

PROOF

STATE OF IOWA

House Journal

WEDNESDAY, FEBRUARY 11, 2009

Produced daily by the State of Iowa during the sessions of the General Assembly.
(The official bound copy will be available after a reasonable time upon adjournment.)

JOURNAL OF THE HOUSE

Thirty-first Calendar Day - Twentieth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, February 11, 2009

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

Prayer was offered by Reverend Jon Hanson, Chaplin of Risen Son Christian Retirement Village, Council Bluffs. He was the guest of representatives Doug Struyk and Greg Forristall from Pottawattamie County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Allison Adams, House Page from Red Oak.

The Journal of Tuesday, February 10, 2009 was approved.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on February 10, 2009, passed the following bill in which the concurrence of the House is asked:

[Senate File 82](#), a bill for an act adding four nonvoting members to the Iowa workforce development board.

Also: That the Senate has on February 10, 2009, passed the following bill in which the concurrence of the House is asked:

[Senate File 96](#), a bill for an act granting the civil rights commission additional subpoena power to investigate unfair or discriminatory practices and providing an effective date.

Also: That the Senate has on February 10, 2009, passed the following bill in which the concurrence of the House is asked:

[Senate File 98](#), a bill for an act establishing a lean enterprise office within the department of management.

Also: That the Senate has on February 10, 2009, passed the following bill in which the concurrence of the House is asked:

[Senate File 101](#), a bill for an act establishing a shaken baby syndrome prevention program in the department of public health.

Also: That the Senate has on February 10, 2009, passed the following bill in which the concurrence of the House is asked:

[Senate File 108](#), a bill for an act relating to the membership of the public safety communications interoperability board and providing an effective and applicability date provision.

MICHAEL E. MARSHALL, Secretary

INTRODUCTION OF BILLS

[House File 256](#), by committee on judiciary, a bill for an act relating to bidders at a property tax sale and owners of tax sale certificates and including effective and applicability date provisions.

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

[House File 257](#), by committee on judiciary, a bill for an act relating to the judicial branch including contested and uncontested parking violations, filing civil citations of municipal infractions with the clerk, records kept by the clerk, and service of original notice in a small claims action.

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

[House File 258](#), by Roberts, a bill for an act relating to the eligibility of certain watercraft for class "D" liquor control licenses.

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

SPECIAL PRESENTATION

Speaker Murphy introduced to the House the honorable Mike Peters, former state representative from Woodbury County.

The House rose and expressed its welcome.

ADOPTION OF [HOUSE CONCURRENT RESOLUTION 3](#)

Wessel-Kroeschell of Story called up for consideration [House Concurrent Resolution 3](#) as follows and moved its adoption:

1 [House Concurrent Resolution 3](#)
 2 By Committee on Administration and Rules
 3 (Successor To [HSB 144](#))
 4 A concurrent resolution relating to joint rules of
 5 the Senate and House of Representatives for the
 6 Eighty-third General Assembly.
 7 *Be It Resolved By The House Of Representatives, The*
 8 *Senate Concurring,* That the joint rules of the Senate
 9 and House of Representatives for the ~~Eighty-second~~
 10 ~~Eighty-third~~ General Assembly shall be:
 11 JOINT RULES OF THE
 12 SENATE AND HOUSE
 13 Rule 1
 14 Suspension of Joint Rules
 15 The joint rules of the general assembly may be
 16 suspended by concurrent resolution, duly adopted by a
 17 constitutional majority of the senate and the house.
 18 Rule 2
 19 Designation of Sessions
 20 Each regular session of a general assembly shall be
 21 designated by the year in which such regular session
 22 commences.
 23 Rule 3
 24 Sessions of a General Assembly
 25 The election of officers, organization, hiring and
 26 compensation of employees, and standing committees in
 27 each house of the general assembly and action taken by
 28 each house shall carry over from the first to the
 29 second regular session and to any extraordinary
 30 session of the same general assembly. The status of

Page 2

1 each bill and resolution shall be the same at the
 2 beginning of each second session as it was immediately
 3 before adjournment of the previous regular or
 4 extraordinary session; however the rules of either
 5 house may provide for re-referral of some or all bills
 6 and resolutions to standing committees upon
 7 adjournment of each session or at the beginning of a
 8 subsequent regular or extraordinary session, except
 9 those which have been adopted by both houses in
 10 different forms.
 11 Upon final adoption of a concurrent resolution at
 12 any extraordinary session affecting that session, or
 13 at a regular session affecting any extraordinary

14 session which may be held before the next regular
15 session, the creation of any calendar by either house
16 shall be suspended and the business of the session
17 shall consist solely of those bills or subject matters
18 stated in the resolution adopted. Bills named in the
19 resolution, or bills containing the subject matter
20 provided for in the resolution, may, at any time, be
21 called up for debate in either house by the majority
22 leader of that house.

