

PROOF

STATE OF IOWA

House Journal

MONDAY, MARCH 2, 2009

Produced daily by the State of Iowa during the sessions of the General Assembly.
(The official bound copy will be available after a reasonable time upon adjournment.)

JOURNAL OF THE HOUSE

Fiftieth Calendar Day - Thirty-second Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, March 2, 2009

The House met pursuant to adjournment at 1:11 p.m., Speaker Murphy in the chair.

Prayer was offered by Reverend Susan Guy, pastor of Walnut Hills United Methodist Church, Urbandale. She was the guest of Representative Janet Petersen of Polk County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Rishabh Nath, Brian Simons and Nick Gulick, students from Linn-Mar High School, demonstrating their robotic skills.

The Journal of Friday, February 27, 2009 was approved.

INTRODUCTION OF BILLS

[House File 486](#), by committee on public safety, a bill for an act providing for the regulation of commercial establishments that house animals by the department of agriculture and land stewardship.

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

[House File 487](#), by committee on education, a bill for an act requiring postsecondary institutions and schools to provide students with specific textbook information.

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

[House File 488](#), by committee on human resources, a bill for an act relating to including the maintenance of service animals as an eligible service reimbursable under the home and community-based services waivers.

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

[House File 489](#), by committee on environmental protection, a bill for an act relating to reimbursement of hazardous substance cleanup costs.

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

[House File 490](#), by Abdul-Samad, a bill for an act relating to inmates diagnosed with hepatitis C, including referral of such inmates for coverage under the medical assistance program upon release.

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

[House File 491](#), by committee on local government, a bill for an act relating to compensation paid to county supervisors.

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

[House File 492](#), by Ford, a bill for an act prohibiting the use of credit information for underwriting or rating risks for personal insurance and providing penalties and effective and applicability dates.

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

[House File 493](#), by Frevert, Reichert and Mertz, a bill for an act requiring a registered nurse to be present in operating rooms during certain surgical procedures.

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

[House File 494](#), by Windschitl, a bill for an act prohibiting the expenditure of state funds to implement the federal REAL ID Act of 2005.

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

[House File 495](#), by committee on education, a bill for an act relating to participation in varsity extracurricular interscholastic contests and competitions by students.

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

SENATE MESSAGES CONSIDERED

[Senate File 117](#), by committee on transportation, 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.

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

[Senate File 150](#), by committee on judiciary, 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.

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

REPORT OF THE CITIZENS' AIDE/OMBUDSMAN

CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES:
Pursuant to [Senate Concurrent Resolution 2](#), William P. Angrick II submits the following list of position classifications in the Office of the Citizens' Aide/Ombudsman and the following list of the names, positions, and grades and steps of the employees in the Office of the Citizens' Aide/Ombudsman.

| <u>Position Classification</u> | <u>Pay Grade</u> |
|---|------------------|
| Senior Deputy | 41 |
| Deputy | 38 |
| Senior Legal Counsel | 38 |
| Legal Counsel 2 | 35 |
| Legal Counsel 1 | 32 |
| Senior Assistant | 38 |
| Assistant 3 | 35 |
| Assistant 2 | 32 |
| Assistant 1 | 29 |
| Senior Finance Officer 2 | 35 |
| Senior Finance Officer | 31 |
| Finance Officer 2 | 27 |
| Finance Officer 1 | 24 |
| Executive Secretary | 24 |
| Administrative Secretary | 21 |
| Citizens' Aide/Ombudsman Secretary/receptionist | 19 |
| Legislative Intern | 19 |

| <u>Name</u> | <u>Position</u> | <u>Grade/Step</u> |
|--------------------|---------------------------|-------------------|
| W. Angrick | Citizens' Aide/Ombudsman | 45-6 |
| L. Brundies | Assistant 1 | 29-2 |
| J. Burdick Crane | Senior Finance Officer | 35-3 |
| J. Burnham | Senior Assistant | 38-7 |
| R. Calloway | Assistant 3 | 35-5 |
| R. Cooperrider | Senior Deputy | 41-7 |
| B. Dalmer | Assistant 2 | 32-3 |
| A. Dalton | Assistant 2 | 32-4 |
| E. Hart | Assistant 2 | 32-4 |
| K. Hirschman | Senior Assistant | 38-7 |
| D. Julien | CAOSecretary/Receptionist | 19-2 |
| E. Mitchell-Sadler | Assistant 2 | 32-5 |
| C. Natynski | Legislative Intern | 19-1 |
| R. Rowland | Legal Counsel 1 | 32-3 |
| A. Teas | Assistant 1 | 29-3 |
| B. Van Allen | Assistant 2 | 32-3 |
| K. White | Assistant 3 | 35-5 |

REPORT OF THE DIRECTOR OF THE LEGISLATIVE SERVICES AGENCY

CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES:
Pursuant to [Senate Concurrent Resolution 2](#), Glen P. Dickinson, Legislative Services Agency, submits the following list of position classifications in the Office of the Legislative Services Agency and the following list of the names, positions, and grades and steps of the employees in the Legislative Services Agency.

