

PROOF

STATE OF IOWA

House Journal

THURSDAY, FEBRUARY 14, 2008

Printed daily by the State of Iowa during the sessions of the General Assembly.
An official corrected copy is available for reference in the office of the Chief Clerk.
(The official bound copy will be available after a reasonable time upon adjournment.)

JOURNAL OF THE HOUSE

Thirty-second Calendar Day - Twenty-third Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, February 14, 2008

The House met pursuant to adjournment at 9:29 a.m., Speaker Murphy in the chair.

Prayer was offered by the honorable Polly Bukta, Speaker pro tempore from Clinton County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by House Page Tyler Strable from Des Moines.

The Journal of Wednesday, February 13, 2008 was approved.

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 February 13, 2008, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

[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.

Also: That the Senate has on February 13, 2008, passed the following bill in which the concurrence of the House is asked:

[Senate File 2059](#), a bill for an act relating to the administration of the department of cultural affairs.

Also: That the Senate has on February 13, 2008, passed the following bill in which the concurrence of the House is asked:

[Senate File 2111](#), a bill for an act relating to requirements for blood lead testing and dental screening of children.

Also: That the Senate has on February 13, 2008, passed the following bill in which the concurrence of the House is asked:

[Senate File 2116](#), a bill for an act relating to the recording of a certificate of release by the Iowa finance authority.

Also: That the Senate has on February 13, 2008, passed the following bill in which the concurrence of the House is asked:

[Senate File 2117](#), a bill for an act relating to coverage of closing protection letters in real estate transactions and providing an effective date.

Also: That the Senate has on February 13, 2008, passed the following bill in which the concurrence of the House is asked:

[Senate File 2122](#), a bill for an act making technical and corrective changes to the law relating to elections and voter registration and making a penalty applicable.

MICHAEL E. MARSHALL, Secretary

INTRODUCTION OF BILLS

[House File 2248](#), by D. Olson, a bill for an act relating to reporting requirements for organizations that engage in public communications encouraging or discouraging a vote for a candidate for public office.

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

[House File 2249](#), by Swaim, a bill for an act relating to charging a fee for internet access at correctional institutions.

Read first time and referred to committee on **public safety**.

[House File 2250](#), by Heddens, a bill for an act relating to the exclusion of qualified tuition plans in a determination of eligibility for the medical assistance program.

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

[House File 2251](#), by Granzow and Heaton, a bill for an act requiring a legislative study of the state's mental health patient advocates.

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

[House File 2252](#), by Jacobs, a bill for an act relating to optical scan voting systems by requiring their use in every county and by

appropriating moneys for the purpose of reimbursing the cost of purchasing optical scan voting systems.

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

[House File 2253](#), by R. Olson, a bill for an act concerning the sale of alcoholic liquor or beer, including the establishment of a container redemption fund, and providing a penalty and an appropriation.

Read first time and referred to committee on **environmental protection**.

[House File 2254](#), by De Boef, Rayhons, Dolecheck and Greiner, a bill for an act concerning rules relating to copayments and other information regarding services provided to medical assistance recipients.

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

[House File 2255](#), by De Boef, Rayhons, Dolecheck and Granzow, a bill for an act relating to insulin-dependent motor vehicle operators that provide passenger service to elderly persons and providing penalties.

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

SPECIAL PRESENTATION

Chambers of O'Brien introduced to the House the honorable Richard Vande Hoef, former state representative from Osceola County.

The House rose and expressed its welcome.

McCarthy of Polk asked and received unanimous consent for the immediate consideration of [House Resolution 105](#).

ADOPTION OF [HOUSE RESOLUTION 105](#)

May of Dickinson called up for consideration [House Resolution 105](#), a resolution honoring the Dickinson County Soil and Water

Conservation District for receiving the National Association of Conservation Districts 2007 Excellence Award, and moved its adoption.

The motion prevailed and the resolution was adopted.

SPECIAL PRESENTATION

May of Dickinson introduced to the House, Steve Anderson of the Dickinson County Soil and Water Conservation District whom introduced Mark Ingwersen, Chair; and Chris Hoffman, Vice Chair; also from Dickinson County; and State Secretary of Agriculture and Land Stewardship, Bill Northey; Wayne Peterson the State Urban Conservation Program Coordinator and Senator David Johnson from Osceola County.

The House rose and expressed its welcome.

On motion by McCarthy of Polk, the House was recessed at 9:48 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened at 1:12 p.m., Hoffman of Crawford in the chair.

INTRODUCTION OF BILLS

House File 2256, by Berry and Kressig, a bill for an act specifying conditions for the issuance of a certificate of public convenience, use, and necessity by the Iowa utilities board to a coal-fired merchant power plant.

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

House File 2257, by Soderberg, a bill for an act relating to a minor child's petition for a name change.

