

PROOF

STATE OF IOWA

House Journal

MONDAY, FEBRUARY 16, 2009

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JOURNAL OF THE HOUSE

Thirty-sixth Calendar Day - Twenty-third Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, February 16, 2009

The House met pursuant to adjournment at 1:06 p.m., Speaker Murphy in the chair.

Prayer was offered by Reverend James McNear, pastor of the Mission Temple Church of God and Christ, Des Moines. He was the guest of Representative Kerry Burt of Black Hawk County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the S.O.D.A. (Students Opposed to Drugs and Alcohol) group from Linn-Mar High School in Marion. They were guest of Representatives Nick Wagner and Renee Schulte of Linn County.

The Journal of Friday, February 13, 2009 was approved.

INTRODUCTION OF BILLS

House File 312, by Schueller, a bill for an act requiring the school budget review committee to grant transportation assistance aid to school districts under certain circumstances and providing a statutory appropriation.

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

House File 313, by committee on economic growth, a bill for an act relating to economic development by providing for an innovation and commercialization development fund, making the department of revenue responsible for approving certain tax credits for third-party developers, making appropriations, and providing an effective date.

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

[House File 314](#), by committee on human resources, a bill for an act relating to health-related activities and regulation by the department of public health and making penalties applicable.

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

[House File 315](#), by committee on human resources, a bill for an act creating an Iowa collaboration for youth development council and state of Iowa youth advisory council in the department of human rights.

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

[House File 316](#), by D. Olson, a bill for an act relating to the taxation of a homestead owned by a disabled veteran, providing an appropriation, including a penalty, and including effective date and applicability date provisions.

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

[House File 317](#), by committee on human resources, a bill for an act relating to inclusion of assisted living services under the medical assistance home and community-based services waiver for the elderly.

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

[HOUSE FILE 29](#) WITHDRAWN

Zirkelbach of Jones asked and received unanimous consent to withdraw [House File 29](#) from further consideration by the House.

On motion by McCarthy of Polk, the House was recessed at 1:23 p.m., until the conclusion of the meeting with the committee on labor.

EVENING SESSION

The House reconvened at 10:51 p.m., Speaker Murphy in the Chair.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on February 16, 2009, passed the following bill in which the concurrence of the House is asked:

[Senate File 137](#), a bill for an act providing that wage discrimination is an unfair employment practice under the Iowa civil rights Act and providing an enhanced remedy.

MICHAEL E. MARSHALL, Secretary

INTRODUCTION OF BILLS

[House File 318](#), by Windschitl, Sands, Schultz, Alons, Soderberg, Tymeson, Huseman, Lukan, Hagenow, Roberts, De Boef, Raecker, Sorenson, L. Miller and Mertz, a bill for an act relating to the determination of when life begins and acknowledging the rights, privileges, and immunities of an unborn child.

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

[House File 319](#), by Windschitl, Sands, Tymeson, Watts, Huseman, Schultz, Lukan, Hagenow, Kaufmann, De Boef, Raecker, Soderberg and May, a bill for an act providing an exemption from the computation of the individual state income tax all pay received for active duty military service and including a retroactive applicability date provision.

Read first time and referred to the committee on **veteran affairs**.

[House File 320](#), by committee on state government, a bill for an act relating to the age at which a registered voter is eligible to vote in a primary election.

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

[House File 321](#), by committee on veteran affairs, a bill for an act exempting certain persons who transport members of the Iowa veterans home from the requirement to be licensed as a chauffeur.

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

[House File 322](#), by Windschitl, Raecker, Deyoe, Sands, Helland, Hagenow, Soderberg, De Boef, May,

and Schultz, a bill for an act requiring the budget submissions of state agencies to utilize a zero-base approach.

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

[House File 323](#), by Windschitl, Alons, Schultz, Sands, Hagenow, Dolecheck, Roberts, De Boef, Raecker, Sorenson, Huseman, Soderberg, L. Miller, Mertz, Tymeson and May, a bill for an act relating to informed consent to an abortion and providing a criminal penalty, and providing effective dates.

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

[House File 324](#), by Alons, Rayhons, Drake, Tymeson, Deyoe, Worthan, De Boef, Schultz, Windschitl, Sands, Struyk, Kaufmann, Heaton, Watts, Tjepkes, Helland, Grassley, S. Olson and Sorenson, a bill for an act providing to taxpayers taking the standard deduction a deduction for property taxes paid when computing taxable income and including effective and retroactive applicability date provisions.

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

[House File 325](#), by Alons, Kaufmann, Koester, Dolecheck, De Boef, Rayhons, Drake, Sweeney, Huseman, Schultz, Windschitl and Sorenson, a bill for an act relating to operating a motor vehicle while intoxicated offenses that involve a death, and providing penalties.

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

[House File 326](#), by Bailey, a bill for an act requiring the department of veteran affairs to prepare a report related to the activities of county commissions of veteran affairs.

Read first time and referred to the committee on **veteran affairs**.

[House File 327](#), by Bailey, a bill for an act providing for the stockpiling of dry manure originating from confinement feeding

operations, making penalties applicable, and providing an effective date.

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

House File 328, 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 placed on the **calendar**.

House File 329, 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 placed on the **calendar**.

House File 330, by committee on public safety, a bill for an act relating to the authorized uses of local exchange service information by specified individuals and entities.

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

House File 331, by committee on public safety, a bill for an act relating to the sale of a pseudoephedrine product by a pharmacy or retailer, and providing penalties and contingent applicability.

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

House File 332, by committee on public safety, a bill for an act relating to the practices and procedures of the department of public safety and other law enforcement agencies, including building inspections, controlled substance detection training, and criminal history data storage.

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

House File 333, by committee on labor, a bill for an act requiring the payment of local prevailing wage rates to persons working on public improvements for public bodies, and providing penalties and effective and applicability dates.

