

PROOF

STATE OF IOWA

House Journal

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JOURNAL OF THE HOUSE

Eighty-first Calendar Day - Fifty-sixth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, April 3, 2008

The House met pursuant to adjournment at 9:09 a.m., Speaker Murphy in the chair.

Prayer was offered by Reverend Pete Wenzel, pastor of Peace United Church of Christ, Monticello. He was the guest of Representative Ray Zirkelbach of Jones County

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by House Page Sara Thoma, the House Journal Room Page from Barnum.

The Journal of Wednesday, April 2, 2008 was approved.

INTRODUCTION OF BILLS

[House File 2668](#), by committee on ways and means, a bill for an act relating to the disposal and recycling of waste oil filters.

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

[House File 2669](#), by committee on ways and means, a bill for an act relating to the collection and recycling of mercury-added thermostats.

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

[House File 2670](#), by committee on ways and means, a bill for an act 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.

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

[House File 2671](#), by T. Olson, Wise, Petersen, Oldson, H. Miller, Mascher and Jochum, a bill for an act relating to local government by modifying provisions related to franchise fees and by creating a pilot city program to establish efficient growth, authorize revenue sources other than property taxes, and provide city property tax relief through property tax credits, and by providing tax credits for the redevelopment of underutilized properties and clarifying the meaning of eligible business under the high job quality creation program, including penalties and including effective and applicability date provisions.

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

SENATE MESSAGES CONSIDERED

[Senate File 2399](#), by committee on ways and means, a bill for an act relating to the eligibility requirements for the barn preservation property tax exemption.

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

[Senate File 2401](#), by committee on ways and means, a bill for an act relating to the carryforward of unused investment tax credits under the high quality job creation and enterprise zone programs and including effective and applicability date provisions.

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

[Senate File 2402](#), by committee on ways and means, a bill for an act relating to the technical 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.

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

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 April 2, 2008, passed the following bill in which the concurrence of the Senate was asked:

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

Also: That the Senate has on April 2, 2008, passed the following bill in which the concurrence of the Senate was asked:

[House File 2390](#), a bill for an act relating to the licensing and regulation of plumbers and mechanical professionals and providing effective dates.

Also: That the Senate has on April 2, 2008, passed the following bill in which the concurrence of the Senate was asked:

[House File 2410](#), a bill for an act relating to alarm system installer or contractor certification and electrician licensure provisions, and providing an effective date.

Also: That the Senate has on April 2, 2008, passed the following bill in which the concurrence of the Senate was asked:

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

MICHAEL E. MARSHALL, Secretary

Kressig of Black Hawk in the chair at 9:17 a.m.

H. Miller of Webster asked and received unanimous consent for the immediate consideration of [House Resolution 140](#).

ADOPTION OF [HOUSE RESOLUTION 140](#)

Heddens of Story, Wessel-Kroeschell of Story, Deyoe of Story and D. Olson of Boone, called up for consideration [House Resolution 140](#), a resolution congratulating Iowa State University of Science and Technology for 150 years of leadership and service to the nation and the world as Iowa's land-grant university, and moved its adoption.

The motion prevailed and the resolution was adopted.

SPECIAL PRESENTATIONS

Bailey of Hamilton introduced to the House, Albert Kurmanbiyevich, Aleksey Vasilyevich, Aleksandr Yevgenyevich Sharkov, Yunona Ivanovna Shevchenko, Gregoriy Olegovich Yarygin and Nilsolay Viktorovich Vysritskiy. They are judges visiting from Russia.

The House rose and expressed its welcome.

On motion by H. Miller of Webster, the House was recessed at 9:32 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened at 1:45 p.m., Speaker Murphy in the chair.

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 April 3, 2008, passed the following bill in which the concurrence of the Senate was asked:

[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.

Also: That the Senate has on April 3, 2008, passed the following bill in which the concurrence of the Senate was asked:

[House File 2568](#), a bill for an act relating to the calculation of certain weekly workers' compensation benefits by requiring certain weekly workers' compensation benefits to be calculated by including an employee's shift differential pay and by changing the basis for calculating the weekly rate for certain injured inmates.

Also: That the Senate has on April 3, 2008, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

[Senate File 2214](#), a bill for an act relating to modification of a child custody order during the time a parent is serving active duty.

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

[Senate File 2409](#), a bill for an act relating to providing information to certain households about the availability of volunteer or free income tax assistance programs and the federal and state earned income tax credits.

