

PROOF

STATE OF IOWA

House Journal

THURSDAY, FEBRUARY 26, 2009

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JOURNAL OF THE HOUSE

Forty-sixth Calendar Day - Thirtieth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, February 26, 2009

The House met pursuant to adjournment at 9:11 a.m., Speaker Murphy in the chair.

Prayer was offered by Reverend Michael Peters of the I Hope Ministries, Waterloo. He is the guest of Representative Bob Kressig of Black Hawk County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Erik Paramo, House Page from Des Moines. Singing the National Anthem was Amanda Hynek (secretary to Representative Todd Taylor of Linn County) accompanied by her sister Amy Hynek.

The Journal of Wednesday, February 25, 2009 was approved.

INTRODUCTION OF BILLS

[House File 427](#), by T. Taylor, a bill for an act allowing school districts affected by a presidentially declared major disaster between May 4, 2008, and August 14, 2008, to use the previous year's budget enrollments in the budget year beginning July 1, 2009, and providing an effective date.

Read first time and referred to committee on **rebuild Iowa and disaster recovery**.

[House File 428](#), by Sands, a bill for an act providing volunteer emergency services providers serving in a disaster area certain employment protections.

Read first time and referred to committee on **rebuild Iowa and disaster recovery**.

[House File 429](#), by Thede, Murphy, Burt, Mertz, T. Taylor, Mascher, Swaim, H. Miller, Petersen, Berry, Cohoon, Zirkelbach, Gaskill, Frevert, Lykam, Whitead, Bukta, Whitaker, Oldson, D. Olson, Smith, Schueller, Jacoby, Wendt, Ficken, Wenthe, Palmer, Isenhart, Abdul-Samad, Hunter, Winckler, Steckman, Kuhn, Lensing, Shomshor, R. Olson, Kearns, Ford, Beard, T. Olson, Reasoner and Heddens, a bill for an act providing for the availability of a mortgage help hotline contained in a mortgagor's right to cure.

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

[House File 430](#), by Isenhart, a bill for an act relating to boards of administration for horizontal property.

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

[House File 431](#), by Alons, a bill for an act providing for the operation of certain off-road vehicles on noninterstate highways and providing registration fees and a penalty.

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

[House File 432](#), by Zirkelbach, a bill for an act providing for the establishment of a financial literacy council within the office of the governor, providing for its future repeal, and providing an effective date.

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

SENATE MESSAGES CONSIDERED

[Senate File 49](#), by committee on state government, a bill for an act relating to the administration of campaign disclosure laws.

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

[Senate File 81](#), by committee on education, a bill for an act relating to assisting schools to recover from disaster by changing the approval method for transfers of emergency fund moneys, by modifying certain funding provisions to relate to disaster recovery,

and by allowing area education agency boards greater authority to purchase and lease-purchase property.

Read first time and referred to committee on **rebuild Iowa and disaster fund**.

[Senate File 112](#), by Johnson, Reynolds, Kapucian, Ward, Bartz, Hartsuch, Kettering, Mc Kinley, Noble, Boettger, Feenstra, Hahn, Wieck, Seymour, Hamerlinck, Zaun, Houser, Behn, Beall, Ragan, Kreiman, Hogg, Dotzler, Heckroth, Dvorsky, Warnstadt, Horn, Wilhelm, Seng, Hancock, Olive, Hatch, Dearden, Fraise, Appel, Courtney, Gronstal, Kibbie, Black, McCoy, Dandekar, Jochum, Stewart, Soddors, Danielson, Schoenjahn, Rielly and Bolcom, a bill for an act providing for presentation of flags flown at half-staff over the state capitol in recognition of the death of a member of the armed forces of the United States while serving on active duty.

Read first time and referred to committee on **veterans affairs**.

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 26, 2009, passed the following bill in which the concurrence of the House is asked:

[Senate File 118](#), a bill for an act relating to the judicial branch including contested and uncontested parking violations, city and county penalties, filing civil citations of municipal infractions with the clerk, records kept by the clerk, and service of original notice in a small claims action.

Also: That the Senate has on February 26, 2009, passed the following bill in which the concurrence of the House is asked:

[Senate File 154](#), a bill for an act relating to the authorized uses of local exchange service information by specified individuals and entities.

Also: That the Senate has on February 26, 2009, passed the following bill in which the concurrence of the House is asked:

[Senate File 173](#), a bill for an act relating to the allocation of funds to the all Iowa opportunity foster care grant program and providing an effective date.

Also: That the Senate has on February 26, 2009, passed the following bill in which the concurrence of the House is asked:

[Senate File 177](#), a bill for an act relating to requirements for school districts providing transportation to students participating in open enrollment.

Also: That the Senate has on February 26, 2009, passed the following bill in which the concurrence of the House is asked:

[Senate File 186](#), a bill for an act concerning preferential hiring treatment by government for veterans.

Also: That the Senate has on February 26, 2009, passed the following bill in which the concurrence of the House is asked:

[Senate File 197](#), a bill for an act relating to unemployment insurance benefits and compliance with federal law regarding and in order to qualify for funding, and including effective and applicability dates.

Also: That the Senate has on February 26, 2009, passed the following bill in which the concurrence of the House is asked:

[Senate File 204](#), a bill for an act relating to the department of elder affairs and services provided to older Iowans.

MICHAEL E. MARSHALL, Secretary

ADOPTION OF [HOUSE RESOLUTION 20](#)

Thede of Scott, H. Miller of Webster, Abdul-Samad of Polk, Burt of Black Hawk, and Reichert of Muscatine called up for consideration [House Resolution 20](#), a resolution to honor the life and work of Alexander G. Clark, and moved its adoption.

The motion prevailed and the resolution was adopted.

On motion by McCarthy of Polk, the House was recessed at 9:26 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened at 1:19 p.m., Speaker Murphy in the chair.

INTRODUCTION OF BILLS

[House File 433](#), by Upmeyer, a bill for an act relating to reimbursement under the medical assistance home and community-based services waiver for the elderly.

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

[House File 434](#), by Ford, a bill for an act relating to distribution and reporting requirements for endow Iowa grants and county endowment moneys.

Read first time and referred to committee on **economic growth**

[House File 435](#), by Upmeyer, a bill for an act relating to the legislative review of administrative rules, and rescinding all rules every five years.

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

[House File 436](#), by Upmeyer, a bill for an act relating to the scope of rulemaking authority delegated to an administrative agency.

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

[House File 437](#), by Upmeyer, a bill for an act requiring a review of legislation containing a proposed health care benefit mandate prior to filing.

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

[House File 438](#), by Upmeyer, a bill for an act relating to the mailing of a certified copy of a certificate or record by the state registrar of vital statistics.

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

[House File 439](#), by Dolecheck, a bill for an act providing for depredation plans to harvest antlerless deer after the last established deer hunting season.

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

[House File 440](#), by Ford, a bill for an act requiring health insurance coverage of certain services related to the diagnosis, treatment, and management of osteoporosis for qualified insured individuals.

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

[House File 441](#), by Swaim, a bill for an act modifying provisions relating to a final hearing in a civil commitment proceeding for a sexually violent predator.

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

[House File 442](#), by Hagenow and Cownie, a bill for an act establishing a state biennial appropriations process and providing effective and applicability dates.

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

[House File 443](#), by Mascher and Swaim, a bill for an act relating to access to obscene materials and child in need of assistance proceedings and child abuse reporting.

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

[House File 444](#), by Paulsen, a bill for an act relating to the sales tax imposed on the sale of tangible personal property and the furnishing of enumerated services and including effective date provisions.

Read first time and referred to committee on **ways and means**.

[House File 445](#), by Reasoner, a bill for an act relating to biodiesel fuel, by providing for labeling requirements, and providing for the extension of a tax credit.

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

[House File 446](#), by Ford, a bill for an act relating to requirements of the department of human services involving electronic benefits transfer for the food assistance program.

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

[House File 447](#), by Kaufmann, Sweeney, Sorenson, De Boef, L. Miller, Worthan, Watts, Huseman, Sands, Dolecheck, Schultz, Windschitl, Helland, Wagner, Hagenow, Koester, Schulte, Mertz,

Drake, Cownie and Marek, a bill for an act relating to the composition of the environmental protection commission and providing an effective date.

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

[House File 448](#), by Ford, Hunter, Smith and Petersen, a bill for an act requiring testing and abatement of lead hazards in certain residential dwellings and child care facilities, requiring inspections of certain residential housing for lead hazards prior to sale, establishing a childhood lead poisoning prevention and control committee, and providing a penalty.

