

PROOF

STATE OF IOWA

House Journal

WEDNESDAY, MARCH 26, 2008

Printed daily by the State of Iowa during the sessions of the General Assembly.
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.)

JOURNAL OF THE HOUSE

Seventy-third Calendar Day - Fifty-first Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, March 26, 2008

The House met pursuant to adjournment at 9:13 a.m., the honorable Ro Foege, state representative of Linn County in the chair.

Prayer was offered by Reverend Tom Clegg, pastor of the Two Rivers Church, Des Moines. He was the guest of Representative Scott Raecker of Polk County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by RoxAnn Rhoads, Editor of the Winterset Alumni paper. She was the guest of Representative Mark Smith of Marshall County and Representative Jodi Tymeson of Madison County.

The Journal of Tuesday, March 25, 2008 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Kaufmann of Cedar and Van Fossen of Scott, on request of Paulsen of Linn, Raecker of Polk, until his arrival, on request of Rants of Woodbury.

INTRODUCTION OF BILL

[House File 2664](#), by Chambers, a bill for an act providing for increased reimbursement paid by the department of human services for certain providers of services to persons with mental retardation or other disabilities and making an appropriation.

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

ADOPTION OF [HOUSE RESOLUTION 113](#)

Smith of Marshall and Granzow of Hardin called up for consideration [House Resolution 113](#), a resolution honoring the

men's soccer team from Marshalltown Community College for their third-place finish in the National Junior College Athletic Association National Soccer Tournament, and moved its adoption.

The motion prevailed and the resolution was adopted.

SPECIAL PRESENTATIONS

Smith of Marshall and Granzow of Hardin introduced to the House the soccer team from Marshalltown Community College and their coach Marcelo Serrano.

The House rose and expressed its welcome.

Horbach of Tama introduced to the House, Bonnie Linsenmeyer and Marilyn Kidd, nurses who attended to an emergency with a House staff member and Susan Cameron whom called 911 and stayed with the victim until medics arrived.

The House rose and expressed its appreciation.

CONSIDERATION OF BILLS Regular Calendar

[House File 2600](#), a bill for an act relating to eluding or attempting to elude a pursuing law enforcement vehicle operated by a special security officer employed by a board of regents institution, was taken up for consideration.

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. 2600](#))

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	Ford
Forristall	Frevert	Gaskill	Gayman

Gipp	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	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	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
Watts	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Wienczek	Winckler
Windschitl	Wise	Worthan	Zirkelbach
Foege, Presiding			

The nays were, none.

Absent or not voting, 3:

Kaufmann Raecker Van Fossen

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

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 26, 2008, passed the following bill in which the concurrence of the House is asked:

[Senate File 2283](#), a bill for an act concerning eligibility criteria for special gold star motor vehicle registration plates.

MICHAEL E. MARSHALL, Secretary

[House File 2580](#), a bill for an act providing for a sustainable natural resource funding advisory committee, was taken up for consideration.

Bell of Jasper 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. 2580](#))

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	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.	Murphy, Spkr.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Palmer	Paulsen	Petersen
Pettengill	Quirk	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	Watts	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wiencek
Winckler	Windschitl	Wise	Worthan
Zirkelbach	Foege, Presiding		

The nays were, none.

Absent or not voting, 2:

Raecker Van Fossen

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

[House File 2581](#), a bill for an act relating to the donation of food to the department of natural resources or county conservation boards, 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. 2581](#))

The ayes were, 96:

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	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	Rants	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Smith
Soderberg	Staed	Struyk	Swaim
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Wiencek	Winckler
Windschitl	Wise	Worthan	Zirkelbach
Foege, Presiding			

The nays were, 1:

Lensing

Absent or not voting, 3:

Frevert Raecker Taylor, D.

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 2580, 2581 and 2600.**

House File 2570, a bill for an act relating to solid waste disposal and environmental management by providing for the designation of environmental management systems, providing incentives, and creating a solid waste alternatives program advisory council, and modifying fees and allocations of funds, was taken up for consideration.

Tymeson of Madison asked and received unanimous consent to withdraw amendment [H-8145](#) filed by her on March 18, 2008.

