

PROOF

STATE OF IOWA

House Journal

TUESDAY, MARCH 11, 2008

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JOURNAL OF THE HOUSE

Fifty-eighth Calendar Day - Forty-first Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, March 11, 2008

The House met pursuant to adjournment at 9:05 a.m., Speaker Murphy in the chair.

Prayer was offered by Reverend Clem Currans, pastor of the Holy Family Catholic Church, Emmetsburg. He was the guest of Representative Marcella Frevert of Palo Alto County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Amanda Glaser from New Hampton. She is the legislative secretary to Representative Brian Quirk of Chickasaw County.

The Journal of Monday, March 10, 2008 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Van Engelenhoven of Marion on request of Rants of Woodbury; Soderberg of Plymouth on request of Roberts of Carroll.

INTRODUCTION OF BILLS

[**House File 2543**](#), by committee on human resources, a bill for an act relating to Alzheimer's disease and similar forms of irreversible dementia.

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

[**House File 2544**](#), by committee on human resources, a bill for an act relating to student eye care and providing an applicability date.

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

[House File 2545](#), by committee on public safety, a bill for an act establishing a central warehouse fund under the control of the department of corrections.

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

[House File 2546](#), by committee on state government, a bill for an act concerning department of administrative services operations.

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

[House File 2547](#), by committee on state government, a bill for an act modifying provisions relating to statewide licensure and certification of electricians and alarm system contractors and installers, and providing an effective date.

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

[House File 2548](#), by committee on human resources, a bill for an act relating to public access to certain vital statistics records.

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

[House File 2549](#), 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 2550](#), by committee on human resources, a bill for an act relating to the development and implementation of a certificate of employability program by the board of parole.

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

[House File 2551](#), by committee on agriculture, a bill for an act providing requirements for a nonresident of this state engaged in the aerial application of pesticides, making penalties applicable, and providing an effective date.

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

[House File 2552](#), by committee on agriculture, a bill for an act relating to the management of cooperative associations.

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

[House File 2553](#), by committee on agriculture, a bill for an act relating to per diem compensation for directors of the Iowa soybean association board.

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

[House File 2554](#), by committee on agriculture, a bill for an act providing monetary thresholds for actions by governing boards of drainage districts.

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

[House File 2555](#), by committee on commerce, a bill for an act relating to various matters under the purview of the insurance division of the department of commerce including uniform securities; duties of the insurance division including a consumer advocate and rate reviews; confidential information; examinations; insurance trade practices; insurance fraud; the Iowa life and health insurance guaranty association; viatical settlement contracts; general agents and third-party administrators; life insurance companies; health maintenance organizations; utilization and cost control; external review of health care coverage decisions; the Iowa comprehensive health insurance association; workers' compensation liability insurance; consolidation, merger, and reinsurance; licensing of insurance producers; cemetery and funeral merchandise and funeral services; and cemeteries, making appropriations, and providing an effective date.

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

[House File 2556](#), by committee on commerce, a bill for an act relating to the regulatory duties of the banking division of the department of commerce regarding banking, debt management, delayed deposit services, mortgage banking, and industrial loan companies, and providing penalties.

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

[House File 2557](#), by committee on education, a bill for an act relating to the elimination of reporting or data collection requirements related to the department of education.

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

[House File 2558](#), by committee on economic growth, a bill for an act relating to economic development by providing for the confidentiality of certain details contained in contracts and applications for financial assistance.

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

[House File 2559](#), by committee on veterans affairs, a bill for an act prohibiting the sale at retail of designated flags manufactured outside of the United States and establishing a penalty.

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

[House File 2560](#), by committee on local government, a bill for an act 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.

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

[House File 2561](#), by committee on local government, a bill for an act relating to the exceptions to the conflict of interest restrictions for city officials, city employees, and civil service commissioners.

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

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 10, 2008, passed the following bill in which the concurrence of the Senate was asked:

[House File 2165](#), a bill for an act relating to business corporations, by providing for distributions and business opportunities.

Also: That the Senate has on March 10, 2008, passed the following bill in which the concurrence of the Senate was asked:

[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.

Also: That the Senate has on March 10, 2008, passed the following bill in which the concurrence of the Senate was asked:

[House File 2194](#), a bill for an act relating to exemptions to state minimum wage requirements.

Also: That the Senate has on March 10, 2008, passed the following bill in which the concurrence of the Senate was asked:

[House File 2213](#), a bill for an act relating to technical matters concerning the regulation of motor vehicles by the department of transportation and providing an effective date.

Also: That the Senate has on March 10, 2008, passed the following bill in which the concurrence of the Senate was asked:

[House File 2359](#), a bill for an act concerning veterans, including expenditures from the veterans trust fund and authorization of lottery games for veterans.

Also: That the Senate has on March 10, 2008, passed the following bill in which the concurrence of the Senate was asked:

[House File 2417](#), a bill for an act exempting certain federal tax rebates under the state individual income tax and including a retroactive applicability date provision.

Also: That the Senate has on March 10, 2008, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate file 249, a bill for an act relating to the conference of eligibility on the conditions of eligibility for individuals for certain programs under the purview of the department of human services.

Also: That the Senate has on March 10, 2008, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

[Senate File 2123](#), a bill for an act updating the Code references to the Internal Revenue Code and including effective date and retroactive applicability date provisions.