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

[House File 449](#), by Ford, a bill for an act relating to programs administered by the commission on volunteer service by establishing Iowa summer youth corps and green corps programs, creating the Iowa summer youth corps account and making appropriations from the account, excluding certain payments provided to an AmeriCorps volunteer from state income tax, and providing a retroactive applicability provision.

Read first time and referred to committee on **economic growth**.

[House File 450](#), by committee on state government, a bill for an act relating to the time of opening the polls for certain city elections.

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

[House File 451](#), by Deyoe, a bill for an act reducing the assessment limitation for commercial and industrial property and including a retroactive applicability date provision.

Read first time and referred to committee on **ways and means**.

[House File 452](#), by Ford, a bill for an act relating to the establishment of a study of the economic, fiscal, and social impact of the living wage in Iowa.

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

[House File 453](#), by Schueller, a bill for an act establishing the offense of satellite television equipment trespass and providing a penalty.

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

[House File 454](#), by Paulsen, a bill for an act relating to funding for special education services for children living in foster care or shelter care facilities or a juvenile detention home.

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

[House File 455](#), by Kaufmann, Abdul-Samad, Schueller and Sands, a bill for an act relating to child custody and visitation.

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

[House File 456](#), by T. Olson and Raecker, a bill for an act concerning tax-sheltered investment contracts and including an effective date.

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

[House File 457](#), by Hunter, a bill for an act relating to the amount of reimbursement per client for case management for certain elders.

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

[House File 458](#), by Hunter, a bill for an act prohibiting certain liquor control, wine, or beer licensees or permittees from knowingly permitting or engaging in criminal activity in areas adjacent to the licensed premises and making penalties applicable.

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

[House File 459](#), by Tymeson, a bill for an act limiting the frequency of elections relating to local option sales taxes.

Read first time and referred to committee on **ways and means**.

[House File 460](#), by Tymeson, a bill for an act concerning remedies for motor vehicle dealers for a buyer's nonpayment of fees.

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

[House File 461](#), by Rants, a bill for an act relating to an exemption for theatrical performances from the smokefree air Act.

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

SENATE MESSAGES CONSIDERED

[Senate File 118](#), by committee on judiciary, a bill for an act relating to the judicial branch including contested and uncontested parking violations, city and county penalties, filing civil citations of municipal infractions with the clerk, records kept by the clerk, and service of original notice in a small claims action.

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

[Senate File 154](#), by committee on judiciary, a bill for an act relating to the authorized uses of local exchange service information by specified individuals and entities.

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

[Senate File 173](#), by committee on education, a bill for an act relating to the allocation of funds to the all Iowa opportunity foster care grant program and providing an effective date.

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

[Senate File 177](#), by committee on education, a bill for an act relating to requirements for school districts providing transportation to students participating in open enrollment.

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

[Senate File 186](#), by committee on veterans affairs, a bill for an act concerning preferential hiring treatment by government for veterans.

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

[Senate File 197](#), by committee on labor and business relations, a bill for an act relating to unemployment insurance benefits and compliance with federal law regarding and in order to qualify for funding, and including effective and applicability dates.

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

[Senate File 204](#), by committee on human resources, a bill for an act relating to the department of elder affairs and services provided to older Iowans.

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

CONSIDERATION OF BILLS Appropriations Calendar

[House File 414](#), a bill for an act relating to public funding and regulatory matters and making, reducing, and transferring appropriations and revising fund amounts and including effective, retroactive, and other applicability date provisions, was taken up for consideration.

Heaton of Henry offered the following amendment [H-1088](#) filed by Heaton, et al., and moved its adoption:

[H-1088](#)

1 Amend [House File 414](#) as follows:
2 1. Page 17, line 10, by striking the figure
3 "25,606,746" and inserting the following:
4 "30,606,746".
5 2. Page 17, line 27, by inserting after the
6 figure "4." the following: "The exercise of transfer
7 authority shall be applied to produce at least
8 \$5,000,000 in reductions through the elimination of
9 the funding for full-time equivalent positions that
10 have been vacant throughout the six months prior to
11 the effective date of this section. Such positions do
12 not include correctional officers, state patrol
13 officers, seasonal or temporary positions intended to
14 be vacant during the designated period, positions
15 funded by the appropriations exempt from this section,
16 and positions that are more than 25 percent funded by
17 sources other than the general fund of the state."

Roll call was requested by Heaton of Henry and Raecker of Polk.

On the question "Shall amendment [H-1088](#) be adopted?" ([H.F. 414](#))

The ayes were, 43:

Alons	Anderson	Arnold	Baudler
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Grassley	Hagenow
Heaton	Helland	Horbach	Huseman
Kaufmann	Koester	Lukan	May
Miller, L.	Olson, S.	Paulsen	Pettengill
Raecker	Rants	Rayhons	Roberts
Sands	Schulte	Schultz	Soderberg
Sorenson	Struyk	Sweeney	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Wagner
Watts	Windschitl	Worthan	

The nays were, 56:

Abdul-Samad	Bailey	Beard	Bell
Berry	Bukta	Burt	Cohoon
Ficken	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Isenhardt	Jacoby	Kearns	Kelley
Kressig	Kuhn	Lensing	Lykam
Marek	Mascher	McCarthy	Mertz
Miller, H.	Oldson	Olson, D.	Olson, R.
Olson, T.	Palmer	Petersen	Quirk
Reasoner	Reichert	Schueller	Shomshor
Smith	Steckman	Swaim	Taylor, D.
Taylor, T.	Thede	Thomas	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Willems	Winckler	Zirkelbach	Mr. Speaker Murphy

Absent or not voting, 1:

Chambers

Amendment [H-1088](#) lost.

Raecker of Polk offered the following amendment [H-1093](#) filed by Raecker, et al., and moved its adoption:

[H-1093](#)

- 1 Amend [House File 414](#) as follows:
- 2 1. Page 17, line 10, by striking the figure

3 "25,606,746" and inserting the following:
 4 "33,606,746".
 5 2. Page 17, line 27, by inserting after the
 6 figure "4." the following: "The transfer authority
 7 shall be applied to produce a reduction in
 8 expenditures for office supplies, service contracts,
 9 and equipment purchases of at least \$8,000,000."

Roll call was requested by Raecker of Polk and Upmeyer of Hancock.

On the question "Shall amendment [H-1093](#) be adopted?" ([H.F. 414](#))

The ayes were, 42:

Alons	Arnold	Baudler	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Grassley	Hagenow	Heaton
Helland	Horbach	Huseman	Kaufmann
Koester	Lukan	May	Miller, L.
Olson, S.	Paulsen	Pettengill	Raecker
Rants	Rayhons	Roberts	Sands
Schulte	Schultz	Soderberg	Sorenson
Struyk	Sweeney	Tjepkes	Tymeson
Upmeyer	Van Engelenhoven	Wagner	Watts
Windschitl	Worthan		

The nays were, 57:

Abdul-Samad	Anderson	Bailey	Beard
Bell	Berry	Bukta	Burt
Cohoon	Ficken	Ford	Frevert
Gaskill	Gayman	Heddens	Hunter
Huser	Isenhardt	Jacoby	Kearns
Kelley	Kressig	Kuhn	Lensing
Lykam	Marek	Mascher	McCarthy
Mertz	Miller, H.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Quirk	Reasoner	Reichert	Schueller
Shomshor	Smith	Steckman	Swaim
Taylor, D.	Taylor, T.	Thede	Thomas
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Willems	Winckler	Zirkelbach
Mr. Speaker			
Murphy			

Absent or not voting, 1:

Chambers

Amendment [H-1093](#) lost.

Watts of Dallas offered the following amendment [H-1085](#) filed by Watts, et al., and moved its adoption:

[H-1085](#)

- 1 Amend [House File 414](#) as follows:
- 2 1. Page 18, by inserting after line 3 the
- 3 following:
- 4 "Sec. _____. SALE OR LEASE OF IOWA COMMUNICATIONS
- 5 NETWORK. The Iowa telecommunications and technology
- 6 commission shall implement a request for proposals
- 7 process to sell or lease the Iowa communications
- 8 network. The request for proposals shall provide for
- 9 the sale to be closed or the lease to commence during
- 10 the fiscal year beginning July 1, 2009. The
- 11 commission shall implement the sale or lease with
- 12 terms that will allow existing users of the network to
- 13 continue such use at a lower overall long-term cost as
- 14 compared to the anticipated operation and maintenance
- 15 overall long-term cost if state ownership and control
- 16 were to continue."
- 17 2. By renumbering as necessary.