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

[House File 2258](#), by Berry, a bill for an act relating to authorized delayed deposit service transactions, and making penalties applicable.

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

[House File 2259](#), by Ford, a bill for an act relating to reenrollment of former expansion population members under the IowaCare program.

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

[House File 2260](#), by Heddens and Heaton, a bill for an act relating to the risk pool for county mental health, mental retardation, and developmental disabilities services by revising procedural and qualifying requirements.

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

SENATE MESSAGES CONSIDERED

[Senate File 2059](#), by committee on state government, a bill for an act relating to the administration of the department of cultural affairs.

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

[Senate File 2111](#), by committee on education, a bill for an act relating to requirements for blood lead testing and dental screening of children.

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

[Senate File 2116](#), by committee on commerce, a bill for an act relating to the recording of a certificate of release by the Iowa finance authority.

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

[Senate File 2117](#), by committee on commerce, a bill for an act relating to coverage of closing protection letters in real estate transactions and providing an effective date.

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

[Senate File 2122](#), by committee on state government, a bill for an act making technical and corrective changes to the law relating to elections and voter registration and making a penalty applicable.

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

CONSIDERATION OF BILLS Regular Calendar

[House File 2177](#), a bill for an act relating to the placement of deer transportation tags on antlered deer that have been taken pursuant to a deer hunting license, was taken up for consideration.

Whitaker of Van Buren 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. 2177](#))

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	Horbach
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Murphy, Spkr.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Palmer	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Smith	Soderberg	Staed

Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wiencek	Winckler	Windschitl
Wise	Worthan	Zirkelbach	Hoffman, Presiding

The nays were, none.

Absent or not voting, none.

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

RULES SUSPENDED

McCarthy of Polk asked and received unanimous consent to suspend the rules for the immediate consideration of [House File 2233](#).

Ways and Means Calendar

[House File 2233](#), a bill for an act relating to providing sales, use, and property tax exemptions for certain web search portal businesses, was taken up for consideration.

Wise of Lee 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. 2233](#))

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
Huseman	Huser	Jacobs	Jacoby
Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Murphy, Spkr.	Oldson

Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor
Smith	Soderberg	Staed	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Wiencek	Winckler	Windschitl	Wise
Worthan	Zirkelbach	Hoffman,	
		Presiding	

The nays were, 1:

Hunter

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.

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2177** and **2233**.

[HOUSE FILE 2048](#) WITHDRAWN

Whitaker of Van Buren asked and received unanimous consent to withdraw [House File 2048](#) from further consideration by the House.

[HOUSE FILE 2225](#) REREFERRED

The Speaker announced that [House File 2225](#), previously referred to committee on **veterans affairs** was rereferred to committee on **transportation**.

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on February 14, 2008, he approved and transmitted to the Secretary of State the following bill:

[House File 2065](#), an Act relating to military leaves of absence and reemployment and providing an effective date.

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\1243 John and Mary Doak, Grundy Center – For celebrating their 50th wedding anniversary.
- 2008\1244 James Coalter, Ida Grove – For celebrating his 90th birthday.
- 2008\1245 Thomas J. Case, Dow City – For celebrating his 80th birthday.
- 2008\1246 Vera Lee, Oto – For celebrating her 90th birthday.
- 2008\1247 Lucille Perkins, Correctionville – For celebrating her 80th birthday.
- 2008\1248 Russ and Clara Bennigsdorf, Ida Grove –For celebrating their 50th wedding anniversary.
- 2008\1249 Helen Blackburn, Stuart – For celebrating her 80th birthday.
- 2008\1250 Verle and Ellen Hunt, Marshalltown – For celebrating their 65th anniversary.
- 2008\1251 Albert and Lenora Pleima, Leighton – For celebrating their 60th wedding anniversary.
- 2008\1252 Pete and Freda Rozenboom, Pella – For celebrating their 60th wedding anniversary.
- 2008\1253 Jerry and Norma Schmitz, Wall Lake – For celebrating their 50th wedding anniversary.
- 2008\1254 Florence Harms, Radcliffe – For celebrating her 85th birthday.
- 2008\1255 Wayne McDonald, Clemons – For celebrating his 80th birthday.
- 2008\1256 Arlene Bogan, State Center – For celebrating her 80th birthday.
- 2008\1257 Rog and Kathy Pomrenke, Storm Lake – For celebrating their 50th wedding anniversary.
- 2008\1258 Wallace Roth, Hartwick – For celebrating his 80th birthday.

- 2008\1259 Nadine Gray, Hartwick – For celebrating her 80th birthday.
- 2008\1260 Gerald Steinaway, Hedrick – For celebrating his 80th birthday.
- 2008\1261 Betty Kelm, Grinnell – For celebrating her 80th birthday.
- 2008\1262 Adaline Zuber, Amana – For celebrating her 90th birthday.
- 2008\1263 Dorothy Thomas, Sigourney – For celebrating her 90th birthday.

