

PROOF

STATE OF IOWA

House Journal

WEDNESDAY, JANUARY 30, 2008

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

JOURNAL OF THE HOUSE

Seventeenth Calendar Day - Twelfth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, January 30, 2008

The House met pursuant to adjournment at 9:17 a.m., Speaker Murphy in the chair.

Prayer was offered by Reverend Jim Howland, pastor of the First United Presbyterian Church, Winterset. He was the guest of Representative Jodi Tymeson of Madison County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by House Page, Nicole Martin of Shelby.

The Journal of Tuesday, January 30, 2008 was approved.

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 January 30, 2008, passed the following bill in which the concurrence of the House was asked:

[Senate File 2054](#), a bill for an act providing for county eligibility from state payment of certain mental health, mental retardation, and developmental disabilities services funding and providing effective and retroactive applicability dates.

MICHAEL E. MARSHALL, Secretary

INTRODUCTION OF BILLS

[House File 2099](#), by Zirkelbach, a bill for an act prohibiting a city from adopting an ordinance that prevents discharging a firearm as a salute to an individual during an authorized parade or at a funeral or memorial service.

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

[House File 2100](#), by Petersen, Wise and Berry, a bill for an act relating to nutritional guidelines for food and beverages sold on school grounds.

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

[House File 2101](#), by Boal, Wiencek, Baudler, Grassley, Lukan, Drake, Upmeyer, Raecker, Greiner, Heaton, Rayhons, Chambers and Huseman, a bill for an act creating a mathematics and science teacher practical experience incentive program, providing for a tax credit, and including a retroactive applicability date.

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

[House File 2102](#), by Boal, Wiencek, Baudler, Jacobs, Grassley, Lukan, De Boef, Deyoe, Pettengill, Drake, Upmeyer, Paulsen, Raecker, Sands, S. Olson, Horbach, Tymeson, Watts, Kaufmann, Tomenga, Struyk, Windschitl, Van Fossen, Rasmussen, Arnold, Worthan, Alons, Soderberg, Forristall, L. Miller, Tjepkes, Heaton, Rayhons, Chambers, Van Engelenhoven and Huseman, 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 2103](#), by committee on education, a bill for an act relating to appointments to the college student aid commission and including an effective date and applicability provision.

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

[House File 2104](#), by Pettengill, Tymeson, Arnold, Horbach, Rayhons, De Boef, May, S. Olson, Wiencek, Boal, Huseman, Drake, Greiner, Lukan, Deyoe, Rasmussen, Baudler and Soderberg, a bill for an act relating to a postsecondary tuition and mandatory fee waiver for Iowa national guard veterans attending community colleges or state universities.

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

[House File 2105](#), by Kelley and Staed, a bill for an act relating to removal from office of certain public officials.

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

[House File 2106](#), by Kelley, a bill for an act beginning the compulsory education attendance age at age five, providing for related matters, and providing an effective date.

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

[House File 2107](#), by R. Olson, a bill for an act concerning limitations on granting new licenses to conduct gambling games and providing an effective date and retroactive applicability provision.

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

[House File 2108](#), by Whitaker, a bill for an act relating to the annual registration fee for antique motor vehicles owned by an antique motor vehicle dealer.

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

[House File 2109](#), by R. Olson, a bill for an act providing for membership in a protection occupation under the Iowa public employees' retirement system for members and employees of the board of parole.

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

[House File 2110](#), by Dandekar and Huser, a bill for an act relating to the annual registration fee for certain motor vehicles equipped for persons with disabilities or used by persons with wheelchairs.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Petersen of Polk on request of Speaker Murphy.

SENATE MESSAGE CONSIDERED

[Senate File 2054](#), by committee on human resources, a bill for an act providing for county eligibility for state payment of certain mental health, mental retardation, and developmental disabilities services funding and providing effective and retroactive applicability dates.

Read first time and **passed on file**.

SPECIAL PRESENTATION

Jochum of Dubuque introduced to the House the honorable Paul Scherrman former state representative from Dubuque County.

The House rose and expressed its welcome.

RULES SUSPENDED

McCarthy of Polk asked and received unanimous consent to suspend the rules for the immediate consideration of [House File 2098](#).

CONSIDERATION OF BILLS

Regular Calendar

[House File 2098](#), a bill for an act providing for county eligibility for state payment of certain mental health, mental retardation, and developmental disabilities services funding and providing effective and retroactive applicability dates, was taken up for consideration.

[SENATE FILE 2054](#) SUBSTITUTED FOR [HOUSE FILE 2098](#)

Smith of Marshall asked and received unanimous consent to substitute [Senate File 2054](#) for [House File 2098](#).

[Senate File 2054](#), a bill for an act providing for county eligibility for state payment of certain mental health, mental retardation, and developmental disabilities services funding and providing effective and retroactive applicability dates, was taken up for consideration.

