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**STATE OF IOWA**

**House Journal**

**FRIDAY, FEBRUARY 9, 2007**

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

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# JOURNAL OF THE HOUSE

Thirty-third Calendar Day - Twenty-fourth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Friday, February 9, 2007

The House met pursuant to adjournment at 9:10 a.m., Speaker Murphy in the chair.

Prayer was offered by the Honorable Pat Murphy, Speaker of the House.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Murphy.

The Journal of Thursday, February 8, 2007 was approved.

## INTRODUCTION OF BILLS

[House File 288](#), by Frevert, a bill for an act providing for issuance of a special minor's license to drive to and from a school in a school district that is not contiguous to the student's district of residence and providing an effective date.

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

[House File 289](#), by Chambers, Lukan, Granzow, Watts, Forristall, De Boef, Rayhons, Struyk, Windschitl, Kaufmann, Alons, May, Tjepkes, Boal and Deyoe, a bill for an act authorizing the transfer of a free landowner deer or wild turkey hunting license to another person.

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

[House File 290](#), by Heaton, a bill for an act relating to utilization of Medicaid home and community-based services waiver services, and providing an appropriation.

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

[House File 291](#), by Tomenga, Baudler, Jacoby, Huser, May, Petersen, Lukan, Anderson and R. Olson , a bill for an act providing for candidate physical ability tests for fire fighter applicants under the statewide fire and police retirement system.

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

[House File 292](#), by Ford, a bill for an act creating a junior entrepreneur training assistance program and providing a tax deduction and making an appropriation.

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

[House File 293](#), by Swaim, Foege and Wessel-Kroeschell, a bill for an act relating to the state earned income tax credit by making the tax credit refundable and including effective and retroactive applicability date provisions.

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

[House File 294](#), by Heaton, a bill for an act relating to restrictions on employment of certain persons under the Medicaid consumer choices option.

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

[House File 295](#), by T. Taylor, Tomenga, Palmer and R. Olson, a bill for an act prohibiting the department of corrections from entering into an agreement with a private sector for-profit entity for the purpose of housing inmates.

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

[House File 296](#), by Kressig, a bill for an act relating to the board of medical examiners and complaints filed against a person licensed to practice medicine and surgery, osteopathic medicine and surgery, or osteopathy.

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

[House File 297](#), by Heaton, a bill for an act providing that any increase in the tax on cigarettes and tobacco products be deposited into the healthy Iowans tobacco trust.

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

[House File 298](#), by committee on judiciary, a bill for an act relating to the conveyance or encumbrance of a homestead.

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

[House File 299](#), by Reichert, Frevert, Bailey, Palmer, Pettengill, H. Miller, D. Olson, Gaskill, Wendt, Whitead, T. Taylor, Schueller, Davitt, Cohoon, Winckler, Jochum, Ford, Bukta, Heddens and Mertz, a bill for an act requiring certain minor children to wear personal flotation devices while on board certain vessels operated on state waters and providing for a penalty and an effective date.

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

[House File 300](#), by Quirk, a bill for an act concerning the licensure, operation, and taxation of card game tournaments by organizations representing veterans and allowable prizes at annual game nights.

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

[House File 301](#), by Heaton, a bill for an act relating to the purchase of a pseudoephedrine product.

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

[House File 302](#), by Swaim, a bill for an act regulating dangerous animals, including their possession, requiring registration, and providing penalties.

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

[House File 303](#), by Alons, Mertz and S. Olson, a bill for an act relating to agricultural liens, by providing for secured property and the financing statements covering secured property.

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

[House File 304](#), by H. Miller, Mertz, Drake, Tjepkes, S. Olson, Bailey, Grassley, Huseman, Dandekar and D. Olson, a bill for an act appropriating moneys to support the purchase of equipment to conduct testing of motor fuel and biofuel.

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

[House File 305](#), by Heaton, a bill for an act relating to notice of claim and certificate of merit requirements in a civil action for personal injury or death against a health care provider.

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

[House File 306](#), by Alons, Grassley, Baudler, S. Olson, Dolecheck, Windschitl, Struyk, Van Fossen, Soderberg, Heaton, Roberts, De Boef, Gipp, Rasmussen, Rayhons, Hoffman, Chambers, Watts, Huseman, Worthan, Sands, Drake, Kaufmann, May, Upmeyer and Boal, a bill for an act providing a tax credit under the individual income tax, corporate income tax, franchise tax, or insurance premiums tax for continuation of salary, wages, or health benefit coverage for employees that are members of the national guard or military reserve and are ordered to active duty, and for payment of certain replacement worker costs, and including effective and retroactive applicability date provisions.

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

[House File 307](#), by Heaton, a bill for an act relating to the continuing education requirements for optometrists.

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

[House File 308](#), by Heaton, a bill for an act relating to providing a dental home for children under the medical assistance program.

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

[House File 309](#), by Heaton, a bill for an act requiring development of a uniform cost report for certain services reimbursed through the department of human services and counties.