Roll call was requested by Paulsen of Linn and Baudler of Adair.

On the question "Shall amendment [H-1085](#) be adopted?" ([H.F. 414](#))

The ayes were, 43:

Alons	Anderson	Arnold	Baudler
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Grassley	Hagenow
Heaton	Helland	Horbach	Huseman
Kaufmann	Koester	Lukan	May
Miller, L.	Olson, S.	Paulsen	Pettengill
Raecker	Rants	Rayhons	Roberts
Sands	Schulte	Schultz	Soderberg
Sorenson	Struyk	Sweeney	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Wagner
Watts	Windschitl	Worthan	

The nays were, 56:

Abdul-Samad	Bailey	Beard	Bell
Berry	Bukta	Burt	Cohoon
Ficken	Ford	Frevert	Gaskill

Gayman	Heddens	Hunter	Huser
Isenhart	Jacoby	Kearns	Kelley
Kressig	Kuhn	Lensing	Lykam
Marek	Mascher	McCarthy	Mertz
Miller, H.	Oldson	Olson, D.	Olson, R.
Olson, T.	Palmer	Petersen	Quirk
Reasoner	Reichert	Schueller	Shomshor
Smith	Steckman	Swaim	Taylor, D.
Taylor, T.	Thede	Thomas	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Willems	Winckler	Zirkelbach	Mr. Speaker Murphy

Absent or not voting, 1:

Chambers

Amendment [H-1085](#) lost.

Raecker of Polk offered the following amendment [H-1086](#) filed by Raecker, et al., and moved its adoption:

[H-1086](#)

- 1 Amend [House File 414](#) as follows:
- 2 1. Page 18, by inserting after line 3 the
- 3 following:
- 4 "Sec. ____ VEHICLE PURCHASES DEFERRED.
- 5 Notwithstanding any provision to the contrary, except
- 6 as otherwise provided by this section, the department
- 7 of administrative services shall defer the purchase of
- 8 replacement motor vehicles paid for from the general
- 9 fund of the state or from such moneys credited to the
- 10 depreciation fund maintained pursuant to section
- 11 8A.365. The purchase deferral is applicable to the
- 12 remainder of the fiscal year beginning July 1, 2008,
- 13 commencing on the effective date of this section and
- 14 to the succeeding fiscal year. However, the executive
- 15 council may authorize an exception to allow purchase
- 16 of a replacement vehicle when the purchase is less
- 17 costly than all other alternatives."
- 18 2. By renumbering as necessary.

Roll call was requested by Raecker of Polk and Alons of Sioux.

On the question "Shall amendment [H-1086](#) be adopted?" ([H.F. 414](#))

The ayes were, 44:

Alons	Anderson	Arnold	Baudler
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Grassley	Hagenow
Heaton	Helland	Horbach	Huseman
Huser	Kaufmann	Koester	Lukan
May	Miller, L.	Olson, S.	Paulsen
Pettengill	Raecker	Rants	Rayhons
Roberts	Sands	Schulte	Schultz
Soderberg	Sorenson	Struyk	Sweeney
Tjepkes	Tymeson	Upmeyer	Van Engelenhoven
Wagner	Watts	Windschitl	Worthan

The nays were, 55:

Abdul-Samad	Bailey	Beard	Bell
Berry	Bukta	Burt	Cohoon
Ficken	Ford	Frevort	Gaskill
Gayman	Heddens	Hunter	Isenhardt
Jacoby	Kearns	Kelley	Kressig
Kuhn	Lensing	Lykam	Marek
Mascher	McCarthy	Mertz	Miller, H.
Oldson	Olson, D.	Olson, R.	Olson, T.
Palmer	Petersen	Quirk	Reasoner
Reichert	Schueller	Shomshor	Smith
Steckman	Swaim	Taylor, D.	Taylor, T.
Thede	Thomas	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Willems
Winckler	Zirkelbach	Mr. Speaker	
		Murphy	

Absent or not voting, 1:

Chambers

Amendment [H-1086](#) lost.

Upmeyer of Hancock offered the following amendment [H-1089](#) filed by Upmeyer, et al., and moved its adoption:

[H-1089](#)

- 1 Amend [House File 414](#) as follows:
- 2 1. Page 18, by inserting before line 4 the
- 3 following:
- 4 "Sec.____. JUST ELIMINATE LIES PROGRAM –
- 5 IMPLEMENTATION SUSPENDED. Notwithstanding chapter
- 6 142A, 2008 Iowa Acts, chapter 1187, section 62,
- 7 subsection 1, and any other provision to the contrary,
- 8 the department of public health and the commission on

9 tobacco use prevention and control shall suspend
 10 expenditures for the Just Eliminate Lies program,
 11 including but not limited to grants to school
 12 districts and community organizations to support Just
 13 Eliminate Lies youth chapters and youth tobacco
 14 prevention activities and the Just Eliminate Lies
 15 tobacco prevention media campaign. The suspension
 16 period is applicable for the remainder of the fiscal
 17 year beginning July 1, 2008, commencing on the
 18 effective date of this section, and to the succeeding
 19 fiscal year."
 20 2. By renumbering as necessary.

Roll call was requested by Smith of Marshall and Raecker of Polk.

On the question "Shall amendment [H-1089](#) be adopted?" ([H.F. 414](#))

The ayes were, 41:

Alons	Arnold	Baudler	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Grassley	Hagenow	Helland
Horbach	Huseman	Kaufmann	Koester
Lukan	May	Miller, L.	Olson, S.
Paulsen	Pettengill	Raecker	Rants
Rayhons	Roberts	Sands	Schulte
Schultz	Soderberg	Sorenson	Struyk
Sweeney	Tjepkes	Tymeson	Upmeyer
Van Engelenhoven	Wagner	Watts	Windschitl
Worthan			

The nays were, 58:

Abdul-Samad	Anderson	Bailey	Beard
Bell	Berry	Bukta	Burt
Cohoon	Ficken	Ford	Frevert
Gaskill	Gayman	Heaton	Heddens
Hunter	Huser	Isenhart	Jacoby
Kearns	Kelley	Kressig	Kuhn
Lensing	Lykam	Marek	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Quirk	Reasoner	Reichert
Schueller	Shomshor	Smith	Steckman
Swaim	Taylor, D.	Taylor, T.	Thede
Thomas	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Willems	Winckler
Zirkelbach	Mr. Speaker		
	Murphy		

Absent or not voting, 1:

Chambers

Amendment [H-1089](#) lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Cohoon of Des Moines on request of Speaker Murphy.

Raecker of Polk offered the following amendment [H-1094](#) filed by Raecker, et al., and moved its adoption:

[H-1094](#)

1 Amend [House File 414](#) as follows:
2 1. Page 28, by inserting after line 21 the
3 following:
4 "Sec. ____ AMERICAN RECOVERY AND REINVESTMENT ACT
5 OF 2009- PROPERTY TAX RELIEF FUND RISK POOL.
6 1. There is appropriated from the fund created by
7 section 8.41 to the department of human services for
8 the fiscal year beginning July 1, 2008, and ending
9 June 30, 2009, the following amount, or so much
10 thereof as is necessary, to be used for the purposes
11 designated:
12 From unencumbered fiscal stabilization moneys
13 available under the American Recovery and Reinvestment
14 Act of 2009, to be credited to the risk pool created
15 in the property tax relief fund in section 426B.5:
16 \$ 14,000,000
17 2. The amount appropriated in this section shall
18 be used for grants to counties to eliminate or avoid
19 the implementation of waiting lists in the fiscal year
20 beginning July 1, 2008, and the succeeding fiscal
21 year, and to address the other circumstances the risk
22 pool is authorized to address. All of the eligibility
23 requirements and other requirements and restrictions
24 applicable to risk pool funding under section 426B.5
25 are applicable for distribution of the moneys
26 appropriated in this section except for the following:
27 a. Notwithstanding section 426B.5, subsection 2,
28 paragraph "h", the risk pool board shall allocate the
29 moneys appropriated in this section so that the moneys
30 are distributed to counties for both the fiscal year
31 beginning July 1, 2008, and the succeeding fiscal
32 year.