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

[Senate File 2410](#), a bill for an act relating to the property tax exemption for speculative shell buildings and including effective and retroactive applicability date provisions.

MICHAEL E. MARSHALL, Secretary

SENATE AMENDMENT CONSIDERED

Huser of Polk called up for consideration [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, amended by the Senate, and moved that the House concur in the following Senate amendment [H-8250](#):

[H-8250](#)

1 Amend [House File 2392](#), as passed by the House, as
2 follows:

- 3 1. Page 3, by striking lines 19 and 20 and
4 inserting the following: "written notice shall
5 contain the name of the tenant responsible for
6 charges, address of the residential rental".
7 2. Page 3, line 21, by striking the word
8 "occupy," and inserting the following: "occupy,".
9 3. Page 3, by striking lines 22 through 24 and
10 inserting the following: "occupancy begins. A change
11 in tenant shall require a new written notice to be
12 given to the city utility or enterprise within ~~ten~~
13 thirty business days of the change in tenant. When
14 the".

The motion prevailed and the House concurred in the Senate amendment [H-8250](#).

Huser of Polk moved that the bill, as amended by the Senate and concurred in by the House, 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, 100:

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	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, none.

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

CONSIDERATION OF BILLS Regular Calendar

[Senate File 2036](#), a bill for an act relating to the division of criminal and juvenile justice planning of the department of human rights by making changes to the membership of the council, permitting access to the records of the department of workforce development, and modifying the sex offender treatment and supervision task force, with report of committee recommending passage, was taken up for consideration.

Swaim of Davis 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. 2036](#))

The ayes were, 100:

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	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, none.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Pettengill of Benton on request of Struyk of Pottawattamie.

Senate File 2124, a bill for an act relating to authorized expenditures from the veterans trust fund and providing for emergency rulemaking authority, with report of committee recommending amendment and passage, was taken up for consideration.

Staed of Linn offered the following amendment [H-8064](#) filed by the committee on veterans affairs and moved its adoption:

[H-8064](#)

1 Amend [Senate File 2124](#), as passed by the Senate, as
2 follows:

3 1. Page 1, by inserting after line 16 the
4 following:

5 "NEW PARAGRAPH. k. Expenses related to
6 establishing whether a minor child is a dependent of a
7 deceased veteran.

8 NEW PARAGRAPH. l. Matching funds to veterans
9 organizations to provide for accredited veteran
10 service officers. However, moneys expended for this
11 purpose in a fiscal year shall not exceed the lesser
12 of one hundred fifty thousand dollars or twenty
13 percent of the moneys appropriated to the commission
14 from interest and earnings on the fund in that fiscal
15 year."

16 2. Page 1, by inserting after line 26 the
17 following:

18 "Sec. ____ . EFFECTIVE DATE. This Act, being deemed
19 of immediate importance, takes effect upon enactment."

20 3. Title page, line 2, by inserting after the
21 word "authority" the following: "and providing an
22 effective date".

23 4. By renumbering as necessary.

The committee amendment [H-8064](#) was adopted.

Wiencek of Black Hawk offered the following amendment [H-8130](#)
filed by her as follows:

[H-8130](#)

1 Amend [Senate File 2124](#), as passed by the Senate, as
2 follows:

3 1. Page 1, by inserting after line 26 the
4 following:

5 "Sec. ____ . Section 422.12E, subsection 1, Code
6 Supplement 2007, is amended to read as follows:

7 1. For tax years beginning on or after January 1,
8 2004, there shall be allowed no more than four income
9 tax return checkoffs on each income tax return. When
10 the same four income tax return checkoffs have been
11 provided on the income tax return for two consecutive
12 years, the two checkoffs for which the least amount
13 has been contributed, in the aggregate for the first
14 tax year and through March 15 of the second tax year,
15 are repealed. This section does not apply to the
16 income tax return ~~checkoff~~ checkoffs provided in
17 section 68A.601 and 422.12I.

18 Sec. ____ . Section 422.12I, subsection 4, Code

- 19 Supplement 2007, is amended to read as follows:
20 4. This section is not subject to repeal under
21 section 422.12E."
22 2. Title page, line 1, by inserting after the
23 words "expenditures from" the following: "and income
24 tax checkoff for".
25 3. By renumbering as necessary.

