

PROOF

STATE OF IOWA

House Journal

TUESDAY, FEBRUARY 5, 2008

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JOURNAL OF THE HOUSE

Twenty-third Calendar Day - Sixteenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, February 5, 2008

The House met pursuant to adjournment at 9:05 a.m., Speaker Murphy in the chair.

Prayer was offered by Rabbi Beryl Padorr from the Tifereth Israel Synagogue, Des Moines. She was the guest of Representative Jo Oldson of Polk County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by House Page Jennifer Fisher from Ellsworth.

The Journal of Monday, February 4, 2008 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

D. Olson of Boone on request of Thomas of Clayton; Pettengill of Benton on request of Struyk of Pottawattamie.

INTRODUCTION OF BILLS

[House File 2153](#), by Thomas, a bill for an act relating to the transportation of passengers in a motor vehicle operated by a person with a special minor's driver's license and making penalties applicable.

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

[House File 2154](#), by Wise, Petersen, and Berry, a bill for an act relating to monitoring the academic progress of high school students.

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

[House File 2155](#), by Jacoby, a bill for an act relating to increases in the reimbursement rates or amounts for certain providers under the purview of the department of human services, and providing an appropriation.

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

[House File 2156](#), by Pettengill, Bailey, Kelley and Horbach, a bill for an act establishing a minimum speed limit for interstate highways and making a penalty applicable.

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

[House File 2157](#), by committee on judiciary, a bill for an act expanding the time period during which a complaint may be filed with the Iowa civil rights commission.

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

SPECIAL PRESENTATION

McCarthy of Polk, Rants of Woodbury and Chief Clerk Mark Brandsgard presented certificates of appreciation to former doorkeepers Jim Glenn and Jerry Orman.

The House rose and expressed its appreciation.

McCarthy of Polk asked and received unanimous consent for the immediate consideration of [House Resolution 102](#).

ADOPTION OF [HOUSE RESOLUTION 102](#)

Kelley of Black Hawk and T. Olson of Linn called up for consideration [House Resolution 102](#), a resolution designating February 5, 2008, as Iowa Insurance Day, and moved its adoption.

The motion prevailed and the resolution was adopted.

CONSIDERATION OF BILLS

Regular Calendar

[House File 247](#), a bill for an act providing voting member representation on joint E911 service boards for cities or townships

providing fire protection services through a volunteer fire department, was taken up for consideration.

Huser 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. 247](#))

The ayes were, 98:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevert	Gaskill
Gayman	Gipp	Granzow	Grassley
Greiner	Heaton	Heddens	Hoffman
Horbach	Hunter	Huseman	Huser
Jacobs	Jacoby	Jochum	Kaufmann
Kelley	Kressig	Kuhn	Lensing
Lukan	Lykam	Mascher	May
McCarthy	Mertz	Miller, H.	Miller, L.
Oldson	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Quirk
Raecker	Rants	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Smith
Soderberg	Staed	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen	Watts	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wiencek
Winckler	Windschitl	Wise	Worthan
Zirkelbach	Mr. Speaker		
	Murphy		

The nays were, none.

Absent or not voting, 2:

Olson, D. Pettengill

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

Senate File 572, a bill for an act extending state tax benefits for use of soy-based transformer fluid by electric utilities and including effective and applicability date provisions, with report of committee recommending amendment and passage, was taken up for consideration.

Kelley of Black Hawk offered the following amendment **H-8001** filed by the committee on ways and means and moved its adoption:

H-8001

- 1 Amend **Senate File 572**, as passed by the Senate, as
- 2 follows:
- 3 1. Page 1, line 1, by inserting after the word
- 4 "Code" the following: "Supplement".
- 5 2. Page 1, line 5, by striking the words and
- 6 figures "sections 422.12 and 422.12B" and inserting
- 7 the following: "section 422.12".
- 8 3. Page 1, line 9, by striking the word and
- 9 figure "23, Code" and inserting the following: "22,
- 10 Code Supplement".
- 11 4. Page 1, line 11, by striking the figure "23."
- 12 and inserting the following: "22."
- 13 5. Page 1, line 15, by inserting after the word
- 14 "Code" the following: "Supplement".