SUBCOMMITTEE ASSIGNMENTS

[House File 2132](#)

State Government: Mascher, Chair; Gaskill and Jacobs.

[House File 2220](#)

Human Resources: Smith, Chair; Heaton and Mascher.

[House File 2222](#)

Human Resources: Smith, Chair; Granzow and Palmer.

[House File 2223](#)

Human Resources: Mascher, Chair; Smith and Upmeyer.

[House File 2224](#)

Transportation: Reasoner, Chair; Whitaker and Windschitl.

[House File 2227](#)

Judiciary: Swaim, Chair; Horbach and Wessel-Kroeschell.

[House File 2229](#)

Local Government: Lykam, Chair; Arnold and D. Taylor.

[House File 2235](#)

Judiciary: R. Olson, Chair; Lensing and Tomenga.

[House File 2237](#)

Public Safety: Hunter, Chair; Heddens and Sands.

[House File 2242](#)

Judiciary: Smith, Chair; Tomenga and Winckler.

[House File 2244](#)

Ways and Means: Thomas, Chair; Deyoe and Quirk.

[House File 2251](#)

Judiciary: Smith, Chair; Heaton and Lensing.

[Senate File 2036](#)

Public Safety: Swaim, Chair; Lukan and Zirkelbach.

[Senate File 2123](#)

Ways and Means: Kelley, Chair; Palmer and Wiencek.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

[House Study Bill 616](#)

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

[House Study Bill 649](#)

Education: Winckler, Chair; Boal and Wendt.

[House Study Bill 650](#)

Environmental Protection: Frevert, Chair; Drake, Greiner, Kuhn, H. Miller, D. Olson and S. Olson.

[House Study Bill 651](#)

Environmental Protection: T. Olson, Chair; R. Olson and Watts.

[House Study Bill 652](#)

Environmental Protection: D. Olson, Chair; Deyoe and Lensing.

[House Study Bill 659](#)

Public Safety: Kuhn, Chair; Hunter and Lukan.

[House Study Bill 660](#)

Judiciary: Swaim, Chair; Jacobs and Schueller.

[House Study Bill 661](#)

Judiciary: Palmer, Chair; Jacobs and Wessel-Kroeschell.

[House Study Bill 662](#)

Ways and Means: Schueller, Chair; Deyoe and Palmer.

[House Study Bill 664](#)

Judiciary: Lensing, Chair; Boal and Winckler.

[House Study Bill 665](#)

Judiciary: Schueller, Chair; Tomenga and Wendt.

[House Study Bill 666](#)

Judiciary: Swaim, Chair; Palmer and Struyk.

[House Study Bill 667](#)

Judiciary: Wendt, Chair; Heaton and Smith.

[House Study Bill 668](#)

Judiciary: Wessel-Kroeschell, Chair; Horbach and Swaim.

[House Study Bill 671](#)

Human Resources: T. Olson, Chair; L. Miller and Palmer.

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 EDUCATION

[House File 2066](#), 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.

Fiscal Note is not required.

Recommended **Amend and Do Pass with Amendment** [H-8028](#) February 13, 2008.

Pursuant to Rule 31.7, [House File 2066](#) was referred to the committee on ways and means.

COMMITTEE ON HUMAN RESOURCES

Committee Bill (Formerly [House Study Bill 568](#)), requiring the departments of public health and human services to collect data and develop a protocol to address the relationship between substance misuse, abuse, or dependency by a child's parent, guardian, or custodian and child abuse.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 13, 2008.

Committee Bill (Formerly [House Study Bill 624](#)), relating to child support recovery including assignment of support to the state relative to receipt of family investment program benefits, garnishment of money held by the state for a person who owes delinquent child support, the reporting of delinquent child support obligors to consumer reporting agencies, access to cellular telephone numbers for the purpose of the computer match program by the child support recovery unit, collection of support from certain obligors, the information included in a notice regarding the administrative levy of an account, and medical support of a child, and providing effective and retroactive applicability dates.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 13, 2008.

AMENDMENTS FILED

H-8027	H.F. 2212	T. Olson of Linn
H-8028	H.F. 2066	Committee on Education
H-8029	H.F. 2239	Horbach of Tama
H-8030	H.F. 2239	Windschitl of Harrison
H-8031	H.F. 2239	Tymeson of Madison
H-8032	H.F. 2239	Tymeson of Madison
H-8033	H.F. 2212	Upmeyer of Hancock
H-8034	H.F. 2196	May of Dickinson
H-8035	H.F. 2212	Struyk of Pottawattamie
H-8036	H.F. 2212	Struyk of Pottawattamie

On motion by McCarthy of Polk the House adjourned at 2:04 p.m., until 9:00 a.m., Friday, February 15, 2008.