Huser of Polk rose on a point of order that amendment [H-8130](#) was not germane.

Huser of Polk moved to withdraw her question.

McCarthy of Polk asked and received unanimous consent that [Senate File 2124](#) be deferred and that the bill retain its place on the calendar.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Dolecheck of Ringgold on request of Struyk of Pottawattamie.

Regular Calendar

[Senate File 2212](#), a bill for an act relating to determinations in child in need of assistance proceedings, and modifying circumstances for termination of parental rights, with report of committee recommending amendment and passage, was taken up for consideration.

Smith of Marshall offered the following amendment [H-8297](#) filed by the committee on judiciary and moved its adoption:

[H-8297](#)

- 1 Amend [Senate File 2212](#), as passed by the Senate, as
2 follows:
3 1. Page 1, line 4, by inserting before the word
4 "terminated" the following: "involuntarily".
5 2. Page 1, line 17, by inserting before the word
6 "terminated" the following: "involuntarily".

The committee amendment [H-8297](#) was adopted.

Smith of Marshall 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. 2212](#))

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	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	Quirk
Raecker	Rants	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Smith
Soderberg	Staed	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	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:

Dolecheck	Pettengill	Tomenga
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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 AND SENATE FILES PLACED ON THE UNFINISHED BUSINESS CALENDAR

McCarthy of Polk asked and received unanimous consent that the following House Files and Senate Files be placed on the unfinished business calendar.

[House File 2219](#)
[House File 2239](#)
[House File 2412](#)
[House File 2498](#)
[House File 2505](#)
[House File 2543](#)
[House File 2552](#)
[House File 2582](#)
[House File 2604](#)
[House File 2619](#)
[Senate File 34](#)
[Senate File 203](#)
[Senate File 482](#)
[Senate File 517](#)
[Senate File 2132](#)

[Senate File 2134](#)
[Senate File 2216](#)
[Senate File 2251](#)
[Senate File 2269](#)
[Senate File 2279](#)
[Senate File 2303](#)
[Senate File 2319](#)
[Senate File 2325](#)
[Senate File 2329](#)
[Senate File 2337](#)
[Senate File 2344](#)
[Senate File 2386](#)
[Senate File 2392](#)
[Senate Joint Resolution 2002](#)

[Senate File 2217](#), a bill for an act relating to providing legal representation to an eligible indigent person and the appointment of a guardian ad litem, with report of committee recommending passage, was taken up for consideration.

Winckler 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. 2217](#))

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Bell	Berry	Boal
Bukta	Chambers	Clute	Cohoon
Dandekar	Davitt	De Boef	Deyoe
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	Quirk	Raecker
Rants	Rasmussen	Rayhons	Reasoner

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

The nays were, none.

Absent or not voting, 4:

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

[Senate File 2335](#), a bill for an act relating to the rights of a victim of an alleged sexual assault and notification of these rights by a peace officer, with report of committee recommending passage, 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?" ([S.F. 2335](#))

The ayes were, 93:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Drake	Foege	Ford
Forristall	Frevert	Gayman	Gipp
Granzow	Grassley	Greiner	Heaton
Heddens	Hoffman	Horbach	Hunter
Huseman	Huser	Jacoby	Jochum
Kaufmann	Kelley	Kressig	Kuhn
Lensing	Lukan	Lykam	Mascher
May	McCarthy	Mertz	Miller, H.
Miller, L.	Oldson	Olson, R.	Olson, S.
Olson, T.	Palmer	Paulsen	Petersen
Quirk	Raecker	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands

Schickel	Schueller	Shomshor	Smith
Soderberg	Staed	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	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, 7:

Dolecheck	Gaskill	Jacobs	Olson, D.
Pettengill	Rants	Tomenga	

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 File 2392](#) and **Senate Files 2036, 2212, 2217 and 2335**.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Hoffman of Crawford on request of Roberts of Carroll; Jacobs of Polk on request of Roberts of Carroll; Tomenga of Polk on request of Kaufmann of Cedar.

QUORUM CALL

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

Wendt of Woodbury in the chair at 3:43 p.m.