Also: That the Senate has on March 10, 2008, passed the following bill in which the concurrence of the House is asked:

[Senate File 2198](#), a bill for an act relating to the appointment of the membership of the Brushy creek recreation area trails advisory board.

Also: That the Senate has on March 10, 2008, passed the following bill in which the concurrence of the House is asked:

[Senate File 2230](#), a bill for an act authorizing the issuance of special nonresident turkey and deer hunting licenses to certain persons who have severe physical disabilities or a terminal illness.

Also: That the Senate has on March 10, 2008, passed the following bill in which the concurrence of the House is asked:

[Senate File 2248](#), a bill for an act modifying provisions relating to the application for a certificate of franchise authority applicable to the provision of cable or video services by an existing provider.

Also: That the Senate has on March 10, 2008, passed the following bill in which the concurrence of the House is asked:

[Senate File 2249](#), a bill for an act relating to certain local hotel and motel tax elections.

Also: That the Senate has on March 10, 2008, passed the following bill in which the concurrence of the House is asked:

[Senate File 2261](#), a bill for an act relating to requirements for operation of a motor vehicle in merging traffic and providing a penalty.

Also: That the Senate has on March 10, 2008, passed the following bill in which the concurrence of the House is asked:

[Senate File 2262](#), a bill for an act relating to child care and family support subsidy services regulated or administered by the department of human services.

Also: That the Senate has on March 10, 2008, passed the following bill in which the concurrence of the House is asked:

[Senate File 2263](#), a bill for an act providing increased penalties for speeding violations committed by a motor vehicle operator in a road work zone.

Also: That the Senate has on March 10, 2008, passed the following bill in which the concurrence of the House is asked:

[Senate File 2266](#), a bill for an act requiring a preliminary investigation to be conducted by the county medical examiner in the event of the death of a resident of certain state facilities administered by the department of human services.

Also: That the Senate has on March 10, 2008, passed the following bill in which the concurrence of the House is asked:

[Senate File 2269](#), a bill for an act revising family investment program requirements for limited benefit plans.

Also: That the Senate has on March 10, 2008, passed the following bill in which the concurrence of the House is asked:

[Senate File 2276](#), a bill for an act relating to the disposal of solid waste by changing permitting requirements and updating and clarifying existing provisions.

Also: That the Senate has on March 10, 2008, passed the following bill in which the concurrence of the House is asked:

[Senate File 2281](#), a bill for an act prohibiting employment discrimination against an employee witness in certain civil proceedings.

Also: That the Senate has on March 10, 2008, passed the following bill in which the concurrence of the House is asked:

[Senate File 2282](#), a bill for an act relating to the elimination of reporting or data collection requirements related to the department of education.

Also: That the Senate has on March 10, 2008, passed the following bill in which the concurrence of the House is asked:

[Senate File 2286](#), a bill for an act appropriating federal funds made available from federal block grants and other federal grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated.

Also: That the Senate has on March 10, 2008, passed the following bill in which the concurrence of the House is asked:

[Senate File 2292](#), a bill for an act expanding the time period during which a complaint may be filed with the Iowa civil rights commission.

Also: That the Senate has on March 10, 2008, passed the following bill in which the concurrence of the House is asked:

[Senate File 2301](#), a bill for an act making revisions and modifications to uniform finance procedures for bonds issued by the state.

Also: That the Senate has on March 10, 2008, passed the following bill in which the concurrence of the House is asked:

[Senate File 2304](#), a bill for an act relating to the boiler and pressure vessel safety and elevator safety revolving funds under the control of the labor commissioner.

Also: That the Senate has on March 10, 2008, passed the following bill in which the concurrence of the House is asked:

[Senate File 2305](#), a bill for an act relating to county officers by authorizing reimbursement of certain expenses, 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.

Also: That the Senate has on March 10, 2008, passed the following bill in which the concurrence of the House is asked:

[Senate File 2316](#), a bill for an act creating the Iowa uniform prudent management of institutional funds Act and including an applicability provision.

Also: That the Senate has on March 10, 2008, passed the following bill in which the concurrence of the House is asked:

[Senate File 2337](#), a bill for an act relating to the purchase of liability insurance by the association of Iowa fairs.

Also: That the Senate has on March 10, 2008, adopted the following resolution in which the concurrence of the House is asked:

[Senate Concurrent Resolution 102](#), a concurrent resolution urging the United States Environmental Protection Agency to take all actions necessary to provide American consumers with the opportunity to use higher ethanol blended gasoline for general use in conventional engines

MICHAEL E. MARSHALL, Secretary

PRESENTATION OF IRISH DIGNITARY

Bailey of Hamilton presented to the House, David Stanton, T.D., a Fine Gael member of the Irish Parliament representing County Cork East. He was escorted by his wife, Mary and addressed the House briefly telling of his work in Ireland and thanking the House for the honor.

Frevert of Palo Alto introduced The Little Irish Dancers and Miss Shamrock, April Gunderson, from Ringsted.

The House rose and expressed its welcome.

McCarthy of Polk asked and received unanimous consent for the immediate consideration of [House Resolution 117](#).

ADOPTION OF [HOUSE RESOLUTION 117](#)

Palmer of Mahaska, Staed of Linn, Kressig of Black Hawk, Gayman of Scott, Tomenga of Polk and Schickel of Cerro Gordo called up for consideration [House Resolution 117](#), a resolution honoring AARP on its 50th Anniversary, and moved its adoption.

