

PROOF

STATE OF IOWA

House Journal

TUESDAY, MARCH 4, 2008

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JOURNAL OF THE HOUSE

Fifty-first Calendar Day - Thirty-sixth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, March 4, 2008

The House met pursuant to adjournment at 9:15 a.m., Speaker Murphy in the chair.

Prayer was offered by Reverend Vince Homan, pastor of the Delta and What Cheer United Methodist Church. He was the guest of Representative Betty De Boef of Keokuk County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Nathan Arentsen, legislative clerk to Representative Mike Reasoner of Union County.

The Journal of Monday, March 3, 2008 was approved.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 3, 2008, passed the following bill in which the concurrence of the House is asked:

[Senate File 2035](#), a bill for an act relating to campaign signs and contributions.

Also: That the Senate has on March 3, 2008, passed the following bill in which the concurrence of the House is asked:

[Senate File 2157](#), a bill for an act relating to amusement ride safety inspections conducted by special inspectors authorized by the division of labor services in the department of workforce development.

Also: That the Senate has on March 3, 2008, passed the following bill in which the concurrence of the House is asked:

[Senate File 2173](#), a bill for an act relating to case permanency plans, consent decrees, and attendance at proceedings in juvenile court.

Also: That the Senate has on March 3, 2008, passed the following bill in which the concurrence of the House is asked:

[Senate File 2211](#), a bill for an act relating to the residency of a district judge nominee.

Also: That the Senate has on March 3, 2008, passed the following bill in which the concurrence of the House is asked:

[Senate File 2221](#), a bill for an act relating to workers' compensation benefit payments for burial expenses.

Also: That the Senate has on March 3, 2008, passed the following bill in which the concurrence of the House is asked:

[Senate File 2222](#), a bill for an act relating to payment of wages.

MICHAEL E. MARSHALL, Secretary

INTRODUCTION OF BILLS

[House File 2485](#), by committee on labor, a bill for an act concerning disclosures of information regarding patient safety by health care workers and providing penalties.

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

[House File 2486](#), by committee on human resources, a bill for an act relating to health-related activities and regulation by the department of public health.

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

[House File 2487](#), by committee on education, a bill for an act relating to student achievement and teacher quality program definitions and requirements and extending or changing program allocations.

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

[House File 2488](#), by Pettengill, Lukan, Soderberg, Windschitl, Alons, L. Miller, Forristall, Arnold, Rasmussen, Heaton, Van Engelenhoven, Deyoe, S. Olson, Granzow, Drake and Upmeyer, a bill for an act relating to the destruction of public records containing personal information and providing a penalty.

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

[House File 2489](#), by Van Fossen, a bill for an act to allow disabled persons to park in metered parking spaces free of charge.

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

[House File 2490](#), by Ford, a bill for an act relating to requirements for service contracts with state agencies.

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

[House File 2491](#), by Paulsen, a bill for an act relating to funding for special education services for children living in foster care or shelter care facilities or a juvenile detention home.

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

[House File 2492](#), by Paulsen, a bill for an act related to tax credits for community-based seed capital investments by increasing the aggregate amount of tax credits available and making the credits transferable.

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

[House File 2493](#), by committee on human resources, a bill for an act relating to mental health and disability services provisions involving the membership of the mental health, mental retardation, developmental disabilities, and brain injury commission and providing for implementation of an emergency mental health crisis services system.

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

[House File 2494](#), by Sands, Lukan, Soderberg, Windschitl, Alons, L. Miller, Forristall, Arnold, Rasmussen, Heaton, Van Engelenhoven, Deyoe, S. Olson, Granzow, Hoffman, Chambers, Drake and Upmeyer, a bill for an act requiring the department of revenue to provide notice of suspected misuse of personal information.

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

ADOPTION OF [HOUSE RESOLUTION 104](#)

L. Miller of Scott and Winckler of Scott called up for consideration [House Resolution 104](#), a resolution designating March 2008 as Iowa Women's History Month, and moved its adoption.

The motion prevailed and the resolution was adopted.

SPECIAL PRESENTATION

In celebration of "March Women's History Month", the Iowa Commission on the Status of Women, the Iowa Department of Education and the State Historical Society of Iowa sponsored a "Write Women Back Into History" essay contest. L. Miller of Scott and Winkler of Scott presented the following winners of the contest:

Sixth and Seventh Grade Category

First Place — Tyler Hupp, Prairie Middle School, Cedar Rapids.