D. Olson of Boone offered the following amendment [H-8136](#) filed by him and moved its adoption:

[H-8136](#)

- 1 Amend [House File 2570](#) as follows:
- 2 1. Page 5, line 20, by inserting after the word
- 3 "criteria." the following: "In determining whether a
- 4 system is in compliance with the provisions of this
- 5 chapter, the department shall evaluate whether a
- 6 system is making continuing progress in regard to the
- 7 requirements of section 455J.3."

Amendment [H-8136](#) was adopted.

D. Olson of Boone asked and received unanimous consent to withdraw amendment [H-8137](#) filed by him on March 17, 2008.

D. Olson of Boone asked and received unanimous consent to withdraw amendment [H-8148](#) filed by him on March 18, 2008.

D. Olson of Boone offered amendment [H-8202](#) filed by him as follows:

[H-8202](#)

- 1 Amend [House File 2570](#) as follows:
- 2 1. Page 8, by inserting after line 16 the

3 following:

4 "Sec. _____. COMPREHENSIVE RECYCLING PLANNING TASK
5 FORCE.

6 1. ESTABLISHMENT AND PURPOSE. A comprehensive
7 recycling planning task force is established. The
8 task force shall be initially convened by July 1,
9 2008, and shall be regularly convened as often as
10 necessary. The task force shall be convened for the
11 following purposes:

12 a. Studying and making recommendations for the
13 planning and implementation of comprehensive statewide
14 recycling programs, including an evaluation of the
15 current beverage container control law commonly
16 referred to as the bottle bill.

17 b. Making recommendations for reducing the amount
18 of recyclable materials contained in the waste stream
19 and for reducing litter.

20 2. MEMBERSHIP.

21 a. The task force shall consist of the following
22 voting members:

23 (1) One member selected by the Iowa recycling
24 association.

25 (2) One member selected by the Iowa society of
26 solid waste operations.

27 (3) Three members selected by the Iowa society of
28 solid waste operations representing solid waste
29 planning areas of various sizes and from various
30 locations across the state.

31 (4) One member selected by the Iowa league of
32 cities.

33 (5) One member selected by the solid waste
34 association of north America representing private
35 solid waste disposal entities.

36 (6) The director of the department of natural
37 resources, or the director's designee.

38 (7) One member selected by the Iowa environmental
39 council.

40 (8) One member selected by the league of women
41 voters of Iowa.

42 (9) One member selected by the Iowa wholesale beer
43 distributors association.

44 (10) One member selected by the Iowa beverage
45 association representing juice and soft drink
46 distributors.

47 (11) One member selected by the Iowa bottle bill
48 coalition representing independent redemption centers.

49 (12) One member selected by the Iowa association
50 of counties.

Page 2

1 (13) One member selected by the Iowa farm bureau

2 federation.

3 (14) One member selected by the association of
4 business and industry.

5 (15) One member selected by the home builders
6 association of Iowa.

7 (16) The director of the alcoholic beverages
8 division of the department of commerce, or the
9 director's designee.

10 (17) One member selected by keep Iowa beautiful.

11 (18) One member selected by the Iowa grocery
12 industry association.

13 (19) One member selected by the Iowa dairy foods
14 association.

15 (20) One member selected by the petroleum
16 marketers and convenience stores of Iowa.

17 (21) One member selected by the Iowa retail
18 federation.

19 (22) One member selected by the Iowa wine growers
20 association.

21 b. Nonvoting members of the task force shall
22 include all of the following:

23 (1) Two members of the senate. One senator shall
24 be appointed by the majority leader of the senate and
25 one senator shall be appointed by the minority leader
26 of the senate.

27 (2) Two members of the house of representatives.
28 One member shall be appointed by the speaker of the
29 house of representatives and one member shall be
30 appointed by the minority leader of the house of
31 representatives.

32 c. The voting members shall be appointed in
33 compliance with the requirements of sections 69.16,
34 69.16A, and 69.19, and shall serve for the duration of
35 the task force.

36 d. The members of the task force are entitled to
37 receive reimbursement for actual expenses incurred
38 while engaged in the performance of official duties.

39 e. The task force shall elect a chairperson and
40 the recommendations of the task force shall be
41 approved by a majority of the voting members. A
42 majority of the task force constitutes a quorum and an
43 affirmative vote of the majority of members is
44 necessary to approve the recommendations of the task
45 force. A vacancy in the membership does not impair
46 the right of a quorum to exercise all rights and
47 perform all duties of the task force.