The motion prevailed and the resolution was adopted.

Granzow of Hardin in the chair at 9:33 a.m.

CONSIDERATION OF BILLS
Regular Calendar

House File 2539, a bill for an act relating to health care reform including health care coverage intended for children and adults, health information technology, end-of-life care decision making, preexisting conditions and dependent children coverage, medical homes, prevention and chronic care management, a buy-in provision for certain individuals under the medical assistance program, disease prevention and wellness initiatives, and including an applicability provision, was taken up for consideration.

RULE 31.8 SUSPENDED

Heddens of Story asked and received unanimous consent to suspend Rule 31.8, related to the timely filing of amendments, for the immediate consideration of amendments [H-8076](#), [H-8077](#) and [H-8078](#).

Upmeyer of Hancock offered the following amendment [H-8076](#) filed by her and Foege of Linn from the floor and moved its adoption:

[H-8076](#)

- 1 Amend [House File 2539](#) as follows:
- 2 1. Page 1, line 27, by inserting after the figure
- 3 "2010" the following: ", and submitted to the general
- 4 assembly for review".
- 5 2. Page 1, line 32, by inserting after the figure
- 6 "2013" the following: ", and submitted to the general
- 7 assembly for review".

Amendment [H-8076](#) was adopted.

Smith of Marshall offered the following amendment [H-8078](#) filed by Smith, Upmeyer of Hancock and Ford of Polk from the floor and moved its adoption:

[H-8078](#)

- 1 Amend [House File 2539](#) as follows:
- 2 1. Page 8, by inserting after line 19 the

3 following:

4 "Sec. _____. Section 8D.13, Code 2007, is amended by
5 adding the following new subsection:

6 NEW SUBSECTION. 20. Access shall be offered to
7 the Iowa hospital association for the collection,
8 maintenance, and dissemination of health and financial
9 data for hospitals and for hospital educational
10 services. The Iowa hospital association shall be
11 responsible for all costs associated with becoming
12 part of the network, as determined by the commission."

13 2. Page 33, by inserting after line 4 the
14 following:

15 "DIVISION _____
16 HEALTH CARE TRANSPARENCY
17 DIVISION V
18 HEALTH CARE TRANSPARENCY

19 Sec. _____. NEW SECTION. 135.45 HEALTH CARE
20 TRANSPARENCY – REPORTING REQUIREMENTS.

21 1. A hospital licensed pursuant to chapter 135B
22 and a physician licensed pursuant to chapter 148, 150,
23 or 150A shall report quality indicators, annually, to
24 the Iowa healthcare collaborative as defined in
25 section 135.40. The indicators shall be developed by
26 the Iowa healthcare collaborative in accordance with
27 evidence-based practice parameters and appropriate
28 sample size for statistical validation.

29 2. A manufacturer or supplier of durable medical
30 equipment or medical supplies doing business in the
31 state shall submit a price list to the department of
32 human services, annually, for use in comparing prices
33 for such equipment and supplies with rates paid under
34 the medical assistance program. The price lists
35 submitted shall be made available to the public."

36 3. Title page, line 7, by inserting after the
37 word "initiatives," the following: "health care
38 transparency,".

39 4. By renumbering as necessary.

Amendment [H-8078](#) was adopted.

Heaton of Henry offered the following amendment [H-8075](#) filed by
him and moved its adoption:

[H-8075](#)

1 Amend [House File 2539](#) as follows:

2 1. Page 9, by inserting after line 6 the
3 following:

4 "Sec. _____. NEW SECTION. 505.31 REIMBURSEMENT
5 ACCOUNTS.

6 The commissioner of insurance shall assist
7 employers with twenty-five or fewer employees with
8 implementing and administering plans under section 125
9 of the Internal Revenue Code, including medical
10 expense reimbursement accounts and dependent care
11 accounts. The commissioner shall provide information
12 about the assistance available to small employers on
13 the insurance division's internet site."
14 2. By renumbering as necessary.

Amendment [H-8075](#) was adopted.

Upmeyer of Hancock offered the following amendment [H-8077](#)
filed by her and Smith of Marshall from the floor and moved its
adoption:

[H-8077](#)

1 Amend [House File 2539](#) as follows:
2 1. Page 30, by striking lines 27 and 28 and
3 inserting the following: "PREVENTION AND WELLNESS
4 INITIATIVES".
5 2. Page 33, by inserting after line 4 the
6 following:
7 "Sec. ____. SMALL BUSINESS QUALIFIED WELLNESS
8 PROGRAM TAX CREDIT – PLAN. The department of public
9 health, in consultation with the division of insurance
10 of the department of commerce and the department of
11 revenue, shall develop a plan to provide a tax credit
12 to small businesses that provide qualified wellness
13 programs to improve the health of their employees.
14 The plan shall include specification of what
15 constitutes a small business for the purposes of the
16 qualified wellness program, the minimum standards for
17 use by a small business in establishing a qualified
18 wellness program, the criteria and a process for
19 certification of a small business qualified wellness
20 program, and the process for claiming a small business
21 qualified wellness program tax credit. The department
22 of public health shall submit the plan including any
23 recommendations for changes in law to implement a
24 small business qualified wellness program tax credit
25 to the governor and the general assembly by December
26 15, 2008."
27 3. By renumbering as necessary.