23 Rule 3A

24 International Relations Protocol

25 The senate and the house of representatives shall
26 comply with the international relations protocol
27 policy adopted by the international relations
28 committee of the legislative council.

29 Rule 4

30 Presentation of Messages

Page 3

1 All messages between the two houses shall be sent
2 by the secretary of the senate or the chief clerk of
3 the house of representatives, and shall be
4 communicated to the presiding officer.

5 Rule 5

6 Printing and Form of Bills
7 and Other Documents

8 Bills and joint resolutions shall be introduced,
9 numbered, prepared, and printed as provided by law, or
10 in the absence of such law, in a manner determined by
11 the secretary of the senate and the chief clerk of the
12 house of representatives. Proposed bills and
13 resolutions which are not introduced but are referred
14 to committee shall be tracked in the legislative
15 computer system as are introduced bills and
16 resolutions. The referral of proposed bills and
17 resolutions to committee shall be entered in the
18 journal.

19 All bills and joint resolutions introduced shall be
20 in a form and number approved by the secretary of the
21 senate and chief clerk of the house.

22 The legal counsel's office of each house shall
23 approve all bills before introduction.

24 Rule 6

25 Companion Bills

26 Identical bills introduced in one or both houses
27 shall be called companion bills. Each house shall
28 designate the sponsor in the usual way followed in
29 parentheses by the sponsor of any companion bill or
30 bills in the other house. The house where a companion

Page 4

1 bill is first introduced shall print the complete
2 text.

3 Rule 7

4 Reprinting of Bills

5 Whenever any bill has been substantially amended by
6 either house, the secretary of the senate or the chief
7 clerk of the house shall order the bill reprinted on
8 paper of a different color. All adopted amendments
9 shall be distinguishable.

10 The secretary of the senate or the chief clerk of
11 the house may order the printing of a reasonable
12 number of additional copies of any bill, resolution,
13 amendment, or journal.

14 Rule 8

15 Daily Clip Sheet

16 The secretary of the senate and the chief clerk of
17 the house shall prepare a daily clip sheet covering
18 all amendments filed.

19 Rule 9

20 Reintroduction of Bills and Other Measures

21 A bill or resolution which has passed one house and
22 is rejected in the other shall not be introduced again
23 during that general assembly.

24 Rule 10

25 Certification of Bills and Other Enrollments

26 When any bill or resolution which has passed one
27 house is rejected or adopted in the other, notice of
28 such action and the date thereof shall be given to the
29 house of origin in writing signed by the secretary of
30 the senate or the chief clerk of the house.

Page 5

1 Rule 11

2 Code Editor's Correction Bills

3 A bill recommended by the Code editor which is
4 passed out of committee to the floor for debate by a
5 committee of the house or senate and which contains
6 Code corrections of a nonsubstantive nature shall not
7 be amended on the floor of either house except
8 pursuant to corrective or nonsubstantive amendments
9 filed by the judiciary committee of the senate or the
10 house. Such committee amendments, whether filed at
11 the time of initial committee passage of the bill to
12 the floor for debate or after rereferral to the
13 committee, shall not be incorporated into the bill in
14 the originating house but shall be filed separately.
15 Amendments filed from the floor to strike sections of
16 the bill or the committee amendments shall be in
17 order. Following amendment and passage by the second

18 house, only amendments filed from the floor which
19 strike sections of the amendment of the second house
20 shall be in order.

21 A bill recommended by the Code editor which is
22 passed out of committee to the floor for debate by a
23 committee of the house or senate and which contains
24 Code corrections beyond those of a nonsubstantive
25 nature shall not be amended on the floor of either
26 house except pursuant to amendments filed by the
27 judiciary committee of the senate or the house. Such
28 committee amendments, whether filed at the time of
29 initial committee passage of the bill to the floor for
30 debate or after rereferral to the committee, shall not

Page 6

1 be incorporated into the bill in the originating house
2 but shall be filed separately. Such a bill shall be
3 limited to corrections which: Adjust language to
4 reflect current practices, insert earlier omissions,
5 delete redundancies and inaccuracies, delete temporary
6 language, resolve inconsistencies and conflicts,
7 update ongoing provisions, and remove ambiguities.
8 Amendments filed from the floor to strike sections of
9 the bill or the committee amendments shall be in
10 order. Following amendment and passage by the second
11 house, only amendments filed from the floor which
12 strike sections of the amendment of the second house
13 shall be in order.

