

PROOF

STATE OF IOWA

House Journal

THURSDAY, MARCH 5, 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

Fifty-third Calendar Day - Thirty-fifth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, March 5, 2009

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

Prayer was offered by Bishop Richard Pates of the Des Moines Diocese of the Catholic Church. He was the guest of Representative Mike Reasoner from Union County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Cassie Wenger, House Page from Wellman.

The Journal of Wednesday, March 4, 2009 was approved.

INTRODUCTION OF BILLS

[House File 573](#), by Cownie, a bill for an act authorizing the county board of supervisors to decrease compensation paid to supervisors.

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

[House File 574](#), by Marek and Mertz, a bill for an act regulating animal feeding operations, making penalties applicable, and providing for penalties.

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

[House File 575](#), by Tymeson, a bill for an act concerning eligibility for the injured veterans grant program.

Read first time and referred to committee on **veterans affairs**.

[House File 576](#), by Heaton, a bill for an act relating to the criteria used for selection of school districts for participation in the statewide

preschool program for four-year-old children and providing effective and applicability dates.

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

[House File 577](#), by Sands, a bill for an act relating to certain water use permit fees.

Read first time and referred to committee on **environmental protection**.

[House File 578](#), by Isenhart, Schueller and Beard, a bill for an act relating to denials of lease extensions for barge fleeting areas on the public waters of the state in sites adjacent to national monuments or registered landmarks.

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

[House File 579](#), by D. Olson, a bill for an act relating to targeted jobs withholding tax credit agreements, providing for a report to the general assembly, and including an effective date provision.

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

[House File 580](#), by committee on human resources, a bill for an act relating to reimbursement of nonparticipating providers for eligible services provided to IowaCare program members.

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

[House File 581](#), by S. Olson, a bill for an act relating to certain property of associations of war veterans eligible for an exemption from property taxation, providing a refund of property taxes in certain circumstances, and including effective and retroactive applicability date provisions.

Read first time and referred to committee on **veterans affairs**.

[House File 582](#), by Ford, a bill for an act requiring a minority impact statement with each bid submitted for a contract with the department of transportation, and providing an applicability date.

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

[House File 583](#), by Cohoon, a bill for an act relating to public financing of state legislative campaigns, making an appropriation, making penalties applicable, and including an effective date provision.

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

[House File 584](#), by D. Olson, a bill for an act creating a clean campaign pledge program and establishing a penalty.

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

[House File 585](#), by D. Olson, a bill for an act relating to discharges of storm water under a general permit issued by the department of natural resources.

Read first time and referred to committee on **environmental protection**.

[House File 586](#), by Lensing, a bill for an act relating to the emancipation of a minor and family in need of assistance proceedings.

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

[House File 587](#), by Ford, a bill for an act relating to state agencies' procurement goals for purchases from certain targeted small businesses.

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

[House File 588](#), by Ford, Hunter and Petersen, a bill for an act creating an excise tax on paints, primer, and speciality finish and directing moneys to fund the childhood lead poisoning prevention program.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Berry of Black Hawk on request of Speaker Murphy; Sands of Louisa on request of Paulsen of Linn.

CONSIDERATION OF BILL
Regular Calendar

[House File 321](#), a bill for an act exempting certain persons who transport members of the Iowa veterans home from the requirement to be licensed as a chauffeur, was taken up for consideration.

Gayman of Scott moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 321](#))

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Beard	Bell
Bukta	Burt	Cohoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Ficken	Ford	Forristall	Frevert
Gaskill	Gayman	Grassley	Hagenow
Heaton	Heddens	Helland	Horbach
Hunter	Huseman	Huser	Isenhart
Jacoby	Kaufmann	Kearns	Kelley
Koester	Kressig	Kuhn	Lensing
Lukan	Lykam	Marek	Mascher
May	Mertz	Miller, H.	Miller, L.
Oldson	Olson, D.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants	Rayhons
Reasoner	Reichert	Roberts	Schueller
Schulte	Schultz	Shomshor	Smith
Soderberg	Sorenson	Steckman	Struyk
Swaim	Sweeney	Taylor, D.	Taylor, T.
Thede	Thomas	Tjepkes	Tymeson
Upmeyer	Van Engelenhoven	Wagner	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Willems	Winckler	Windschitl
Worthan	Zirkelbach	Mr. Speaker	
		Murphy	

The nays were, none.