Amendment [H-8077](#) was adopted.

Heddens of Story 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. 2539](#))

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	Deyoe
Dolecheck	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Gipp	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.	Murphy, Spkr.	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	Staed	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Fossen
Watts	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Wiencek	Winckler
Windschitl	Wise	Worthan	Zirkelbach
Granzow, Presiding			

The nays were, none.

Absent or not voting, 3:

De Boef Soderberg Van Engelenhoven

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

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that [House File 2539](#) be immediately messaged to the Senate.

On motion by McCarthy of Polk, the House was recessed at 10:08 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened at 1:11 p.m., Speaker pro tempore Bukta in the chair.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed ninety-two members present, eight absent.

Speaker Murphy in the chair at 1:31 p.m.

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 11, 2008, passed the following bill in which the concurrence of the House is asked:

[Senate File 2289](#), a bill for an act concerning state educational assistance to children of deceased veterans and the war orphans educational assistance fund, and including an effective date and retroactive applicability provision.

Also: That the Senate has on March 11, 2008, passed the following bill in which the concurrence of the House is asked:

[Senate File 2317](#), a bill for an act relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and including effective and retroactive applicability date provisions.

Also: That the Senate has on March 11, 2008, passed the following bill in which the concurrence of the House is asked:

[Senate File 2320](#), a bill for an act relating to nonsubstantive Code corrections and including effective and retroactive applicability date provisions.

MICHAEL E. MARSHALL, Secretary

INTRODUCTION OF BILLS

[House File 2562](#), by committee on transportation, a bill for an act relating to and increasing motor vehicle and trailer registration fees and title fees, allocating new revenues from fees to the TIME-21 fund, increasing the motorcycle operator's license fee and allocating the increased revenue to the motorcycle rider education fund, reallocating certain fees collected by the department of transportation, repealing the use tax on vehicles subject to registration and the use tax on certain leased motor vehicles, establishing a fee for new registration of vehicles, making penalties applicable, and providing effective dates.

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

[House File 2563](#), by committee on state government, a bill for an act establishing a senior administrative law judge program.

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

[House File 2564](#), by committee on public safety, a bill for an act concerning the disaster aid individual assistance grant program.

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

[House File 2565](#), by committee on agriculture, a bill for an act relating to the biodiesel blended fuel tax credit for retail dealers, and providing for retroactive applicability.

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

SENATE MESSAGES CONSIDERED

[Senate File 2262](#), by committee on human resources, a bill for an act relating to child care and family support subsidy services regulated or administered by the department of human services.

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

[Senate File 2263](#), by committee on transportation, a bill for an act providing increased penalties for speeding violations committed by a motor vehicle operator in a road work zone.

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

[Senate File 2266](#), by committee on human resources, a bill for an act requiring a preliminary investigation to be conducted by the county medical examiner in the event of the death of a resident of certain state facilities administered by the department of human services.

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

[Senate File 2269](#), by committee on human resources, a bill for an act revising family investment program requirements for limited benefit plans.

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

[Senate File 2276](#), by committee on natural resources and environment, 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 **passed on file**.

[Senate File 2292](#), by committee on state government, a bill for an act expanding the time period during which a complaint may be filed with the Iowa civil rights commission.

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

[Senate File 2304](#), by committee on labor and business relations, a bill for an act relating to the boiler and pressure vessel safety and elevator safety revolving funds under the control of the labor commissioner.

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

CONSIDERATION OF BILLS Regular Calendar

[House File 2400](#), a bill for an act relating to water quality by establishing a water resources coordinating council, authorizing a marketing campaign, directing assistance to local communities for monitoring and measurement, providing for a wastewater and storm

water infrastructure assessment, and creating a regional assessment program and a community-based improvement program, was taken up for consideration.

Kaufmann of Cedar offered amendment [H-8067](#) filed by him as follows:

[H-8067](#)

1 Amend [House File 2400](#) as follows:

2 1. Page 1, by inserting before line 1 the
3 following:

4 "DIVISION I
5 SURFACE WATER PROTECTION".

6 2. Page 8, by inserting before line 22 the
7 following:

8 "DIVISION II
9 EMINENT DOMAIN AND CONDEMNATION

10 Sec. __. Section 6A.22, subsection 2, paragraph
11 c, subparagraph (1), Code 2007, is amended to read as
12 follows:

13 (1) If private property is to be condemned for
14 development or creation of a lake, only that number of
15 acres justified as reasonable and necessary for a
16 surface drinking water source, and not otherwise
17 acquired, may be condemned. ~~In addition~~ Prior to
18 making a determination that such lake development or
19 creation is reasonable and necessary, the acquiring
20 agency shall ~~conduct a review of~~ demonstrate by clear
21 and convincing evidence that no other prudent and
22 feasible ~~alternatives to~~ alternative for provision of
23 a drinking water source ~~prior to making a~~
24 ~~determination that such lake development or creation~~
25 ~~is reasonable and necessary~~ exists. Development or
26 creation of a lake as a surface drinking water source
27 includes all of the following:

28 (a) Construction of the dam, including sites for
29 suitable borrow material and the auxiliary spillway.

30 (b) The water supply pool.

31 (c) The sediment pool.

32 (d) The flood control pool.

33 (e) The floodwater retarding pool.