14 It is the intent of the house and the senate that
15 such bills be passed out of committee to the floor for
16 debate within the first four weeks of convening of a
17 legislative session.

18 Rule 12

19 Amendments by Other House

20 1. When a bill which originated in one house is
21 amended in the other house, the house originating the
22 bill may amend the amendment, concur in full in the
23 amendment, or refuse to concur in full in the
24 amendment. Precedence of motions shall be in that
25 order. The amendment of the other house shall not be
26 ruled out of order based on a question of germaneness.

27 a. If the house originating the bill concurs in
28 the amendment, the bill shall then be immediately
29 placed upon its final passage.

30 b. If the house originating the bill refuses to

Page 7

1 concur in the amendment, the bill shall be returned to
2 the amending house which shall either:

3 (1) Recede, after which the bill shall be read for

4 the last time and immediately placed upon its final
5 passage; or
6 (2) Insist, which will send the bill to a
7 conference committee.
8 c. If the house originating the bill amends the
9 amendment, that house shall concur in the amendment as
10 amended and the bill shall be immediately placed on
11 final passage, and shall be returned to the other
12 house. The other house cannot further amend the bill.
13 (1) If the amending house which gave second
14 consideration to the bill concurs in the amendment to
15 the amendment, the bill shall then be immediately
16 placed upon its final passage.
17 (2) If the amending house refuses to concur in the
18 amendment to the amendment, the bill shall be returned
19 to the house originating the bill which shall either:
20 (a) Recede, after which the bill shall be read for
21 the last time as amended and immediately placed upon
22 its final passage; or
23 (b) Insist, which will send the bill to a
24 conference committee.
25 2. A motion to recede has precedence over a motion
26 to insist. Failure to recede means to insist; and
27 failure to insist means to recede.
28 3. A motion to lay on the table or to indefinitely
29 postpone shall be out of order with respect to motions
30 to recede from or insist upon and to amendments to

Page 8

1 bills which have passed both houses.
2 4. A motion to concur, refuse to concur, recede,
3 insist, or adopt a conference committee report is in
4 order even though the subject matter has previously
5 been acted upon.
6 Rule 13
7 Conference Committee
8 1. Within one legislative day after either house
9 insists upon an amendment to a bill, the presiding
10 officer of the house, after consultation with the
11 majority leader, shall appoint three majority party
12 members and, after consultation with the minority
13 leader, shall appoint two minority party members to a
14 conference committee. The majority leader of the
15 senate, after consultation with the president, shall
16 appoint three majority party members and, after
17 consultation with and approval by the minority leader,
18 shall appoint two minority party members to a
19 conference committee. The papers shall remain with
20 the house that originated the bill.
21 2. The conference committee shall meet before the
22 end of the next legislative day after their

23 appointment, shall select a chair and shall discuss
24 the controversy.
25 3. The authority of the first conference committee
26 shall cover only issues related to provisions of the
27 bill and amendments to the bill which were adopted by
28 either the senate or the house of representatives and
29 on which the senate and house of representatives
30 differed. If a conference committee report is not

Page 9

1 acted upon because such action would violate this
2 subsection of this rule, the inaction on the report
3 shall constitute refusal to adopt the conference
4 committee report and shall have the same effect as if
5 the conference committee had disagreed.
6 4. An agreement on recommendations must be
7 approved by a majority of the committee members from
8 each house. The committee shall submit two originals
9 of the report signed by a majority of the committee
10 members of each house with one signed original and
11 three copies to be submitted to each house. The
12 report shall first be acted upon in the house
13 originating the bill. Such action, including all
14 papers, shall be immediately referred by the secretary
15 of the senate or the chief clerk of the house of
16 representatives to the other house.
17 5. The report of agreement is debatable, but
18 cannot be amended. If the report contains recommended
19 amendments to the bill, adoption of the report shall
20 automatically adopt all amendments contained therein.
21 After the report is adopted, there shall be no more
22 debate, and the bill shall immediately be placed upon
23 its final passage.
24 6. Refusal of either house to adopt the conference
25 committee report has the same effect as if the
26 committee had disagreed.
27 7. If the conference committee fails to reach
28 agreement, a report of such failure signed by a
29 majority of the committee members of each house shall
30 be given promptly to each house. The bill shall be

Page 10

1 returned to the house that originated the bill, the
2 members of the committee shall be immediately
3 discharged, and a new conference committee appointed
4 in the same manner as the first conference committee.
5 8. The authority of a second or subsequent
6 conference committee shall cover free conference
7 during which the committee has authority to propose
8 amendments to any portion of a bill provided the

9 amendment is within the subject matter content of the
10 bill as passed by the house of origin or as amended by
11 the second house.