Absent or not voting, 5:

Berry Sands	Chambers	McCarthy	Olson, R.
----------------	----------	----------	-----------

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

IMMEDIATE MESSAGE

Whitaker of Van Buren asked and received unanimous consent that [House File 321](#) be immediately messaged to the Senate.

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\2582 Stephanie Anderson, St. Luke's Hospital, Cedar Rapids – For being selected at the University of Iowa College of Nursing as one of Iowa's 100 Great Nurses.
- 2009\2583 Catherine Kane, Mercy Medical Center, Cedar Rapids – For being selected at the University of Iowa College of Nursing as one of Iowa's 100 Great Nurses.
- 2009\2584 Kathryn Smelser, Mercy Medical Center, Cedar Rapids – For being selected at the University of Iowa College of Nursing as one of Iowa's 100 Great Nurses.
- 2009\2585 Bernice M. Stropes, Muscatine – For celebrating her 93rd birthday.
- 2009\2586 Ehrma Lee Jackson, Muscatine – For celebrating her 90th birthday.
- 2009\2587 Aaron Roberts, Audubon Boy Scout Troop 103 – For earning a Silver Eagle Palm Award, for his continued leadership and skills development after the Eagle Scot Rank is earned.
- 2009\2588 Kenneth Gene and Diane Fenton, Audubon – For celebrating their 50th wedding anniversary.
- 2009\2589 Joey Elbert, KUOO Radio, Spirit Lake– For receiving the News Media Award from the Iowa High School Athletic Association for

his many years of genuine enthusiasm for young people and educational athletics.

- 2009\2590 Sherry Hall, Tipton – For being selected at the University of Iowa College of Nursing as one of Iowa’s 100 Great Nurses.
- 2009\2591 Deb Schwiebert, Lisbon – For being selected at the University of Iowa College of Nursing as one of Iowa’s 100 Great Nurses.
- 2009\2592 Leona Klever, Williamsburg – For celebrating her 97th birthday.
- 2009\2593 Dale Johnson, Delta – For celebrating his 100th birthday.

[HOUSE FILE 520](#) REREFERRED

The Speaker announced that [House File 520](#), previously referred to committee on **education** was placed on the **calendar**.

[HOUSE FILE 581](#) REREFERRED

The Speaker announced that [House File 581](#), previously referred to committee on **veterans affairs** was rereferred to committee on **ways and means**.

SUBCOMMITTEE ASSIGNMENTS

[House File 497](#)

Judiciary: Smith, Chair; Anderson and Lensing.

[House File 507](#)

Human Resources: Wendt, Chair; Koester and Thede.

[House File 508](#)

Human Resources: Petersen, Chair; Alons and Steckman.

[House File 509](#)

Human Resources: Berry, Chair; Forristall and Hunter.

[House File 510](#)

State Government: Quirk, Chair; Drake and Wendt.

[House File 512](#)

Human Resources: Wendt, Chair; Baudler and Thede.

[House File 513](#)

Human Resources: Petersen, Chair; Alons and Steckman.

[House File 516](#)

Education: Cohoon, Chair; Koester and Wendt.

[House File 517](#)

Human Resources: Hunter, Chair; Alons and Mascher.

[House File 518](#)

Education: Palmer, Chair; Schulte and Wendt.

[House File 524](#)

Commerce: Reichert, Chair; Petersen, Quirk, Soderberg and Wagner.

[House File 526](#)

Human Resources: Hunter, Chair; Mascher and L. Miller.

[House File 529](#)

State Government: Cohoon, Chair; Koester and Willems.