The committee amendment **H-8001** was adopted.

Kelley of Black Hawk asked and received unanimous consent to withdraw amendment **H-1900** filed by her on April 23, 2007.

Kelley of Black Hawk 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. 572**)

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Forristall	Frevort	Gaskill
Gayman	Gipp	Granzow	Grassley
Greiner	Heaton	Heddens	Hoffman

Horbach	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Oldson
Olson, R.	Olson, S.	Olson, T.	Palmer
Paulsen	Petersen	Quirk	Raecker
Rants	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Smith	Soderberg
Staed	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Wiencek	Winckler
Windschitl	Wise	Worthan	Zirkelbach
Mr. Speaker			
Murphy			

The nays were, 1:

Hunter

Absent or not voting and 2:

Olson, D. Pettengill

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 247](#) and [Senate File 572](#).

[HOUSE FILE 154](#) WITHDRAWN

Wendt of Woodbury asked and received unanimous consent to withdraw [House File 154](#) from further consideration by the House.

[HOUSE FILE 882](#) WITHDRAWN

Kelley of Black Hawk asked and received unanimous consent to withdraw [House File 882](#) from further consideration by the House.

HOUSE FILES WITHDRAWN

Gaskill of Wapello asked and received unanimous consent to withdraw the following House Files:

[House File 52](#)

[House File 192](#)

[House File 201](#)

[House File 343](#)

[House File 417](#)

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- | | |
|----------|---|
| 2008\951 | Lester and Jeanette Mennen, Ackley – For celebrating their 65 th wedding anniversary. |
| 2008\952 | Emma DeNeui, Ackley – For celebrating her 100 th birthday. |
| 2008\953 | Paul and Karen Nielsen, Springville – For celebrating their 50 th wedding anniversary. |
| 2008\954 | Rex and Linda Prunty, Swisher – For celebrating their 50 th wedding anniversary. |
| 2008\955 | Glenn W. Smith, Council Bluffs – For celebrating his 90 th birthday. |
| 2008\956 | Ashley Orris, Columbus Junction – For being named to Wartburg College's Dean's List. |
| 2008\957 | Jane Ohde, Columbus Junction – For being named to Wartburg College's Dean's List. |
| 2008\958 | Robert and Lorraine Hook, Wapello – For celebrating their 60 th wedding anniversary. |
| 2008\959 | Charles Dunlavy, Blakesburg – For celebrating his 75 th birthday. |
| 2008\960 | Burdess Drummond, Ottumwa – For celebrating his 80 th birthday. |
| 2008\961 | Ruby Greene, Ottumwa – For celebrating her 80 th birthday. |

- 2008\962 Samuel Brown, Ottumwa – For celebrating his 75th birthday.
- 2008\963 Mary Durham, Ottumwa – For celebrating her 85th birthday.
- 2008\964 Roberta Montagne, Ottumwa – For celebrating her 75th birthday.
- 2008\965 Norman Yeager, Ottumwa – For celebrating his 75th birthday.
- 2008\966 Glen Carman, Ottumwa – For celebrating his 80th birthday.
- 2008\967 Emma Davis, Ottumwa – For celebrating her 75th birthday.
- 2008\968 Richard Ellis, Ottumwa – For celebrating his 75th birthday.
- 2008\969 Louis Hendren, Ottumwa – For celebrating his 80th birthday.
- 2008\970 Harold Gipson, Ottumwa – For celebrating his 85th birthday.
- 2008\971 Anola Payne, Ottumwa – For celebrating her 75th birthday.
- 2008\972 Rosie Morrow, Ottumwa – For celebrating her 80th birthday.
- 2008\973 Jerri Livingston, Ottumwa – For celebrating her 75th birthday.
- 2008\974 Glen Vanroekel, Ottumwa – For celebrating his 75th birthday.
- 2008\975 Ronald McDowell, Blakesburg – For celebrating his 75th birthday.
- 2008\976 Garold Vincent, Ottumwa – For celebrating his 75th birthday.
- 2008\977 Elmer Thompson, Ottumwa – For celebrating his 80th birthday.
- 2008\978 Ruth Steffen, Ottumwa – For celebrating her 90th birthday.
- 2008\979 Donald Cudworth, Ottumwa – For celebrating his 80th birthday.
- 2008\980 Noble Carroll, Ottumwa – For celebrating his 90th birthday.
- 2008\981 Lester Veatch, Ottumwa – For celebrating his 85th birthday.
- 2008\982 Catherine Yochum, Ottumwa – For celebrating her 90th birthday.
- 2008\983 Gladys McDowell-Roquet, Ottumwa – For celebrating her 75th birthday.
- 2008\984 Billee Gullett, Ottumwa – For celebrating her 75th birthday.
- 2008\985 Georgimae Guyette, Ottumwa – For celebrating her 80th birthday.
- 2008\986 John Kooyman, Ottumwa – For celebrating his 80th birthday.
- 2008\987 Dorothy Campbell, Ottumwa – For celebrating her 85th birthday.

