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**STATE OF IOWA**

**House Journal**

**MONDAY, MARCH 2, 2009**

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Produced daily by the State of Iowa during the sessions of the General Assembly.  
(The official bound copy will be available after a reasonable time upon adjournment.)

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# JOURNAL OF THE HOUSE

Fiftieth Calendar Day - Thirty-second Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Monday, March 2, 2009

The House met pursuant to adjournment at 1:11 p.m., Speaker Murphy in the chair.

Prayer was offered by Reverend Susan Guy, pastor of Walnut Hills United Methodist Church, Urbandale. She was the guest of Representative Janet Petersen of Polk County.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Rishabh Nath, Brian Simons and Nick Gulick, students from Linn-Mar High School, demonstrating their robotic skills.

The Journal of Friday, February 27, 2009 was approved.

## INTRODUCTION OF BILLS

[House File 486](#), by committee on public safety, a bill for an act providing for the regulation of commercial establishments that house animals by the department of agriculture and land stewardship.

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

[House File 487](#), by committee on education, a bill for an act requiring postsecondary institutions and schools to provide students with specific textbook information.

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

[House File 488](#), by committee on human resources, a bill for an act relating to including the maintenance of service animals as an eligible service reimbursable under the home and community-based services waivers.

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

[House File 489](#), by committee on environmental protection, a bill for an act relating to reimbursement of hazardous substance cleanup costs.

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

[House File 490](#), by Abdul-Samad, a bill for an act relating to inmates diagnosed with hepatitis C, including referral of such inmates for coverage under the medical assistance program upon release.

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

[House File 491](#), by committee on local government, a bill for an act relating to compensation paid to county supervisors.

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

[House File 492](#), by Ford, a bill for an act prohibiting the use of credit information for underwriting or rating risks for personal insurance and providing penalties and effective and applicability dates.

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

[House File 493](#), by Frevert, Reichert and Mertz, a bill for an act requiring a registered nurse to be present in operating rooms during certain surgical procedures.

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

[House File 494](#), by Windschitl, a bill for an act prohibiting the expenditure of state funds to implement the federal REAL ID Act of 2005.

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

[House File 495](#), by committee on education, a bill for an act relating to participation in varsity extracurricular interscholastic contests and competitions by students.

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

## SENATE MESSAGES CONSIDERED

[Senate File 117](#), by committee on transportation, a bill for an act relating to the operation of bicycles on a street or highway, providing requirements for motor vehicle operators encountering other vehicles or bicycles, and providing penalties.

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

[Senate File 150](#), by committee on judiciary, a bill for an act relating to notice of claims and the statute of limitation period in an action involving a claim against a special charter city.

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

## REPORT OF THE CITIZENS' AIDE/OMBUDSMAN

CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES:  
Pursuant to [Senate Concurrent Resolution 2](#), William P. Angrick II submits the following list of position classifications in the Office of the Citizens' Aide/Ombudsman and the following list of the names, positions, and grades and steps of the employees in the Office of the Citizens' Aide/Ombudsman.

<u>Position Classification</u>	<u>Pay Grade</u>
Senior Deputy	41
Deputy	38
Senior Legal Counsel	38
Legal Counsel 2	35
Legal Counsel 1	32
Senior Assistant	38
Assistant 3	35
Assistant 2	32
Assistant 1	29
Senior Finance Officer 2	35
Senior Finance Officer	31
Finance Officer 2	27
Finance Officer 1	24
Executive Secretary	24
Administrative Secretary	21
Citizens' Aide/Ombudsman Secretary/receptionist	19
Legislative Intern	19

<u>Name</u>	<u>Position</u>	<u>Grade/Step</u>
W. Angrick	Citizens' Aide/Ombudsman	45-6
L. Brundies	Assistant 1	29-2
J. Burdick Crane	Senior Finance Officer	35-3
J. Burnham	Senior Assistant	38-7
R. Calloway	Assistant 3	35-5
R. Cooperrider	Senior Deputy	41-7
B. Dalmer	Assistant 2	32-3
A. Dalton	Assistant 2	32-4
E. Hart	Assistant 2	32-4
K. Hirschman	Senior Assistant	38-7
D. Julien	CAOSecretary/Receptionist	19-2
E. Mitchell-Sadler	Assistant 2	32-5
C. Natynski	Legislative Intern	19-1
R. Rowland	Legal Counsel 1	32-3
A. Teas	Assistant 1	29-3
B. Van Allen	Assistant 2	32-3
K. White	Assistant 3	35-5

