

PROOF

STATE OF IOWA

House Journal

WEDNESDAY, FEBRUARY 16, 2011

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(The official bound copy will be available after a reasonable time upon adjournment.)

JOURNAL OF THE HOUSE

Thirty-eighth Calendar Day - Twenty-seventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, February 16, 2011

The House met pursuant to adjournment at 8:34 a.m., Speaker Paulsen in the chair.

Prayer was offered by Pastor Rick Biedermann, Holy Trinity Lutheran Church, Ankeny. He was the guest of Representative Grassley of Butler County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Delaney Olson, Page from Mt. Vernon.

The Journal of Tuesday, February 15, 2011 was approved.

INTRODUCTION OF BILLS

[House File 287](#), by Heaton, a bill for an act relating to eligibility requirements under the medical assistance program and providing penalties.

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

[House File 288](#), by Heaton and Grassley, a bill for an act requiring the department of human services to request authorization from the United States department of agriculture to allow the state to restrict the use of food assistance benefits for food items with a low nutritional value and including effective date provisions.

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

[House File 289](#), by Heaton, J. Smith, Rayhons, Lofgren, Worthan, Soderberg, Arnold, Tjepkes, De Boef, Huseman, and Brandenburg, a bill for an act providing a credit against the individual income tax for volunteer fire fighters, certified reserve peace officers, and volunteer

emergency medical services personnel and including effective and applicability date provisions.

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

COMMITTEE TO NOTIFY THE SENATE

Upmeyer of Hancock moved that a committee of three be appointed to notify the Senate that the House was ready to receive it in Joint Convention.

The motion prevailed and the Speaker appointed as such committee Wagner of Linn, Running-Marquardt of Linn and Moore of Jackson.

The House stood at ease at 8:42 a.m., until the fall of the gavel.

The House resumed session at 9:50 a.m., Speaker Paulsen in the chair.

REPORT OF THE COMMITTEE TO NOTIFY THE SENATE

Wagner of Linn, Chair of the committee appointed to notify the Senate that the House was ready to receive it in Joint Convention reported that the committee had performed its duty.

The report was accepted, and the committee discharged.

The Sergeant-at-Arms announced the arrival of the President of the Senate, the Secretary of the Senate and the honorable body of the Senate.

The President was escorted to the Speaker's station, the Secretary to the Chief Clerk's desk and the members of the Senate were seated in the House chamber.

JOINT CONVENTION

In accordance with law and [House Concurrent Resolution 6](#), duly adopted, the Joint Convention was called to order at 9:53 a.m., President Kibbie presiding.

Senator Gronstal of Pottawattamie moved that the roll call be dispensed with and that the President of the Joint Convention be authorized to declare a quorum present.

The motion prevailed.

President Kibbie announced a quorum present and the Joint Convention duly organized.

Senator Gronstal of Pottawattamie moved that a committee of six, consisting of three members from the Senate and three members from the House of Representatives, be appointed to escort Governor Terry E. Branstad to the House chamber for the Condition of the Iowa National Guard Message.

The motion prevailed and the President appointed as such committee Senators Jochum of Dubuque, Dandekar of Linn and Bertrand of Woodbury, on the part of the Senate, and Representatives Forristall of Pottawattamie, Hager of Allamakee and Hall of Woodbury, on the part of the House.

Senator Gronstal of Pottawattamie moved that a committee of six, consisting of three members from the Senate and three members from the House of Representatives, be appointed to escort Adjutant General Timothy E. Orr to the House chamber for the Condition of the Iowa National Guard Message.

The motion prevailed and the President appointed as such committee Senators Soddors of Marshall, Wilhelm of Howard and Ernst of Clarke, on the part of the Senate, and Representatives Chambers of O'Brien, Shaw of Pocahontas and Kearns of Lee, on the part of the House.

State Auditor, David Vaudt; Treasurer of State, Michael Fitzgerald; Secretary of State, Matt Schultz and Attorney General, Tom Miller were escorted into the House chamber.

Lieutenant Governor Kim Reynolds was escorted into the House chamber.

Suzanne Orr, wife of General Orr was escorted into the House chamber.

The committee waited upon Governor Terry E. Branstad and escorted him into the House chamber.

The committee waited upon General Orr, Adjutant General of the Iowa National Guard and escorted him to the Speaker's station.

President Kibbie presented Major General Timothy E. Orr, Adjutant General of the Iowa National Guard. General Orr provides command and control of more than 100 Army and Air National Guard Units with approximately 9,400 Army and Air National Guard members in the state of Iowa.

General Orr delivered the following Condition of the Iowa National Guard Message:

Good Morning Ladies and Gentleman – thank you for that warm welcome.

I am honored and privileged once again to stand before you and provide this annual report on the Condition of the Iowa National Guard.

Your Iowa National Guard has evolved from a State Militia created in 1836 into a full-spectrum operational force prepared to defend our state and nation during an era of persistent conflict.

Your Iowa National Guard has executed every mission assigned, served their state here at home, and deployed wherever needed in a moment's notice. Your Iowa National Guard is truly making a difference every day.

Speaker Paulsen, President Kibbie – thank you for your gracious invitation to address this joint convention of the eighty-fourth General Assembly of the Iowa Legislature.

Governor Branstad, Lieutenant Governor Reynolds, members of the General Assembly, distinguished guests and fellow Iowans.