33 b. Awards of the unpaid balances of the amounts
 34 previously accepted by the risk pool board for award
 35 for the fiscal year beginning July 1, 2008, shall be
 36 made without additional application. For the
 37 remainder of the appropriation, a county must apply
 38 for risk pool assistance within 30 calendar days of
 39 the effective date of this section. The risk pool
 40 board shall make its final decisions on applications
 41 within 60 calendar days of the effective date of this
 42 section.
 43 3. The department of human services shall
 44 calculate the amount of moneys due to eligible
 45 counties in accordance with the board's decisions and
 46 that amount is appropriated for each fiscal year from
 47 the risk pool to the department for payment of the
 48 moneys due. For the fiscal year beginning July 1,
 49 2008, the department shall authorize the issuance of
 50 warrants payable to the county treasurer for the

Page 2

1 amounts due and the warrants shall be issued on or
 2 before June 15, 2009. For the succeeding fiscal year,
 3 the department shall authorize the issuance of
 4 warrants payable to the county treasurer for the
 5 amounts due and the warrants shall be issued on or
 6 before July 15, 2009."
 7 2. By renumbering as necessary.

Roll call was requested by Raecker of Polk and Struyk of Pottawattamie.

On the question "Shall amendment [H-1094](#) be adopted?" ([H.F. 414](#))

The ayes were, 43:

Alons	Anderson	Arnold	Baudler
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Grassley	Hagenow
Heaton	Helland	Horbach	Huseman
Kaufmann	Koester	Lukan	May
Mertz	Miller, L.	Olson, S.	Paulsen
Pettengill	Raecker	Rants	Rayhons
Roberts	Schulte	Schultz	Soderberg
Sorenson	Struyk	Sweeney	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Wagner
Watts	Windschitl	Worthan	

The nays were, 53:

Abdul-Samad	Bailey	Beard	Bell
Berry	Bukta	Burt	Ficken
Ford	Frevert	Gaskill	Gayman
Heddens	Hunter	Huser	Isenhart
Jacoby	Kearns	Kelley	Kressig
Kuhn	Lensing	Lykam	Marek
Mascher	McCarthy	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Quirk	Reasoner	Reichert
Schueller	Shomshor	Smith	Steckman
Swaim	Taylor, D.	Thede	Thomas
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Willems	Winckler	Zirkelbach
Mr. Speaker Murphy			

Absent or not voting, 4:

Chambers	Cohoon	Sands	Taylor, T.
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Amendment [H-1094](#) lost.

Oldson of Polk offered the following amendment [H-1098](#) filed by her and moved its adoption:

[H-1098](#)

1 Amend [House File 414](#) as follows:
 2 1. Page 29, by inserting before line 35 the
 3 following:
 4 "Sec.____. IOWA PUBLIC EMPLOYEES' RETIREMENT
 5 SYSTEM-TEMPORARY LAYOFFS-AVERAGE COVERED WAGE
 6 RECALCULATION.
 7 1. Notwithstanding any provision of chapter 97B to
 8 the contrary, a member of the Iowa public employees'
 9 retirement system who has an employer-mandated
 10 reduction in hours but remains on the employer's
 11 payroll, and who would receive a reduction in the
 12 member's three-year average covered wage as a result
 13 of the reduction in hours, may have the member's
 14 retirement allowance calculated based on the
 15 three-year average covered wage the member would have
 16 received, based on reasonable assumptions, if the
 17 member had not been subject to the employer-mandated
 18 reduction in hours, upon payment by the member of the
 19 applicable contribution amount. For purposes of this
 20 section, the applicable contribution amount is an
 21 amount equal to the employee and employer
 22 contributions that would have been paid to the system

23 based on the wages that the member would have received
24 but for the employer-mandated reduction in hours and
25 would have been included in the member's three-year
26 average covered wage.

27 2. The payment of the applicable contribution
28 amount under this section shall be treated as pick-up
29 contributions in addition to amounts picked up under
30 section 97B.11A. The member must notify the Iowa
31 public employees' retirement system and the member's
32 employer prior to the member terminating employment
33 covered under the system so that the appropriate
34 calculations can be made and the applicable
35 contribution amount for the member can be deducted
36 from the member's wages. The Iowa public employees'
37 retirement system shall have no liability for a
38 member's failure to notify the system and the member's
39 employer in time to make such calculations and deduct
40 the applicable contribution amount from the member's
41 remaining wage payments.

42 3. This section shall apply to employer-mandated
43 reductions in hours during the period of time
44 beginning on or after January 1, 2009, and ending no
45 later than June 30, 2010. The system is authorized to
46 adopt such rules, including emergency rules, as it
47 deems necessary or prudent to implement this section."

48 2. By renumbering as necessary.

Amendment [H-1098](#) was adopted.

Oldson of Polk offered amendment [H-1099](#) filed by her as follows:

[H-1099](#)

1 Amend [House File 414](#) as follows:

2 1. Page 30, by inserting after line 15 the
3 following:

4 "Sec. _____. Judicial Appointment-Delay.

5 1. Notwithstanding section 46.12, the chief
6 justice may order the state commissioner of elections
7 to delay, for up to one hundred eighty days for
8 budgetary reasons, the sending of a notification to
9 the proper judicial nominating commission that a
10 vacancy in the supreme court, court of appeals, or
11 district court has occurred or will occur.

12 2. Notwithstanding sections 602.6304, 602.7103B,
13 and 633.20B, the chief justice may order any county
14 magistrate appointing commission to delay, for up to
15 one hundred eighty days for budgetary reasons, the
16 certification of nominees to the chief judge of the
17 judicial district for a district associate judgeship,

18 associate juvenile judgeship, or associate probate
19 judgeship.
20 3. Notwithstanding section 602.6403, the chief
21 justice may order any county magistrate appointing
22 commission to delay, for up to one hundred eighty days
23 for budgetary reasons, the appointment of a
24 magistrate.
25 4. The section is applicable for the period
26 beginning on the effective date of this section and
27 ending June 30, 2009."
28 2. By renumbering as necessary.

R. Olson of Polk offered the following amendment [H-1100](#), to amendment [H-1099](#), filed by him from the floor and moved its adoption:

[H-1100](#)

1 Amend the amendment, [H-1099](#), to [House File 414](#) as
2 follows:
3 1. Page 1, line 20, by inserting after the figure
4 "602.6403," the following: "subsection 3,".
5 2. Page 1, line 24, by inserting after the word
6 "magistrate" the following: "to serve the remainder
7 of an unexpired term".

Amendment [H-1100](#) was adopted.

Pettengill of Benton offered the following amendment [H-1101](#), to amendment [H-1099](#), filed by her from the floor and moved its adoption:

[H-1101](#)

1 Amend the amendment, [H-1099](#), to [House File 414](#) as
2 follows:
3 1. Page 1, by inserting after line 24 the
4 following:
5 "____. The appropriation made to the judicial
6 branch in 2008 Iowa Acts, chapter 1182, section 1, has
7 been reduced by this Act as necessary to address a
8 decline in anticipated state revenues. The judicial
9 branch shall not address the appropriation reduction
10 by moving civil trials to the scheduled judges'
11 counties of residence."

Oldson of Polk rose on a point of order that amendment [H-1101](#) was not germane, to amendment [H-1099](#).

The Speaker ruled the point well taken and amendment [H-1101](#) not germane, to amendment [H-1099](#).

Oldson of Polk moved the adoption of amendment [H-1099](#), as amended.

Amendment [H-1099](#), as amended, was adopted.

Willems of Linn in the chair at 3:42 p.m.

Oldson of Polk 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. 414](#))

The ayes were, 55:

Abdul-Samad	Bailey	Beard	Bell
Berry	Bukta	Burt	Ficken
Ford	Frevert	Gaskill	Gayman
Heddens	Hunter	Huser	Isenhart
Jacoby	Kearns	Kelley	Kressig
Kuhn	Lensing	Lykam	Marek
Mascher	McCarthy	Mertz	Miller, H.
Murphy, Spkr.	Oldson	Olson, D.	Olson, R.
Olson, T.	Palmer	Petersen	Quirk
Reasoner	Reichert	Schueller	Shomshor
Smith	Steckman	Swaim	Taylor, D.
Taylor, T.	Thede	Thomas	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Winckler	Zirkelbach	Willems, Presiding	

The nays were, 43:

Alons	Anderson	Arnold	Baudler
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Grassley	Hagenow
Heaton	Helland	Horbach	Huseman
Kaufmann	Koester	Lukan	May
Miller, L.	Olson, S.	Paulsen	Pettengill
Raecker	Rants	Rayhons	Roberts
Sands	Schulte	Schultz	Soderberg
Sorenson	Struyk	Sweeney	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Wagner
Watts	Windschitl	Worthan	

Absent or not voting, 2:

Chambers Cohoon

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Watts of Dallas on request of Paulsen of Linn.