REPORT OF THE DIRECTOR OF THE  
LEGISLATIVE SERVICES AGENCY

CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES:  
Pursuant to [Senate Concurrent Resolution 2](#), Glen P. Dickinson, Legislative Services Agency, submits the following list of position classifications in the Office of the Legislative Services Agency and the following list of the names, positions, and grades and steps of the employees in the Legislative Services Agency.

POSITION CLASSIFICATIONS

<u>Position Classification</u>	<u>Pay Grade</u>
Capitol Tour Guide Supervisor 2	25
Capitol Tour Guide Supervisor 1	22
Capitol Tour Guide	18
Director	00
Division Director	43
Senior Finance Officer 2	35
Senior Finance Officer	31
Finance Officer 2	27
Finance Officer 1	24
Legislative Document Specialist 3	30
Legislative Document Specialist 2	27
Legislative Document Specialist 1	24
Legislative Document Specialist	21
Legislative Document Tech. Supervisor	28
Legislative Document Tech. 3	25

Legislative Document Tech. 2	22
Legislative Document Tech. 1	19
Legislative Document Tech.	16
Senior Librarian	27
Librarian	24
Assistant Librarian	22
LIO Director 3	38
LIO Director 2	35
LIO Director 1	32
LIO Officer 3	30
LIO Officer 2	27
LIO Officer 1	24
LSA Page	9
Systems Analyst	32
CSD Division Editor/Supervisor	36
Senior Computer Systems Analyst	35
Computer Systems Analyst 3	32
Computer Systems Analyst 2	29
Computer Systems Analyst 1	27
Computer Systems Analyst	24
Senior Computer Systems Engineer	35
Computer Systems Engineer 2	32
Computer Systems Engineer 1	29
Division Administrator 2	41
Division Administrator 1	38
Session Technology Floor Asst.	17
Senior Legislative Analyst	38
Legislative Analyst 3	35
Legislative Analyst 2	32
Legislative Analyst 1	29
Legislative Analyst	27
Assistant Editor 3	30
Assistant Editor 2	27
Assistant Editor 1	24
Code Editor	41
Deputy Code Editor	35
Index Supervisor	28
Indexer 2	25
Indexer 1	22
Assistant Indexer	19
Division Editor/Supervisor	39
Senior Legal Counsel	38
Legal Counsel 2	35
Legal Counsel 1	32
Legal Counsel	30
Publications Assistant	21
Senior Research Analyst	38
Research Analyst 3	35
Research Analyst 2	32
Research Analyst 1	29
Research Analyst	27