Smith of Marshall 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. 2054](#))

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, D.	Olson, R.	Olson, S.
Olson, T.	Paulsen	Pettengill	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:

Palmer Petersen

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

HOUSE FILES 2057 and 2098 WITHDRAWN

Smith of Marshall asked and received unanimous consent to withdraw House Files 2057 and 2098 from further consideration by the House.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that [Senate File 2054](#) be immediately messaged to the Senate.

SPECIAL PRESENTATION

Wendt of Woodbury introduced to the House the honorable Mike Peters, former state representative from Woodbury County.

The House rose and expressed its welcome.

[HOUSE FILE 2021](#) REREFERRED

The Speaker announced that [House File 2021](#), previously referred to committee on **veterans affairs** was rereferred to committee on **ways and means**.

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\686 Darvin Smith, Colfax – For celebrating his 80th birthday.
- 2008\687 Kenneth Frazier, Runnells – For celebrating his 75th birthday.
- 2008\688 Helen Watson, Altoona – For celebrating her 75th birthday.
- 2008\689 Stella English, Runnells – For celebrating her 80th birthday.
- 2008\690 Julia Kirts, Des Moines – For celebrating her 90th birthday.
- 2008\691 Paul Gregory, Altoona – For celebrating his 75th birthday.
- 2008\692 Ruth Olson, Colfax – For celebrating her 80th birthday.
- 2008\693 Rita Smith, Bondurant – For celebrating her 80th birthday.
- 2008\694 Wilber Robson, Colfax – For celebrating his 85th birthday.
- 2008\695 Jerald Dyer, Des Moines – For celebrating his 75th birthday.
- 2008\696 Duane Laffey, Runnells – For celebrating his 75th birthday.

- 2008\697 Elva McCombs, Mitchellville – For celebrating her 90th birthday.
- 2008\698 John Galbreath, Prairie City – For celebrating his 80th birthday.
- 2008\699 Mildred Kness, Des Moines – For celebrating her 80th birthday.
- 2008\700 Delores McMullin, Prairie City – For celebrating her 75th birthday.
- 2008\701 Thomas Dilliner, Altoona – For celebrating his 85th birthday.
- 2008\702 Richard Talley, Altoona – For celebrating his 75th birthday.
- 2008\703 Ramona Korbek, Berwick – For celebrating her 75th birthday.
- 2008\704 Dorothy Riley, Colfax – For celebrating her 85th birthday.
- 2008\705 Everett Stapp, Altoona – For celebrating his 80th birthday.
- 2008\706 Marjorie Jaques, Berwick – For celebrating her 80th birthday.
- 2008\707 Patricia Haning, Bondurant – For celebrating her 75th birthday.
- 2008\708 Marianne Lamp, Altoona – For celebrating her 75th birthday.
- 2008\709 Kenneth Howell, Altoona – For celebrating his 75th birthday.
- 2008\710 Helen Lockwood, Altoona – For celebrating her 80th birthday.
- 2008\711 Elsie Collmann, Bondurant – For celebrating her 95th birthday.
- 2008\712 Marilyn Juhl, Mitchellville – For celebrating her 75th birthday.
- 2008\713 Dorothea Hackathorn, Prairie City – For celebrating her 85th birthday.
- 2008\714 Doris McVay, Colfax – For celebrating her 80th birthday.
- 2008\715 Roberta Duckstein, Prairie City – For celebrating her 75th birthday.
- 2008\716 Gerald Blaine, Des Moines – For celebrating his 80th birthday.
- 2008\717 Ethan Marolf, Manchester – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2008\718 Barbara McNutt, Mason City – For celebrating her 90th birthday.
- 2008\719 Lucille Balek, Mason City – For celebrating her 90th birthday.
- 2008\720 Norma Sheriff Zimmerman, Mason City – For celebrating her 80th birthday.

