

**PROOF**

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**STATE OF IOWA**

**House Journal**

**WEDNESDAY, FEBRUARY 13, 2008**

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An official corrected copy is available for reference in the office of the Chief Clerk.  
(The official bound copy will be available after a reasonable time upon adjournment.)

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# JOURNAL OF THE HOUSE

Thirty-first Calendar Day - Twenty-second Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Wednesday, February 13, 2008

The House met pursuant to adjournment at 9:13 a.m., Speaker Murphy in the chair.

Prayer was offered by the Reverend Dennis St. Lawrence, pastor of Grace Baptist Church, Chariton. He was the guest of Representative Rich Arnold of Lucas County.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the “JEL” (Just Eliminate Lies) students from Marshalltown and surrounding area. The instructor of the group is Shannon Chyma. They were the guests of Representatives Smith of Marshall, Granzow of Hardin, Kuhn of Floyd, Jochum of Dubuque and Anderson of Page.

The Journal of Tuesday, February 12, 2008 was approved.

## INTRODUCTION OF BILLS

[House File 2240](#), by Reichert, a bill for an act relating to the Iowa power fund, specifying procedures applicable to Iowa power fund applications, authorizing allocations from the fund, and providing an effective date and applicability provision.

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

[House File 2241](#), by Whitaker, a bill for an act concerning separation distance requirements that apply to two or more confinement feeding operations under common ownership or management, and making penalties applicable.

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

[House File 2242](#), by Zirkelbach and Smith, a bill for an act relating to offenses against identity by specifying a procedure to secure credit information and providing a penalty.

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

[House File 2243](#), by Tymeson, Heaton, Jacobs, Deyoe, De Boef and Soderberg, a bill for an act providing for implementation of a voluntary licensure system for certain home-based child care providers.

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

[House File 2244](#), by Swaim, a bill for an act limiting the forest reservation acreage property tax exemption and including effective and applicability date provisions.

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

[House File 2245](#), by Boal, a bill for an act allowing certain belated claims for homestead property tax credits.

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

[House File 2246](#), by Davitt, a bill for an act requiring governments to include an attribution statement in government-provided or government-paid advertising and making a penalty applicable.

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

[House File 2247](#), by Kuhn and Whitead, a bill for an act providing for motor fuel pumps which dispense renewable fuel.

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

## CONSIDERATION OF BILLS

### Regular Calendar

[House File 2166](#), a bill for an act relating to the practice of pharmacy, including provisions governing tech-check-tech programs

and specifying applicable penalty provisions, was taken up for consideration.

T. Olson of Linn offered the following amendment [H-8015](#) filed by him and moved its adoption:

[H-8015](#)

- 1 Amend [House File 2166](#) as follows:
- 2 1. Page 1, line 30, by striking the word
- 3 "registered" and inserting the following:
- 4 "certified".
- 5 2. Page 1, line 32, by striking the word
- 6 "registered" and inserting the following:
- 7 "certified".

Amendment [H-8015](#) was adopted.

T. Olson of Linn 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?" ([H.F. 2166](#))

The ayes were, 99:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	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.
Palmer	Paulsen	Petersen	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
Wienczek	Winckler	Windschitl	Wise
Worthan	Zirkelbach	Mr. Speaker	
		Murphy	

The nays were, none.

Absent or not voting, 1:

Foegen

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

**House File 2167**, a bill for an act relating to controlled substance schedules and the reporting requirements to the board of pharmacy and making penalties applicable, was taken up for consideration.

T. Olson of Linn 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?" ([H.F. 2167](#))

The ayes were, 99:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	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.
Palmer	Paulsen	Petersen	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  
Worthan

Winckler  
Zirkelbach

Windschitl  
Mr. Speaker  
Murphy

Wise

The nays were, none.

Absent or not voting, 1:

Foegen

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

### IMMEDIATE MESSAGES

Reasoner of Union asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2166** and **2167**.