Second Place — Meghan Buschwitz, College Community Schools/Prairie Middle Schools, Cedar Rapids.

Third Place — Connor Drahos, Prairie Middle School, Cedar Rapids.

Eighth and Ninth Grade Category

First Place — Ryan Watters, Vernon Middle School, Marion.

Second Place — Jordan Schill, Urbandale Middle School.

Third Place — Katilin Moews, Indianola Middle School, Indianola.

Best Essays on Women in Science and Engineering
Six and Seventh Grade Category

First Place — Madison Noble, Park View Middle School, Ankeny.

Second Place — Lauren M. Ceplecha, Parkview Middle School, Ankeny.

Eighth and Ninth Grade Category

First Place — Rachel Henning, Central-Clinton Community High School, DeWitt.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Frevert of Palo Alto; Petersen of Polk; and Reichert of Muscatine on request of Speaker Murphy; Watts of Dallas on request of Kaufmann of Cedar.

The House stood at ease at 9:30 a.m., until the fall of the gavel.

The House resumed session at 9:36 a.m., Speaker Murphy in the chair.

RULE 60 LOST

Rants of Woodbury invoked Rule 60 and moved that [House Joint Resolution 8](#) be removed from the committee on judiciary and moved to the floor for debate.

Roll call was requested by Rants of Woodbury and Upmeyer of Hancock.

Rule 75 was invoked.

On the question "Shall House Rule 60 be invoked?"

The ayes were, 46:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gipp	Granzow	Grassley	Greiner
Heaton	Hoffman	Horbach	Huseman
Jacobs	Kaufmann	Lukan	May
Miller, L.	Olson, S.	Paulsen	Pettengill
Raecker	Rants	Rasmussen	Rayhons
Roberts	Sands	Schickel	Soderberg
Struyk	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Wienczek
Windschitl	Worthan		

The nays were, 50:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Gaskill	Gayman
Heddens	Hunter	Huser	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Mertz	Miller, H.	Oldson	Olson, D.

Olson, R.	Olson, T.	Palmer	Quirk
Reasoner	Schueller	Shomshor	Smith
Staed	Swaim	Taylor, D.	Taylor, T.
Thomas	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise
Zirkelbach	Mr. Speaker		
	Murphy		

Absent or not voting, 4:

Fravert	Petersen	Reichert	Watts
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The motion to invoke Rule 60 lost.

On motion by McCarthy of Polk, the House was recessed at 9:39 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened at 1:14 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 March 4, 2008, amended and passed the following bill in which the concurrence of the Senate was asked:

[House File 2309](#), a bill for an act 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.

MICHAEL E. MARSHALL, Secretary

INTRODUCTION OF BILLS

[House File 2495](#), by Ford, Zirkelbach and Bailey, a bill for an act relating to the small business linked investments program by changing the allocation of available moneys from program investments and raising the limit on qualifying net worth.

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

[House File 2496](#), by committee on agriculture, a bill for an act providing for the stockpiling of dry manure from a confinement feeding operation and making penalties applicable.

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

[House File 2497](#), by committee on economic growth, a bill for an act providing for the establishment of a council on homelessness.

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

[House File 2498](#), by committee on environmental protection, a bill for an act relating to the disposal of solid waste by changing permitting requirements and updating and clarifying existing provisions.

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

[House File 2499](#), by committee on human resources, a bill for an act relating to case permanency plans, consent decrees, and attendance at proceedings in juvenile court.

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

[House File 2500](#), by committee on judiciary, a bill for an act creating the criminal offense of interference with judicial acts, and providing a penalty.

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

[House File 2501](#), by committee on judiciary, a bill for an act relating to mandatory retirement for senior judges.

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

[House File 2502](#), by Jacoby, a bill for an act providing for a residual biomass tax credit, and including effective and applicability dates.

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

[House File 2503](#), by Pettengill, a bill for an act requiring that a person entering into a repurchase contract for the growing of corn seed stock post a special bond.

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

SENATE MESSAGES CONSIDERED

[Senate File 2157](#), by committee on labor and business relations, a bill for an act relating to amusement ride safety inspections conducted by special inspectors authorized by the division of labor services in the department of workforce development.

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

[Senate File 2211](#), by committee on judiciary, a bill for an act relating to the residency of a district judge nominee.

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

[Senate File 2221](#), by committee on labor and business relations, a bill for an act relating to workers' compensation benefit payments for burial expenses.

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

[Senate File 2222](#), by committee on labor and business relations, a bill for an act relating to payment of wages.