48 3. DUTIES. The task force shall do all of the
49 following:

50 a. Evaluate in a comprehensive manner the nature,

Page 3

1 extent, and effectiveness of recycling programs
2 throughout the state.

3 b. Make recommendations for creating and enhancing
4 comprehensive sustainable recycling programs. Such
5 recommendations may include methods of collecting and
6 paying for the recycling of residential, industrial,
7 and commercial waste, mechanisms for increasing the
8 recycling of construction and demolition waste, and
9 incentives for increasing the recycling of yard waste,
10 food or other organic waste, hazardous household
11 waste, and electronic waste.

12 c. Assess the viability of a statewide curbside
13 recycling program and make recommendations regarding
14 the manner in which such a program might be
15 implemented. If the assessment determines that such a
16 program is viable, the task force shall provide an
17 evaluation of available funding sources for a
18 statewide curbside recycling program and include a
19 detailed budget proposal for funding, implementing,
20 and conducting such a program. The evaluation of
21 funding sources and the proposed budget shall ensure
22 adequate funding of recycling efforts throughout this
23 state until a transition from the current beverage
24 container control system to a statewide curbside
25 recycling program can be fully completed and
26 implemented.

27 d. Make recommendations for facilitating the
28 elimination of illegal dumping and littering
29 throughout the state, including an evaluation of
30 enhanced fines to increase deterrence. If
31 appropriate, the recommendations may include an
32 examination or incorporation of recommendations made
33 by other task forces or government agencies.

34 e. Make recommendations for the establishment and
35 funding of regional recycling centers.

36 f. Develop a plan to assist existing redemption
37 and recycling businesses in adapting to any industry
38 changes resulting from recommendations of the task
39 force.

40 g. Make recommendations for marketing programs
41 that increase education and awareness of recycling,
42 littering, and illegal dumping issues and that enhance
43 the understanding of and commitment to effective
44 environmental stewardship.

45 h. Assess the effectiveness and sustainability of
46 the beverage container control law in Code chapter
47 455C, commonly referred to as the bottle bill, and
48 consider possible alternatives.

49 4. REPORT. The task force shall submit a written
50 report containing its findings and recommendations to

Page 4

- 1 the governor and the general assembly by January 1,
- 2 2009.
- 3 5. DISSOLUTION. The task force shall complete its
- 4 duties no later than January 1, 2009, but may complete
- 5 its duties and dissolve itself prior to that date."
- 6 2. Title page, line 4, by inserting after the
- 7 word "council" the following: "and comprehensive
- 8 recycling planning task force".
- 9 3. By renumbering as necessary.

D. Olson of Boone offered the following amendment [H-8258](#), to amendment [H-8202](#), filed by him and moved its adoption:

[H-8258](#)

- 1 Amend the amendment, [H-8202](#), to [House File 2570](#) as
- 2 follows:
- 3 1. Page 2, by inserting after line 20 the
- 4 following:
- 5 "(23) The director of the department of
- 6 transportation, or the director's designee."
- 7 2. By renumbering as necessary.

Amendment [H-8258](#) was adopted.

On motion by D. Olson of Boone, amendment [H-8202](#), as amended, was adopted.

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. 2570](#))

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	Ford
Forristall	Frevrt	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Hunter
Huseman	Huser	Jacobs	Jacoby
Jochum	Kaufmann	Kelley	Kressig

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
Rants	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Smith	Soderberg
Staed	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Wiencek	Winckler
Windschitl	Wise	Worthan	Zirkelbach
Foege, Presiding			

The nays were, none.

Absent or not voting, 3:

Horbach	Kuhn	Raecker
---------	------	---------

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

[House File 2558](#), 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, was taken up for consideration.

Dandekar 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. 2558](#))

The ayes were, 96:

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	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	Rants	Rasmussen	Rayhons
Reasoner	Roberts	Sands	Schickel
Schueller	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	Foege, Presiding

The nays were, none.

Absent or not voting, 4:

Horbach	Raecker	Reichert	Shomshor
---------	---------	----------	----------

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 2558** and **2570**.

On motion by McCarthy of Polk, the House was recessed at 10:15 a.m., until 5:00 p.m.