POSITION CLASSIFICATIONS

| <u>Position Classification</u> | <u>Pay Grade</u> |
|---------------------------------------|------------------|
| Capitol Tour Guide Supervisor 2 | 25 |
| Capitol Tour Guide Supervisor 1 | 22 |
| Capitol Tour Guide | 18 |
| Director | 00 |
| Division Director | 43 |
| Senior Finance Officer 2 | 35 |
| Senior Finance Officer | 31 |
| Finance Officer 2 | 27 |
| Finance Officer 1 | 24 |
| Legislative Document Specialist 3 | 30 |
| Legislative Document Specialist 2 | 27 |
| Legislative Document Specialist 1 | 24 |
| Legislative Document Specialist | 21 |
| Legislative Document Tech. Supervisor | 28 |
| Legislative Document Tech. 3 | 25 |

| | |
|----------------------------------|----|
| Legislative Document Tech. 2 | 22 |
| Legislative Document Tech. 1 | 19 |
| Legislative Document Tech. | 16 |
| Senior Librarian | 27 |
| Librarian | 24 |
| Assistant Librarian | 22 |
| LIO Director 3 | 38 |
| LIO Director 2 | 35 |
| LIO Director 1 | 32 |
| LIO Officer 3 | 30 |
| LIO Officer 2 | 27 |
| LIO Officer 1 | 24 |
| LSA Page | 9 |
| Systems Analyst | 32 |
| CSD Division Editor/Supervisor | 36 |
| Senior Computer Systems Analyst | 35 |
| Computer Systems Analyst 3 | 32 |
| Computer Systems Analyst 2 | 29 |
| Computer Systems Analyst 1 | 27 |
| Computer Systems Analyst | 24 |
| Senior Computer Systems Engineer | 35 |
| Computer Systems Engineer 2 | 32 |
| Computer Systems Engineer1 | 29 |
| Division Administrator 2 | 41 |
| Division Administrator 1 | 38 |
| Session Technology Floor Asst. | 17 |
| Senior Legislative Analyst | 38 |
| Legislative Analyst 3 | 35 |
| Legislative Analyst 2 | 32 |
| Legislative Analyst 1 | 29 |
| Legislative Analyst | 27 |
| Assistant Editor 3 | 30 |
| Assistant Editor 2 | 27 |
| Assistant Editor 1 | 24 |
| Code Editor | 41 |
| Deputy Code Editor | 35 |
| Index Supervisor | 28 |
| Indexer 2 | 25 |
| Indexer 1 | 22 |
| Assistant Indexer | 19 |
| Division Editor/Supervisor | 39 |
| Senior Legal Counsel | 38 |
| Legal Counsel 2 | 35 |
| Legal Counsel 1 | 32 |
| Legal Counsel | 30 |
| Publications Assistant | 21 |
| Senior Research Analyst | 38 |
| Research Analyst 3 | 35 |
| Research Analyst 2 | 32 |
| Research Analyst 1 | 29 |
| Research Analyst | 27 |