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

2008 HOUSE COMMITTEE REVISIONS

The Speaker announced the following appointments to the committee on commerce due to the temporary absence of Representative Petersen of Polk:

Lisa Heddens

Commerce

Bob Kressig, Vice Chair of Commerce

Chair of Commerce

[HOUSE FILE 2495](#) REREFERRED

The Speaker announced that [House File 2495](#), previously referred to committee on **economic growth** was rereferred to committee on **veterans affairs**.

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\1872 Clarence and Norma Ball, Milo – For celebrating their 50th wedding anniversary.
- 2008\1873 George and Dee Wassenaar, Pella – For celebrating their 55th wedding anniversary.
- 2008\1874 Les Graversen, Plymouth – For celebrating his 80th birthday.
- 2008\1875 Edna Sherer, Rockwell – For celebrating her 80th birthday.
- 2008\1876 Ralph Kramer, Sheffield – For celebrating his 92nd birthday.
- 2008\1877 Connor Drahos, Prairie Middle School, Cedar Rapids – For receiving 3rd place in the 6-7 Grade category in the Write Women Back Into History Essay Contest.

SUBCOMMITTEE ASSIGNMENTS

[House File 2421](#)

Economic Growth: Thomas, Chair; Bailey and May.

[House File 2430](#)

State Government: Jacoby, Chair; Kaufmann and Lensing.

[House File 2439](#)

State Government: Abdul-Samad, Chair; Roberts and Whitead.

[House File 2441](#)

State Government: Lensing, Chair; Jacoby and Roberts.

[House File 2443](#)

State Government: Wessel-Kroeschell, Chair; Lensing and Roberts.

[House File 2447](#)

Economic Growth: D. Olson, Chair; Granzow and Schueller.

[House File 2448](#)

Commerce: Berry, Chair; Pettengill and D. Taylor.

[House File 2449](#)

Commerce: Kelley, Chair; Quirk and Sands.

[House File 2451](#)

Local Government: Gaskill, Chair; Deyoe and D. Olson.

[House File 2453](#)

State Government: Abdul-Samad, Chair; Jacobs and Wessel-Kroeschell.

[House File 2454](#)

State Government: Mascher, Chair; Jacoby and Kaufmann.

[House File 2456](#)

Transportation: Huser, Chair; Bell and May.

[House File 2458](#)

Public Safety: Hunter, Chair; Sands and Whitaker.

[House File 2461](#)

State Government: Mascher, Chair; Jacoby and Kaufmann.

[House File 2462](#)

Local Government: D. Olson, Chair; Deyoe and Whitead.

[House File 2464](#)

State Government: Mascher, Chair; Jacoby and Kaufmann.

[House File 2465](#)

Transportation: Bukta, Chair; D. Olson and Worthan.

[House File 2466](#)

Commerce: T. Olson, Chair; Pettengill and Quirk.

[House File 2470](#)

Local Government: Schueller, Chair; Arnold and Lykam.

[House File 2473](#)

Commerce: Jacoby, Chair; Petersen and Struyk.

[House File 2476](#)

Local Government: D. Olson, Chair; Gaskill and Van Fossen.

[House File 2481](#)

Local Government: Gaskill, Chair; Bukta and Rasmussen.

[House File 2489](#)

Transportation: Windschitl, Chair; Rasmussen and Whitaker.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

[House Study Bill 745](#)

Human Resources: Abdul-Samad, Chair; Grassley and Palmer.

[House Study Bill 747](#)

Commerce: Berry, Chair; Kelley and Sands.

[House Study Bill 748](#)

Judiciary: Swaim, Chair; Anderson and Palmer.

[House Study Bill 749](#)

Public Safety: Tjepkes, Chair; Bell and Lykam.

[House Study Bill 750](#)

Judiciary: Lensing, Chair; Heaton and Winckler.

[House Study Bill 751](#)

Judiciary: Anderson, Chair; Huser and Swaim.

House Study Bill 752

Judiciary: Winckler, Chair; Baudler and Lensing.

House Study Bill 753

Transportation: Dandekar, Chair; May, D. Olson and Windschitl.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 754 Economic Growth

Establishing measures to increase Iowa's skilled workforce and providing appropriations and an applicability date.

H.S.B. 755 Judiciary

Establishing the office of consumer advocate on insurance.

H.S.B. 756 Commerce

Providing for restrictions relating to cancellation provisions applicable to cellular telephone service contracts.