- 2008\988 Ferne Freese, Ottumwa – For celebrating her 85th birthday.
- 2008\989 Buinita Tinsley, Ottumwa – For celebrating her 95th birthday.
- 2008\990 Bessie Ullman, Ottumwa – For celebrating her 95th birthday.
- 2008\991 Maxine Davis, Ottumwa – For celebrating her 75th birthday.
- 2008\992 Harold Ellis, Ottumwa – For celebrating his 80th birthday.
- 2008\993 Charles Wilt, Ottumwa – For celebrating his 75th birthday.
- 2008\994 John Moughler, Ottumwa – For celebrating his 85th birthday.
- 2008\995 Lois Schelen, Ottumwa – For celebrating her 90th birthday.
- 2008\996 Helen Hartley, Ottumwa – For celebrating her 75th birthday.
- 2008\997 Deloris Leffler, Ottumwa – For celebrating her 75th birthday.
- 2008\998 Lavern Barker, Ottumwa – For celebrating his 90th birthday.
- 2008\999 Kenneth Holley, Ottumwa – For celebrating his 75th birthday.
- 2008\1000 Allen McFarling, Ottumwa – For celebrating his 75th birthday.
- 2008\1001 Lois Himes, Ottumwa – For celebrating her 80th birthday.
- 2008\1002 Maxine Courtney, Ottumwa – For celebrating her 80th birthday.
- 2008\1003 Loretta Langgin, Ottumwa – For celebrating her 90th birthday.
- 2008\1004 Homer Gardner, Albia – For celebrating his 80th birthday.
- 2008\1005 Barbara James, Ottumwa – For celebrating her 80th birthday.
- 2008\1006 Nick and June Nicholson, Lenox – For celebrating their 60th wedding anniversary.
- 2008\1007 Maxine Sickels, Mount Ayr – For celebrating her 100th birthday.
- 2008\1008 Carl and Phyllis Alm, Elliot – For celebrating their 60th wedding anniversary.
- 2008\1009 George and Nancy Ingham, Swaledale – For celebrating their 50th wedding anniversary.
- 2008\1010 Enid Crandon, Gilman – For celebrating his 80th birthday.
- 2008\1011 Donald Brown, Eldora – For celebrating his 85th birthday.

- 2008\1012 Bob and Connie McIlrath, Grundy Center – For celebrating their 50th wedding anniversary.
- 2008\1013 Marian Ballard, Reinbeck – For celebrating her 80th birthday.
- 2008\1014 Izetta Kuehl, Grundy Center – For celebrating her 90th birthday.
- 2008\1015 LeRoy Dew, Grundy Center – For celebrating his 90th birthday.
- 2008\1016 Ruth Rindels, Grundy Center – For celebrating her 80th birthday.
- 2008\1017 Leona Kuecker, Waverly – For celebrating her 90th birthday.
- 2008\1018 Shirley Heine, Waverly – For celebrating her 80th birthday.
- 2008\1019 Marion McNeilus, Waverly – For celebrating her 90th birthday.
- 2008\1020 Lydia Schneider, Garner – For celebrating her 100th birthday.

