

PROOF

STATE OF IOWA

House Journal

WEDNESDAY, FEBRUARY 4, 2009

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

JOURNAL OF THE HOUSE

Twenty-fourth Calendar Day - Sixteenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, February 4, 2009

The House met pursuant to adjournment at 9:15 a.m., Speaker Murphy in the chair.

Prayer was offered by Reverend Mario Lara, pastor of the Life Bridge Christian Church, Carlisle. He was the guest of Representative Kent Sorenson from Warren County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Nicole Pratt, House Page from Cedar Rapids.

The Journal of Tuesday, February 3, 2009 was approved.

INTRODUCTION OF BILLS

[House File 196](#), by Baudler, a bill for an act relating to a peace officer carrying a weapon in court.

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

[House File 197](#), by committee on human resources, a bill for an act relating to child support enforcement including withholding of an employee's compensation by an employer for support of a child under a support order, the required establishment of a personal account for self-employed child support obligors, and protection of child support information, providing a penalty, and providing an effective date.

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

[House File 198](#), by Roberts, a bill for an act imposing a moratorium on the issuance or relocation of licenses for gambling games and providing an effective date.

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

[House File 199](#), by Reichert and H. Miller, a bill for an act requiring public schools and specified nonpublic schools to utilize environmentally sensitive cleaning and maintenance products in school facilities.

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

SPECIAL PRESENTATION

Zirkelbach of Jones introduced to the House the honorable Paul Scherrman, former state representative from Dubuque County.

The House rose and expressed its welcome.

[HOUSE FILE 95](#) WITHDRAWN

Schueller of Jackson asked and received unanimous consent to withdraw [House File 95](#) from further consideration by the House.

On motion by McCarthy of Polk, the House was recessed at 9:26 a.m., until 4:00 p.m.

AFTERNOON SESSION

The House reconvened at 4:12 p.m., Speaker Murphy in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on February 4, 2009, passed the following bill in which the concurrence of the House is asked:

[Senate File 9](#), a bill for an act relating to the disposition of school property and providing an effective date.

Also: That the Senate has on February 4, 2009, passed the following bill in which the concurrence of the House is asked:

[Senate File 50](#), a bill for an act relating to the payment of a salary or other compensation to a candidate's family member, and making a penalty applicable.

Also: That the Senate has on February 4, 2009, passed the following bill in which the concurrence of the House is asked:

[Senate File 51](#), a bill for an act relating to electronic filing of campaign finance disclosure statements and reports by certain political committees and providing an effective date.

Also: That the Senate has on February 4, 2009, passed the following bill in which the concurrence of the House is asked:

[Senate File 52](#), a bill for an act relating to ethics regulations for the executive branch, legislative branch, and local officials and employees.

Also: That the Senate has on February 4, 2009, adopted the following resolution in which the concurrence of the House is asked:

[Senate Concurrent Resolution 2](#), a concurrent resolution relating to the compensation of chaplains, officers, and employees of the eighty-third general assembly.

MICHAEL E. MARSHALL, Secretary

INTRODUCTION OF BILLS

[House File 200](#), by Kuhn, a bill for an act relating to filling vacancies in the office of United States senator.

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

[House File 201](#), by Reichert, a bill for an act providing for a property tax credit for certain apartment buildings and rental units meeting certification requirements for designation as a green building, making an appropriation, and including an effective and applicability date provision.

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

[House File 202](#), by T. Olson, a bill for an act relating to the assignment of health care coverage and dental care coverage benefits.

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

[House File 203](#), by Pettengill, a bill for an act providing for the allocation of moneys appropriated to the Iowa resources enhancement and protection fund.

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

[House File 204](#), by Pettengill, Schulte, Kaufmann, May, Drake, Windschitl, Sorenson, Lukan, Huseman, Koester, Upmeyer, Deyoe, Schultz, Soderberg, Struyk and De Boef, a bill for an act relating to a property assessment adjustment for certain elderly persons, providing a penalty, and including retroactive applicability date provisions.

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

[House File 205](#), by Paulsen, Wagner and Schulte, a bill for an act providing for the recall of elected officials of political subdivisions and providing a penalty.

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

[House File 206](#), by Rants, a bill for an act limiting the liability of an alcoholic beverage licensee or permittee for certain alcohol-related accidents resulting in death or injury to a third person.

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

[House File 207](#), by Lukan, a bill for an act providing for the issuance of any sex deer hunting licenses to certain older Iowans that may be used during both shotgun seasons.