[House File 531](#)

Rebuild Iowa and Disaster Recovery: Kuhn, Chair; Helland, Sands, Schueller and Thomas.

[House File 532](#)

State Government: Frevert, Chair; Beard and Struyk.

[House File 534](#)

Human Resources: Smith, Chair; Forristall and Wendt.

[House File 535](#)

State Government: Gaskill, Chair; Beard and Roberts.

[House File 537](#)

Human Resources: Mascher, Chair; Baudler and Petersen.

[House File 538](#)

Commerce: D. Olson, Chair; Reichert and Wagner.

[House File 539](#)

State Government: Isenhardt, Chair; Frevert and Kaufmann.

[House File 540](#)

Human Resources: Wessel-Kroeschell, Chair; Heddens and Schulte.

[House File 544](#)

Commerce: Petersen, Chair; T. Olson and Windschitl.

[House File 545](#)

Human Resources: Hunter, Chair; Heaton and Mascher.

[House File 546](#)

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

[House File 547](#)

Human Resources: Wessel-Kroeschell, Chair; L. Miller and Smith.

[House File 548](#)

Human Resources: Mascher, Chair; L. Miller and Wendt.

[House File 549](#)

Judiciary: Wessel-Kroeschell, Chair; Kaufmann and T. Olson.

[House File 550](#)

Commerce: T. Olson, Chair; D. Olson and Pettengill.

[House File 551](#)

State Government: Lensing, Chair; Mascher and Struyk.

[House File 553](#)

Judiciary: Lensing, Chair; Baudler and R. Olson.

[House File 557](#)

Public Safety: Whitehead, Chair; Bell and Hagenow.

[House File 558](#)

Agriculture: Wenthe, Chair; Huseman and H. Miller.

[House File 559](#)

Public Safety: Whitaker, Chair; Baudler and Whitead.

[House File 563](#)

Human Resources: Mascher, Chair; Petersen and Schulte.

[House File 564](#)

Judiciary: Smith, Chair; Schultz and Willems.

[House File 565](#)

Education: Kelley, Chair; May, Schulte, Wendt and Winckler.

[House File 567](#)

Human Resources: Hunter, Chair; Mascher and L. Miller.

[House File 568](#)

Commerce: Petersen, Chair; Helland and Oldson.

[House File 569](#)

Economic Growth: H. Miller, Chair; Sorenson and Thomas.

[House File 572](#)

State Government: Schulte, Chair; Lensing and Willems.

[Senate File 176](#)

Commerce: Bailey, Chair; Quirk and Sorenson.

[Senate File 199](#)

Judiciary: Lensing, Chair; Helland and Wessel-Kroeschell.

[Senate File 207](#)

Economic Growth: Thede, Chair; Anderson and Bailey.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

[House Study Bill 230](#)

Judiciary: Palmer, Chair; Struyk and Swaim.

[House Study Bill 232](#)

Judiciary: Willems, Chair; Baudler and T. Olson.

[House Study Bill 239](#)

Commerce: Reichert, Chair; Petersen, Quirk, Soderberg and Wagner.

[House Study Bill 244](#)

State Government: Frevert, Chair; Beard and Drake.

[House Study Bill 249](#)

Economic Growth: Kelley, Chair; Marek and Sorenson.

[House Study Bill 250](#)

Judiciary: Huser, Chair; Helland and Mertz.

[House Study Bill 252](#)

Rebuild Iowa and Disaster Recovery: Schueller, Chair; De Boef and Kuhn.

[House Study Bill 253](#)

Rebuild Iowa and Disaster Recovery: Burt, Chair; Kaufmann and D. Taylor.

[House Study Bill 255](#)

Rebuild Iowa and Disaster Recovery: Jacoby, Chair; Burt and Sands.

[House Study Bill 256](#)

Education: Steckman, Chair; L. Miller and Thede.

[House Study Bill 257](#)

Local Government: D. Olson, Chair; Whitead and Windschitl.

[House Study Bill 259](#)

Human Resources: Smith, Chair; Heddens and L. Miller.