NAME, POSITIONS AND GRADES AND STEPS OF EMPLOYEES

| <u>NAME</u> | <u>POSITION</u> | <u>GRADE AND STEP</u> |
|--------------|-----------------------------------|---------------------------|
| M. Anfinson | Capitol Tour Guide | 18-1 |
| A. Arnett | Capitol Tour Guide | 18-1 |
| J. Arnett | Capitol Tour Guide Supervisor 2 | 25-7 |
| M. Belieu | Capitol Tour Guide | 18-1 |
| C. Bergan | Page | 9-1 |
| M. Bray | Capitol Tour Guide | 18-1 |
| A. Bridges | Capitol Tour Guide | 18-1 |
| C. Coppock | Capitol Tour Guide | 18-1 |
| D. Craft | Legislative Document Tech. 3 | 25-3 |
| C. Cronbaugh | LIO Director | 32-6 |
| D. Degen | Legislative Document Tech. 2 | 22-7 |
| G. Dickinson | Director | \$130,000.00 |
| J. Douglas | Legislative Document Sp. 2 | 27-7 |
| S. Downey | Capitol Tour Guide | 18-1 |
| T. Duncan | Legislative Document Tech. 1 | 19-2 |
| J. Ellenwood | Legislative Document Tech. 2 | 22-3 |
| T. Faller | Division Director | 43-7 |
| C. Fisher | Systems Analyst | 32-7 |
| M. Fisher | Capitol Tour Guide | 18-1 |
| G. Garrett | Legislative Doc. Tech. Supervisor | 28-4 |
| M. Hagen | Legislative Document Tech. 2 | 22-2 |
| J. Hanel | Page | 9-1 |
| N. Herselius | Capitol Tour Guide | 18-1 |
| S. Jennings | Legislative Document Tech. 3 | 25-6 |
| J. Jess | Capitol Tour Guide | 18-1 |
| T. Johnson | Capitol Tour Guide | 18-1 |
| D. Kirk | Legislative Document Tech. 2 | 22-1 |
| C. Koster | Legislative Document Tech. 1 | 19-1 |
| M. Kruse | Senior Finance Officer 2 | 35-4 |
| B. Lamberti | LIO Officer2 | 27-3 |
| S. Laust | Legislative Doc. Tech. Supervisor | 28-6 |
| E. Lyons | Capitol Tour Guide | 18-1 |
| C. Mercati | Capitol Tour Guide | 18-1 |
| L. Morford | Legislative Document Tech. 3 | 25-6 |
| S. Nabholz | Legislative Document Tech. 2 | 22-7 |
| N. Navara | Legislative Document Tech. 3 | 25-7 |
| K. Nelson | Legislative Document Tech. 2 | 22-2 |
| K. Nichols | Legislative Document Tech. 1 | 19-7 |
| W. Paxson | Capitol Tour Guide | 18-1 |
| S. Person | Capitol Tour Guide | 18-1 |
| M. Powell | Page | 9-1 |
| E. Robinson | Capitol Tour Guide | 18-1 |
| T. Rudicil | Legislative Document Tech. 1 | 19-5 |
| T. Souer | Legislative Doc. Tech. Supervisor | 28-7 |
| M. Thompson | Legislative Document Tech. 3 | 25-5 |
| D. Vasey | Capitol Tour Guide | 18-1 |
| J. Warner | Legislative Document Tech. 3 | 25-7 |

| | | |
|---------------------|-----------------------------------|------|
| M. Weber | Capitol Tour Guide | 18-1 |
| K. Wesely | Senior Finance Officer 2 | 35-2 |
| J. Wood | Capitol Tour Guide | 18-1 |
| D. Allen | Senior Computer Systems Analyst | 35-4 |
| J. Bellizzi | Computer Systems Analyst 2 | 29-5 |
| B. Boyd | Division Administrator 1 | 38-7 |
| M. Eaton | Division Administrator 1 | 38-7 |
| D. Kair | Division Administrator 1 | 38-7 |
| R. Knapp | Senior Computer Systems Analyst | 35-7 |
| J. Koth | Senior Computer Systems Engineer | 35-5 |
| J. Kroes | Senior Computer Systems Engineer | 35-7 |
| E. Meyer | Computer Systems Analyst 1 | 27-2 |
| S. Miller | Senior Computer Systems Analyst | 35-7 |
| J. Rafdal | Senior Computer Systems Engineer | 35-7 |
| B. Rodenkirk | Computer Systems Engineer 2 | 32-3 |
| G. Rudicil | Senior Computer Systems Analyst | 35-7 |
| M. Rykhoek | Computer Systems Analyst | 24-3 |
| J. Van Engelenhoven | Division Administrator 1 | 38-5 |
| V. Van Vlair Hansen | Senior Compute Systems Analyst | 35-5 |
| J. Acton | Senior Legislative Analyst | 38-2 |
| J. Benson | Legislative Analyst 1 | 29-4 |
| J. Brandstatter | Legislative Analyst | 27-2 |
| D. Ferguson | Senior Legislative Analyst | 38-7 |
| D. Helsen | Legislative Analyst | 27-3 |
| D. Kozel | Senior Legislative Analyst | 38-6 |
| B. Lenstra | Senior Legislative Analyst | 38-7 |
| S. Lerdal | Senior Legislative Analyst | 38-7 |
| H. Lyons | Division Director | 43-7 |
| R. Madison | Senior Legislative Analyst | 38-2 |
| M. Mellick | Legislative Analyst 2 | 32-6 |
| D. Reynolds | Senior Legislative Analyst | 38-7 |
| J. Robinson | Senior Legislative Analyst | 38-7 |
| R. Robinson | Senior Legislative Analyst | 38-3 |
| M. Shipman | Division Editor/Supervisor | 39-7 |
| S. Snyder | Senior Legislative Analyst | 38-7 |
| M. Tannian | Legislative Analyst 1 | 29-2 |
| D. Wulf | Division Administrator 2 | 41-7 |
| D. Ackerman | Senior Research Analyst | 38-4 |
| D. Adkisson | Senior Legal Counsel | 38-7 |
| J. Clark | Publications Assistant | 21-6 |
| E. Cook | Senior Legal Counsel | 38-7 |
| J. Croatt | Assistant Editor 1 | 24-1 |
| S. Crowley | Division Editor/Supervisor | 39-7 |
| N. Dugan | Assistant Editor 1 | 24-2 |
| M. Duster | Legal Counsel | 30-3 |
| A. Erazo | Assistant Editor 1 | 24-2 |
| P. Funaro | Senior Legal Counsel | 38-7 |
| M. Goedert | Senior Legal Counsel | 38-7 |
| K. Hanlon | Senior Research Analyst | 38-7 |
| L. Hickey | Iowa Code Editor | 41-7 |
| R. Hjelmaas | Senior Legal Counsel | 38-3 |
| S. Hoff | Deputy Administrative Code Editor | 35-4 |