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

[House File 208](#), by Rants, a bill for an act eliminating civil liability provisions for alcoholic beverage licensees or permittees.

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

[House File 209](#), by committee on judiciary, a bill for an act granting the civil rights commission additional subpoena power to investigate unfair or discriminatory practices and providing an effective date.

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

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\1408 Doris Ludovissy, Edgewood – For celebrating her 85th birthday.
- 2009\1409 Frederick Kann, Guttenberg – For celebrating his 85th birthday.
- 2009\1410 Delos Sadewasser, Guttenberg – For celebrating his 80th birthday.
- 2009\1411 Dwayne Bahls, Elkader – For celebrating his 80th birthday.
- 2009\1412 Willard Bareis, Monona – For celebrating his 85th birthday.
- 2009\1413 Leon Burkle, Earlville – For celebrating his 85th birthday.
- 2009\1414 Lyle Fischer, Strawberry Point – For celebrating his 80th birthday.
- 2009\1415 Ethel Flack, Elgin – For celebrating her 80th birthday.
- 2009\1416 Alfred Goldsmith, McGregor – For celebrating his 80th birthday.
- 2009\1417 Robert Paul, Edgewood – For celebrating his 90th birthday.
- 2009\1418 Arvin Elsbury, Strawberry Point – For celebrating his 85th birthday.
- 2009\1419 Carlyle Kirkeberg, Monona – For celebrating his 80th birthday.
- 2009\1420 Howard Weger, Strawberry Point – For celebrating his 85th birthday.
- 2009\1421 Frances Ostlund, Mason City – For celebrating her 85th birthday.
- 2009\1422 Jovita Perez, Mason City – For celebrating her 80th birthday.
- 2009\1423 Cletus Heffern, Mason City – For celebrating his 85th birthday.
- 2009\1424 Donna Martin, Mason City – For celebrating her 80th birthday.
- 2009\1425 Gladys Shipman, Mason City – For celebrating her 90th birthday.
- 2009\1426 Ralph Lockwood, Mason City – For celebrating his 80th birthday.
- 2009\1427 Herman Nannenga, Mason City – For celebrating his 85th birthday.

- 2009\1428 Claudia Rye, Mason City – For celebrating her 85th birthday.
- 2009\1429 Beverly McClung, Mason City – For celebrating her 75th birthday.
- 2009\1430 Ruth Kelck, Mason City – For celebrating her 75th birthday.
- 2009\1431 Lavonne Olson, Mason City – For celebrating her 75th birthday.
- 2009\1432 Esther Wheeler, Mason City – For celebrating her 85th birthday.
- 2009\1433 Alice Lomen, Mason City – For celebrating her 80th birthday.
- 2009\1434 Buelah Williamson, Mason City – For celebrating her 85th birthday.
- 2009\1435 Phyllis Henaman, Mason City – For celebrating her 80th birthday.
- 2009\1436 Ruth Trudo, Mason City – For celebrating her 85th birthday.
- 2009\1437 Joann Harrer, Mason City – For celebrating her 80th birthday.
- 2009\1438 Kathryn Morse, Mason City – For celebrating her 80th birthday.
- 2009\1439 Myrtle Tapps, Mason City – For celebrating her 85th birthday.
- 2009\1440 Theresa Weaver, Mason City – For celebrating her 85th birthday.
- 2009\1441 Ardith Carolus, Mason City – For celebrating her 75th birthday.
- 2009\1442 Jo Papantonis, Mason City – For celebrating her 75th birthday.
- 2009\1443 Paul Hoye, Mason City – For celebrating his 85th birthday.
- 2009\1444 Evelyn Wicker, Mason City – For celebrating her 75th birthday.
- 2009\1445 Walter Behrens, Mount Vernon – For celebrating his 85th birthday.
- 2009\1446 Ronald Calvert, Cedar Rapids – For celebrating his 75th birthday.
- 2009\1447 Ruth Dorrington, Cedar Rapids – For celebrating her 90th birthday.
- 2009\1448 Dorothy Summy, Cedar Rapids – For celebrating her 80th birthday.
- 2009\1449 Donald Caspers, Cedar Rapids – For celebrating his 85th birthday.
- 2009\1450 Roland Schneider, Cedar Rapids – For celebrating his 80th birthday.
- 2009\1451 George Riser, Cedar Rapids – For celebrating his 85th birthday.
- 2009\1452 Richard Spurlock, Cedar Rapids – For celebrating his 80th birthday.
- 2009\1453 Ralph Berstler, Cedar Rapids – For celebrating his 80th birthday.