Regular Calendar

House File 416, a bill for an act providing for the establishment of the categorical state percent of growth for purposes of the state school foundation program, and providing an applicability date, was taken up for consideration.

Wendt of Woodbury offered the following amendment [H-1079](#) filed by him and moved its adoption:

[H-1079](#)

- 1 Amend [House File 416](#) as follows:
- 2 1. Page 1, line 5, by striking the word "zero"
- 3 and inserting the following: "two".

Amendment [H-1079](#) was adopted.

May of Dickinson offered the following amendment [H-1095](#) filed by him and moved its adoption:

[H-1095](#)

- 1 Amend [House File 416](#) as follows:
- 2 1. Page 1, by striking lines 1 through 15.
- 3 2. Page 1, by inserting before line 16 the
- 4 following:
- 5 "Sec. ____ STATE PERCENT OF GROWTH –
- 6 POSTPONEMENT.
- 7 Notwithstanding section 257.8, subsection 1, the
- 8 state percent of growth for the budget year beginning
- 9 July 1, 2010, shall be established in January 2010."
- 10 3. Title page, line 1, by striking the words

- 11 "establishment of" and inserting the following:
 12 "postponement of establishing".
 13 4. By renumbering as necessary.

Roll call was requested by May of Dickinson and Koester of Polk.

Speaker Murphy in the chair at 4:00 p.m.

On the question "Shall amendment [H-1095](#) be adopted?" ([H.F. 416](#))

The ayes were, 43:

Alons	Anderson	Arnold	Baudler
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Grassley	Hagenow
Heaton	Helland	Horbach	Huseman
Kaufmann	Koester	Lukan	Mascher
May	Miller, L.	Olson, S.	Paulsen
Pettengill	Raecker	Rants	Rayhons
Roberts	Sands	Schulte	Schultz
Soderberg	Sorenson	Struyk	Sweeney
Tjepkes	Tymeson	Upmeyer	Van Engelenhoven
Wagner	Windschitl	Worthan	

The nays were, 54:

Abdul-Samad	Bailey	Beard	Bell
Berry	Bukta	Burt	Ficken
Ford	Frevert	Gaskill	Gayman
Heddens	Hunter	Huser	Isenhart
Jacoby	Kearns	Kelley	Kressig
Kuhn	Lensing	Lykam	Marek
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Quirk	Reasoner	Reichert
Schueller	Shomshor	Smith	Steckman
Swaim	Taylor, D.	Taylor, T.	Thede
Thomas	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Willems	Winckler
Zirkelbach	Mr. Speaker Murphy		

Absent or not voting, 3:

Chambers	Cohoon	Watts
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Amendment [H-1095](#) lost.

Raecker of Polk asked and received unanimous consent to withdraw amendment [H-1083](#) filed by him and Dolecheck of Ringgold on February 24, 2009.

SENATE FILE 217 SUBSTITUTED FOR HOUSE FILE 416

Wendt of Woodbury asked and received unanimous consent to substitute Senate File 217 for House File 416.

Senate File 217, a bill for an act providing for the establishment of the categorical state percent of growth for purposes of the state school foundation program, and providing an applicability date, was taken up for consideration.

Amendment H-1096 was placed out of order.

Wendt of Woodbury 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. 217)

The ayes were, 55:

Abdul-Samad	Bailey	Beard	Bell
Berry	Bukta	Burt	Ficken
Ford	Frevert	Gaskill	Gayman
Heddens	Hunter	Huser	Isenhart
Jacoby	Kearns	Kelley	Kressig
Kuhn	Lensing	Lykam	Marek
Mascher	McCarthy	Mertz	Miller, H.
Oldson	Olson, D.	Olson, R.	Olson, T.
Palmer	Petersen	Quirk	Reasoner
Reichert	Schueller	Shomshor	Smith
Steckman	Swaim	Taylor, D.	Taylor, T.
Thede	Thomas	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Willems
Winckler	Zirkelbach	Mr. Speaker	
		Murphy	

The nays were, 42:

Alons	Anderson	Arnold	Baudler
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Grassley	Hagenow
Heaton	Helland	Horbach	Huseman
Kaufmann	Koester	Lukan	May
Miller, L.	Olson, S.	Paulsen	Pettengill
Raecker	Rants	Rayhons	Roberts
Sands	Schulte	Schultz	Soderberg

Sorenson	Struyk	Sweeney	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Wagner
Windschitl	Worthan		

Absent or not voting, 3:

Chambers	Cohoon	Watts
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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 MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: [House File 414](#) and [Senate File 217](#).

[House File 415](#), a bill for an act providing for the establishment of the state percent of growth for purposes of the state school foundation program, and providing an applicability date, was taken up for consideration.

[SENATE FILE 218](#) SUBSTITUTED FOR [HOUSE FILE 415](#)

Wendt of Woodbury asked and received unanimous consent to substitute [Senate File 218](#) for [House File 415](#), placing out of order amendment [H-1081](#) filed by Sands of Louisa on February 24, 2009 and amendment [H-1082](#) filed by Schulte, et al., on February 24, 2009.

[Senate File 218](#), a bill for an act providing for the establishment of the state percent of growth for purposes of the state school foundation program, and providing an applicability date, was taken up for consideration.

Schulte of Linn offered amendment [H-1091](#) filed by her as follows:

[H-1091](#)

- 1 Amend [Senate File 218](#), as passed by the Senate, as
- 2 follows:
- 3 1. Page 1, line 7, by striking the word
- 4 "[percent](#)." and inserting the following: "[percent](#),
- 5 [and, in addition, any property tax increase caused as](#)

6 a result of this state percent of growth shall be paid
 7 for by the state."
 8 2. Title page, line 2, by inserting after the
 9 word "program," the following: "requiring state
 10 payment of any related property tax increases,".

Wendt of Woodbury rose on a point of order that amendment [H-1091](#) was not germane.

The Speaker ruled the point well taken and amendment [H-1091](#) not germane.

Schulte of Linn moved to suspend the rules to consider amendment [H-1091](#).

Roll call was requested by Paulsen of Linn and May of Dickinson.

On the question "Shall the rules be suspended to consider amendment [H-1091](#)?" ([S.F. 218](#))

The ayes were, 43:

Alons	Anderson	Arnold	Baudler
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Grassley	Hagenow
Heaton	Helland	Horbach	Huseman
Kaufmann	Koester	Lukan	May
Miller, L.	Olson, S.	Paulsen	Petersen
Pettengill	Raecker	Rants	Rayhons
Roberts	Sands	Schulte	Schultz
Soderberg	Sorenson	Struyk	Sweeney
Tjepkes	Tymeson	Upmeyer	Van Engelenhoven
Wagner	Windschitl	Worthan	

The nays were, 52:

Abdul-Samad	Bailey	Beard	Bell
Berry	Bukta	Burt	Ficken
Ford	Frevert	Gaskill	Gayman
Heddens	Hunter	Isenhart	Jacoby
Kearns	Kelley	Kressig	Kuhn
Lensing	Lykam	Marek	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Quirk	Reasoner	Reichert	Schueller
Shomshor	Smith	Steckman	Swaim
Taylor, T.	Thede	Thomas	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Willems	Winckler	Zirkelbach	Mr. Speaker
			Murphy

Absent or not voting, 5:

Chambers Cohoon Huser Taylor, D.
Watts

The motion to suspend the rules lost.

Sands of Louisa offered the following amendment [H-1092](#) filed by him and moved its adoption:

[H-1092](#)

1 Amend [Senate File 218](#), as passed by the Senate, as
2 follows:
3 1. Page 1, by striking lines 6 and 7 and
4 inserting the following: "1, 2009, is four percent.
5 The state".
6 2. Page 1, by inserting after line 14 the
7 following:
8 "Sec. ____ STATE PERCENT OF GROWTH –
9 POSTPONEMENT.
10 Notwithstanding section 257.8, subsection 1, the
11 state percent of growth for the budget year beginning
12 July 1, 2010, shall be established in January 2010."
13 3. Title page, line 1, by striking the words
14 "establishment of" and inserting the following:
15 "postponement of establishing".
16 4. By renumbering as necessary.