12 Rule 14

13 Enrollment and Authentication of Bills

14 A bill or resolution which has passed both houses
15 shall be enrolled in the house of origin under the
16 direction of either the secretary of the senate or the
17 chief clerk of the house and its house of origin shall
18 be certified by the endorsement of the secretary of
19 the senate or the chief clerk of the house.

20 After enrollment, each bill shall be signed by the
21 president of the senate and by the speaker of the
22 house.

23 Rule 15

24 Concerning Other Enrollments

25 All resolutions and other matters which are to be
26 presented to the governor for approval shall be
27 enrolled, signed, and presented in the same manner as
28 bills.

29 All resolutions and other matters which are not to
30 be presented to the governor or the secretary of state

Page 11

1 shall be enrolled, signed, and retained permanently by
2 the secretary of the senate or chief clerk of the
3 house.

4 Rule 16

5 Transmission of Bills to the Governor

6 After a bill has been signed in each house, it
7 shall be presented by the house of origin to the
8 governor by either the secretary of the senate or the
9 chief clerk of the house. The secretary or the chief
10 clerk shall report the date of the presentation, which
11 shall be entered upon the journal of the house of
12 origin.

13 Rule 17

14 Fiscal Notes

15 A fiscal note shall be attached to any bill or
16 joint resolution which reasonably could have an annual
17 effect of at least one hundred thousand dollars or a
18 combined total effect within five years after
19 enactment of five hundred thousand dollars or more on
20 the aggregate revenues, expenditures, or fiscal
21 liability of the state or its subdivisions. This rule
22 does not apply to appropriation and ways and means
23 measures where the total effect is stated in dollar
24 amounts.

25 Each fiscal note shall state in dollars the
26 estimated effect of the bill on the revenues,
27 expenditures, and fiscal liability of the state or its

28 subdivisions during the first five years after
29 enactment. The information shall specifically note
30 the fiscal impact for the first two years following

Page 12

1 enactment and the anticipated impact for the
2 succeeding three years. The fiscal note shall specify
3 the source of the information. Sources of funds for
4 expenditures under the bill shall be stated, including
5 federal funds. If an accurate estimate cannot be
6 made, the fiscal note shall state the best available
7 estimate or shall state that no dollar estimate can be
8 made and state concisely the reason.

9 The preliminary determination of whether the bill
10 appears to require a fiscal note shall be made by the
11 legal services staff of the legislative services
12 agency. Unless the requestor specifies the request is
13 to be confidential, upon completion of the bill draft,
14 the legal services staff shall immediately send a copy
15 to the fiscal services director for review.

16 When a committee reports a bill to the floor, the
17 committee shall state in the report whether a fiscal
18 note is or is not required.

19 The fiscal services director or the director's
20 designee shall review all bills placed on the senate
21 or house calendars to determine whether the bills are
22 subject to this rule.

23 Additionally, a legislator may request the
24 preparation of a fiscal note by the fiscal services
25 staff for any bill or joint resolution introduced
26 which reasonably could be subject to this rule.

27 The fiscal services director or the director's
28 designee shall cause to be prepared and shall approve
29 a fiscal note within a reasonable time after receiving
30 a request or determining that a bill is subject to

Page 13

1 this rule. All fiscal notes approved by the fiscal
2 services director shall be transmitted immediately to
3 the secretary of the senate or the chief clerk of the
4 house, after notifying the sponsor of the bill that a
5 fiscal note has been prepared, for publication in the
6 daily clip sheet. The secretary of the senate or
7 chief clerk of the house shall attach the fiscal note
8 to the bill as soon as it is available.

9 The fiscal services director may request the
10 cooperation of any state department or agency in
11 preparing a fiscal note.

12 A revised fiscal note may be requested by a
13 legislator if the fiscal effect of the bill has been

14 changed by adoption of an amendment. However, a
15 request for a revised fiscal note shall not delay
16 action on a bill unless so ordered by the presiding
17 officer of the house in which the bill is under
18 consideration.

19 If a date for adjournment has been set, then a
20 constitutional majority of the house in which the bill
21 is under consideration may waive the fiscal note
22 requirement during the three days prior to the date
23 set for adjournment.

24 Rule 18

25 Legislative Interns

26 Legislators may arrange student internships during
27 the legislative session with Iowa college, university,
28 or law school students, for which the students may
29 receive college credit at the discretion of their
30 schools. Each legislator is allowed only one intern

Page 14

1 at a time per legislative session, and all interns
2 must be registered with the offices of the secretary
3 of the senate and the chief clerk of the house.