AFTERNOON SESSION

The House reconvened at 5:03 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 26, 2008, passed the following bill in which the concurrence of the House is asked:

[Senate File 2131](#), a bill for an act relating to the promotion of equines, by establishing an equine industry promotional commission and an equine industry promotional fund, and providing an appropriation.

MICHAEL E. MARSHALL, Secretary

SENATE MESSAGE CONSIDERED

[Senate File 2283](#), by committee on veterans affairs, a bill for an act concerning eligibility criteria for special gold star motor vehicle registration plates.

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

The House stood at ease at 5:04 p.m., until the fall of the gavel.

The House resumed session at 6:49 p.m., Speaker Murphy in the chair.

CONSIDERATION OF BILLS Regular Calendar

[House File 2523](#), a bill for an act relating to deer depredation management, providing for a deer study advisory committee, and providing an effective date, was taken up for consideration.

Whitaker of Van Buren offered the following amendment [H-8253](#) filed by him and moved its adoption:

[H-8253](#)

- 1 Amend [House File 2523](#) as follows:
- 2 1. Page 1, line 12, by inserting after the word
- 3 "[association](#)," the following: "[the Iowa nursery and](#)
- 4 [landscape association](#)".
- 5 2. Page 4, line 34, by striking the words
- 6 "Federation of Iowa insurers" and inserting the
- 7 following: "Iowa insurance institute".
- 8 3. Page 5, by inserting after line 2 the
- 9 following:
- 10 "(17) Iowa nursery and landscape association."

Amendment [H-8253](#) was adopted.

Baudler of Adair offered amendment [H-8279](#) filed by him as follows:

[H-8279](#)

- 1 Amend [House File 2523](#) as follows:
- 2 1. Page 4, by inserting after line 11 the
- 3 following:
- 4 "Sec. ____ Section 483A.1A, subsection 7,
- 5 paragraph e, Code 2007, is amended by striking the
- 6 paragraph."
- 7 2. By renumbering as necessary.

Whitaker of Van Buren rose on a point of order that amendment [H-8279](#) was not germane.

The Speaker ruled the point well taken and amendment [H-8279](#) not germane.

Baudler of Adair moved to suspend the rules to consider amendment [H-8279](#).

A non-record roll call was requested.

The ayes were 45, nays 54.

The motion to suspend the rules lost.

[SENATE FILE 2328](#) SUBSTITUTED FOR [HOUSE FILE 2523](#)

Whitaker of Van Buren asked and received unanimous consent to substitute [Senate File 2328](#) for [House File 2523](#).

[Senate File 2328](#), a bill for an act relating to the deer depredation management program, establishing a deer study advisory committee, and providing an effective date, was taken up for consideration.

The Speaker previously ruled the amendment [H-8279](#) to [House File 2523](#) not germane making amendment [H-8310](#) filed by Baudler of Adair on March 25, 2008 and amendment [H-8318](#) to amendment [H-8310](#), filed by Alons of Sioux from the floor out of order.

Whitaker of Van Buren 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. 2328](#))

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	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	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor
Smith	Soderberg	Staed	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Wiencek	Winckler	Windschitl	Wise
Worthan	Zirkelbach	Mr. Speaker	
		Murphy	

The nays were, none.

Absent or not voting, 1:

Raecker

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

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that [Senate File 2328](#) be immediately messaged to the Senate.

HOUSE FILES 2053 and 2523 WITHDRAWN

Whitaker of Van Buren asked and received unanimous consent to withdraw House Files 2053 and 2523 from further consideration by the House.

[House File 2559](#), a bill for an act prohibiting the sale at retail of designated flags manufactured outside of the United States and establishing a penalty, with report of committee recommending passage, was taken up for consideration.

