Fossen and Wise.

[House File 2055](#)

Human Resources: Mascher, Chair; L. Miller and Smith.

[House File 2056](#)

Human Resources: Hunter, Chair; Heaton and Mascher.

[House File 2057](#)

Human Resources: Smith, Chair; Foege and Granzow.

[House File 2058](#)

Human Resources: Smith, Chair; L. Miller and Palmer.

[House File 2059](#)

Transportation: Dandekar, Chair; Huser and Worthan.

[House File 2061](#)

Human Resources: Mascher, Chair; Granzow and T. Olson.

[House File 2064](#)

Commerce: Jacoby, Chair; Petersen and Pettengill.

[Senate File 248](#) Reassigned

Human Resources: Smith, Chair; Ford and L. Miller.

[Senate File 413](#)

Labor: T. Taylor, Chair; Horbach and Hunter.

[Senate File 465](#) Reassigned

State Government: T. Taylor, Chair; Abdul-Samad and Jacobs.

[Senate File 466](#) Reassigned

Commerce: Petersen, Chair; Jacoby and Soderberg.

[Senate File 482](#) Reassigned

State Government: Lensing, Chair; Pettengill and Wessel-Kroeschell.



[Senate File 488](#)

Labor: Hunter, Chair; Watts and Winckler.

[Senate File 493 Reassigned](#)

Environmental Protection: D. Olson, Chair; Frevert and S. Olson.

[Senate File 2023](#)

Appropriations: Foegen, Chair; Gayman and Watts.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

[House Study Bill 514](#)

Transportation: Lykam, Chair; Gaskill, Huser, Roberts and Tjepkes.

[House Study Bill 538](#)

Human Resources: Jacoby, Chair; Foegen and Tomenga.

[House Study Bill 539](#)

Economic Growth: Staed, Chair; Bailey and Schickel.

[House Study Bill 540](#)

Economic Growth: H. Miller, Chair; Staed and Wiencek.

[House Study Bill 542](#)

Economic Growth: H. Miller, Chair; Petersen and Wiencek.

[House Study Bill 543](#)

Judiciary: Palmer, Chair; Boal and Schueller.

[House Study Bill 544](#)

Judiciary: Swaim, Chair; R. Olson and Struyk.

[House Study Bill 545](#)

Judiciary: Lensing, Chair; Heaton and Winckler.

[House Study Bill 546](#)

Judiciary: Swaim, Chair; R. Olson and Struyk.

[House Study Bill 547](#)

Commerce: Berry, Chair; Bailey and Sands.

[House Study Bill 548](#)

Commerce: Berry, Chair; Bailey and Clute.

[House Study Bill 549](#)

Commerce: Bailey, Chair; Berry and Van Fossen.

[House Study Bill 550](#)

Commerce: Kressig, Chair; Berry and Sands.

[House Study Bill 551](#)

Commerce: Wise, Chair; Bailey, Clute, Reichert and Sands.

[House Study Bill 552](#)

Commerce: Kelley, Chair; Berry, Kressig, Lukan, Quirk, Sands and Struyk.

[House Study Bill 553](#)

Commerce: Berry, Chair; Bailey and Lukan.

[House Study Bill 554](#)

Commerce: Kelley, Chair; Clute, Kressig, Quirk and Sands.

[House Study Bill 557](#)

Economic Growth: Thomas, Chair; Hoffman and Schueller.

[House Study Bill 558](#)

Transportation: Bukta, Chair; Bell, Gaskill, Windschitl and Worthan.

[House Study Bill 559](#)

Transportation: Reasoner, Chair; Lykam and May.

[House Study Bill 560](#)

Transportation: Gipp, Chair; Arnold, Huser and Whitaker.

[House Study Bill 561](#)

Transportation: Cohoon, Chair; Arnold, Bukta, Huseman and Lykam.

[House Study Bill 562](#)

Human Resources: Ford, Chair; Forristall and Hunter.

[House Study Bill 563](#)

Education: Wendt, Chair; May and Staed.

[House Study Bill 564](#)

Human Resources: Wessel-Kroeschell, Chair; Abdul-Samad and Soderberg.

[House Study Bill 565](#)

Human Resources: Petersen, Chair; Upmeyer and Wessel-Kroeschell.

[House Study Bill 566](#)

Human Resources: Petersen, Chair; Tomenga and Wessel-Kroeschell.

[House Study Bill 567](#)

Human Resources: Hunter, Chair; Ford and L. Miller.

[House Study Bill 568](#)

Human Resources: Smith, Chair; Abdul-Samad and Roberts.

[House Study Bill 569](#)

Economic Growth: H. Miller, Chair; Staed and Wiencek.

[House Study Bill 570](#)

Economic Growth: Thomas, Chair; Anderson and Staed.

[House Study Bill 573](#)

Appropriations: Foege, Chair; Gayman and Heaton.

[House Study Bill 574](#)

Judiciary: Winckler, Chair; Horbach and Oldson.

## HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

### **H.S.B. 576 Education**

Allowing the director of the department of education to withhold certain state funding from school districts, area education agencies, and community colleges when required report submissions are late.

### **H.S.B. 577 Education**

Relating to the statewide preschool program for four-year-old children and funding associated with the program and providing an effective date.

### **H.S.B. 578 Education**

Relating to the duties and operations of the state board of education, the department of education, and local school boards.

### **H.S.B. 579 Education**

Relating to the elimination of the educational excellence phase II program and providing for the equivalent of the education excellence phase II funding to be transferred into the state school foundation aid formula and providing an appropriation and effective and applicability dates.

## 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 HUMAN RESOURCES

**House File 221**, a bill for an act relating to an unfair or discriminatory practice under the civil rights law based upon the wearing apparel of a person.

Fiscal Note is not required.

Recommended **Do Pass** January 23, 2008.

[Senate File 249](#), a bill for an act relating to the conference of eligibility on and conditions of eligibility for individuals for certain programs under the purview of the department of human services.

Fiscal Note is not required.

Recommended **Amend and Do Pass with Amendment [H-8002](#)** January 23, 2008.

#### COMMITTEE ON PUBLIC SAFETY

**Committee Bill** (Formerly [House File 761](#)), eliminating provisions relating to the contents of the uniform citation and complaint.

Fiscal Note is not required.

Recommended **Amend and Do Pass** January 17, 2008.

#### COMMITTEE ON WAYS AND MEANS

[Senate File 572](#), a bill for an act extending state tax benefits for use of soy-based transformer fluid by electric utilities and including effective and applicability date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass with Amendment [H-8001](#)** January 23, 2008.

**Committee Bill** (Formerly [House File 902](#)), providing for individual and corporate income tax credits for the charitable conveyance of real property for conservation purposes and including a retroactive applicability date provision.

Fiscal Note is required.

Recommended **Amend and Do Pass** January 23, 2008.

#### AMENDMENTS FILED

[H-8001](#)  
[H-8002](#)

[S.F. 572](#)  
[S.F. 249](#)

Committee on Ways and Means  
Committee on Human Resources

On motion by McCarthy of Polk the House adjourned at 9:30 a.m., until 9:00 a.m., Friday, January 25, 2008.