4 The purpose of the legislative intern program shall
5 be: to provide useful staff services to legislators
6 not otherwise provided by the general assembly; to
7 give interested college, graduate, and law school
8 students practical experience in the legislative
9 process as well as providing a meaningful educational
10 experience; and to enrich the curriculum of
11 participating colleges and universities.

12 The secretary of the senate and the chief clerk of
13 the house or their designees shall have the following
14 responsibilities as regards the legislative intern
15 program:

16 1. Identify a supervising faculty member at each
17 participating institution who shall be responsible for
18 authorizing students to participate in the intern
19 program.

20 2. Provide legislators with a list of
21 participating institutions and the names of
22 supervising professors to contact if interested in
23 arranging for an intern.

24 3. Provide interns with name badges which will
25 allow them access to the floor of either house when
26 required to be present by the legislators for whom
27 they work.

28 4. Provide orientation materials to interns prior
29 to the convening of each session.

30 Rule 19

Page 15

1 Administrative Rules Review Committee Bills
2 and Rule Referrals
3 A bill which relates to departmental rules and
4 which is approved by the administrative rules review
5 committee by a majority of the committee's members of
6 each house is eligible for introduction in either
7 house at any time and must be referred to a standing
8 committee, which must take action on the bill within
9 three weeks of referral, except bills referred to
10 appropriations and ways and means committees.
11 If, on or after July 1, 1999, the administrative
12 rules review committee delays the effective date of a
13 rule until the adjournment of the next regular session
14 of the general assembly and the speaker of the house
15 or the president of the senate refers the rule to a
16 standing committee, the standing committee shall
17 review the rule within twenty-one days of the referral
18 and shall take formal committee action by sponsoring a
19 joint resolution to disapprove the rule, by proposing
20 legislation relating to the rule, or by refusing to
21 propose a joint resolution or legislation concerning
22 the rule. The standing committee shall inform the
23 administrative rules review committee of the committee
24 action taken concerning the rule.
25 Rule 20
26 Time of Committee Passage and Consideration of Bills
27 1. This rule does not apply to concurrent or
28 simple resolutions, joint resolutions nullifying
29 administrative rules, senate confirmations, or bills
30 passed by both houses in different forms. Subsection

Page 16

1 2 of this rule does not apply to appropriations bills,
2 ways and means bills, government oversight bills,
3 legalizing acts, administrative rules review committee
4 bills, bills sponsored by standing committees in
5 response to a referral from the president of the
6 senate or the speaker of the house of representatives
7 relating to an administrative rule whose effective
8 date has been delayed until the adjournment of the
9 next regular session of the general assembly by the
10 administrative rules review committee, bills
11 cosponsored by majority and minority floor leaders of
12 one house, bills in conference committee, and
13 companion bills sponsored by the majority floor
14 leaders of both houses after consultation with the
15 respective minority floor leaders. For the purposes
16 of this rule, a joint resolution is considered as a
17 bill. To be considered an appropriations, ways and

18 means, or government oversight bill for the purposes
 19 of this rule, the appropriations committee, the ways
 20 and means committee, or the government oversight
 21 committee must either be the sponsor of the bill or
 22 the committee of first referral in the originating
 23 house.

24 2. To be placed on the calendar in the house of
 25 origin, a bill must be first reported out of a
 26 standing committee by Friday of the 9th week of the
 27 first session and the 8th week of the second session.
 28 To be placed on the calendar in the other house, a
 29 bill must be first reported out of a standing
 30 committee by Friday of the 13th week of the first

Page 17

1 session and the 11th week of the second session.

2 3. During the 11th week of the first session and
 3 the 9th week of the second session, each house shall
 4 consider only bills originating in that house and
 5 unfinished business. During the 14th week of the
 6 first session and the 12th week of the second session,
 7 each house shall consider only bills originating in
 8 the other house and unfinished business. Beginning
 9 with the 15th week of the first session and the 13th
 10 week of the second session, each house shall consider
 11 only bills passed by both houses, bills exempt from
 12 subsection 2, and unfinished business.

13 4. A motion to reconsider filed and not disposed
 14 of on an action taken on a bill or resolution which is
 15 subject to a deadline under this rule may be called up
 16 at any time before or after the day of the deadline by
 17 the person filing the motion or after the deadline by
 18 the majority floor leader, notwithstanding any other
 19 rule to the contrary.