34 (f) The surrounding area upstream of the dam no
35 higher in elevation than the top of the dam's
36 elevation.

37 (g) The appropriate setback distance required by
38 state or federal laws and regulations to protect
39 drinking water supply.

40 For purposes of this subparagraph (1), "number of
41 acres justified as reasonable and necessary for a

42 surface drinking water source" means according to
43 guidelines of the United States natural resource
44 conservation service and according to analyses of
45 surface drinking water capacity needs conducted by one
46 or more registered professional engineers. However,
47 any guidelines or analyses related to future water
48 capacity needs or water capacity needs in time of
49 drought shall be based on the current rate of drinking
50 water usage in the area to be served by the surface

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1 drinking water source.
2 In making determinations required under this
3 subparagraph (1), any reviews or analyses conducted by
4 an engineer shall be conducted by a registered
5 professional engineer selected by a committee of
6 private landowners affected by the proposed
7 condemnation action. The acquiring agency shall be
8 responsible for paying the fees and expenses of an
9 engineer whose services are retained pursuant to this
10 subparagraph (1).

11 Sec. ____ Section 6A.24, subsection 3, Code 2007,
12 is amended to read as follows:

13 3. For any action brought under this section, the
14 burden of proof shall be on the acquiring agency to
15 prove by a ~~preponderance of the~~ clear and convincing
16 evidence that the finding of public use, public
17 purpose, or public improvement meets the definition of
18 those terms. If a property owner or a contract
19 purchaser of record or a tenant occupying the property
20 under a recorded lease prevails in an action brought
21 under this section, the acquiring agency shall be
22 required to pay the costs, including reasonable
23 attorney fees, of the adverse party.

24 Sec. ____ Section 6B.54, subsection 10, Code 2007,
25 is amended by adding the following new paragraph:
26 NEW PARAGRAPH. c. Reasonable attorney fees and
27 reasonable costs, including expert witness fees and
28 fees relating to appraisal of the property, not to
29 exceed one hundred thousand dollars.

30 Sec. ____ Section 316.4, subsection 1, Code 2007,
31 is amended to read as follows:

32 1. If a program or project undertaken by a
33 displacing agency will result in the displacement of a
34 person, the displacing agency shall make a payment to
35 the displaced person, upon proper application as
36 approved by the displacing agency, for actual
37 reasonable and necessary expenses incurred in moving
38 the person, the person's family, business, farm
39 operation, or other personal property subject to rules
40 and limits established by the department. The payment

41 may also provide for actual direct losses of tangible
 42 personal property, purchase of substitute personal
 43 property, business reestablishment expenses, storage
 44 expenses, and expenses incurred in searching for a
 45 replacement business or farm. If relocation of a
 46 business or farm operation is not economically
 47 feasible, the displaced person may also apply for
 48 payment of the loss of existing business relationships
 49 because of the inability to relocate the business or
 50 farm operation to a location similar in economic

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1 advantage to the location from which the business or
 2 farm operation was moved.

3 Sec.____. Section 364.4, subsection 1, paragraph
 4 a, unnumbered paragraph 1, Code 2007, is amended to
 5 read as follows:

6 Acquire, hold, and dispose of property outside the
 7 city in the same manner as within. However, the power
 8 of a city to acquire property outside the city does
 9 not include the power to acquire property outside the
 10 city by eminent domain, except if viable alternatives
 11 do not exist within the city and the acquisition of
 12 the property is necessary for the following, subject
 13 to the provisions of chapters 6A and 6B:

14 Sec.____. Section 403.7, subsection 1, unnumbered
 15 paragraph 1, Code 2007, is amended to read as follows:

16 A municipality shall have the right to acquire by
 17 condemnation any interest in real property, including
 18 a fee simple title thereto, which it may deem
 19 necessary for or in connection with an urban renewal
 20 project under this chapter, subject to the limitations
 21 on eminent domain authority in ~~chapter~~ chapters 6A and
 22 6B. However, a municipality shall not condemn
 23 agricultural land included within an economic
 24 development area for any use unless the owner of the
 25 agricultural land consents to condemnation or unless
 26 the municipality determines that the land is necessary
 27 or useful viable alternatives to the condemnation of
 28 agricultural land do not exist and the acquisition of
 29 the property is necessary for any of the following:

30 Sec.____. EFFECTIVE DATE. This division of this
 31 Act, being deemed of immediate importance, takes
 32 effect upon enactment and applies to projects or
 33 condemnation proceedings pending or commenced on or
 34 after that date."

35 3. Title page, line 1, by inserting after the
 36 word "quality" the following: "and lake development".

37 4. Title page, line 6, by inserting after the
 38 word "program" the following: "and making changes
 39 related to eminent domain authority and condemnation

40 procedures and providing an effective date".

41 5. By renumbering as necessary.

D. Olson of Boone rose on a point of order that amendment [H-8067](#) was not germane.

The Speaker ruled the point well taken and amendment [H-8067](#) not germane.

Kaufmann of Cedar asked for unanimous consent to suspend the rules to consider amendment [H-8067](#).

Objection was raised.

Kaufmann of Cedar moved to suspend the rules to consider amendment [H-8067](#).

Roll call was requested by Kaufmann of Cedar and Paulsen of Linn.