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

[House File 310](#), by Heaton, a bill for an act relating to the staffing of health care facilities.

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

[House File 311](#), by Upmeyer, a bill for an act relating to transfer procedures for and compensation of health care providers outside of the IowaCare provider network.

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

[House File 312](#), by Upmeyer, a bill for an act relating to repayment of support to an obligor following disestablishment of paternity.

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

[House File 313](#), by Wessel-Kroeschell and Heddens, 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 314](#), by committee on transportation, a bill for an act relating to a peace officer's statements to a person operating a noncommercial motor vehicle and holding a commercial driver's license who has been requested to submit to a chemical test in an operating-while-intoxicated case.

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

[House File 315](#), by Foegen, a bill for an act relating to leaving an unattended child or not properly supervised child in a motor vehicle, and providing a penalty.

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

[House File 316](#), by Heaton, a bill for an act relating to the personal needs allowance retained by medical assistance recipients in certain nursing facilities, providing an effective date, and providing for retroactive applicability.

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

[House File 317](#), by committee on education, a bill for an act relating to an on-site fiscal review to be conducted under phase II of the accreditation process upon recommendation by the school budget review committee.

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

[House File 318](#), by Schueller, Frevert, Wenthe, Swaim, Lukan, Jacoby, Quirk, Kelley, Staed, Palmer, Foege, Pettengill, D. Taylor, H. Miller, Whitaker, Mertz, Mascher, Kaufmann, Gaskill, Tomenga, Granzow, De Boef, Hoffman and Thomas, a bill for an act providing volunteer fire fighters and emergency medical services personnel with an individual income tax credit and providing effective and retroactive applicability dates.

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

[House File 319](#), by committee on ways and means, a bill for an act updating the Code references to the Internal Revenue Code and including effective date and retroactive applicability provisions.

Read first time and placed on **ways and means calendar**.

[House File 320](#), by committee on transportation, a bill for an act relating to the revocation of a person's driver's license or nonresident operating privilege for a defendant who has had a previous conviction or revocation.

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

[House File 321](#), by Heddens, Wessel-Kroeschell, Gayman, Shomshor, Frevert, Bukta, Abdul-Samad, H. Miller, Jochum, Bell, Petersen, T. Taylor, R. Olson, Schueller, Bailey, Wenthe, Lensing, Ford, Foege, Smith, Kressig, Reasoner and D. Taylor, a bill for an act requiring health insurance coverage for certain dependent children who are full-time students and require a medically necessary leave of absence from school.

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

[House File 322](#), by Frevert, a bill for an act relating to a tax credit for pollution-control and recycling property connected to property used for the care and feeding of livestock, and providing for the Act's applicability.

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

[House File 323](#), by Heaton, a bill for an act relating to the provision of medical assistance to certain persons.

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

[House File 324](#), by T. Taylor, a bill for an act providing for fair share agreements relating to collective bargaining and providing an effective date.

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

#### CERTIFICATE 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

2007\941 Sanford "Woody" Chittick, Ladora – For celebrating his 90<sup>th</sup> birthday.

#### SUBCOMMITTEE ASSIGNMENTS

##### [House File 194](#)

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

##### [House File 203](#)

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

##### [House File 233](#)

State Government: Abdul-Samad, Chair; Drake and Jacoby.

##### [House File 238](#)

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

[House File 252](#)

State Government: Gaskill, Chair; Abdul-Samad, Gipp, Jacobs and T. Taylor.

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 ECONOMIC GROWTH

**Committee Bill** (Formerly [House File 213](#)), relating to assistance for small businesses, making appropriations, and proving an effective date provision.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 8, 2007.

**Committee Bill** (Formerly [House Study Bill 146](#)), relating to historic preservation and cultural and entertainment district tax credits, making appropriations, and providing applicability date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 8, 2007.

COMMITTEE ON LABOR

**Committee Bill** (Formerly [House Study Bill 50](#)), relating to the boiler and pressure vessel safety program enforced by the division of labor services of the department of workforce development.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 8, 2007.

**Committee Bill** (Formerly [House Study Bill 67](#)), relating to wage payment collection of direct deposit wages as administered by the division of labor services of the department of workforce development.

Fiscal Note is not required.

Recommended **Do Pass** February 8, 2007.

**Committee Bill** (Formerly [House Study Bill 68](#)), relating to elevator conveyance safety standards enforced by the division of labor services of the department of workforce development.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 8, 2007.

#### RESOLUTION FILED

[HR 18](#), by Tymeson and Smith, a resolution honoring the memory of John Wayne on the 100<sup>th</sup> anniversary of his birth.

Laid over under **Rule 25**.

#### AMENDMENT FILED

[H-1052](#)

[H.F. 286](#)

Paulsen of Linn

On motion by McCarthy of Polk the House adjourned at 9:19 a.m., until 1:00 p.m., Monday, February 12, 2007.