20 Rule 21

21 Resolutions

22 1. A "concurrent resolution" is A resolution to be
 23 adopted by both houses of the general assembly which
 24 expresses the sentiment of the general assembly or
 25 deals with temporary legislative matters. It may
 26 authorize the expenditure, for any legislative
 27 purpose, of funds appropriated to the general
 28 assembly. A concurrent resolution is not limited to,
 29 but may provide for a joint convention of the general
 30 assembly, adjournment or recess of the general

Page 18

1 assembly, or requests to a state agency or to the
 2 general assembly or a committee. A concurrent
 3 resolution requires the affirmative vote of a majority

4 of the senators or representatives present and voting
5 unless otherwise specified by statute. A concurrent
6 resolution does not require the governor's approval
7 unless otherwise specified by statute. A concurrent
8 resolution shall be filed with the secretary of the
9 senate or the chief clerk of the house. A concurrent
10 resolution shall be printed in the bound journal after
11 its adoption.

12 2. A "joint resolution" is A resolution which
13 requires for approval the affirmative vote of a
14 constitutional majority of each house of the general
15 assembly. A joint resolution which appropriates funds
16 or enacts temporary laws must contain the clause "Be
17 It Enacted by the General Assembly of the State of
18 Iowa:", is equivalent to a bill, and must be
19 transmitted to the governor for his approval. A joint
20 resolution which proposes amendments to the
21 Constitution of the State of Iowa, ratifies amendments
22 to the Constitution of the United States, proposes a
23 request to Congress or an agency of the government of
24 the United States of America, proposes to Congress an
25 amendment to the Constitution of the United States of
26 America, nullifies an administrative rule, or creates
27 a special commission or committee must contain the
28 clause "Be It Resolved by the General Assembly of the
29 State of Iowa:" and shall not be transmitted to the
30 governor. A joint resolution shall not amend a

Page 19

1 statute in the Code of Iowa.

2 Rule 22

3 Nullification Resolutions

4 A "nullification resolution" is a joint resolution
5 which nullifies all of an administrative rule, or a
6 severable item of an administrative rule adopted
7 pursuant to chapter 17A of the Code. A nullification
8 resolution shall not amend an administrative rule by
9 adding language or by inserting new language in lieu
10 of existing language.

11 A nullification resolution is debatable, but cannot
12 be amended on the floor of the house or senate. The
13 effective date of a nullification resolution shall be
14 stated in the resolution. Any motions filed to
15 reconsider adoption of a nullification resolution must
16 be disposed of within one legislative day of the
17 filing.

18 Rule 23

19 Consideration of Vetoes

20 1. The senate and house calendar shall include a
21 list known as the "Veto Calendar." The veto calendar
22 shall consist of:

23 a. Bills returned to that house by the governor in
24 accordance with Article III, section 16 of the
25 Constitution of the State of Iowa.
26 b. Appropriations items returned to that house by
27 the governor in accordance with Article III, section
28 16 of the Constitution of the State of Iowa.
29 c. Bills and appropriations items received from
30 the other house after that house has voted to override

Page 20

1 a veto of them by the governor.
2 2. Vetoed bills and appropriations items shall
3 automatically be placed on the veto calendar upon
4 receipt. Vetoed bills and appropriations items shall
5 not be referred to committee.
6 3. Upon first publication in the veto calendar,
7 the senate majority leader or the house majority
8 leader may call up a vetoed bill or appropriations
9 item at any time.
10 4. The affirmative vote of two-thirds of the
11 members of the body by record roll call is required on
12 a motion to override an executive veto or item veto.
13 5. A motion to override an executive veto or item
14 veto is debatable. A vetoed bill or appropriation
15 item cannot be amended in this case.
16 6. The vote by which a motion to override an
17 executive veto or item veto passes or fails to pass
18 either house is not subject to reconsideration under
19 senate rule 24 or house rule 73.
20 7. The secretary of the senate or the chief clerk
21 of the house shall immediately notify the other house
22 of the adoption or rejection of a motion to override
23 an executive veto or item veto.
24 8. All bills and appropriations items on the veto
25 calendar shall be disposed of before adjournment sine
26 die, unless the house having a bill or appropriation
27 item before it declines to do so by unanimous consent.
28 9. Bills and appropriations items on the veto
29 calendar are exempt from deadlines imposed by joint
30 rule 20.

The motion prevailed and the resolution was adopted.

IMMEDIATE MESSAGE

Gayman of Scott asked and received unanimous consent that [House Concurrent Resolution 3](#) be immediately messaged to the Senate.

On motion by Gayman of Scott, the House was recessed at 9:25 a.m., until 4:00 p.m.

AFTERNOON SESSION

The House reconvened at 4:14 p.m., Speaker Murphy in the chair.