Zirkelbach of Jones offered the following amendment [H-8304](#) filed by him and moved its adoption:

[H-8304](#)

- 1 Amend [House File 2559](#) as follows:
- 2 1. By striking everything after the enacting
- 3 clause and inserting the following:
- 4 "Section 1. NEW SECTION. 554E.1 PURCHASING OF
- 5 FLAGS – RESTRICTION.
- 6 1. The state, a state agency, political
- 7 subdivision of the state, school district, area
- 8 education agency, community college, an institution
- 9 under the control of the state board of regents, other
- 10 public entity, or a state, county, or municipal
- 11 cemetery shall not purchase, on or after July 1, 2008,
- 12 any of the following flags, unless the flag was
- 13 manufactured in the United States:
- 14 a. The United States flag.
- 15 b. The state flag of Iowa.
- 16 c. A flag representing or commemorating United
- 17 States soldiers classified as missing in action or
- 18 prisoners of war.
- 19 2. For purposes of this section, "flag" means a
- 20 piece of woven cloth or other material designed to be
- 21 flown for purposes of public display.
- 22 3. This section does not apply to representations
- 23 or depictions of a flag not meeting the definition in
- 24 subsection 2 which are affixed or attached to physical
- 25 objects, works of art, or memorabilia."

26 2. Title page, by striking lines 1 through 3 and
 27 inserting the following: "An Act prohibiting the
 28 purchase of designated flags manufactured outside the
 29 United States."

Amendment [H-8304](#) was adopted.

Zirkelbach of Jones 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. 2559](#))

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	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	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor
Smith	Soderberg	Staed	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen	Watts	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Wiencek	Winckler	Windschitl	Wise
Worthan	Zirkelbach	Mr. Speaker	
		Murphy	

The nays were, none.

Absent or not voting, 1:

Raecker

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 2559](#) be immediately messaged to the Senate.

McCarthy of Polk asked and received unanimous consent to suspend Rule 57, relating to committee notice and agenda, for a meeting with the committee on education appropriations at 12:00 p.m., March 27, 2008.

[HOUSE FILE 2537](#) REFERRED

The Speaker announced that [House File 2537](#), previously placed on **calendar** was referred to committee on **ways and means**.

[HOUSE FILE 2610](#) REFERRED

The Speaker announced that [House File 2610](#), previously placed on **calendar** was referred to committee on **ways and means**.

[HOUSE FILE 2623](#) REFERRED

The Speaker announced that [House File 2623](#), previously placed on **calendar** was referred to committee on **ways and means**.

[HOUSE FILE 2643](#) REFERRED

The Speaker announced that [House File 2643](#), previously placed on **calendar** was referred to committee on **appropriations**.

EXPLANATIONS OF VOTE

On March 26, 2008, I inadvertently voted "nay" on [House File 2581](#) and I intended to vote "aye".

LENSING of Johnson

I was necessarily absent from the House chamber on March 26, 2008. Had I been present, I would have voted “aye” on House Files 2580, 2581 and 2600.

VAN FOSSEN of Scott

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 26, 2008, he approved and transmitted to the Secretary of State the following bills:

[House File 2215](#), an Act relating to private activity bond allocation procedures and single-project limitations.

[House File 2268](#), an Act making specified revisions to the consumer credit code to conform to federal statutory updates and prohibit the transfer of ownership of a motor vehicle pursuant to a consumer rental purchase agreement.

[House File 2287](#), an Act increasing the penalties that may be imposed by courts-martial under the Iowa code of military justice.

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

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

[Senate File 2156](#), an Act relating to regulation of commercial motor vehicle operators by the state department of transportation and providing penalties.

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

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

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\2499 Maurine Pleak, Red Oak – For celebrating her 100th birthday.
- 2008\2500 Jim and Julane Hugg, Burlington – For celebrating their 60th wedding anniversary.
- 2008\2501 Edward and Majorie Massey, Columbus Junction – For celebrating their 60th wedding anniversary.
- 2008\2502 Vera Wiley, Conesville – For celebrating her 92nd birthday.
- 2008\2503 Agnes Pinter, Grand Mound – For celebrating her 90th birthday.
- 2008\2504 Edward and Peggy King, DeWitt – For celebrating their 50th wedding anniversary.
- 2008\2505 Bud and Maxine Runge, DeWitt – For celebrating their 70th wedding anniversary.
- 2008\2506 Christy Kunz, DeWitt – For being named the 2008 recipient of the Athena Business Women's Award.
- 2008\2507 Herman and Jennie Lode, Sheldon – For celebrating their 65th wedding anniversary.
- 2008\2508 Julie LaGuardia, Washington Middle School, Dubuque – For finishing 12th out of 30 schools, and 7th out of more than 120 students in the State Mathcounts Competition.
- 2008\2509 Ben Martin, Washington Middle School, Dubuque – For finishing 12th out of 30 schools, and 35th out of 156 students in the State Mathcounts Competition.
- 2008\2510 Aaron O'Connor, Washington Middle School, Dubuque – For finishing 12th out of 30 schools in the State Mathcounts Competition.
- 2008\2511 Carter Huggins, Washington Middle School, Dubuque – For finishing 12th out of 30 schools in the State Mathcounts Competition.
- 2008\2512 Martha Kruetzmann, Hubbard – For celebrating her 100th birthday.
- 2008\2513 Sarah Fleming, Iowa Falls – For celebrating her 90th birthday.
- 2008\2514 Burdette Grieme, Galva – For celebrating his 80th birthday.
- 2008\2515 Lloyd Hinrichsen, Ute – For celebrating his 80th birthday.
- 2008\2516 Elsie Eckhoff, Battle Creek – For celebrating her 96th birthday.
- 2008\2517 Gloria Nailor, Holstein – For celebrating her 80th birthday.