### 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\1133 Merlyn and Pearl Krueger, Waterloo – For celebrating their 65<sup>th</sup> wedding anniversary.
- 2008\1134 Edward and Ruth Neyens, Dubuque – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2008\1135 Paul and Helen Barton, Dubuque – For celebrating their 66<sup>th</sup> wedding anniversary.
- 2008\1136 Victor and Myrtle Leibfried, Dubuque – For celebrating their 66<sup>th</sup> wedding anniversary.
- 2008\1137 Donald and Patricia Steuck, Dubuque – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2008\1138 John and Algene Klotz, Dubuque – For celebrating their 53<sup>rd</sup> wedding anniversary.
- 2008\1139 Elmer and Sharon Fink, Dubuque – For celebrating their 50<sup>th</sup> wedding anniversary.

- 2008\1140 Melvin and Bernice Mai, Dubuque – For celebrating their 65<sup>th</sup> wedding anniversary.
- 2008\1141 Cletus Cashman, Dubuque – For celebrating his 80<sup>th</sup> birthday.
- 2008\1142 Winona Swier, Rock Valley – For celebrating her 90<sup>th</sup> birthday.
- 2008\1143 John Van Roekel, Sioux Center – For celebrating his 90<sup>th</sup> birthday.
- 2008\1144 Vi Lilly, Akron – For celebrating her 96<sup>th</sup> birthday.
- 2008\1145 Norman Heeren, Akron – For celebrating his 80<sup>th</sup> birthday.
- 2008\1146 Wayne and Beverly Weber, Le Mars – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2008\1147 Melvin and Lois Nielsen, Akron – For celebrating their 70<sup>th</sup> wedding anniversary.
- 2008\1148 Barb Hess, Davenport – For her 46 years of skill, knowledge and dedication to the students at Central High School.
- 2008\1149 Irma Wendling, Donellson – For celebrating her 95<sup>th</sup> birthday.
- 2008\1150 Carl and Rita Holtz, West Point – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2008\1151 Mary Wernke, Dubuque – For celebrating her 75<sup>th</sup> birthday.
- 2008\1152 Robert Steuer, Dubuque – For celebrating his 85<sup>th</sup> birthday.
- 2008\1153 Carl Thumser, Dubuque – For celebrating his 75<sup>th</sup> birthday.
- 2008\1154 Hariette Matous, Dubuque – For celebrating her 85<sup>th</sup> birthday.
- 2008\1155 Marjorie Treanor, Dubuque – For celebrating her 85<sup>th</sup> birthday.
- 2008\1156 Blanche Haag, Dubuque – For celebrating her 85<sup>th</sup> birthday.
- 2008\1157 Hannah Edgar, Dubuque – For celebrating her 95<sup>th</sup> birthday.
- 2008\1158 Ardith Donovan, Dubuque – For celebrating her 85<sup>th</sup> birthday.
- 2008\1159 Vernice Goedken, Dubuque – For celebrating her 90<sup>th</sup> birthday.
- 2008\1160 Robert Timmerman, Dubuque – For celebrating his 75<sup>th</sup> birthday.
- 2008\1161 Mary Splinter, Dubuque – For celebrating her 80<sup>th</sup> birthday.
- 2008\1162 Anna Johnson, Dubuque – For celebrating her 90<sup>th</sup> birthday.
- 2008\1163 Mary Sauser, Dubuque – For celebrating her 90<sup>th</sup> birthday.