INTRODUCTION OF BILLS

[House File 259](#), by committee on education, a bill for an act relating to the compulsory school attendance age and providing effective dates.

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

[House File 260](#), by committee on local government, a bill for an act relating to the operation of county, city, and memorial hospitals and the duties and powers of hospital trustees and commissioners.

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

[House File 261](#), by Paulsen, a bill for an act directing the department of economic development to allocate moneys for small business disaster recovery and including a retroactive applicability date.

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

[House File 262](#), by Paulsen, a bill for an act exempting from the individual and corporate income taxes interest and dividends from certain Iowa municipal securities and including a retroactive applicability date provision.

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

[House File 263](#), by Paulsen, a bill for an act relating to disaster recovery by providing individual income tax credits for costs incurred in housing construction and including effective and retroactive applicability date provisions.

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

[House File 264](#), by Kaufmann, Willems and Jacoby, a bill for an act requiring the department of natural resources to conduct a study regarding the prohibition of the use of lead wheel weights.

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

[House File 265](#), by Ford, a bill for an act providing for the establishment of a task force to study a renewed effort to reorganize school districts.

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

[House File 266](#), by Kaufmann and Swaim, a bill for an act relating to recording proceedings before a magistrate.

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

SENATE MESSAGES CONSIDERED

[Senate File 82](#), by committee on economic growth, a bill for an act adding four nonvoting members to the Iowa workforce development board.

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

[Senate File 96](#), by committee on judiciary, a bill for an act granting the civil rights commission additional subpoena power to investigate unfair or discriminatory practices and providing an effective date.

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

[Senate File 98](#), by committee on state government, a bill for an act establishing a lean enterprise office within the department of management.

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

[Senate File 101](#), by committee on human resources, a bill for an act establishing a shaken baby syndrome prevention program in the department of public health.

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

[Senate File 108](#), by committee on judiciary, a bill for an act relating to the membership of the public safety communications interoperability board and providing an effective and applicability date provision.

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

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

- 2009\1564 John and Gail Buskohl, Lincoln – For celebrating their 60th wedding anniversary.
- 2009\1565 Eldon Carter, Eldora – For celebrating his 100th birthday.
- 2009\1566 Ernie and Beverly Glienke, Aurelia – For celebrating their 50th wedding anniversary.
- 2009\1567 Bernadine Kammrad-Hulsing, Sheffield – For celebrating her 80th birthday.
- 2009\1568 Norlanda Mary Ann Lehmann Dilges, Cincinnati – For celebrating her 80th birthday.
- 2009\1569 Gro Bergo, Lake Mills – For celebrating her 90th birthday.
- 2009\1570 Kenneth and Lois Engdahl, Aurelia – For celebrating their 60th wedding anniversary.
- 2009\1571 Florence Doty, Bettendorf – For celebrating her 94th birthday.
- 2009\1572 Harold and Margaret Pry, Hawarden – For celebrating their 50th wedding anniversary.
- 2009\1573 Stan and Bev Lown, South English – For celebrating their 60th wedding anniversary.
- 2009\1574 Dorothy Giessregen, Muscatine – For celebrating her 95th birthday.
- 2009\1575 Fred and Sandy Agan, Harvey – For celebrating their 50th wedding anniversary.
- 2009\1576 Emma deNeui, Ackley – For celebrating her 101st birthday.

- 2009\1577 Darrell and Joanne Hennessey, Marion – For celebrating their 50th wedding anniversary.
- 2009\1578 Marilyn Arney, Bettendorf – For celebrating her 75th birthday.
- 2009\1579 Marilyn Wallace, Bettendorf – For celebrating her 75th birthday
- 2009\1580 Mary Boast, Bettendorf – For celebrating her 76th birthday.
- 2009\1581 Dorice Miller, Bettendorf – For celebrating her 76th birthday.
- 2009\1582 Lois Weers, Bettendorf – For celebrating her 77th birthday.
- 2009\1583 Charles Hand, Bettendorf – For celebrating his 78th birthday.
- 2009\1584 Joyce Henkel, Bettendorf – For celebrating her 78th birthday.
- 2009\1585 Lawrence Keuter, Bettendorf – For celebrating his 78th birthday.
- 2009\1586 Ann Schroeder, Bettendorf – For celebrating her 78th birthday.
- 2009\1587 Elmer Duethman, Bettendorf – For celebrating his 79th birthday.
- 2009\1588 Ann Johansen, Bettendorf – For celebrating her 79th birthday.
- 2009\1589 Ralph Kroy, Bettendorf – For celebrating his 79th birthday.
- 2009\1590 Donald Monical, Bettendorf – For celebrating his 80th birthday.
- 2009\1591 Herbert Allee, Bettendorf – For celebrating his 81st birthday.
- 2009\1592 James Hult, Bettendorf – For celebrating his 81st birthday.
- 2009\1593 Edward Wehr, Bettendorf – For celebrating his 81st birthday.
- 2009\1594 Helen Weindruch, Bettendorf – For celebrating her 81st birthday.
- 2009\1595 Virginia Clingman, Bettendorf – For celebrating her 82nd birthday.
- 2009\1596 Shirley Decker, Bettendorf – For celebrating her 82nd birthday.
- 2009\1597 Lois Osterman, Bettendorf – For celebrating her 82nd birthday.
- 2009\1598 John Phoenix, Bettendorf – For celebrating his 82nd birthday.
- 2009\1599 Violet Touvelle, Bettendorf – For celebrating her 82nd birthday.
- 2009\1600 Wilbur Mason, Bettendorf – For celebrating his 83rd birthday.
- 2009\1601 Willard Branch, Bettendorf – For celebrating his 84th birthday.