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

SENATE MESSAGE CONSIDERED

[Senate File 137](#), by committee on state government, a bill for an act providing that wage discrimination is an unfair employment practice under the Iowa civil rights Act and providing an enhanced remedy.

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

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on February 16, 2009, he approved and transmitted to the Secretary of State the following bill:

[Senate File 45](#), an Act relating to issuance of certain county general obligation bonds by requiring published notice and modifying the ballot proposition, and including effective date, validation, and retroactive applicability provisions.

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\1613 Alvera Rosgaard, Rock Valley – For celebrating her 90th birthday.
- 2009\1614 Rich and Mary Van Surksum, Rock Valley – For celebrating their 60th wedding anniversary.
- 2009\1615 Jeff Demmel, Marengo – For earning National Certification for Firefighter II from the Fire Service Training Bureau.
- 2009\1616 Troy Enochson, Marengo – For earning National Certification for Firefighter II from the Fire Service Training Bureau.
- 2009\1617 Dan Slaymaker, Marengo – For earning National Certification for Firefighter II from the Fire Service Training Bureau.
- 2009\1618 Luke Slockett, Marengo – For earning National Certification for Firefighter II from the Fire Service Training Bureau.
- 2009\1619 Doug Spence, Marengo – For earning National Certification for Firefighter II from the Fire Service Training Bureau.

- 2009\1620 Mark Swift, Marengo – For earning National Certification for Firefighter II from the Fire Service Training Bureau.
- 2009\1621 Gerald Petermeier, Vinton – For being inducted into the Iowa Hot Mix Hall of Fame.
- 2009\1622 Bob and Nadine Hanneman, Vinton – For celebrating their 60th wedding anniversary.
- 2009\1623 Karla Isbell, Vinton – For becoming a Master Florist.
- 2009\1624 Ruth Albers, Keystone – For celebrating her 90th birthday.
- 2009\1625 Ruby Schwarting, Vinton – For celebrating her 90th birthday.
- 2009\1626 Terry Waychoff, Watkins – For 40 years of dedicated service to the community of Watkins and to the Watkins Volunteer Fire Department.
- 2009\1627 Daniel Schulte, Watkins – For 30 years of dedicated service to the community of Watkins and to the Watkins Volunteer Fire Department.
- 2009\1628 Taylor Jepsen, Terril – For being named one of the top youth volunteers in Iowa for 2009 in the 14th annual Prudential Spirit of Community Awards.
- 2009\1629 Bob and Judy Guinn, Davenport – For celebrating their 50th wedding anniversary.
- 2009\1630 Richard J. Rector, Davenport – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2009\1631 Verna Barber, Dewitt – For celebrating her 90th birthday.
- 2009\1632 Gladys Lillie, DeWitt – For celebrating her 90th birthday.
- 2009\1633 Lois Meier, DeWitt – For celebrating her 90th birthday.

SUBCOMMITTEE ASSIGNMENTS

[House File 160](#)

Local Government: Huser, Chair; Deyoe and Isenhardt.

[House File 217](#)

Local Government: D. Taylor, Chair; Schueller and Wagner.

[House File 265](#)

Education: Ford, Chair; Dolecheck, Forristall, Palmer and Winckler.

[House File 273](#)

Education: Willems, Chair; May and Palmer.

[House File 274](#)

State Government: Gaskill, Chair; Beard and Roberts.

[House File 276](#)

Education: Kelley, Chair; L. Miller and Thede.

[House File 278](#)

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

[House File 284](#)

Education: Abdul-Samad, Chair; Ficken and Sweeney.

[House File 293](#)

Public Safety: Kressig, Chair; Kuhn and Tjepkes.

[House File 295](#)

State Government: Beard, Chair; Mascher and Roberts.

[House File 297](#)

State Government: Gaskill, Chair; Pettengill and Willems.

[House File 298](#)

State Government: Wendt, Chair; Beard and Roberts.

[House File 306](#)

Education: Winckler, Chair; Bukta and May.

[House File 308](#)

State Government: Frevert, Chair; Beard and Raecker.

[House File 309](#)

Education: Winckler, Chair; Mascher and May.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 176 Public Safety

Relating to public intoxication by using or consuming a controlled substance or by inhaling or consuming an inhalant and making a penalty applicable.

H.S.B. 177 State Government

Concerning the duties and responsibilities of the auditor of state.

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 EDUCATION

Committee Bill (Formerly [House File 138](#)), relating to requirements for school districts providing transportation to students participating in open enrollment.

Fiscal Note is not required.

Recommended **Do Pass** February 16, 2009.

Committee Bill (Formerly [House File 182](#)), relating to the allocation of funds to the all Iowa opportunity foster care grant program and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** February 16, 2009.

Committee Bill (Formerly [House File 186](#)), transferring the authority to register postsecondary schools from the secretary of state to the college student aid commission and providing for related matters.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 16, 2009.

COMMITTEE ON LABOR

Committee Bill (Formerly [House Study Bill 149](#)), requiring the payment of local prevailing wage rates to persons working on public improvements for public bodies, and providing penalties and effective and applicability dates.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 16, 2009.

RESOLUTION FILED

[HCR 5](#), by McCarthy and Paulsen, Major Ron Dardis will present his message of the Condition of the Iowa National Guard at a joint convention of the two houses of the 2009 session of the Eighty-third General Assembly held on Wednesday, February 18, 2009, at 10:00 a.m.

Laid over under **Rule 25**.

AMENDMENT FILED

[H-1022](#) [H.F. 257](#) T. Olson of Linn

On motion by McCarthy of Polk the House adjourned at 10:56 p.m., until 9:00 a.m., Tuesday, February 17, 2009.