- 2008\2518 Frieda L. Jeschke, Mapleton – For celebrating her 100th birthday.
- 2008\2519 Marvin “Mike” Kluver, Mapleton – For celebrating his 90th birthday.
- 2008\2520 Arnold and Wilma Hammer, Arthur – For celebrating their 60th wedding anniversary.
- 2008\2521 Duane and Nilmah Thompson, Ute – For celebrating their 60th wedding anniversary.
- 2008\2522 Wayne and Donna Korner, Ida Grove – For celebrating their 50th wedding anniversary.
- 2008\2523 Charles and Lois Hillmann, Ida Grove – For celebrating their 60th wedding anniversary.
- 2008\2524 Sue Bosma, Buffalo Center – For being named the 2007 Telecommunicator of the Year for the Iowa Chapter of Association of Public Safety Communications Officials.
- 2008\2525 Helene Mooty, Grundy Center – For celebrating her 80th birthday.
- 2008\2526 Ellsworth and Marlys Cizek, Traer – For celebrating their 60th wedding anniversary.
- 2008\2527 Bernice Dodd, Reinbeck – For celebrating her 90th birthday.
- 2008\2528 Elmer and Audrey Gesink, Orange City – For celebrating their 50th wedding anniversary.
- 2008\2529 Russ and Nola Solberg, Hawarden – For celebrating their 50th wedding anniversary.
- 2008\2530 Richard Coyle, Akron – For celebrating his 80th birthday.
- 2008\2531 Cleone Varenhorst, Le Mars – For celebrating her 80th birthday.
- 2008\2532 Cyrilla Nordstrom, Le Mars – For celebrating her 90th birthday.
- 2008\2533 Jo Jones, Winterset – For celebrating her 80th birthday.
- 2008\2534 Robert and Martha Guthrie, Newton – For celebrating their 60th wedding anniversary.
- 2008\2535 Fred and Pat Harrison, Newton – For celebrating their 60th wedding anniversary.
- 2008\2536 Loretta Schnabel, Traer – For celebrating her 90th birthday.
- 2008\2537 Darlene Dirks, Toledo – For celebrating her 80th birthday.

SUBCOMMITTEE ASSIGNMENTS

[House File 2579](#)

Appropriations: Foegen, Chair; Gayman and Heaton.

[Senate File 2303](#)

Labor: T. Taylor, Chair; Abdul-Samad and Horbach.

[Senate File 2306](#)

Commerce: Berry, Chair; Kressig and Struyk.

[Senate File 2321](#)

Environmental Protection: Anderson, Chair; H. Miller and Smith.

[Senate File 2339](#)

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

[Senate File 2344](#)

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

[Senate File 2392](#)

Commerce: Wise, Chair; Oldson, Petersen, Pettengill and Struyk.

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 COMMERCE

[House File 2538](#), a bill for an act increasing the amount of investment tax credit for which an eligible housing business may qualify if specified energy efficiency standards are met, and including effective and retroactive applicability date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass with Amendment** [H-8320](#) March 25, 2008.

Pursuant to Rule 31.7, [House File 2538](#) was referred to the committee on ways and means.

[Senate File 2179](#), a bill for an act making specified changes relating to professional licensing and regulation under the purview of the banking division of the department of commerce.

Fiscal Note is not required.