- 2008\721 Clem "Johnny" O'Rourke, Mason City – For celebrating his 80th birthday.
- 2008\722 Marianne Gandrup, Story City – For celebrating her 80th birthday.
- 2008\723 Isabelle Hillis, Story City – For celebrating her 80th birthday.
- 2008\724 Elizabeth Fremming, Story City – For celebrating her 90th birthday.
- 2008\725 Don and Marilyn Kolbe, Story City – For celebrating their 50th wedding anniversary.
- 2008\726 Roger and Janice Wilson, Slater – For celebrating their 50th wedding anniversary.
- 2008\727 Kenneth and Helen Nollen, Independence – For celebrating their 60th wedding anniversary.
- 2008\728 Roy and Pat Patty, Kellogg – For celebrating their 50th wedding anniversary.
- 2008\729 Ed and Caroline Rasmussen, Newton – For celebrating their 50th wedding anniversary.
- 2008\730 Dr. Patricia Gilbaugh, Van Horne – For doing great work in District 39 for families and children.
- 2008\731 Becky Cottrell, Vinton – For 26 years of service to the Daily Times/Livewire newspaper.
- 2008\732 Cliff Adcock, Manchester – For being honored as instructor of the year for EMC.
- 2008\733 Ben Weir, Colo – For being named Colo January Volunteer of the Month.
- 2008\734 Ben Watson, Story City – For his outstanding efforts in developing new business for Farmers National Company during 2007.
- 2008\735 Ashley Morlan, Story City – For receiving a DMACC Scholarship.
- 2008\736 Pastor Stephen Anenson, Story City – For 25 years of service to The Immanuel Lutheran Church.
- 2008\737 Sgt. Ryan Wienhold, Jesup – For being promoted to Sergeant.
- 2008\738 Mindy Coghlan, Roland – For graduating from DMACC's Nursing program.
- 2008\739 Scott Rottinghaus, Jesup – For graduating from Officer Candidate School (OCS) Phase III training and was commissioned as a second lieutenant in the U.S. Army National Guard.

- 2008\740 Marjorie Wetherill, Coralville – For celebrating her 80th birthday.
- 2008\741 Norma Feldick, Coralville – For celebrating her 85th birthday.
- 2008\742 Lloyd Johansen, Coralville – For celebrating his 85th birthday.
- 2008\743 Gerald Vraspier, Iowa City – For celebrating his 80th birthday.
- 2008\744 Gloria Peters, Coralville – For celebrating her 75th birthday.
- 2008\745 Leslie Cullers, Coralville – For celebrating his 75th birthday.
- 2008\746 Michael Logan, Coralville – For celebrating his 75th birthday.
- 2008\747 Robert Kretzschmar, Iowa City – For celebrating his 80th birthday.
- 2008\748 Dwayne Dahnke, Coralville – For celebrating his 80th birthday.
- 2008\749 Pearl Paintin, Coralville – For celebrating her 80th birthday.
- 2008\750 Ella Stoner, North Liberty – For celebrating her 75th birthday.
- 2008\751 John Grady, Iowa City – For celebrating his 85th birthday.
- 2008\752 Frieda Dybczynski – For celebrating her 85th birthday.
- 2008\753 Rita Jensen, North Liberty – For celebrating her 75th birthday.
- 2008\754 Merle Heck, Iowa City – For celebrating her 85th birthday.
- 2008\755 Judith Brookhaus, Coralville – For celebrating her 75th birthday.
- 2008\756 Eldon Hans, Iowa City – For celebrating his 85th birthday.
- 2008\757 Raymond Gill, Coralville – For celebrating his 85th birthday.
- 2008\758 Dorris Fox, Coralville – For celebrating her 102nd birthday.
- 2008\759 Opal Kajer, Toledo – For celebrating her 96th birthday.
- 2008\760 Arvella Janssen, Traer – For celebrating her 90th birthday.
- 2008\761 Helen Poland, Gladbrook – For celebrating her 95th birthday.
- 2008\762 Elsie Mae Brown, Peterson – For celebrating her 80th birthday.
- 2008\763 John B. Anderson, Storm Lake – For celebrating his 85th birthday.
- 2008\764 Verla Anderson, Peterson – For celebrating her 95th birthday.
- 2008\765 Sergeant James Loveland, Mason City – For retiring from his dedicated service with the Iowa State Patrol.

- 2008\766 M. Maxine Sebeniecher, Marshalltown – For celebrating her 75th birthday.
- 2008\767 Phillip Barker, Marshalltown – For celebrating his 75th birthday.
- 2008\768 John Weiss, Marshalltown – For celebrating his 75th birthday.
- 2008\769 Marjorie Martelli, Marshalltown – For celebrating her 75th birthday.
- 2008\770 Marilyn Jensen, Marshalltown – For celebrating her 75th birthday.
- 2008\771 Ramona Coyle, Marshalltown – For celebrating her 75th birthday.
- 2008\772 Beverly Schultz, Marshalltown – For celebrating her 75th birthday.
- 2008\773 Berniece Mitchell, Marshalltown – For celebrating her 75th birthday.
- 2008\774 James Perkins, Marshalltown – For celebrating his 75th birthday.
- 2008\775 Bernard Donahue, Marshalltown – For celebrating his 75th birthday.
- 2008\776 Betty Freel, Marshalltown – For celebrating her 75th birthday.
- 2008\777 Dotta Robertson, Marshalltown – For celebrating her 75th birthday.
- 2008\778 Louise Pohlplatz, Marshalltown – For celebrating her 75th birthday.
- 2008\779 Marilyn Hoffman, Marshalltown – For celebrating her 75th birthday.
- 2008\780 Gladys Wright, Marshalltown – For celebrating her 78th birthday.
- 2008\781 Frank Donohue, Marshalltown – For celebrating his 75th birthday.