| | | |
|------------------|----------------------------|------|
| N. Hoffman | Division Editor/Supervisor | 39-7 |
| R. Johnson | Division Director | 43-7 |
| R. Karns | Assistant Editor 3 | 30-4 |
| C. Kimsey | Publications Assistant | 21-3 |
| A. Knief | Legal Counsel 1 | 32-3 |
| J. McEniry | Senior Legal Counsel | 38-6 |
| T. McDermott | Senior Legal Counsel | 38-6 |
| R. Nelson | Senior Legal Counsel | 38-7 |
| J. Page | Deputy Iowa Code Editor | 35-7 |
| J. Pollak | Division Administrator 2 | 41-7 |
| J. Powell | Indexer 2 | 25-5 |
| J. Royce | Senior Legal Counsel | 38-7 |
| R. Schulze | Assistant Editor 3 | 30-7 |
| N. Swank | Research Analyst | 27-1 |
| C. Thurmond | Assistant Editor 1 | 24-3 |
| T. Vander Linden | Assistant Editor 3 | 30-6 |
| A. Ver Heul | Legal Counsel 2 | 35-4 |
| M. Weiford | Assistant Editor 1 | 24-4 |
| K. West | Administrative Code Editor | 41-7 |
| N. Westbrook | Assistant Editor 2 | 27-5 |
| T. Whipple | Legal Counsel | 30-3 |
| P. Worden | Index Supervisor | 28-7 |

SENATE FILE 151 REREFERRED

The Speaker announced that Senate File 151, previously referred to committee on **transportation** was **passed on file**.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on February 27, 2009, he approved and transmitted to the Secretary of State the following bills:

Senate File 217, 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.

Senate File 218, 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.

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\2452 Ina Kretschmar, Marshalltown– For celebrating her 100th birthday.
- 2009\2453 Elsie Lohman, Rock Rapids– For celebrating her 90th birthday.
- 2009\2454 Evert Vanwesten, George– For celebrating his 90th birthday.
- 2009\2455 Gertrude Franken, Sioux Center– For celebrating her 90th birthday.
- 2009\2456 Myna De Stigter, Sioux Center– For celebrating her 85th birthday.
- 2009\2457 Catherine Gacke, Rock Rapids– For celebrating her 85th birthday.
- 2009\2458 Wilbur Rook, Rock Rapids– For celebrating his 85th birthday.
- 2009\2459 Elvira Johnson, Inwood– For celebrating her 85th birthday.
- 2009\2460 Ardyce Huff, George– For celebrating her 85th birthday.
- 2009\2461 Bryant Hummel, Clarinda– For winning 1st place in the 215 lb. weight class in the Class 2-A Division of the 2009 State Wrestling Tournament.
- 2009\2462 Edith Kusters, Sioux Center – For celebrating her 85th birthday.
- 2009\2463 Esther Plantage, Sioux Center – For celebrating her 80th birthday.
- 2009\2464 Tillie Nyhuis, Rock Rapids – For celebrating her 80th birthday.
- 2009\2465 Arie Blom, Inwood – For celebrating his 80th birthday.
- 2009\2466 Pete Smit, George – For celebrating his 80th birthday.
- 2009\2467 Darlene Peters, Little Rock – For celebrating her 80th birthday.
- 2009\2468 Lyle Grotewold, Larchwood – For celebrating his 75th birthday.
- 2009\2469 Jennie Wibben, Rock Rapids – For celebrating her 75th birthday.
- 2009\2470 Frederick Lamfers, Sioux Center – For celebrating his 75th birthday.
- 2009\2471 Perry Van Gorp, Sioux Center – For celebrating his 75th birthday.
- 2009\2472 Beverly Jackson, Inwood – For celebrating her 75th birthday.
- 2009\2473 Douglas Hilbrands, George – For celebrating his 75th birthday.
- 2009\2474 Cornelius Brands, Rock Valley – For celebrating his 75th birthday.
- 2009\2475 Myrna Eben, George – For celebrating her 75th birthday.