- 2009\1454 Milo Rehak, Cedar Rapids – For celebrating his 85th birthday.
- 2009\1455 Helen Kupka, Cedar Rapids – For celebrating her 80th birthday.
- 2009\1456 Jean Reynolds, Sioux City – For celebrating her 75th birthday.
- 2009\1457 Robert Perrin, Sioux City – For celebrating his 75th birthday.
- 2009\1458 Gerrit Uitdeflesch, Sioux City – For celebrating his 75th birthday.
- 2009\1459 Martha Glaser, Sioux City – For celebrating her 90th birthday.
- 2009\1460 Ruth Ketelsen, Sioux City – For celebrating her 90th birthday.
- 2009\1461 Lavonne Harwood, Sioux City – For celebrating her 75th birthday.
- 2009\1462 Josephine Nyden, Sioux City – For celebrating her 80th birthday.
- 2009\1463 Abe Polaykoff, Sioux City – For celebrating his 85th birthday.
- 2009\1464 David Sterling, Sioux City – For celebrating his 80th birthday.
- 2009\1465 Joan Krenz, Sioux City – For celebrating her 80th birthday.
- 2009\1466 Leonard Sandman, Sioux City – For celebrating his 85th birthday.
- 2009\1467 Norbert Kruckenber, Lowden – For celebrating his 80th birthday.
- 2009\1468 Casey and Luella Smit, Boyden – For celebrating their 60th wedding anniversary.
- 2009\1469 Bernice Wulf, Davenport – For celebrating her 90th birthday.
- 2009\1470 Margaret Siefken, Burlington – For celebrating her 91st birthday.
- 2009\1471 Dan and Doris Kelley, Danville – For celebrating their 60th wedding anniversary.
- 2009\1472 Howard “Pat” Weber, Morning Sun – For recognition for receiving the Warren Coleman Honorary Award issued by the Iowa Lions Foundation.
- 2009\1473 Eva Sewell, Columbus Junction – For celebrating her 85th birthday.
- 2009\1474 Lyle and Letha Armstrong, Griswold – For celebrating their 75th wedding anniversary.
- 2009\1475 Vic Wunder, Avoca – For celebrating his 90th birthday.
- 2009\1476 Archie and Adeline Caddell, Harlan – For celebrating their 72nd wedding anniversary.

- 2009\1477 Helen Houlton, Ireton – For celebrating her 90th birthday.
- 2009\1478 Henry and Hattie Kleinhesselink, Orange City – For celebrating their 70th wedding anniversary.
- 2009\1479 Duane Nachtigal, Little Rock – For celebrating his 75th birthday.
- 2009\1480 David Jacobsma, Doon – For celebrating his 75th birthday.
- 2009\1481 Tunis Cleveringa, Sioux City – For celebrating his 80th birthday.
- 2009\1482 Dorman Koel, Rock Rapids – For celebrating his 80th birthday.
- 2009\1483 Miyo Skidmore, Rock Rapids – For celebrating her 80th birthday.
- 2009\1484 Antonia Van De Stroet, Rock Valley – For celebrating her 80th birthday.
- 2009\1485 Merle Van Roekel, Rock Rapids – For celebrating his 85th birthday.
- 2009\1486 William Lupkes, Rock Rapids – For celebrating his 85th birthday.
- 2009\1487 John Winter, George – For celebrating his 85th birthday.
- 2009\1488 Bernadine Kammrad-Hulsing, Sheffield – For celebrating her 80th birthday.
- 2009\1489 Dale and Wilma Mensen, Dyersville – For celebrating their 50th wedding anniversary.
- 2009\1490 Jim and Shirley Miller, Fontanelle – For celebrating their 50th wedding anniversary.
- 2009\1491 William and Lolla Faye Lambert, Grand Mound – For celebrating their 65th wedding anniversary.
- 2009\1492 Bill and Ruth Hanesworth, DeWitt – For celebrating their 50th wedding anniversary.
- 2009\1493 Arlene E. Holst, DeWitt – For celebrating her 80th birthday.
- 2009\1494 Jay and Joan Kolker, Dubuque – For celebrating their 50th wedding anniversary.
- 2009\1495 Robin Kennicker, Dubuque – For recognition for being selected for the 2009 All Iowa Academic Team.
- 2009\1496 Lurleen Ambrosy, Dubuque – For recognition for her lifesaving measures in saving the life of Roger Nemmers.
- 2009\1497 Amy Hawkins, Dubuque – For recognition for her lifesaving measures in saving the life of Roger Nemmers.