- 2008\1164 Peggy Unangst, Dubuque – For celebrating her 75<sup>th</sup> birthday.
- 2008\1165 Lois Nethery, Dubuque – For celebrating her 75<sup>th</sup> birthday.
- 2008\1166 Mary Kelleher, Dubuque – For celebrating her 75<sup>th</sup> birthday.
- 2008\1167 Eileen Rosenow, Dubuque – For celebrating her 80<sup>th</sup> birthday.
- 2008\1168 Richard Powers, Dubuque – For celebrating his 75<sup>th</sup> birthday.
- 2008\1169 Dayton Miller, Dubuque – For celebrating her 85<sup>th</sup> birthday.
- 2008\1170 Solana Breuer, Dubuque – For celebrating her 90<sup>th</sup> birthday.
- 2008\1171 Dorothy Olson, Dubuque – For celebrating her 85<sup>th</sup> birthday.
- 2008\1172 Charles Rettenmaier, Dubuque – For celebrating his 85<sup>th</sup> birthday.
- 2008\1173 Raymond Avenarious, Dubuque – For celebrating his 85<sup>th</sup> birthday.
- 2008\1174 Allen Scheckel, Dubuque – For celebrating his 75<sup>th</sup> birthday.
- 2008\1175 Roger Hoskins, Dubuque – For celebrating his 75<sup>th</sup> birthday.
- 2008\1176 Louise Turner, Dubuque – For celebrating her 85<sup>th</sup> birthday.
- 2008\1177 Noel Weinert, Dubuque – For celebrating her 80<sup>th</sup> birthday.
- 2008\1178 Beverly Cummings, Dubuque – For celebrating her 80<sup>th</sup> birthday.
- 2008\1179 Paul Shearer, Dubuque – For celebrating his 80<sup>th</sup> birthday.
- 2008\1180 Eleanor Moehl, Dubuque – For celebrating her 100<sup>th</sup> birthday.
- 2008\1181 Elsei Lightcap, Dubuque – For celebrating her 75<sup>th</sup> birthday.
- 2008\1182 Lou Meyer, Dubuque – For celebrating her 80<sup>th</sup> birthday.
- 2008\1183 Pal Powers, Dubuque – For celebrating his 80<sup>th</sup> birthday.
- 2008\1184 Malind Sand, Dubuque – For celebrating her 90<sup>th</sup> birthday.
- 2008\1185 Roselyn Corbett, Dubuque – For celebrating her 90<sup>th</sup> birthday.
- 2008\1186 Edward Gansen, Dubuque – For celebrating his 80<sup>th</sup> birthday.
- 2008\1187 Mary Tigges, Dubuque – For celebrating her 85<sup>th</sup> birthday.
- 2008\1188 Wilma Sanders, Dubuque – For celebrating her 75<sup>th</sup> birthday.
- 2008\1189 Dorothy Kisting, Dubuque – For celebrating her 85<sup>th</sup> birthday.

- 2008\1190 Edward Beard, Dubuque – For celebrating his 85<sup>th</sup> birthday.
- 2008\1191 William Spitznas, Dubuque – For celebrating his 90<sup>th</sup> birthday.
- 2008\1192 Betty Peacock, Dubuque – For celebrating her 80<sup>th</sup> birthday.
- 2008\1193 Gerda Chappell, Dubuque – For celebrating her 85<sup>th</sup> birthday.
- 2008\1194 Merici Mary Oehrlein, Dubuque – For celebrating her 95<sup>th</sup> birthday.
- 2008\1195 Rosemary Kuhle, Dubuque – For celebrating her 80<sup>th</sup> birthday.
- 2008\1196 Irene Holz, Dubuque – For celebrating her 90<sup>th</sup> birthday.
- 2008\1197 Thelma Schlueter, Dubuque – For celebrating her 75<sup>th</sup> birthday.
- 2008\1198 Margaret Dolson, Dubuque – For celebrating her 85<sup>th</sup> birthday.
- 2008\1199 Ruth Frommelt, Dubuque – For celebrating her 95<sup>th</sup> birthday.
- 2008\1200 William O’Hearn, Dubuque – For celebrating his 95<sup>th</sup> birthday.
- 2008\1201 Ruth Scharnau, Dubuque – For celebrating her 75<sup>th</sup> birthday.
- 2008\1202 Margaret Peter, Dubuque – For celebrating her 80<sup>th</sup> birthday.
- 2008\1203 Richard Sherman, Dubuque – For celebrating his 80<sup>th</sup> birthday.
- 2008\1204 Bernice Meyer, Dubuque – For celebrating her 85<sup>th</sup> birthday.
- 2008\1205 Geroge Giannakouros, Dubuque – For celebrating his 75<sup>th</sup> birthday.
- 2008\1206 Janelle Donahue, Dubuque – For celebrating her 75<sup>th</sup> birthday.
- 2008\1207 William Maher, Dubuque – For celebrating her 85<sup>th</sup> birthday.
- 2008\1208 Marvel Thetford, Dubuque – For celebrating her 95<sup>th</sup> birthday.
- 2008\1209 Charles Schweitzer, Dubuque – For celebrating his 85<sup>th</sup> birthday.
- 2008\1210 Dorothy Klaas, Dubuque – For celebrating her 90<sup>th</sup> birthday.
- 2008\1211 Florence Sitzmann Dubuque – For celebrating her 85<sup>th</sup> birthday.
- 2008\1212 Eileen Tilp, Dubuque – For celebrating her 95<sup>th</sup> birthday.
- 2008\1213 Vernon Van Cleve, Dubuque – For celebrating his 80<sup>th</sup> birthday.
- 2008\1214 Joyce Mezzano, Dubuque – For celebrating her 80<sup>th</sup> birthday.
- 2008\1215 Cletus Herrig, Dubuque – For celebrating his 85<sup>th</sup> birthday.