- 2009\2476 Carroll and Judy Clark, Dubuque – For celebrating their 50th wedding anniversary.
- 2009\2477 Tony and Betty Callahan, Dubuque – For celebrating their 55th wedding anniversary.
- 2009\2478 Judith Chapman, Genesis Medical Center, Davenport – For being selected at the University of Iowa College of Nursing as one of Iowa's 100 Great Nurses.
- 2009\2479 Jill Weber, Genesis Medical Center, Davenport – For being selected at the University of Iowa College of Nursing as one of Iowa's 100 Great Nurses.

SUBCOMMITTEE ASSIGNMENTS

[House File 431](#)

Transportation: May, Chair; Quirk and Wenthe.

[House File 435](#)

State Government: Mascher, Chair; Struyk and T. Taylor.

[House File 436](#)

State Government: Lensing, Chair; Frevert and Struyk.

[House File 453](#)

Public Safety: Whitead, Chair; Hagenow and Whitaker.

[House File 458](#)

State Government: Lensing, Chair; Pettengill and T. Taylor.

[House File 460](#)

Transportation: Koester, Chair; Kelley and Quirk.

[House File 467](#)

State Government: Frevert, Chair; Drake and Isenhardt.

[House File 473](#)

Environmental Protection: Lensing, Chair; Soderberg and Whitaker.

[House File 474](#)

State Government: T. Taylor, Chair; Koester and Shomshor.

[House File 484](#)

State Government: T. Taylor, Chair; Koester and Willems.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

[House Study Bill 233](#)

Rebuild Iowa and Disaster Recovery: Thomas, Chair; De Boef and Kuhn.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

[H.S.B. 235](#) **Economic Growth**

Changing the allocation of moneys in the county endowment fund.

[H.S.B. 236](#) **Rebuild Iowa and Disaster Recovery**

Providing a contingent appropriation from the Iowa economic emergency fund to address the effects of a major disaster.

[H.S.B. 237](#) **Environmental Protection**

Relating to the operation and purview of the office of energy independence, by transferring authority over specified energy-related measures and programs from the department of natural resources to the office of energy independence, and providing transition provisions relating to the transfer of authority.

[H.S.B. 238](#) **Rebuild Iowa and Disaster Recovery**

Relating to disaster recovery for businesses through the loan and guarantee program and other activities by the department of economic development and providing an effective date.

COMMITTEE RECOMMENDATION

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

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON EDUCATION

Committee Bill (Formerly [House File 351](#)), relating to early school start dates and providing effective and applicability dates.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 2, 2009.

RESOLUTION FILED

[HCR 6](#), by Sorenson, De Boef, Schultz, Tymeson, Deyoe, Paulsen, Upmeyer, Raecker, Watts, Hagenow, Helland, Kaufmann, Windschitl, Cownie, Wagner, Koester, Lukan, Baudler, Sands, Huseman, Soderberg and Pettengill, a concurrent resolution claiming state sovereignty under the Tenth Amendment to the Constitution of the United States over certain mandates imposed on states by the federal government.

Laid over under **Rule 25**.

AMENDMENTS FILED

| | | |
|------------------------|--------------------------|-------------------------|
| H-1102 | S.F. 98 | Struyk of Pottawattamie |
| H-1103 | H.F. 475 | Rants of Woodbury |
| H-1104 | H.F. 374 | Kuhn of Floyd |
| H-1105 | H.F. 243 | Pettengill of Benton |
| H-1106 | H.F. 243 | Pettengill of Benton |

On motion by Reasoner of Union the House adjourned at 1:20 p.m., until 9:00 a.m., Tuesday, March 3, 2009.