## NAME, POSITIONS AND GRADES AND STEPS OF EMPLOYEES

<u>NAME</u>	<u>POSITION</u>	<u>GRADE AND STEP</u>
M. Anfinson	Capitol Tour Guide	18-1
A. Arnett	Capitol Tour Guide	18-1
J. Arnett	Capitol Tour Guide Supervisor 2	25-7
M. Belieu	Capitol Tour Guide	18-1
C. Bergan	Page	9-1
M. Bray	Capitol Tour Guide	18-1
A. Bridges	Capitol Tour Guide	18-1
C. Coppock	Capitol Tour Guide	18-1
D. Craft	Legislative Document Tech. 3	25-3
C. Cronbaugh	LIO Director	32-6
D. Degen	Legislative Document Tech. 2	22-7
G. Dickinson	Director	\$130,000.00
J. Douglas	Legislative Document Sp. 2	27-7
S. Downey	Capitol Tour Guide	18-1
T. Duncan	Legislative Document Tech. 1	19-2
J. Ellenwood	Legislative Document Tech. 2	22-3
T. Faller	Division Director	43-7
C. Fisher	Systems Analyst	32-7
M. Fisher	Capitol Tour Guide	18-1
G. Garrett	Legislative Doc. Tech. Supervisor	28-4
M. Hagen	Legislative Document Tech. 2	22-2
J. Hanel	Page	9-1
N. Herselius	Capitol Tour Guide	18-1
S. Jennings	Legislative Document Tech. 3	25-6
J. Jess	Capitol Tour Guide	18-1
T. Johnson	Capitol Tour Guide	18-1
D. Kirk	Legislative Document Tech. 2	22-1
C. Koster	Legislative Document Tech. 1	19-1
M. Kruse	Senior Finance Officer 2	35-4
B. Lamberti	LIO Officer2	27-3
S. Laust	Legislative Doc. Tech. Supervisor	28-6
E. Lyons	Capitol Tour Guide	18-1
C. Mercati	Capitol Tour Guide	18-1
L. Morford	Legislative Document Tech. 3	25-6
S. Nabholz	Legislative Document Tech. 2	22-7
N. Navara	Legislative Document Tech. 3	25-7
K. Nelson	Legislative Document Tech. 2	22-2
K. Nichols	Legislative Document Tech. 1	19-7
W. Paxson	Capitol Tour Guide	18-1
S. Person	Capitol Tour Guide	18-1
M. Powell	Page	9-1
E. Robinson	Capitol Tour Guide	18-1
T. Rudicil	Legislative Document Tech. 1	19-5
T. Souer	Legislative Doc. Tech. Supervisor	28-7
M. Thompson	Legislative Document Tech. 3	25-5
D. Vasey	Capitol Tour Guide	18-1
J. Warner	Legislative Document Tech. 3	25-7

M. Weber	Capitol Tour Guide	18-1
K. Wesely	Senior Finance Officer 2	35-2
J. Wood	Capitol Tour Guide	18-1
D. Allen	Senior Computer Systems Analyst	35-4
J. Bellizzi	Computer Systems Analyst 2	29-5
B. Boyd	Division Administrator 1	38-7
M. Eaton	Division Administrator 1	38-7
D. Kair	Division Administrator 1	38-7
R. Knapp	Senior Computer Systems Analyst	35-7
J. Koth	Senior Computer Systems Engineer	35-5
J. Kroes	Senior Computer Systems Engineer	35-7
E. Meyer	Computer Systems Analyst 1	27-2
S. Miller	Senior Computer Systems Analyst	35-7
J. Rafdal	Senior Computer Systems Engineer	35-7
B. Rodenkirk	Computer Systems Engineer 2	32-3
G. Rudicil	Senior Computer Systems Analyst	35-7
M. Rykhoek	Computer Systems Analyst	24-3
J. Van Engelenhoven	Division Administrator 1	38-5
V. Van Vlair Hansen	Senior Compute Systems Analyst	35-5
J. Acton	Senior Legislative Analyst	38-2
J. Benson	Legislative Analyst 1	29-4
J. Brandstatter	Legislative Analyst	27-2
D. Ferguson	Senior Legislative Analyst	38-7
D. Helsen	Legislative Analyst	27-3
D. Kozel	Senior Legislative Analyst	38-6
B. Lenstra	Senior Legislative Analyst	38-7
S. Lerdal	Senior Legislative Analyst	38-7
H. Lyons	Division Director	43-7
R. Madison	Senior Legislative Analyst	38-2
M. Mellick	Legislative Analyst 2	32-6
D. Reynolds	Senior Legislative Analyst	38-7
J. Robinson	Senior Legislative Analyst	38-7
R. Robinson	Senior Legislative Analyst	38-3
M. Shipman	Division Editor/Supervisor	39-7
S. Snyder	Senior Legislative Analyst	38-7
M. Tannian	Legislative Analyst 1	29-2
D. Wulf	Division Administrator 2	41-7
D. Ackerman	Senior Research Analyst	38-4
D. Adkisson	Senior Legal Counsel	38-7
J. Clark	Publications Assistant	21-6
E. Cook	Senior Legal Counsel	38-7
J. Croatt	Assistant Editor 1	24-1
S. Crowley	Division Editor/Supervisor	39-7
N. Dugan	Assistant Editor 1	24-2
M. Duster	Legal Counsel	30-3
A. Erazo	Assistant Editor 1	24-2
P. Funaro	Senior Legal Counsel	38-7
M. Goedert	Senior Legal Counsel	38-7
K. Hanlon	Senior Research Analyst	38-7
L. Hickey	Iowa Code Editor	41-7
R. Hjelmaas	Senior Legal Counsel	38-3
S. Hoff	Deputy Administrative Code Editor	35-4