- 2009\1602 Marilyn Overman, Bettendorf – For celebrating her 86th birthday.
- 2009\1603 Raymond Pohlmann, Bettendorf – For celebrating his 89th birthday.
- 2009\1604 Joseph Haber, Bettendorf – For celebrating his 92nd birthday.
- 2009\1605 Richard and Ella Bunn, Muscatine – For celebrating their 60th wedding anniversary.
- 2009\1606 Donald R.W. Gebers III, Holstein – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2009\1607 AJ Lilienthal, Manchester – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.

SUBCOMMITTEE ASSIGNMENTS

[House File 53](#)

Appropriations: Jacoby, Chair; Oldson and Watts.

[House File 125](#)

Appropriations: Heddens, Chair; Gayman and Heaton.

[House File 156](#)

Appropriations: Heddens, Chair; Gayman and Heaton.

[House File 170](#)

Veterans Affairs: Bailey, Chair; Whitead and Windschitl.

[House File 218](#)

Veterans Affairs: Gayman, Chair; Kearns and Windschitl.

[House File 224](#)

Education: Winckler, Chair; Cownie and Mascher.

[House File 225](#)

Veterans Affairs: Mascher, Chair; Alons and Whitead.

[House File 226](#)

Education: Winckler, Chair; Forristall and Willems.

[House File 227](#)

Public Safety: R. Olson, Chair; Baudler and Heddens.

[House File 235](#)

Veterans Affairs: Bukta, Chair; Sweeney and D. Taylor.

[House File 237](#)

Veterans Affairs: Bailey, Chair; Gayman and Windschitl.

[House File 239](#)

State Government: Willems, Chair; Gaskill and Roberts.

[House File 241](#)

State Government: Lensing, Chair; Isenhardt and Kaufmann.

[House File 242](#)

Public Safety: Berry, Chair; Heddens and Worthan.

[House File 248](#)

Education: Steckman, Chair; Ficken and May.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

[House Study Bill 163](#)

Transportation: Lykam, Chair; Quirk and Worthan.

[House Study Bill 164](#)

Transportation: Quirk, Chair; Kelley and Tjepkes.

[House Study Bill 165](#)

Environmental Protection: Lensing, Chair; Kressig and Soderberg.

[House Study Bill 166](#)

Economic Growth: H. Miller, Chair; Cownie and Marek.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

[H.S.B. 167](#) **Public Safety**

Making changes to the sex offender registry and to duties and requirements related to persons who commit sex offenses, making fees applicable, and providing penalties.

H.S.B. 168 Environmental Protection

Providing for public comment regarding an application to construct a confinement feeding operation structure.

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 EDUCATION

Committee Bill (Formerly [House Study Bill 3](#)), relating to the funding of school district programs for returning dropouts and dropout prevention.

Fiscal Note is not required.

Recommended **Do Pass** February 11, 2009.

COMMITTEE ON JUDICIARY

Committee Bill (Formerly [House Study Bill 30](#)), relating to the compensation of a guardian ad litem in certain criminal cases involving a child witness.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 10, 2009.

COMMITTEE ON LOCAL GOVERNMENT

Committee Bill (Formerly [House File 51](#)), relating to civil service employment residency requirements.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 11, 2009.

AMENDMENTS FILED

[H-1018](#) [H.F. 243](#) Rants of Woodbury
Raecker of Polk

[H-1019](#) [H.F. 179](#) Schultz of Crawford

On motion by McCarthy of Polk the House adjourned at 4:18 p.m., until 9:00 a.m., Thursday, February 12, 2009.