- 2008\1216 Mavis Hanson, Dubuque – For celebrating her 75<sup>th</sup> birthday.
- 2008\1217 Rita Purcell, Dubuque – For celebrating her 85<sup>th</sup> birthday.
- 2008\1218 Buena Ryan, Dubuque – For celebrating her 90<sup>th</sup> birthday.
- 2008\1219 Robert Jochum, Dubuque – For celebrating his 75<sup>th</sup> birthday.
- 2008\1220 Arlene Hochberger, Dubuque – For celebrating her 85<sup>th</sup> birthday.
- 2008\1221 Elizabeth Presseller, Dubuque – For celebrating her 85<sup>th</sup> birthday.
- 2008\1222 Ruth Green, Dubuque – For celebrating her 85<sup>th</sup> birthday.
- 2008\1223 Carl Lange, Dubuque – For celebrating his 75<sup>th</sup> birthday.
- 2008\1224 Ronald Newton, Dubuque – For celebrating his 80<sup>th</sup> birthday.
- 2008\1225 Brenda Bloesch, Dubuque – For celebrating her 75<sup>th</sup> birthday.
- 2008\1226 Rosanne Rottinghaus, Dubuque – For celebrating her 75<sup>th</sup> birthday.
- 2008\1227 Joanne Schwarzhoff, Dubuque – For celebrating her 80<sup>th</sup> birthday.
- 2008\1228 Lyle Alshouse, Dubuque – For celebrating his 85<sup>th</sup> birthday.
- 2008\1229 Viriginia Freilinger, Dubuque – For celebrating her 85<sup>th</sup> birthday.
- 2008\1230 Helen Thielen, Dubuque – For celebrating her 80<sup>th</sup> birthday.
- 2008\1231 William Marshall, Dubuque – For celebrating his 85<sup>th</sup> birthday.
- 2008\1232 Alfreda Nesteby, Dubuque – For celebrating her 80<sup>th</sup> birthday.
- 2008\1233 Loretta Wittstock, Dubuque – For celebrating her 80<sup>th</sup> birthday.
- 2008\1234 Violet Mescher, Dubuque – For celebrating her 85<sup>th</sup> birthday.
- 2008\1235 Joseph Zahina, Dubuque – For celebrating his 85<sup>th</sup> birthday.
- 2008\1236 Lela Tigges, Dubuque – For celebrating her 90<sup>th</sup> birthday.
- 2008\1237 John Hackney, Dubuque – For celebrating his 80<sup>th</sup> birthday.
- 2008\1238 Julia White, Dubuque – For celebrating her 85<sup>th</sup> birthday.
- 2008\1239 Mary Poire, Dubuque – For celebrating her 95<sup>th</sup> birthday.
- 2008\1240 Ione McDermott, Dubuque – For celebrating her 85<sup>th</sup> birthday.
- 2008\1241 Delbert Nelson, Dubuque – For celebrating his 85<sup>th</sup> birthday.

2008\1242 Joseph Lange, Dubuque – For celebrating his 75<sup>th</sup> birthday.

SUBCOMMITTEE ASSIGNMENTS

[House File 2162](#)

Agriculture: Gayman, Chair; Greiner, Reasoner, Reichert and Struyk.

[House File 2178](#)

Commerce: Jacoby, Chair; Petersen and Pettengill.

[House File 2201](#)

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

[House File 2205](#)

Transportation: Mertz, Chair; Rasmussen and Reasoner.

[House File 2228](#)

Transportation: Cohoon, Chair; Arnold, Bukta, Huseman and Lykam.

[Senate File 2124](#)

Veterans Affairs: Staed, Chair; Chambers and Whitead.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

[House Study Bill 653](#)

Labor: T. Taylor, Chair; Horbach and Hunter.