On the question "Shall the rules be suspended to consider amendment [H-8067](#)?" ([H.F. 2400](#))

The ayes were, 44:

Alons	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.	Palmer	Paulsen	Pettengill
Raecker	Rants	Rasmussen	Rayhons
Roberts	Sands	Schickel	Struyk
Tjepkes	Tymeson	Upmeyer	Van Fossen
Watts	Wiencek	Windschitl	Worthan

The nays were, 52:

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

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

Absent or not voting, 4:

Anderson	Soderberg	Staed	Van Engelenhoven
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The motion to suspend the rules lost.

Tymeson of Madison offered amendment [H-8068](#) filed by her as follows:

[H-8068](#)

1 Amend [House File 2400](#) as follows:
 2 1. Page 1, by inserting before line 1, the
 3 following:
 4 "DIVISION I
 5 SURFACE WATER PROTECTION"
 6 2. Page 8, by inserting before line 22, the
 7 following:
 8 "DIVISION II
 9 EMINENT DOMAIN AND CONDEMNATION
 10 Sec. ____ Section 6A.22, subsection 2, paragraph
 11 c, subparagraph (1), Code 2007, is amended to read as
 12 follows:
 13 (1) If private property is to be condemned for
 14 development or creation of a lake, only that number of
 15 acres justified as reasonable and necessary for a
 16 surface drinking water source, and not otherwise
 17 acquired, may be condemned. In addition Prior to
 18 making a determination that such lake development or
 19 creation is reasonable and necessary, the acquiring
 20 agency shall ~~conduct a review of~~ demonstrate by clear
 21 and convincing evidence that no other prudent and
 22 feasible ~~alternatives to~~ alternative for provision of
 23 a drinking water source ~~prior to making a~~
 24 ~~determination that such lake development or creation~~
 25 ~~is reasonable and necessary exists~~. Development or
 26 creation of a lake as a surface drinking water source
 27 includes all of the following:
 28 (a) Construction of the dam, including sites for
 29 suitable borrow material and the auxiliary spillway.
 30 (b) The water supply pool.
 31 (c) The sediment pool.
 32 (d) The flood control pool.
 33 (e) The floodwater retarding pool.

34 (f) The surrounding area upstream of the dam no
35 higher in elevation than the top of the dam's
36 elevation.

37 (g) The appropriate setback distance required by
38 state or federal laws and regulations to protect
39 drinking water supply.

40 For purposes of this subparagraph (1), "number of
41 acres justified as reasonable and necessary for a
42 surface drinking water source" means according to
43 guidelines of the United States natural resource
44 conservation service and according to analyses of
45 surface drinking water capacity needs conducted by one
46 or more registered professional engineers using
47 standards alternative to the federal guidelines. Any
48 guidelines or analyses related to future drinking
49 water capacity needs shall be based on the current
50 rate of drinking water usage in the area to be served

Page 2

1 by the surface drinking water source.

2 Guidelines relating to drinking water capacity
3 needs in time of drought shall not be used in any
4 analysis performed pursuant to this subparagraph (1).
5 An analysis performed pursuant to this subparagraph
6 (1) shall include information on groundwater resources
7 in the area and the potential for the use of such
8 resources to meet drinking water capacity needs.

9 A second review or analysis may be requested by any
10 landowner affected by the proposed condemnation
11 action, and the engineer shall be selected by a
12 committee of private landowners affected by the
13 proposed condemnation action. The acquiring agency
14 shall be responsible for paying the fees and expenses
15 of such an engineer.

16 A landowner affected by the proposed condemnation
17 action may request a public hearing regarding the
18 influence of a federal agency on the lake creation or
19 development project, on the proposed condemnation
20 actions related to the project, and on the use of
21 federal guidelines in analyzing drinking water
22 capacity needs. The hearing shall be conducted by a
23 person who is not involved with the lake creation or
24 development and the services of such person in
25 conducting the hearing shall be paid by the acquiring
26 agency.

27 Sec.____. EFFECTIVE DATE. This division of this
28 Act, being deemed of immediate importance, takes
29 effect upon enactment and applies to projects or
30 condemnation proceedings pending or commenced on or
31 after that date."

32 3. Title page, line 1, by inserting after the

33 word "quality" the following: "and lake development".
 34 4. Title page, line 6, by inserting after the
 35 word "program" the following: "and making changes
 36 related to eminent domain authority and condemnation
 37 procedures and providing an effective date".
 38 5. By renumbering as necessary.

D. Olson of Boone rose on a point of order that amendment [H-8068](#) was not germane.

The Speaker ruled the point well taken and amendment [H-8068](#) not germane.

Tymeson of Madison asked for unanimous consent to suspend the rules to consider amendment [H-8068](#).

Objection was raised.

Tymeson of Madison moved to suspend the rules to consider amendment [H-8068](#).

Roll call was requested by Tymeson of Madison and Paulsen of Linn.

On the question "Shall the rules be suspended to consider amendment [H-8068](#)?" ([H.F. 2400](#))

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.	Palmer	Paulsen
Pettengill	Raecker	Rants	Rasmussen
Rayhons	Roberts	Sands	Schickel
Staed	Struyk	Tjepkes	Tymeson
Upmeyer	Van Fossen	Watts	Wiencsek
Windschitl	Worthan		

The nays were, 52:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill

Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller, H.	Oldson
Olson, D.	Olson, R.	Olson, T.	Petersen
Quirk	Reasoner	Reichert	Schueller
Shomshor	Smith	Swaim	Taylor, D.
Taylor, T.	Thomas	Tomenga	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Winckler	Wise	Zirkelbach	Mr. Speaker Murphy

Absent or not voting, 2:

Soderberg Van Engelenhoven

The motion to suspend the rules lost.