HOUSE FILES AND SENATE FILES PLACED ON THE UNFINISHED BUSINESS CALENDAR

McCarthy of Polk asked and received unanimous consent to place the following House Files and Senate Files on the Unfinished Business Calendar:

[House File 2594](#)

[House File 2602](#)

[Senate File 2133](#)

[Senate File 2321](#)

[Senate File 2340](#)

[Senate File 2364](#)

The House resumed consideration of [Senate File 2124](#), a bill for an act relating to authorized expenditures from the veterans trust fund and providing for emergency rulemaking authority, with amendment [H-8130](#) pending, previously deferred and found on pages 1033 through 1035 of the House Journal.

Huser of Polk offered the following amendment [H-8411](#), to amendment [H-8130](#), filed by her from the floor and moved its adoption:

[H-8411](#)

1 Amend the amendment, [H-8130](#), to [Senate File 2124](#),
2 as passed by the Senate, as follows:

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

5 "____. Page 1, by inserting before line 1 the
6 following:

7 "DIVISION I _____
8 VETERANS TRUST FUND EXPENDITURES"

9 2. Page 1, by striking lines 5 through 24 and
10 inserting the following:

11 "DIVISION II _____
12 INCOME TAX CHECKOFFS

13 Sec. __. NEW SECTION. 235A.2 CHILD ABUSE
14 PREVENTION PROGRAM FUND.

15 1. A child abuse prevention program fund is
16 created in the state treasury under the control of the
17 department of human services. The fund is composed of
18 moneys appropriated or available to and obtained or
19 accepted by the treasurer of state for deposit in the
20 fund. The fund shall include moneys transferred to
21 the fund as provided in section 422.12K. All interest
22 earned on moneys in the fund shall be credited to and
23 remain in the fund. Section 8.33 does not apply to
24 moneys in the fund.

25 2. Moneys in the fund that are authorized by the
26 department for expenditure are appropriated, and shall
27 be used, for the purposes described in section 235A.1
28 of preventing child abuse and neglect.

29 Sec. __. NEW SECTION. 422.12K INCOME TAX
30 CHECKOFF FOR CHILD ABUSE PREVENTION PROGRAM FUND.

31 1. A person who files an individual or a joint
32 income tax return with the department of revenue under
33 section 422.13 may designate one dollar or more to be
34 paid to the child abuse prevention program fund
35 created in section 235A.2. If the refund due on the
36 return or the payment remitted with the return is
37 insufficient to pay the additional amount designated
38 by the taxpayer to the child abuse prevention program
39 fund, the amount designated shall be reduced to the
40 remaining amount remitted with the return. The
41 designation of a contribution to the child abuse
42 prevention program fund under this section is
43 irrevocable.

44 2. The director of revenue shall draft the income
45 tax form to allow the designation of contributions to
46 the child abuse prevention program fund on the tax
47 return. The department of revenue, on or before
48 January 31, shall transfer the total amount designated
49 on the tax return forms due in the preceding calendar
50 year to the child abuse prevention program fund.

Page 2

1 However, before a checkoff pursuant to this section
2 shall be permitted, all liabilities on the books of
3 the department of revenue and accounts identified as
4 owing under section 421.17 and the political
5 contribution allowed under section 68A.601 shall be
6 satisfied.

7 3. The department of human services may authorize
8 payment of moneys from the child abuse prevention
9 program fund, in accordance with section 235A.2.

10 4. The department of revenue shall adopt rules to
11 administer this section.

12 5. This section is subject to repeal under section
13 422.12E.

14 Sec. . NEW SECTION. 422.12L JOINT INCOME TAX
15 REFUND CHECKOFF FOR VETERANS TRUST FUND AND VOLUNTEER
16 FIRE FIGHTER PREPAREDNESS FUND.

17 1. A person who files an individual or a joint
18 income tax return with the department of revenue under
19 section 422.13 may designate one dollar or more to be
20 paid jointly to the veterans trust fund created in
21 section 35A.13 and to the volunteer fire fighter
22 preparedness fund created in section 100B.13. If the
23 refund due on the return or the payment remitted with
24 the return is insufficient to pay the additional
25 amount designated by the taxpayer, the amount
26 designated shall be reduced to the remaining amount of
27 refund or the remaining amount remitted with the
28 return. The designation of a contribution under this
29 section is irrevocable.