SUBCOMMITTEE ASSIGNMENTS

[House File 622](#)

Government Oversight: Ford, Chair; Swaim and Watts.

[House File 2081](#)

Education: Palmer, Chair; Boal and Kelley.

[House File 2082](#)

Education: Palmer, Chair; Kelley and May.

[House File 2114](#)

Human Resources: Mascher, Chair; Granzow and Smith.

[House File 2115](#)

Human Resources: Mascher, Chair; Grassley and Smith.

[House File 2117](#)

Human Resources: Mascher, Chair; Heaton and Smith.

[House File 2118](#)

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

[House File 2123](#)

Public Safety: Berry, Chair; Alons and Bell.

[House File 2124](#)

Public Safety: Whitaker, Chair; Baudler and Kressig.

[House File 2126](#)

Transportation: Windschitl, Chair; Cohoon and Lykam.

[House File 2129](#)

Education: Cohoon, Chair; Chambers and Foege.

[House File 2131](#)

Education: Cohoon, Chair; Palmer and Raecker.

[House File 2133](#)

Local Government: Huser, Chair; Schueller and Van Fossen.

[House File 2135](#)

Education: Winckler, Chair; Staed and Wiencsek.

[House File 2136](#)

Human Resources: Palmer, Chair; T. Olson and Roberts.

[House File 2142](#)

Judiciary: Palmer, Chair; Horbach and Swaim.

[House File 2143](#)

Education: Cohoon, Chair; Foege and Forristall.

[House File 2144](#)

Education: Heddens, Chair; Dolecheck and Gayman.

[House File 2147](#)

Local Government: Gaskill, Chair; Arnold and Whitead.

[House File 2153](#)

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

[Senate File 199](#)

Judiciary: Lensing, Chair; Baudler and Winckler.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 613 State Government

Providing for the licensure of persons installing fire protection systems, providing for the establishment of fees, and providing penalties.

H.S.B. 614 Judiciary

Relating to the involvement of the juvenile court and the county attorney in certain child abuse cases.

H.S.B. 615 Environmental Protection

Relating to water quality by establishing a water resources coordinating council, authorizing a marketing campaign, directing assistance to local communities for monitoring and measurement, and creating a regional assessment program, a community-based improvement program, and a wastewater and storm water infrastructure program.

H.S.B. 616 State Government

Providing for the establishment of a commission on the status of Native Americans within the department of human rights.

H.S.B. 617 State Government

Relating to protection of personal information and notice procedures following a breach of security.

H.S.B. 618 State Government

Making technical and corrective changes to the law relating to elections and voter registration and making a penalty applicable.

H.S.B. 619 Human Resources

Requiring a preliminary investigation to be conducted by the county medical examiner in the event of the death of a resident of certain state facilities administered by the department of human services.

H.S.B. 620 Human Resources

Relating to adjudications of persons with mental illness and providing an effective date.

H.S.B. 621 Human Resources

Expanding eligibility for the preparation for adult living program administered by the department of human services.

H.S.B. 622 Economic Growth

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.

H.S.B. 623 Human Resources

Relating to communications and patient transfers among providers and payers for the IowaCare program.

H.S.B. 624 Human Resources

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

H.S.B. 625 Judiciary

To increase the maximum allowable fine for violation of a city or county ordinance or a portion of the Code adopted by reference.

H.S.B. 626 Veterans Affairs

Concerning the substitution of antiepileptic drugs and establishing an effective date.

AMENDMENTS FILED

<u>H-8011</u>	<u>H.F. 2140</u>	Mascher of Johnson
<u>H-8012</u>	<u>S.F. 261</u>	Huser of Polk
<u>H-8013</u>	<u>S.F. 261</u>	Alons of Sioux
S. Olson of Clinton		De Boef of Keokuk
Watts of Dallas		Sands of Louisa
Mertz of Kossuth		Drake of Pottawattamie
Baudler of Adair		

On motion by McCarthy of Polk the House adjourned at 9:38 a.m., until 9:00 a.m., Wednesday, February 6, 2008.