[House Study Bill 654](#)

State Government: Lensing, Chair; Abdul-Samad, Boal, Jacobs and Jacoby.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

[H.S.B. 656](#) **Government Oversight**

Providing for the oversight of persons organized or doing business in this state on a nonprofit basis, providing for fees, and making an appropriation.

**H.S.B. 657 Labor**

Concerning civil service commissions, appointment and promotion procedures, disciplinary procedures, providing a civil penalty, and making a penalty applicable.

**H.S.B. 658 Labor**

Relating to the payment of certain medically related workers' compensation expenses and providing a penalty.

**H.S.B. 659 Public Safety**

Concerning the disaster aid individual assistance grant program.

**H.S.B. 660 Judiciary**

Relating to scrap metal transactions, prohibiting certain sales, imposing criminal penalties, and providing an effective date.

**H.S.B. 661 Judiciary**

Relating to the appointment of certain judicial officers, the retirement of senior judges, the entry of temporary custody and visitation orders, and the jurisdiction of certain judges in probate court.

**H.S.B. 662 Ways and Means**

Relating to the policy administration of the tax and related laws by the department of revenue, including administration of income and sales and use taxes, and including effective and retroactive applicability date provisions.

**H.S.B. 663 Commerce**

Relating to long-term care insurance, and providing for penalties, an applicability date, repeals, and an appropriation.

**H.S.B. 664 Judiciary**

Relating to the emancipation of a minor.

**H.S.B. 665 Judiciary**

Creating a criminal offense for leaving an unattended or not properly supervised child in a motor vehicle, and providing a penalty.

**H.S.B. 666 Judiciary**

Relating to the admissibility of medical records and bills in civil cases.

**H.S.B. 667 Judiciary**

Relating to juvenile court by striking provisions setting aside an order adjudicating a child delinquent who is mentally retarded or mentally ill, modifying aggravated circumstance determinations in child in need of assistance proceedings, and modifying circumstances for termination of parental rights.

**H.S.B. 668 Judiciary**

Relating to certain liability insurance policy information required to be given to claimants.

**H.S.B. 669 Government Oversight**

Relating to pharmacy benefits management including the timely payment of claims payable under a pharmacy benefits management plan and disclosure of certain information.

**H.S.B. 670 Transportation**

Exempting certain persons from motor vehicle manufacturer licensing requirements.

**H.S.B. 671 Human Resources**

Creating a heart disease and stroke prevention program and making an appropriation.

**H.S.B. 672 Labor**

Requiring certain weekly workers' compensation benefits to be calculated by including an employee's overtime, shift differential, and premium pay.

**H.S.B. 673 Labor**

Requiring an annual cost-of-living adjustment for certain weekly workers' compensation benefits.

## 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 VETERANS AFFAIRS

**Committee Bill** (Formerly [House File 2125](#)), concerning eligibility for receiving a Vietnam Conflict veterans bonus for a certain period of active duty military service, providing a penalty, and making an appropriation.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 12, 2008.

**Committee Bill** (Formerly [House Study Bill 572](#)), increasing the penalties that may be imposed by courts-martial under the Iowa code of military justice.

Fiscal Note is not required.

Recommended **Do Pass** February 12, 2008.

## AMENDMENTS FILED

<a href="#">H-8018</a>	<a href="#">H.F. 2212</a>	Lukan of Dubuque
<a href="#">H-8019</a>	<a href="#">H.F. 2212</a>	Lukan of Dubuque
<a href="#">H-8020</a>	<a href="#">H.F. 2212</a>	Lukan of Dubuque
<a href="#">H-8021</a>	<a href="#">H.F. 2212</a>	Lukan of Dubuque
<a href="#">H-8022</a>	<a href="#">H.F. 2212</a>	Jacobs of Polk
		Clute of Polk

<u>H-8023</u>	<u>H.F. 2212</u>	Raecker of Polk
<u>H-8024</u>	<u>H.F. 2212</u>	Struyk of Pottawattamie
		Dolecheck of Ringgold
		Quirk of Chickasaw
<u>H-8025</u>	<u>H.F. 2212</u>	Paulsen of Linn
<u>H-8026</u>	<u>H.F. 2212</u>	Boal of Polk
		May of Dickinson

On motion by Reasoner of Union the House adjourned at 9:32 a.m., until 9:00 a.m., Thursday, February 14, 2008.