30 2. The director of revenue shall draft the income
 31 tax form to allow the designation of contributions to
 32 the veterans trust fund and to the volunteer fire
 33 fighter preparedness fund as one checkoff on the tax
 34 return. The department of revenue, on or before
 35 January 31, shall transfer one-half of the total
 36 amount designated on the tax return forms due in the
 37 preceding calendar year to the veterans trust fund and
 38 the remaining one-half to the volunteer fire fighter
 39 preparedness fund. However, before a checkoff
 40 pursuant to this section shall be permitted, all
 41 liabilities on the books of the department of
 42 administrative services and accounts identified as
 43 owing under section 8A.504 and the political
 44 contribution allowed under section 68A.601 shall be
 45 satisfied.

46 3. The department of revenue shall adopt rules to
 47 administer this section.

48 4. This section is subject to repeal under section
 49 422.12E.

50 Sec.____. IMPLEMENTATION. The checkoffs created

Page 3

1 in this division of this Act are eligible for
 2 placement on the individual income tax return form
 3 commencing with the tax year beginning January 1,
 4 2008, provided the conditions for placement on the
 5 return form set out in section 422.12E are met.

6 Sec.____. RETROACTIVE APPLICABILITY. This
 7 division of this Act applies retroactively to the tax
 8 year commencing January 1, 2008, and applies to tax
 9 years beginning on or after that date."

10 _____. Title page, line 1, by inserting after the
 11 words "relating to" the following: "income tax
 12 checkoffs and".

13 _____. Title page, line 2, by inserting after the
 14 word "authority" the following: "and including a
 15 retroactive applicability date provision".

16 3. By renumbering as necessary.

Amendment [H-8411](#) was adopted.

On motion by Wiencek of Black Hawk, amendment [H-8130](#), as amended, was adopted.

Staed 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?” ([S.F. 2124](#))

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Drake	Foege	Ford
Forristall	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Heddens	Horbach	Hunter
Huseman	Huser	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	Quirk	Raecker
Rants	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Smith	Soderberg
Staed	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen
Watts	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wiencek	Winckler	Windschitl
Wise	Worthan	Zirkelbach	Wendt, Presiding

The nays were, none.

Absent or not voting, 4:

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

SPECIAL PRESENTATION

Jacoby of Johnson introduced to the House the University of Iowa Hawkeye Wrestling Team and Coach Tom Brands who briefly addressed the House in appreciation for the honor.

The House rose and expressed its welcome.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that [Senate File 2124](#) be immediately messaged to the Senate.

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 April 3, 2008, passed the following bill in which the concurrence of the Senate was asked:

[House File 2542](#), A bill for an act concerning work-related injuries suffered and claims made outside of this state.

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

[House File 2651](#), a bill for an act relating to policies for the administration of highways and the regulation of motor vehicle and to deposits made by a county to the secondary road fund, physical ability tests required for fire fighter applicants, and certain obligations guaranteed by highway funds including matters concerning the bid threshold for emergency highway repairs, providing for new collegiate motor vehicle registration plates and providing fees, the fee for replacement of special dealer registration plates, antique motor vehicle registration fees, used motor vehicle dealer education requirements, disqualification from operating a commercial motor vehicle, penalties for speeding violations committed in road work zones, access to persons with disabilities parking spaces for certain disabled veterans, and permits and fees for the movement of certain oversize or overweight vehicles, drinking driver courses offered at state correctional facilities, establishment of benefited secondary road services districts, and the defeasance of petroleum underground storage tank fund bonds, and providing an effective date.

MICHAEL E. MARSHALL, Secretary

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on April 2, 2008. Had I been present, I would have voted "aye" on Senate Files 2316, 2338, 2349, 2379 and 2380.

WATTS of Dallas

I was necessarily absent from the House chamber on April 3, 2008. Had I been present, I would have voted "aye" on [Senate File 2335](#).

GASKILL of Wapello

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 2, 2008, he approved and transmitted to the Secretary of State the following bills:

[Senate File 2154](#), an Act relating to inclined or vertical wheelchair lifts regulated by the elevator safety board.

[Senate File 2199](#), an Act relating to appeals of denials of insurance coverage based on medical necessity.

[Senate File 2317](#), 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.

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

PRESENTATION OF VISITORS

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

Forty-one seventh grade students from North Iowa Middle School, Thompson, Iowa, accompanied by Brad Ewest. By Rayhons of Hancock.