SUBCOMMITTEE ASSIGNMENTS

[House File 354](#) Reassigned

Commerce: Jacoby, Chair; Jacobs and Kressig.

[House File 512](#) Reassigned

Government Oversight: Lensing, Chair; Ford and Watts.

[House File 933](#)

Government Oversight: Lensing, Chair; Ford and Watts.

[House File 2017](#)

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

[House File 2062](#)

Public Safety: Swaim, Chair; Baudler, Berry, Lykam and Sands.

[House File 2069](#)

Commerce: Kelley, Chair; Clute, Kressig, Quirk and Sands.

[House File 2070](#)

State Government: Wessel-Kroeschell, Chair; Jochum and Kaufmann.

[House File 2074](#)

Education: Cohoon, Chair; Foege and Tymeson.

[House File 2077](#)

State Government: Gaskill, Chair; Jacobs and T. Taylor.

[House File 2088](#)

Human Resources: Petersen, Chair; Grassley and Wessel-Kroeschell.

[House File 2089](#)

Education: Wendt, Chair; Gayman and Kaufmann.

[House File 2091](#)

Education: Winckler, Chair; Dolecheck and Palmer.

[House File 2094](#)

Judiciary: R. Olson, Chair; Huser and Jacobs.

[House File 2095](#)

Ways and Means: Reasoner, Chair; Forristall and Shomshor.

[House File 2096](#)

Ways and Means: Reasoner, Chair; Shomshor and Windschitl.

[House File 2097](#)

Ways and Means: Reasoner, Chair; Shomshor and Windschitl.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

[House Study Bill 519](#)

Public Safety: Berry, Chair; Gayman and Tomenga.

[House Study Bill 520](#)

Public Safety: Gayman, Chair; Baudler, Hunter.

[House Study Bill 521](#)

Public Safety: Kressig, Chair; Sands and Whitaker.

[House Study Bill 522](#)

Public Safety: Heddens, Chair; Baudler and R. Olson.

[House Study Bill 523](#)

Public Safety: Swaim, Chair; Hunter and Lukan.

[House Study Bill 524](#)

Public Safety: Berry, Chair; Heddens and Tomenga.

[House Study Bill 525](#)

Public Safety: Zirkelbach, Chair; Kressig and Tjepkes.

[House Study Bill 588](#)

Human Resources: Smith, Chair; Ford and Upmeyer.

[House Study Bill 589](#)

Human Resources: Ford, Chair; Forristall and Smith.

[House Study Bill 590](#)

Human Resources: Smith, Chair; Ford and Heaton.

[House Study Bill 594](#)

Commerce: Wise, Chair; Bailey and Jacobs.

[House Study Bill 595](#)

Commerce: Oldson, Chair; Hoffman and Petersen.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

[H.S.B. 596](#) Labor

Relating to registration and bonding requirements for contractors, and providing criminal and civil penalties.

[H.S.B. 597](#) Labor

Relating to workers' compensation benefit payments for burial expenses.

[H.S.B. 598](#) Labor

Relating to the boiler and pressure vessel safety and elevator safety revolving funds under the control of the labor commissioner.

[H.S.B. 599](#) Labor

Relating to amusement ride safety inspections conducted by special inspectors authorized by the division of labor services in the department of workforce development.

[H.S.B. 600](#) Labor

Relating to employers' participation in unemployment insurance adjudications.

[H.S.B. 601](#) Labor

Relating to unemployment insurance benefits and compliance with federal law and including effective date and applicability provisions.

[H.S.B. 602](#) Labor

Relating to inclined or vertical wheelchair lifts regulated by the elevator safety board.

H.S.B. 603 Labor

Relating to circumstances for employees' right of recourse when an employer is late paying wages.

H.S.B. 604 Labor

Relating to unemployment insurance tax penalties.

H.S.B. 605 Judiciary

Relating to the commission of a criminal offense classified as murder in the first degree, and providing a penalty.

H.S.B. 606 Judiciary

Relating to the payment of costs for an attorney appointed to serve as a guardian ad litem.

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 Study Bill 503](#)), relating to appointments to the college student aid commission and including an effective date and applicability provision.

Fiscal Note is not required.

Recommended **Do Pass** January 28, 2008.

COMMITTEE ON PUBLIC SAFETY

Committee Bill (Formerly [House File 663](#)), relating to taking the fingerprints of a child by a governmental unit.

Fiscal Note is not required.

Recommended **Do Pass** January 29, 2008.

On motion by McCarthy of Polk the House adjourned at 9:42 a.m., until 9:00 a.m., Thursday, January 31, 2008.