Roll call was requested by Sands of Louisa and Paulsen of Linn.

On the question "Shall amendment [H-1092](#) be adopted?" ([S.F. 218](#))

The ayes were, 42:

Alons	Anderson	Arnold	Baudler
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Grassley	Hagenow
Heaton	Helland	Horbach	Huseman
Kaufmann	Koester	Lukan	May
Miller, L.	Olson, S.	Paulsen	Pettengill
Raecker	Rants	Rayhons	Roberts
Sands	Schulte	Schultz	Soderberg
Sorenson	Struyk	Sweeney	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Wagner
Windschitl	Worthan		

The nays were, 55:

Abdul-Samad	Bailey	Beard	Bell
Berry	Bukta	Burt	Ficken
Ford	Frevert	Gaskill	Gayman
Heddens	Hunter	Huser	Isenhart
Jacoby	Kearns	Kelley	Kressig
Kuhn	Lensing	Lykam	Marek
Mascher	McCarthy	Mertz	Miller, H.
Oldson	Olson, D.	Olson, R.	Olson, T.
Palmer	Petersen	Quirk	Reasoner
Reichert	Schueller	Shomshor	Smith
Steckman	Swaim	Taylor, D.	Taylor, T.
Thede	Thomas	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Willems
Winckler	Zirkelbach	Mr. Speaker	
		Murphy	

Absent or not voting, 3:

Chambers	Cohoon	Watts
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Amendment [H-1092](#) lost.

Wendt of Woodbury 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. 218](#))

The ayes were, 53:

Abdul-Samad	Bailey	Beard	Bell
Berry	Bukta	Burt	Ficken
Ford	Frevert	Gaskill	Gayman
Heddens	Hunter	Isenhart	Jacoby
Kearns	Kelley	Kressig	Kuhn
Lensing	Lykam	Marek	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Reasoner	Reichert	Schueller
Shomshor	Smith	Steckman	Swaim
Taylor, D.	Taylor, T.	Thede	Thomas
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Willems	Winckler	Zirkelbach
Mr. Speaker			
Murphy			

The nays were, 44:

Alons	Anderson	Arnold	Baudler
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Grassley	Hagenow
Heaton	Helland	Horbach	Huseman
Huser	Kaufmann	Koester	Lukan
May	Miller, L.	Olson, S.	Paulsen
Pettengill	Quirk	Raecker	Rants
Rayhons	Roberts	Sands	Schulte
Schultz	Soderberg	Sorenson	Struyk
Sweeney	Tjepkes	Tymeson	Upmeyer
Van Engelenhoven	Wagner	Windschitl	Worthan

Absent or not voting and 3:

Chambers	Cohoon	Watts
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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 [Senate File 218](#) be immediately messaged to the Senate.

HOUSE FILES 415 and 416 WITHDRAWN

Wendt of Woodbury asked and received unanimous consent to withdraw House Files 415 and 416 from further consideration by the House.

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 26, 2009, passed the following bill in which the concurrence of the House is asked:

[Senate File 117](#), a bill for an act relating to the operation of bicycles on a street or highway, providing requirements for motor vehicle operators encountering other vehicles or bicycles, and providing penalties.

Also: That the Senate has on February 26, 2009, passed the following bill in which the concurrence of the House is asked:

[Senate File 150](#), a bill for an act relating to notice of claims and the statute of limitation period in an action involving a claim against a special charter city.

MICHAEL E. MARSHALL, Secretary

MR SPEAKER: Pursuant to [Senate Concurrent Resolution 2](#), the following is a list of officers and employees of the House for the Eighty-Third General Assembly, 2009 Session, and their respective classification, grades and steps:

<u>Position</u>	<u>Name</u>	<u>Grade- Step</u>	<u>Class of Appoint- ment</u>
Chief Clerk	Mark W. Brandsgard	44-7	P-FT
Assistant Chief Clerk III	David F. Schrader	38-4	P-FT
Sr. Caucus Staff Director	Jeffrey G. Mitchell	41-7	P-FT
Sr. Caucus Staff Director	Joseph P. Romano	41-7	P-FT
Admin. Asst. I to Leader	Mark N. Langgin	29-6	P-FT
Admin. Asst. I to Leader	Noreen F. Bush	29-6	P-FT
Admin. Asst II to Leader	Josie L. Klingaman	32-3	P-FT
Admin. Asst III to Leader	Brian J. Meyer	35-4	P-FT
Sr. Admin. Assistant to Speaker	Dwayne Dean Fiihr, Jr.	38-3	P-FT
Sr. Admin. Assistant to Speaker II	Edward J. Conlow	41-7	P-FT
Sr. Admin. Assistant to Speaker II	Carolyn McNeill Gaukel	41-7	P-FT
Legislative Research Analyst	William T.D. Freeland	27-6	P-FT
Legislative Research Analyst	Matthew E. Hinch	27-5	P-FT
Legislative Research Analyst	Anthony D. Phillips	27-2	P-FT
Legislative Research Analyst	Rachelle D. Thomas	27-3	P-FT
Legislative Research Analyst I	Ezekiel L. Furlong	29-6	P-FT
Legislative Research Analyst II	David L. Epley	32-6	P-FT
Legislative Research Analyst II	Kelly M. Ryan	32-5	P-FT
Sr. Legislative Research Analyst	Lon W. Anderson	38-7	P-FT
Sr. Legislative Research Analyst	Mary C. Braun	38-7	P-FT
Sr. Legislative Research Analyst	Anna M. Hyatt-Crozier	38-3	P-FT
Sr. Legislative Research Analyst	Paulee Lipsman	38-7	P-FT
Sr. Legislative Research Analyst	Ann M. McCarthy	38-7	P-FT
Sr. Legislative Research Analyst	Lewis E. Olson	38-7	P-FT
Sr. Legislative Research Analyst	Jenifer L. Parsons	38-7	P-FT
Sr. Legislative Research Analyst	Thomas R. Patterson	38-7	P-FT
Sr. Legislative Research Analyst	Bradley A. Trow	38-5	P-FT
Caucus Secretary	Joseph M. Gilde	21-6	P-FT
Senior Caucus Secretary	Jason M. Chapman	24-6	P-FT
Executive Secretary to Chief Clerk	Janet R. Ramsay	24-2	E-FT
Clerk to Chief Clerk	Kathy J. Stachon	16-2	S-O
Supervisor of Secretaries I	Mary M. Sanders	24-3	P-FT
Senior Editor	Gayle A. Goble	30-7	P-FT
Editor II	Vicki L. Jones	25-4	P-FT
Assistant Editor	Robin L. Bennett	19-3	E-FT

Text Processor I	Colleen R. MacRae	19-2	P-FT
Senior Finance Officer III	Debra K. Rex	38-7	P-FT
Senior Finance Officer II	Kelly M. Bronsink	35-4	P-FT
Recording Clerk I	Diane K. Burget	21-4	E-FT
Assistant Legal Counsel I	Doreen R. Terrell	30-7	P-FT
Engrossing & Enrolling Processor	Pauline E. Kephart	27-7	S-O
Assistant to the Legal Counsel	Michelle K. Bauer	19-3	S-O
Senior Indexer	Kristin L. Wentz	28-7	P-FT
Indexing Assistant	Katherine G. Kenline	19-4	P-FT
Switchboard Operator	Jane E. Phalen	14-1	S-O
Switchboard Operator	Karol D. Skeffington	14-1	S-O
Legislative Secretary	Clarice E. Alons	16-3	S-O
Legislative Secretary	Pamela D. Anderson	16-2	S-O
Legislative Secretary	Cheryl K. Arnold	15-3	S-O
Legislative Secretary	Michael M. Belding	15-1	S-O
Legislative Secretary	Adrienne H. Branstad	17-2	S-O
Legislative Secretary	Marcus A. Branstad	16-1	S-O
Legislative Secretary	Lia D. Brown	17-1	S-O
Legislative Secretary	Beverly A. Burns	16-2	S-O
Legislative Secretary	Scott A. Corrie	17-1	S-O
Legislative Secretary	Sarah S. Cutshall	15-1	S-O
Legislative Secretary	Dana M. Deyoe	16-1	S-O
Legislative Secretary	Dawn R. Dillman	17-4	S-O
Legislative Secretary	Deborah Donovan	16-1	S-O
Legislative Secretary	Shirley J. Drake	16-6	S-O
Legislative Secretary	Jordan M. Durham	15-1	S-O
Legislative Secretary	Kelley A. Fifer	16-3	S-O
Legislative Secretary	Carol J. Forristall	16-1	S-O
Legislative Secretary	Lindsey L. Frank	16-2	S-O
Legislative Secretary	Kasey L. Friedrichsen	16-1	S-O
Legislative Secretary	Martha L. Fullerton	16-3	S-O
Legislative Secretary	Cassandra C. Furlong	15-1	S-O
Legislative Secretary	Susan D. Geddes	15-1	S-O
Legislative Secretary	Donna W. Greenwood	16-7	S-O
Legislative Secretary	Christopher C. Hall	17-1	S-O
Legislative Secretary	Megan L. Hess	16-2	S-O
Legislative Secretary	Joseph L. Heuertz	16-1	S-O
Legislative Secretary	Tiffanee L. Hokel	16-2	S-O
Legislative Secretary	Jane M. Hughes	16-2	S-O
Legislative Secretary	Kelli A. Huser	15-2	S-O
Legislative Secretary	Jeremy A. Jansen	17-1	S-O
Legislative Secretary	Robert F. Kaufmann	17-2	S-O
Legislative Secretary	Andrew R. Klein	15-1	S-O
Legislative Secretary	Christopher M. Knudsen	16-1	S-O
Legislative Secretary	Mary Daily Lange	16-1	S-O
Legislative Secretary	Amy J. Langgin	17-1	S-O
Legislative Secretary	John R. Lund	16-1	S-O
Legislative Secretary	Amy L. Lynch	16-2	S-O
Legislative Secretary	Susan M. Mahedy-Ridgway	15-2	S-O
Legislative Secretary	Janice M. Marek	17-1	S-O
Legislative Secretary	Carole I. Martin	15-2	S-O
Legislative Secretary	Margie A. May	16-2	S-O