D. Olson of Boone 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. 2400](#))

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.	Palmer	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Smith	Staed	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Fossen	Watts	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wiencek

Winckler Zirkelbach	Windschitl Mr. Speaker Murphy	Wise	Worthan
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The nays were, none.

Absent or not voting, 2:

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

House File 2164, a bill for an act relating to voluntary diversity or court-ordered school desegregation plans under the state's open enrollment law, was taken up for consideration.

Abdul-Samad of Polk 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. 2164](#))

The ayes were, 97:

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
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	Staed	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Fossen
Watts	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Wiencek	Winckler

Windschitl
Mr. Speaker
Murphy

Wise

Worthan

Zirkelbach

The nays were, none.

Absent or not voting, 3:

Greiner

Soderberg

Van Engelenhoven

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

[Senate File 2111](#), a bill for an act relating to requirements for blood lead testing and dental screening of children, with report of committee recommending passage, was taken up for consideration.

Gayman of Scott offered the following amendment [H-8063](#) filed by the committee on education and moved its adoption:

[H-8063](#)

- 1 Amend [Senate File 2111](#) as follows:
- 2 1. Page 1, by striking lines 2 through 9 and
- 3 inserting the following: "2007 Iowa Acts, chapter
- 4 146, section 1, is amended by striking the subsection
- 5 and inserting in lieu thereof the following:
- 6 2. Each public and nonpublic school shall, in
- 7 collaboration with the department, do the following:
- 8 a. Assure that the parent or guardian of a student
- 9 enrolled in the school has complied with the
- 10 requirements of subsection 1.
- 11 b. Provide, if a student has not had a dental
- 12 screening performed in accordance with subsection 1,
- 13 the parent or guardian of the student with community
- 14 dental screening referral resources, including contact
- 15 information for the i-smile coordinator, department,
- 16 or dental society."
- 17 2. By striking page 1, line 22, through page 2,
- 18 line 2, and inserting the following:
- 19 "Sec. __. Section 135.105D, subsection 2,
- 20 paragraph b, Code Supplement 2007, is amended by
- 21 striking the paragraph and inserting the following:
- 22 b. The board of directors of each school district
- 23 and the authorities in charge of each nonpublic school
- 24 shall, in collaboration with the department, do the
- 25 following:
- 26 (1) Assure that the parent or guardian of a
- 27 student enrolled in the school has complied with the

28 requirements of paragraph "a".
 29 (2) Provide, if the parent or guardian cannot
 30 provide evidence that the child received a blood lead
 31 test in accordance with paragraph "a", the parent or
 32 guardian with community blood lead testing program
 33 information, including contact information for the
 34 department.
 35 Sec.____. Section 135.105D, subsection 2,
 36 paragraph c, Code Supplement 2007, is amended by
 37 striking the paragraph."
 38 3. By renumbering as necessary.

The committee amendment [H-8063](#) was adopted.

Gayman of Scott 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. 2111](#))

The ayes were, 97:

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
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	Staed	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Fossen
Watts	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Wiencsek	Winckler
Windschitl	Wise	Worthan	Zirkelbach
Mr. Speaker			
Murphy			

The nays were, none.

Absent or not voting, 3:

Greiner

Soderberg

Van Engelenhoven

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

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2164, 2400** and **Senate File 2111**.

House File 2440, a bill for an act providing an exemption for certain military personnel and veterans from a requirement to complete a hunter safety and ethics education course before obtaining a hunting license, was taken up for consideration.

Bailey of Hamilton 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. 2440**)

The ayes were, 97:

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
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	Staed	Struyk	Swaim

Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	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, 3:

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

[House File 2372](#), a bill for an act limiting the scope of the electronic benefits transfer program maintained by the department of human services, 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. 2372](#))

The ayes were, 97:

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
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	Staed	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes

Tomenga	Tymeson	Upmeyer	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, 3:

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

[House File 2385](#), a bill for an act relating to allowable investments by the treasurer of state and other authorized state agencies, was taken up for consideration.

H. Miller of Webster 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. 2385](#))

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
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 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:

Greiner Van Engelenhoven

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

House File 2392, a bill for an act relating to certain city utilities or city enterprises by making changes to procedures for notice and collection of delinquent charges and by making changes to billing notifications for water service provided to certain residential rental property, was taken up for consideration.

Huser of Polk 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. 2392](#))

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
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 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:

Greiner Van Engelenhoven

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

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2372, 2385, 2392 and 2440.**

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bill has been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 11th day of March, 2008: [House File 2359](#).

MARK W. BRANDSGARD
Chief Clerk of the House

Report adopted.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Students from Rivermont Collegiate School, Bettendorf, Iowa, accompanied by their teacher. By L. Miller of Scott.