Recommended **Do Pass** March 25, 2008.

[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.

Fiscal Note is not required.

Recommended **Do Pass** March 25, 2008.

[Senate File 2277](#), a bill for an act relating to offenses against identity by establishing a procedure to secure credit information and providing a penalty.

Fiscal Note is not required.

Recommended **Do Pass** March 25, 2008.

[Senate File 2308](#), a bill for an act relating to identity theft by providing for the notification of a breach in the security of personal information, and providing penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass with Amendment [H-8323](#)** March 25, 2008.

[Senate File 2349](#), a bill for an act relating to the preneed sale of cemetery and funeral merchandise and funeral services.

Fiscal Note is not required.

Recommended **Amend and Do Pass with Amendment [H-8324](#)** March 25, 2008.

COMMITTEE ON EDUCATION

[Senate File 2279](#), a bill for an act establishing health, nutrition, and cardiopulmonary resuscitation certification requirements for students, school districts, and accredited nonpublic schools, and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass with Amendment [H-8328](#)** March 26, 2008.

COMMITTEE ON LABOR

[Senate File 2002](#), a bill for an act waiving employer charges for unemployment claims stemming from temporary workers who have replaced active duty military employees.

Fiscal Note is not required.

Recommended **Do Pass** March 25, 2008.

COMMITTEE ON NATURAL RESOURCES

[Senate Joint Resolution 2002](#), a joint resolution proposing an amendment to the Constitution of the State of Iowa to dedicate a portion of state revenue from the tax imposed on certain retail sales of tangible personal property and services for the benefit of the state's natural resources.

Fiscal Note is not required.

Recommended **Do Pass** March 26, 2008.

Pursuant to Rule 31.7, [Senate Joint Resolution 2002](#) was referred to committee on ways and means.

[Senate File 310](#), a bill for an act relating to civil damages payable for unlawful taking of certain animals and fish.

Fiscal Note is not required.

Recommended **Do Pass** March 26, 2008.

COMMITTEE ON PUBLIC SAFETY

[Senate File 2132](#), a bill for an act relating to notices regarding the disposition of seized property and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass with Amendment [H-8325](#)** March 25, 2008.

COMMITTEE ON WAYS AND MEANS

[Senate File 385](#), a bill for an act excluding unarmed combat fighting from boxing and wrestling regulation.

Fiscal Note is not required.

Recommended **Amend and Do Pass with Amendment [H-8330](#)** March 26, 2008.

[Senate File 2174](#), a bill for an act providing an Iowa individual income tax checkoff for the department of human services' child abuse prevention program, making an appropriation, and providing for the Act's implementation and including a retroactive applicability date provision.

Fiscal Note is not required.

Recommended **Do Pass** March 26, 2008.

[Senate File 2267](#), a bill for an act relating to rules for discharging wastewater from water well drilling sites.

Fiscal Note is not required.

Recommended **Amend and Do Pass with Amendment** [H-8329](#) March 26, 2008.

Committee Bill (Formerly [House File 898](#)), relating to the sales and use taxes on the operation of bingo games.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 26, 2008.

Committee Bill (Formerly [House File 2536](#)), relating to an adjustment in state foundation aid for certain school districts required to repay property taxes and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** March 26, 2008.

AMENDMENTS FILED

H-8317	S.F.	2159	Mascher of Johnson
H-8319	S.F.	348	Rants of Woodbury
H-8320	H.F.	2538	Committee on Commerce
H-8321	S.F.	473	Hunter of Polk
H-8322	H.F.	2533	Mascher of Johnson
H-8323	S.F.	2308	Committee on Commerce
H-8324	S.F.	2349	Committee on Commerce
H-8325	S.F.	2132	Committee on Public Safety
H-8326	S.F.	2174	Huser of Polk
H-8327	S.F.	2216	Zirkelbach of Jones
H-8328	S.F.	2279	Committee on Education
H-8329	S.F.	2267	Committee on Ways and Means
H-8330	S.F.	385	Committee on Ways and Means
H-8331	S.F.	2329	Wendt of Woodbury
H-8332	S.F.	2132	R. Olson of Polk

On motion by McCarthy of Polk the House adjourned at 7:37 p.m., until 9:00 a.m., Thursday, March 27, 2008.