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\2642 Marion Thomas, Denison – For celebrating her 90th birthday.
- 2008\2643 Lucille Wagner, Amana – For celebrating her 90th birthday.
- 2008\2644 Wilbert Adam, Keota – For celebrating his 90th birthday.
- 2008\2645 Delores Wardenburg, Williamsburg – For celebrating her 80th birthday.
- 2008\2646 Opal Craig, Hartwick – For celebrating her 90th birthday.
- 2008\2647 Dorothy Donahue, Parnell – For celebrating her 80th birthday.
- 2008\2648 Klara Sonner, Sigourney – For celebrating her 80th birthday.
- 2008\2649 Glen Langlas, Williamsburg – For celebrating his 90th birthday.
- 2008\2650 Geraldine McGrarry, Victor – For celebrating her 80th birthday.
- 2008\2651 Alberta Bos, What Cheer – For celebrating her 80th birthday.
- 2008\2652 Rose Hickey, Bettendorf – For celebrating her 80th birthday.
- 2008\2653 Marion Duffy, Bettendorf – For celebrating her 90th birthday.
- 2008\2654 Marie Tombergs, Bettendorf – For celebrating her 85th birthday.
- 2008\2655 Eleanor Gorecki, Bettendorf – For celebrating her 90th birthday.
- 2008\2656 Irene Olson, Bettendorf – For celebrating her 80th birthday.
- 2008\2657 Katherine Cone, Bettendorf – For celebrating her 85th birthday.
- 2008\2658 John Walsh, Bettendorf – For celebrating his 85th birthday.
- 2008\2659 James Schmitt, Bettendorf – For celebrating his 75th birthday.
- 2008\2660 June Wiese, Bettendorf – For celebrating her 75th birthday.
- 2008\2661 Dorothy Eyre, Bettendorf – For celebrating her 75th birthday.
- 2008\2662 Christine Taylor, Bettendorf – For celebrating her 75th birthday.
- 2008\2663 Bertha Cunningham, Bettendorf – For celebrating her 90th birthday.
- 2008\2664 Natividad Esquivel, Bettendorf – For celebrating his 80th birthday.
- 2008\2665 Lilah Bell, Bettendorf – For celebrating her 100th birthday.
- 2008\2666 Virgil Heaton, Bettendorf – For celebrating his 85th birthday.

- 2008\2667 Dorothy Heberling, Bettendorf – For celebrating her 90th birthday.
- 2008\2668 Dorothy Burke, Bettendorf – For celebrating her 85th birthday.
- 2008\2669 Joyce Taylor, Bettendorf – For celebrating her 75th birthday.
- 2008\2670 Lucy Dewaelsche, Bettendorf – For celebrating her 95th birthday.
- 2008\2671 Sylveria Ruden, Dubuque – For celebrating her 85th birthday.
- 2008\2672 Jack and Mary Ann Sabers, Dubuque – For celebrating their 50th wedding anniversary.
- 2008\2673 Michael Bagby, Dubuque – For winning the Level F division of the Iowa Music Teachers Association Pre-College State Piano Auditions.
- 2008\2674 Mathew Niemer, Dubuque – For being a runner-up the Level C division of the Iowa Music Teachers Association Pre-College State Piano Auditions.
- 2008\2675 Blance Robertson, Malcom – For celebrating her 93rd birthday.
- 2008\2676 Dolores Van Oort, Ankeny – For celebrating her 80th birthday.

SUBCOMMITTEE ASSIGNMENTS

[House File 2573](#)

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

[House File 2613](#)

Ways and Means: Reasoner, Chair; Jochum and Windschitl.

[Senate File 2403](#)

Government Oversight: Ford, Chair; Baudler and Whitead.

COMMITTEE RECOMMENDATION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON GOVERNMENT OVERSIGHT

Committee Bill (Formerly [House File 917](#)), concerning appropriations to the office of grants enterprise management and including an effective date and retroactive applicability provision.

Fiscal Note is not required,

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

AMENDMENTS FILED

H-8406	S.F. 2132	Kaufmann of Cedar Tymeson of Madison Grassley of Butler
H-8407	S.F. 445	Bell of Jasper
H-8408	S.F. 2134	Zirkelbach of Jones
H-8409	S.F. 2279	Paulsen of Linn
H-8410	H.F. 2663	T. Taylor of Linn D. Taylor of Linn
H-8412	H.F. 2663	Tymeson of Madison
H-8413	H.F. 2663	Tymeson of Madison
H-8414	H.F. 2651	Senate Amendment

On motion by McCarthy of Polk the House adjourned at 4:12 p.m., until 9:00 a.m., Friday, April 4, 2008.