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\1944 Claire and Margaret Rose Kirtley, Yale – For celebrating their 60th wedding anniversary.
- 2008\1945 Harold and Sis Adamson, Greenfield – For celebrating their 75th wedding anniversary.
- 2008\1946 Elvie Scott, Gray – For celebrating her 80th birthday.
- 2008\1947 Dorothy Kerkhoff, Audubon – For celebrating her 80th birthday.
- 2008\1948 Jennie Miller, Stuart – For celebrating her 90th birthday.
- 2008\1949 Marie Pool, Orient – For celebrating her 93rd birthday.
- 2008\1950 Vern Richards, Bridgewater – For celebrating his 90th birthday.
- 2008\1951 Collin Nyal Deardorff, Yale – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2008\1952 Francis Oppold, Iowa Falls – For celebrating her 90th birthday.
- 2008\1953 Mildred Santee, Iowa Falls – For celebrating her 99th birthday.
- 2008\1954 Ida Meyer, Iowa Falls – For celebrating her 80th birthday.
- 2008\1955 Madelyn McGreevey, Ackley – For celebrating her 80th birthday.
- 2008\1956 Ruth Ingraham, Laurel – For celebrating her 80th birthday.
- 2008\1957 Laverne and Annabell Brown, Bedford – For celebrating their 60th wedding anniversary.
- 2008\1958 Frances Freerks, George – For celebrating her 90th birthday.
- 2008\1959 Helen Moore, Mason City – For celebrating her 80th birthday.
- 2008\1960 D. Wesley Dahl, Mason City – For celebrating his 80th birthday.

SUBCOMMITTEE ASSIGNMENTS

[House File 2487](#)

Appropriations: Winckler, Chair; Chambers and Wenthe.

[House File 2515](#)

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

[House File 2518](#)

Ways and Means: Thomas, Chair; Deyoe and Kelley.

[House File 2519](#)

Education: Wendt, Chair; Cohoon and May.

[House File 2520](#)

Ways and Means: Frevert, Chair; Palmer and Windschitl.

[House File 2524](#)

Appropriations: Jacoby, Chair; Chambers and Foege.

[House File 2529](#)

Ways and Means: Windschitl, Chair; Quirk and Thomas.

[House File 2531](#)

Ways and Means: T. Olson, Chair; Schueller and Wiencek.

[House File 2535](#)

Appropriations: Foege, Chair; Gayman and Heaton.

[House File 2536](#)

Ways and Means: Wendt, Chair; Kaufmann and T. Olson.

[House File 2541](#)

Ways and Means: Thomas, Chair; Pettengill and Schueller.

[Senate File 2211](#)

Judiciary: Swaim, Chair; Boal and Wessel-Kroeschell.

[Senate File 2217](#)

Judiciary: R. Olson, Chair; Heaton and Wessel-Kroeschell.

HOUSE STUDY BILL COMMITTEE ASSIGNMENT

[H.S.B. 779](#) **Appropriations**

Relating to the use of optical scan voting systems in every county, making an appropriation for the cost of purchasing and distributing optical scan voting systems, reducing certain appropriations, and providing an effective date.

[H.S.B. 780](#) **Ways and Means**

Providing a renewable fuel promotion tax credit for consumers and providing an applicability date.

[H.S.B. 781](#) **Ways and Means**

Relating to the meetings of and appeals from the property assessment appeal board and including effective and applicability date provisions.

[H.S.B. 782](#) **Ways and Means**

Relating to renewable energy, providing for state bank acquisition of equity interests in wind energy production facilities, and providing for qualification for specified tax credits and refunds by state banks and by owners or manufacturing facilities generating wind energy for on-site consumption rather than sale, and providing effective and applicability dates.

[H.S.B. 783](#) **Ways and Means**

Relating to administration of the tax and related laws by the department of revenue, including administration of income, sales and use, property, motor fuel, and tobacco taxes.

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 APPROPRIATIONS

Committee Bill (Formerly [House Study Bill 772](#)), relating to and making appropriations to the judicial branch.

Fiscal Note is not required.

Recommended **Do Pass** March 11, 2008.

Committee Bill (Formerly [House Study Bill 779](#)), relating to the use of optical scan voting systems in every county, making an appropriation for the cost of purchasing and distributing optical scan voting systems, reducing certain appropriations, and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 11, 2008.

COMMITTEE ON STATE GOVERNMENT

[Senate File 482](#), a bill for an act relating to the regulation of contributions for a gubernatorial inauguration and providing a penalty.

Fiscal Note is not required.

Recommended **Amend and Do Pass with Amendment [H-8083](#)** March 5, 2008.

AMENDMENTS FILED

H-8079	H.F. 2212	Smith of Marshall
		Bailey of Hamilton
H-8080	H.F. 2367	Jacobs of Polk
		Mascher of Johnson
H-8081	H.F. 2450	Thomas of Clayton
H-8082	H.F. 2364	Heddens of Story
H-8083	S.F. 482	Committee on State Government
H-8084	H.F. 2212	Bailey of Hamilton
		Wendt of Woodbury
		Schueller of Jackson

Ford of Polk
Thomas of Clayton
Quirk of Chickasaw
R. Olson of Polk
Berry of Black Hawk

[H-8085](#) [H.F. 2540](#)
[H-8086](#) [H.F. 2450](#)

Zirkelbach of Jones
Mertz of Kossuth
Frevert of Palo Alto
Huser of Polk

Paulsen of Linn
Tymeson of Madison

On motion by McCarthy of Polk the House adjourned at 3:13 p.m., until 9:00 a.m., Wednesday, March 12, 2008.