[House Study Bill 260](#)

Environmental Protection: D. Olson, Chair; Drake and Gayman.

[House Study Bill 261](#)

Judiciary: Swaim, Chair; Anderson and Huser.

HOUSE STUDY BILL COMMITTEE ASSIGNMENT

H.S.B. 262 Commerce

Concerning restrictions on the resale and use of motor vehicle operating records furnished by the department of transportation and making a penalty applicable.

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 AGRICULTURE

Committee Bill (Formerly [House File 327](#)), providing for the stockpiling of dry manure originating from confinement feeding operations, making penalties applicable, and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** March 4, 2009.

COMMITTEE ON COMMERCE

Committee Bill (Formerly [House File 296](#)), relating to the membership and administration of the Iowa propane education and research council, increasing an assessment, and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 5, 2009.

COMMITTEE ON EDUCATION

Committee Bill (Formerly [House Study Bill 26](#)), relating to certain reporting requirements or actions required of the department of education, school districts, accredited nonpublic schools, and community colleges.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 4, 2009.

COMMITTEE ON ENVIRONMENTAL PROTECTION

Committee Bill (Formerly [House Study Bill 168](#)), providing for public comment regarding an application to construct a confinement feeding operation structure.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 4, 2009.

COMMITTEE ON LOCAL GOVERNMENT

[House File 397](#), a bill for an act relating to township property tax levies for emergency services and providing an applicability date.

Fiscal Note is not required.

Recommended **Do Pass** March 4, 2009.

Pursuant to Rule 31, [House File 397](#) was referred to the committee on ways and means.

COMMITTEE ON PUBLIC SAFETY

Committee Bill (Formerly [House File 417](#)), concerning procurement of products manufactured by Iowa state prison industries.

Fiscal Note is not required.

Recommended **Do Pass** March 5, 2009.

Committee Bill (Formerly [House File 441](#)), modifying provisions relating to a final hearing in a civil commitment proceeding for a sexually violent predator.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 5, 2009.

Committee Bill (Formerly [House Study Bill 258](#)), relating to the federal Adam Walsh Child Protection and Safety Act.

Fiscal Note is not required.

Recommended **Do Pass** March 5, 2009.

COMMITTEE ON REBUILD IOWA AND DISASTER RECOVERY

Committee Bill (Formerly [House Study Bill 180](#)), requiring a severe weather safe room in newly constructed public buildings and providing an implementation provision and applicability date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 4, 2009.

Committee Bill (Formerly [House Study Bill 208](#)), creating a disaster aid local government assistance grant program and fund.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 4, 2009.

Committee Bill (Formerly [House Study Bill 238](#)), relating to disaster recovery for businesses through the loan and guarantee program and other activities by the department of economic development and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 4, 2009.

COMMITTEE ON STATE GOVERNMENT

[House File 278](#), a bill for an act requiring notification of occupancy rates for certain premises licensed to permit on-premises consumption of alcohol.

Fiscal Note is not required.

Recommended **Do Pass** March 3, 2009.

COMMITTEE ON VETERANS AFFAIRS

Committee Bill (Formerly [House File 251](#)), relating to mortgage foreclosure and real estate obligation protections for members of the reserve military forces.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 5, 2009.

RESOLUTIONS FILED

[HCR 7](#), by McCarthy and Paulsen, a concurrent resolution relating to Pioneer Lawmakers.

Laid over under **Rule 25**.

[HR 24](#), by Ford, a resolution requesting the formation of an interim study committee by the Legislative Council to make recommendations relating to the development and implementation of a statewide wireless broadband network.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-1113	H.F. 259	Winckler of Scott
H-1114	H.F. 520	Mascher of Johnson
H-1115	H.F. 257	T. Olson of Linn
H-1116	H.F. 552	Wenthe of Fayette May of Dickinson
H-1117	H.F. 561	Bell of Jasper

On motion by Whitaker of Van Buren the House adjourned at 9:36 a.m., until 9:00 a.m., Friday, March 6, 2009.