N. Hoffman	Division Editor/Supervisor	39-7
R. Johnson	Division Director	43-7
R. Karns	Assistant Editor 3	30-4
C. Kimsey	Publications Assistant	21-3
A. Knief	Legal Counsel 1	32-3
J. McEniry	Senior Legal Counsel	38-6
T. McDermott	Senior Legal Counsel	38-6
R. Nelson	Senior Legal Counsel	38-7
J. Page	Deputy Iowa Code Editor	35-7
J. Pollak	Division Administrator 2	41-7
J. Powell	Indexer 2	25-5
J. Royce	Senior Legal Counsel	38-7
R. Schulze	Assistant Editor 3	30-7
N. Swank	Research Analyst	27-1
C. Thurmond	Assistant Editor 1	24-3
T. Vander Linden	Assistant Editor 3	30-6
A. Ver Heul	Legal Counsel 2	35-4
M. Weiford	Assistant Editor 1	24-4
K. West	Administrative Code Editor	41-7
N. Westbrook	Assistant Editor 2	27-5
T. Whipple	Legal Counsel	30-3
P. Worden	Index Supervisor	28-7

### [SENATE FILE 151](#) REREFERRED

The Speaker announced that [Senate File 151](#), previously referred to committee on **transportation** was **passed on file**.

### BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on February 27, 2009, he approved and transmitted to the Secretary of State the following bills:

[Senate File 217](#), an Act providing for the establishment of the categorical state percent of growth for purposes of the state school foundation program, and providing an applicability date.

[Senate File 218](#), an Act providing for the establishment of the state percent of growth for purposes of the state school foundation program, and providing an applicability date.

### 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\2452 Ina Kretschmar, Marshalltown– For celebrating her 100<sup>th</sup> birthday.
- 2009\2453 Elsie Lohman, Rock Rapids– For celebrating her 90<sup>th</sup> birthday.
- 2009\2454 Evert Vanwesten, George– For celebrating his 90<sup>th</sup> birthday.
- 2009\2455 Gertrude Franken, Sioux Center– For celebrating her 90<sup>th</sup> birthday.
- 2009\2456 Myna De Stigter, Sioux Center– For celebrating her 85<sup>th</sup> birthday.
- 2009\2457 Catherine Gacke, Rock Rapids– For celebrating her 85<sup>th</sup> birthday.
- 2009\2458 Wilbur Rook, Rock Rapids– For celebrating his 85<sup>th</sup> birthday.
- 2009\2459 Elvira Johnson, Inwood– For celebrating her 85<sup>th</sup> birthday.
- 2009\2460 Ardyce Huff, George– For celebrating her 85<sup>th</sup> birthday.
- 2009\2461 Bryant Hummel, Clarinda– For winning 1<sup>st</sup> place in the 215 lb. weight class in the Class 2-A Division of the 2009 State Wrestling Tournament.
- 2009\2462 Edith Kusters, Sioux Center – For celebrating her 85<sup>th</sup> birthday.
- 2009\2463 Esther Plantage, Sioux Center – For celebrating her 80<sup>th</sup> birthday.
- 2009\2464 Tillie Nyhuis, Rock Rapids – For celebrating her 80<sup>th</sup> birthday.
- 2009\2465 Arie Blom, Inwood – For celebrating his 80<sup>th</sup> birthday.
- 2009\2466 Pete Smit, George – For celebrating his 80<sup>th</sup> birthday.
- 2009\2467 Darlene Peters, Little Rock – For celebrating her 80<sup>th</sup> birthday.
- 2009\2468 Lyle Grotewold, Larchwood – For celebrating his 75<sup>th</sup> birthday.
- 2009\2469 Jennie Wibben, Rock Rapids – For celebrating her 75<sup>th</sup> birthday.
- 2009\2470 Frederick Lamfers, Sioux Center – For celebrating his 75<sup>th</sup> birthday.
- 2009\2471 Perry Van Gorp, Sioux Center – For celebrating his 75<sup>th</sup> birthday.
- 2009\2472 Beverly Jackson, Inwood – For celebrating her 75<sup>th</sup> birthday.
- 2009\2473 Douglas Hilbrands, George – For celebrating his 75<sup>th</sup> birthday.
- 2009\2474 Cornelius Brands, Rock Valley – For celebrating his 75<sup>th</sup> birthday.
- 2009\2475 Myrna Eben, George – For celebrating her 75<sup>th</sup> birthday.