- 2009\1498 Roger Nemmers, Dubuque – For celebrating his 80th birthday.
- 2009\1499 Edward and Dorothy Ironside, Marion – For celebrating their 60th wedding anniversary.
- 2009\1500 David and Barbara Gearhart, Dundee – For celebrating their 50th wedding anniversary.
- 2009\1501 Rebecca Margaret Dolan, Strawberry Point – For recognition for attaining the Girl Scout Gold Award, the highest award in Girl Scouting.
- 2009\1502 David and Delores Kerkhoff, Dedham – For celebrating their 50th wedding anniversary.
- 2009\1503 Frances Cortner, Audubon – For celebrating her 90th birthday.
- 2009\1504 Wayne Christgau, Clear Lake – For recognition for being inducted into the Iowa RockNRoll Music Association Hall of Fame.
- 2009\1505 Ila Hebel, Audubon – For celebrating her 80th birthday.
- 2009\1506 John G. Van Wyk, Leighton – For celebrating his 80th birthday.
- 2009\1507 Zachary Gaul, Le Mars – For recognition for attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2009\1508 Verlee Williams, Grandview – For celebrating her 85th birthday.

SUBCOMMITTEE ASSIGNMENT

[House File 165](#)

Human Resources: Smith, Chair; Baudler and Hunter.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

[House Study Bill 107](#)

Local Government: Kressig, Chair; D. Olson and Sorenson.

[House Study Bill 117](#)

Agriculture: Wenthe, Chair; H. Miller and Struyk.

[House Study Bill 120](#)

State Government: T. Taylor, Chair; Drake and Quick.

[House Study Bill 129](#)

Veterans Affairs: Thomas, Chair; Kearns and Sweeney.

[House Study Bill 130](#)

Veterans Affairs: Windschitl, Chair; Bailey and Bukta.

[House Study Bill 131](#)

State Government: Gaskill, Chair; Struyk and Willems.

[House Study Bill 132](#)

Human Resources: T. Olson, Chair; Heaton and Thede.

[House Study Bill 133](#)

State Government: Gaskill, Chair; Mascher and Roberts.

[House Study Bill 134](#)

Economic Growth: Steckman, Chair; Kelley and Sorenson.

[House Study Bill 135](#)

Economic Growth: Ford, Chair; Forristall and Jacoby.

[House Study Bill 136](#)

Natural Resources: Bell, Chair; Arnold, Beard, Deyoe and Whitaker.

[House Study Bill 137](#)

Commerce: Bailey, Chair; Helland and Shomshor.

[House Study Bill 138](#)

State Government: Willems, Chair; Gaskill and Roberts.

[House Study Bill 139](#)

Judiciary: Swaim, Chair; Kaufmann and Palmer.

[House Study Bill 140](#)

State Government: Gaskill, Chair; Koester and Willems.

[House Study Bill 141](#)

Commerce: Kressig, Chair; D. Olson and Struyk.

[House Study Bill 142](#)

Commerce: D. Olson, Chair; Jacoby and Sorenson.

[House Study Bill 143](#)

Agriculture: Marek, Chair; Bailey, Bell, Dolecheck and Drake.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

[H.S.B. 145](#) **Administration and Rules**

Relating to permanent rules of the House for the Eighty-third General Assembly.

[H.S.B. 146](#) **Human Resources**

Relating to the department of elder affairs and services provided to older Iowans.

[H.S.B. 147](#) **Human Resources**

Relating to a quality assurance assessment program, nursing facility reimbursements, and providing monetary penalties, contingencies, and retroactive and other effective dates.

[H.S.B. 148](#) **Agriculture**

Relating to the agricultural development authority, by providing for the reporting of its operations.

COMMITTEE RECOMMENDATION

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

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON JUDICIARY

Committee Bill (Formerly [House Study Bill 28](#)), granting the civil rights commission additional subpoena power to investigate unfair or discriminatory practices and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** February 3, 2009.

RESOLUTIONS FILED

[HR 7](#), by committee on ethics, a resolution relating to the House code of ethics.

Placed on **calendar**.

[SCR 2](#), by committee on administration and rules, a concurrent resolution relating to the compensation of chaplains, officers, and employees of the eighty-third general assembly.

Referred to committee on **administration and rules**.

On motion by Whitaker of Van Buren the House adjourned at 4:18 p.m., until 9:00 a.m., Thursday, February 5, 2009.