H.S.B. 757 Human Resources

Relating to health care reform including health care coverage intended for children, health information technology, end-of-life care promotion, preexisting conditions and dependent children coverage, and medical homes, providing an appropriation, and including an applicability provision.

H.S.B. 758 Agriculture

Providing for the state interagency Missouri river authority.

H.S.B. 759 Veterans Affairs

Relating to the Iowa civil rights Act and discrimination based upon a person's military status.

H.S.B. 760 Judiciary

Concerning patient access to the patient's health care records relating to appeals regarding eligibility for certain public benefits programs and providing a civil penalty.

H.S.B. 761 Local Government

Relating to city finance committee duties and the city budgeting process.

H.S.B. 762 Economic Growth

Providing for a residual biomass tax credit, and including effective and applicability dates.

H.S.B. 763 Economic Growth

Relating to economic growth by creating a workforce innovation for regional economic development task force and making an appropriation.

H.S.B. 764 Natural Resources

Relating to natural resources, including by providing for the powers and duties of the department's director and natural resources commission, and the regulation of public lands and outdoor recreation, providing for penalties and making penalties applicable, and providing for fees.

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 AGRICULTURE

Committee Bill (Formerly [House File 2360](#)), relating to the biodiesel blended fuel tax credit for retail dealers, and providing for retroactive applicability.

Fiscal Note is not required.

Recommended **Do Pass** March 3, 2008.

Committee Bill (Formerly [House Study Bill 702](#)), providing requirements for a nonresident of this state engaged in the aerial application of pesticides, making penalties applicable, and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 3, 2008.

Committee Bill (Formerly [House Study Bill 716](#)), relating to per diem compensation for directors of the Iowa soybean association board.

Fiscal Note is not required.

Recommended **Do Pass** March 3, 2008.

Committee Bill (Formerly [House Study Bill 724](#)), providing monetary thresholds for actions by governing boards of drainage districts.

Fiscal Note is not required.

Recommended **Do Pass** March 3, 2008.

Committee Bill (Formerly [House Study Bill 725](#)), relating to the management of cooperative associations.

Fiscal Note is not required.

Recommended **Do Pass** March 3, 2008.

COMMITTEE ON EDUCATION

[Senate File 2111](#), a bill for an act relating to requirements for blood lead testing and dental screening of children.

Fiscal Note is not required.

Recommended **Amend and Do Pass with Amendment [H-8063](#)** March 3, 2008.

Committee Bill (Formerly [House File 2083](#)), relating to the disposition of school property.

Fiscal Note is not required.

Recommended **Do Pass** March 3, 2008.

Committee Bill (Formerly [House File 2399](#)), establishing committees to formulate plans for a state research and development prekindergarten through grade twelve school and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 3, 2008.

Committee Bill (Formerly [House Study Bill 577](#)), relating to the statewide preschool program for four-year-old children and funding associated with the program and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 3, 2008.

COMMITTEE ON ENVIRONMENTAL PROTECTION

Committee Bill (Formerly [House File 2273](#)), relating to the disposal and recycling of waste oil filters and establishing a fee.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 3, 2008.

Committee Bill (Formerly [House Study Bill 652](#)), relating to solid waste disposal and environmental management by providing for the designation of environmental management systems, providing incentives, and creating an environmental management systems board.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 3, 2008.

Committee Bill (Formerly [House Study Bill 734](#)), relating to the control of beverage containers by expanding the types of beverage containers covered and increasing the reimbursement amount paid to dealers.

Fiscal Note is not required.

Recommended **Do Pass** March 3, 2008.

COMMITTEE ON LOCAL GOVERNMENT

Committee Bill (Formerly [House Study Bill 696](#)), relating to the office of the county recorder by making changes to fees charged by the county recorder, information

required to be endorsed on certain recorded documents and instruments, and standards for indexes maintained by the county recorder.

Fiscal Note is not required.

Recommended **Do Pass** March 3, 2008.

AMENDMENTS FILED

<u>H-8060</u>	<u>H.F. 2436</u>	Baudler of Adair Boal of Polk
<u>H-8061</u>	<u>H.F. 2338</u>	Horbach of Tama
<u>H-8062</u>	<u>H.F. 2309</u>	Senate Amendment
<u>H-8063</u>	<u>S.F. 2111</u>	Committee on Education

On motion by McCarthy of Polk the House adjourned at 1:27 p.m., until 9:00 a.m., Wednesday, March 5, 2008.