- 2009\2476 Carroll and Judy Clark, Dubuque – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2009\2477 Tony and Betty Callahan, Dubuque – For celebrating their 55<sup>th</sup> wedding anniversary.
- 2009\2478 Judith Chapman, Genesis Medical Center, Davenport – For being selected at the University of Iowa College of Nursing as one of Iowa's 100 Great Nurses.
- 2009\2479 Jill Weber, Genesis Medical Center, Davenport – For being selected at the University of Iowa College of Nursing as one of Iowa's 100 Great Nurses.

SUBCOMMITTEE ASSIGNMENTS

[House File 431](#)

Transportation: May, Chair; Quirk and Wenthe.

[House File 435](#)

State Government: Mascher, Chair; Struyk and T. Taylor.

[House File 436](#)

State Government: Lensing, Chair; Frevert and Struyk.

[House File 453](#)

Public Safety: Whitead, Chair; Hagenow and Whitaker.

[House File 458](#)

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

[House File 460](#)

Transportation: Koester, Chair; Kelley and Quirk.

[House File 467](#)

State Government: Frevert, Chair; Drake and Isenhardt.

[House File 473](#)

Environmental Protection: Lensing, Chair; Soderberg and Whitaker.

[House File 474](#)

State Government: T. Taylor, Chair; Koester and Shomshor.

[House File 484](#)

State Government: T. Taylor, Chair; Koester and Willems.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

[House Study Bill 233](#)

Rebuild Iowa and Disaster Recovery: Thomas, Chair; De Boef and Kuhn.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

[H.S.B. 235](#) **Economic Growth**

Changing the allocation of moneys in the county endowment fund.

[H.S.B. 236](#) **Rebuild Iowa and Disaster Recovery**

Providing a contingent appropriation from the Iowa economic emergency fund to address the effects of a major disaster.

[H.S.B. 237](#) **Environmental Protection**

Relating to the operation and purview of the office of energy independence, by transferring authority over specified energy-related measures and programs from the department of natural resources to the office of energy independence, and providing transition provisions relating to the transfer of authority.

[H.S.B. 238](#) **Rebuild Iowa and Disaster Recovery**

Relating to disaster recovery for businesses through the loan and guarantee program and other activities by the department of economic development and providing an effective date.

COMMITTEE RECOMMENDATION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations has been received and is 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 351](#)), relating to early school start dates and providing effective and applicability dates.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 2, 2009.

## RESOLUTION FILED

**HCR 6**, by Sorenson, De Boef, Schultz, Tymeson, Deyoe, Paulsen, Upmeyer, Raecker, Watts, Hagenow, Helland, Kaufmann, Windschitl, Cownie, Wagner, Koester, Lukan, Baudler, Sands, Huseman, Soderberg and Pettengill, a concurrent resolution claiming state sovereignty under the Tenth Amendment to the Constitution of the United States over certain mandates imposed on states by the federal government.

Laid over under **Rule 25**.

## AMENDMENTS FILED

<a href="#">H-1102</a>	<a href="#">S.F. 98</a>	Struyk of Pottawattamie
<a href="#">H-1103</a>	<a href="#">H.F. 475</a>	Rants of Woodbury
<a href="#">H-1104</a>	<a href="#">H.F. 374</a>	Kuhn of Floyd
<a href="#">H-1105</a>	<a href="#">H.F. 243</a>	Pettengill of Benton
<a href="#">H-1106</a>	<a href="#">H.F. 243</a>	Pettengill of Benton

On motion by Reasoner of Union the House adjourned at 1:20 p.m., until 9:00 a.m., Tuesday, March 3, 2009.