Legislative Secretary	Nancy M. McDowell	15-2	S-O
Legislative Secretary	Lynn M. McRoberts	15-1	S-O
Legislative Secretary	Catherine J. Miller-Sands	16-1	S-O
Legislative Secretary	Charolotte M. Mosher	15-7	S-O
Legislative Secretary	Melba K. Murken	18-4	S-O
Legislative Secretary	Joseph H. Nehring	16-1	S-O
Legislative Secretary	K'la D. Novencido	16-1	S-O
Legislative Secretary	Jean P. Olson	16-3	S-O
Legislative Secretary	Lauren EJ Page	15-1	S-O
Legislative Secretary	Kevin B. Patrick	17-1	S-O
Legislative Secretary	Janet M. Peterson	17-1	S-O
Legislative Secretary	Martha S. Raecker	16-3	S-O
Legislative Secretary	Erika K. Rasey	16-1	S-O
Legislative Secretary	Virginia A. Rowen	17-7	S-O
Legislative Secretary	Jessica L. Rundlett	16-1	S-O
Legislative Secretary	Shannon E. Sanders	18-1	S-O
Legislative Secretary	Taylor L. Schaa	17-1	S-O
Legislative Secretary	Erica L. Shannon	16-1	S-O
Legislative Secretary	Andrew J. Soderberg	16-1	S-O
Legislative Secretary	Virginia A. Sourbeer	16-4	S-O
Legislative Secretary	Alyssa A. Staley	15-1	S-O
Legislative Secretary	Lora A. Starks	16-1	S-O
Legislative Secretary	Christopher D. Street	17-1	S-O
Legislative Secretary	M. Bernadine Travers	16-2	S-O
Legislative Secretary	Darlene A. VanOort	15-4	S-O
Legislative Secretary	Ruth A. Vander Linden	16-2	S-O
Legislative Secretary	Louis A. Vander Streek	16-1	S-O
Legislative Secretary	Jennifer M. Warner- Blankenship	16-1	S-O
Legislative Secretary	Terrence J. Welton	16-1	S-O
Legislative Secretary	Gabriel J. Whitaker	17-1	S-O
Legislative Secretary	Marilyn J. Zagnoli	16-4+1	S-O
Legislative Committee Secretary	Mary Ann Ahrens	17-1	S-O
Legislative Committee Secretary	John A. Bach	17-1	S-O
Legislative Committee Secretary	Sara B. Birkenholz	17-1	S-O
Legislative Committee Secretary	Christina M. Butts	17-1	S-O
Legislative Committee Secretary	Donna K. Downey	17-1	S-O
Legislative Committee Secretary	Mary K. Ellett	17-2	S-O
Legislative Committee Secretary	Claire M. Haws	17-1	S-O
Legislative Committee Secretary	Amy L. Hein	17-1	S-O
Legislative Committee Secretary	Amanda S. Hynek	17-1	S-O
Legislative Committee Secretary	Catherine S. Jury	17-7	S-O
Legislative Committee Secretary	Carol J. Lamb	17-2	S-O
Legislative Committee Secretary	Ericka J. Meanor	17-1	S-O
Legislative Committee Secretary	Susan G. Meimann	17-2	S-O
Legislative Committee Secretary	Brooke N. Miller	17-1	S-O
Legislative Committee Secretary	Rachel L. Moskowitz	17-1	S-O
Legislative Committee Secretary	John P. Noonan	17-1	S-O
Legislative Committee Secretary	Brenda R. Olson	17-2	S-O
Legislative Committee Secretary	Jeffrey Perry	17-1	S-O
Legislative Committee Secretary	Carissa L. Sagar	17-1	S-O
Legislative Committee Secretary	Melodie K. Schueller	17-2	S-O

Legislative Committee Secretary	Fran D. Smith	17-2	S-O
Legislative Committee Secretary	Joshua R. Swaim	17-1	S-O
Legislative Committee Secretary	Doris A. Taylor	17-1	S-O
Legislative Committee Secretary	Rosemary G. Thomas	17-3	S-O
Legislative Committee Secretary	Patricia J. Van Cleave	17-1	S-O
Legislative Committee Secretary	Anita R. Wendt	17-3	S-O
Bill Clerk	Joyce A. Hendrix	14-1	S-O
Assistant Bill Clerk	Joan E. Skeffington	12-1	S-O
Postmaster	William C. Walling	12-6	S-O
Sergeant-at-Arms I	Maynard L. Boatwright	17-3	S-O
Assistant Sergeant-at-Arms	Marvin Hollingshead	14-4	S-O
Chief Doorkeeper	Robert B. Yeager	12-3	S-O
Doorkeeper	Darrell E. Brown	11-1	S-O
Doorkeeper	Jack R. Hall	11-2	S-O
Doorkeeper	Harold L. Harker	11-2	S-O
Doorkeeper	Henry J. Luetjen	11-1	S-O
Doorkeeper	Donald L. Wederquist	11-1	S-O

PAGES-GROUP I

Speaker's Page	Laura B. Zeman	9-1	S-O
Chief Clerk's Page	Jessie L. Ede	9-1	S-O
Chief Clerk's Page	Billie J. Silva	9-1	S-O
Chief Clerk's Page	Katelyn R. Schofield	9-1	S-O
Page	Allison P. Adams	9-1	S-O
Page	Adam D. Child	9-1	S-O
Page	Zachary C. Dalluge	9-1	S-O
Page	Erica A. Kite	9-1	S-O
Page	Laura F. Leners	9-1	S-O
Page	Kathleen K. McKnight	9-1	S-O
Page	Alicia R. Nicoletto	9-1	S-O
Page	Isabella S. Nixon	9-1	S-O
Page	Erik Paramo	9-1	S-O
Page	Nicole M. Pratt	9-1	S-O
Page	Chad P. Ratashak	9-1	S-O
Page	Hanna T. Rosman	9-1	S-O
Page	Joseph D. Sweeney	9-1	S-O
Page	Cassandra L. Wenger	9-1	S-O
Page	Nicole M. Westergaard	9-1	S-O

PAGES-GROUP II

Page	Kelsey A. Patience	9-1	S-O
Page	Katherine E. Pauk	9-1	S-O

Pursuant to [Senate Concurrent Resolution 2](#), the following is a list of officers and Joint Senate/House employees for the Eighty-Third General Assembly, 2009 Session, and their respective classification, grades and steps:

<u>Position</u>	<u>Name</u>	<u>Grade- Step</u>	<u>Class of Appoint- ment</u>
Sr. Facilities Manager	Mark L. Willemssen	41-7	P-FT
Legislative Security Coordinator II	Shawna S. Ferguson	26-5	P-FT
Legislative Security Officer I	Kathleen C. Bacus	20-2	P-FT
Legislative Security Officer I	Staci M. Bohlen	20-2	P-FT
Legislative Security Officer I	Robert W. Cornwell	20-3	P-FT
Legislative Security Officer I	Samuel L. Groves	20-1	P-FT
Legislative Security Officer I	Marshall T. Irwin	20-7	P-FT
Legislative Security Officer I	Carl E. Lami	20-7	P-FT
Legislative Security Officer I	Mahlon Y. Lamp	20-6	P-FT
Legislative Security Officer I	Steven D. Marsh	20-7	P-FT
Legislative Security Officer I	Judith A. Salier	20-7	P-FT
Legislative Security Officer I	Kert J. Schnell	20-6	P-FT
Legislative Security Officer I	Curtis L. Scott	20-5	P-FT
Legislative Security Officer I	Gordon M. Skeffington	20-3	P-FT
Legislative Security Officer I	Leo R. Skeffington	20-5	P-FT
Legislative Security Officer I	Richard D. Taylor	20-2	P-FT
Legislative Security Officer I	James W. Walton	20-2	P-FT
Conservation/Restoration Sp. II	Richard J. Labertew	31-7	P-FT
Conservation/Restoration Sp. II	Mark S. Lundberg	31-7	P-FT
Senior Copy Center Operator	Shirley M. Roach	21-7	E-FT
Copy Center Operator	Kathleen G. Splittgerber	18-1	S-O

[HOUSE FILE 441](#) REREFERRED

The Speaker announced that [House File 441](#), previously referred to committee on **judiciary** was rereferred to committee on **public safety**.

[HOUSE FILE 456](#) REREFERRED

The Speaker announced that [House File 456](#), previously referred to committee on **education** was rereferred to committee on **commerce**.

[SENATE FILE 81](#) REREFERRED

The Speaker announced that [Senate File 81](#), previously referred to committee on **rebuild Iowa and disaster recovery** was rereferred to committee on **education**.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on February 26, 2009, he approved and transmitted to the Secretary of State the following bills:

[House File 283](#), an Act relating to the county commissions of veteran affairs fund and required hours of service for executive directors and administrators.

[Senate File 82](#), an Act adding four nonvoting members to the Iowa workforce development board.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Eleven students from FCCLA, Williamsburg, Iowa, accompanied by Sandy Miller. By Betty De Boef of Keokuk.

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

- 2009\2430 Hayden Fry, Former Iowa Hawkeye football coach – For celebrating his 80th birthday.
- 2009\2431 Raymond Kauzlarich, Indianola – For celebrating his 80th birthday.
- 2009\2432 Nadean Downey, Indianola – For celebrating her 95th birthday.
- 2009\2433 Eldon Beers, Tipton – For celebrating his 80th birthday.
- 2009\2434 Grace England, Clarence – For celebrating her 80th birthday.
- 2009\2435 Juanita Smith, Moscow – For celebrating her 80th birthday.
- 2009\2436 Kenneth Hunter, West Branch – For celebrating his 80th birthday.
- 2009\2437 Carolyn Krob, Tipton – For celebrating her 80th birthday.
- 2009\2438 Dale Coppess, Stanwood – For celebrating his 80th birthday.

- 2009\2439 Wilfred Spector, West Branch – For celebrating his 80th birthday.
- 2009\2440 Joan Pruess, Tipton – For celebrating her 80th birthday.
- 2009\2441 James Dohmen, Mechanicsville – For celebrating his 80th birthday.
- 2009\2442 Velda Dinse, Tipton – For celebrating her 80th birthday.
- 2009\2443 Warren and Arlene Erickson, Muscatine – For celebrating their 60th wedding anniversary.
- 2009\2444 Paul T. Votaw, West Burlington – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2009\2445 Sawyer Farris, New London / Winfield-Mount Union – For winning 1st place in the 103 lb. weight class in the Class 1-A Division of the 2009 State Wrestling Tournament.
- 2009\2446 Zach Bredlow, Clear Lake – For attaining the rank of Eagle Scout, the highest rank the Boy Scouts of America.
- 2009\2447 Neva Heitland, Ackley – For celebrating her 90th birthday.
- 2009\2448 Doris Carson Fuller Fisher, Marshalltown – For celebrating her 80th birthday.
- 2009\2449 Jack and Velma Chaplin, Monticello – For celebrating their 60th wedding anniversary.
- 2009\2450 Keith and Carleta Herzberger, Anamosa – For celebrating their 60th wedding anniversary.
- 2009\2451 Marvin and Joan Marsh, Monticello – For celebrating their 50th wedding anniversary.

SUBCOMMITTEE ASSIGNMENTS

[House File 419](#)

Human Resources: Mascher, Chair; Petersen and Soderberg.

[House File 421](#)

Public Safety: Whitead, Chair; Hagenow and Whitaker.

[House File 422](#)

Environmental Protection: Reichert, Chair; Gayman and Schultz.

[Senate File 49](#)

State Government: Cohoon, Chair; Isenhart and Schulte.

Senate File 81

Education: Willems, Chair; Schulte and Thede.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 225

State Government: Lensing, Chair; Frevert and Koester.

House Study Bill 226

Human Resources: Smith, Chair; Heddens and Schulte.

House Study Bill 227

Human Resources: Mascher, Chair; L. Miller and Wessel-Kroeschell.

House Study Bill 228

Human Resources: Smith, Chair; Heddens and Soderberg.

House Study Bill 229

State Government: Mascher, Chair; Kaufmann and Willems.

House Study Bill 231

State Government: T. Taylor, Chair; Frevert and Schulte.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 232 Judiciary

Relating to expunging the record of certain simple misdemeanor violations.

H.S.B. 233 Rebuild Iowa and Disaster Recovery

Relating to the authority of the director of the department of natural resources in disaster emergencies.

H.S.B. 234 State Government

Relating to public records and open meetings, including the creation of the public records, open meetings, and privacy advisory committee, and providing an effective date.

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 ENVIRONMENTAL PROTECTION

Committee Bill (Formerly [House File 69](#)), creating an unsewered community revolving loan program and fund.

Fiscal Note is not required.

Recommended **Do Pass** February 25, 2009.

Committee Bill (Formerly [House File 89](#)), relating to reimbursement of hazardous substance cleanup costs.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 25, 2009.

COMMITTEE ON LOCAL GOVERNMENT

Committee Bill (Formerly [House File 111](#)), requiring an election to approve the use of increased local sales and services tax revenues to fund urban renewal projects.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 25, 2009.

Committee Bill (Formerly [House File 159](#)), relating to the authority of a city to dispose of real property by gift.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 25, 2009.

Committee Bill (Formerly [House File 217](#)), relating to compensation paid to county supervisors.

Fiscal Note is not required.

Recommended **Do Pass** February 25, 2009.

Committee Bill (Formerly [House Study Bill 157](#)), relating to county recorders, fees collected by the county recorders, and the county land record information system.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 25, 2009.

COMMITTEE ON VETERANS AFFAIRS

Committee Bill (Formerly [House File 22](#)), relating to the definition of resident for purposes of tuition and fees for qualified veterans at Iowa's public universities and community colleges and for programs administered by the college student aid commission, and establishing a veterans educational assistance council.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 26, 2009.

Committee Bill (Formerly [House File 250](#)), creating a distinguished flying cross special motor vehicle registration plate and providing fees.

Fiscal Note is not required.

Recommended **Do Pass** February 26, 2009.

Committee Bill (Formerly [House Study Bill 9](#)), concerning preferential hiring treatment by government for veterans.

Fiscal Note is not required.

Recommended **Do Pass** February 26, 2009.

Committee Bill (Formerly [House Study Bill 65](#)), concerning the definition of veteran.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 26, 2009.

Committee Bill (Formerly [House Study Bill 129](#)), requiring record checks for persons who are prospective or current employees or volunteers for the Iowa veterans home.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 26, 2009.

Committee Bill (Formerly [House Study Bill 179](#)), correcting references in the Code relating to the United States department of veterans affairs.

Fiscal Note is not required.

Recommended **Do Pass** February 26, 2009.

RESOLUTION FILED

[HR 21](#), by Ford, a resolution urging the Governor of the State of Iowa to declare a state of economic emergency relating to real estate mortgage foreclosures.

Laid over under **Rule 25**.

On motion by McCarthy of Polk the House adjourned at 4:56 p.m., until 9:00 a.m., Friday, February 27, 2009.