I want to begin by saying thank you to Governor Branstad and Lieutenant Governor Reynolds for your support and confidence in me to continue leading the Iowa National Guard in the future. I also want to thank you for devoting your first day in office and all the Inaugural events to the men and women serving in the Iowa National Guard. You demonstrated from the very beginning your strong support for the Iowa National Guard by signing your Salute to the Iowa National Guard Executive Proclamation on January 14, 2011, honoring the service of the men and women of the Iowa National Guard, their families, and employers.

I want to thank Governor Culver and Lieutenant Governor Judge for their strong leadership during this most significant period of time in the history of the Iowa National Guard. Thank you for your efforts to attend our homecoming and sendoff events, your strong support of our families and employers, and your willingness to travel overseas to visit our deployed warriors.

I would also like to give a special thank you to our citizen-legislators, who have done so much to honor and support the Iowa National Guard over the years. Through your legislative programs and participation in our community events, you have embodied unwavering support for our Soldiers and Airmen. The state of Iowa has one of the strongest traditions of any state for its commitment to their National Guard. Our success is directly attributable to what you have done for your Iowa National Guard – we humbly thank you.

But above all, I want to thank the people of Iowa. Last year I asked all Iowans for their support in helping our deployed families and warriors. I am pleased to report that the citizens of Iowa have delivered. The support we have received can be summed up in two words – simply incredible. What they have done and continue to do for our Soldiers, Airmen, and their families throughout our combat deployments and state emergency response missions is a true testament to the unmatched community support we are so privileged to enjoy in this state.

Through all the efforts of our Soldiers, Airmen, families, employers, elected leaders, and our citizens, we have demonstrated that Iowa is a state that truly serves together.

Over this past year, I've had the privilege of visiting our men and women at their local armories, annual training locations, community sendoffs and welcome home events. In addition, Command Sergeant Major John Breitsprecker and I have traveled outside of Iowa to visit Soldiers preparing for mobilization at the Camp Shelby and the National Training Center, and overseas to places like Kosovo, Germany, Kuwait, Iraq and Afghanistan to visit our deployed troops, seeing first-hand the readiness and strong resolve of the Iowa National Guard.

We have also visited our injured and ill Soldiers all across the nation at Walter Reed Medical Center, Brooke Army Medical Center, Bethesda Naval Hospital, Fort Gordon, Fort Riley, Fort Leonard Wood, the National Institute of Health, and the Regional Warrior Transition Battalions. Despite the high operational tempo, mission requirements, and daily challenges for our Iowa National Guard Soldiers and Airmen, we remain unconditionally "Mission Focused, Warrior Ready!"

Today, I deliver my second Condition of the Guard address. Over the next several minutes I want to focus on two important areas:

Where we have come over the last year;

And what we are doing to care for the force.

It's been nearly nine and a half years since the United States and our allies responded to the attacks of September 11, 2001. The Soldiers and Airmen of the Iowa National Guard answered the call on 9/11 and have served continuously since, working

side by side with their Army and Air Force counterparts to help liberate nearly 50 million people from tyranny and terror in Iraq and Afghanistan, maintain peace in Egypt, Israel, and Kosovo, and protect the United States of America.

Since 9/11, the Soldiers and Airmen of the Iowa National Guard, their families, and their employers have made significant sacrifices on behalf of the American people. More than sixty-five percent of our Soldiers and Airmen currently serving are combat veterans. More than 16,000 of our men and women have served in the ongoing campaigns in Iraq and Afghanistan, peacekeeping duties in the Balkans and the Sinai Peninsula, and during emergency response missions in Iowa and across the country.

Through multiple combat deployments and domestic support missions, the men and women currently serving in the Iowa National Guard are among the most seasoned and experienced military professionals our state has ever fielded in the more than 170-year history of the Iowa National Guard.

The demand for National Guard forces over the past two decades has required almost continuous use of Active, National Guard, and Reserve forces in order to meet the operational requirements of our armed forces. Our experience during this timeframe has validated the Total Force concept in support of our national security interests. We are now at a point where current and projected demands for Army and Air Force assets will require continued access to the National Guard and Reserve forces, making very real what has been a policy for some time. This means that the mobilization and operational use of National Guard Soldiers, Airmen, and units will continue for the foreseeable future, despite ongoing reductions in U.S. forces overseas. The National Guard of the 21st century will require a versatile mix of tailorable, modular, and adaptable organizations, interdependently operating on a predictable, rotational deployment cycle. This new concept is what we call the Operational Force, which is part of the Department of Defense's Total Force Policy.

Over this last year, the Iowa National Guard has remained a national leader in many categories, consistently ranking near the top among the 54 states and territories.

The Iowa National Guard remains a national leader in personnel recruiting and retention. Both the Iowa Air and Army National Guard began fiscal year 2011 with over 100 percent of authorized strength. And our retention rates exceed national goals and are among the highest in the nation. We have been at or exceeded 100 percent strength every year since 2003— a significant accomplishment considering that we have been at war as a nation with an all-volunteer force for nearly ten years.

Last year, the Iowa Air and Army National Guard executed the largest construction program in our history with more than \$148 million dollars in military construction projects in Iowa. Those projects totaled \$134 million dollars, or more than 91 percent, in federal funds. Additionally, we received nearly \$9.3 million dollars in federal stimulus funding allowing us to complete twenty-six infrastructure projects around Iowa. We also started the process of replacing armories in Muscatine, Burlington and Cedar Rapids, totaling more than \$77 million in federal funding.

As part of our requirement as an operational force, the Iowa National Guard prepared, deployed, and returned to Iowa several Army and Air National Guard units

this past year, and announced several unit notifications for mobilization in support of upcoming Overseas Contingency Operations in 2012.

The 185th Air Refueling Wing from Sioux City continues to provide ongoing support of real-world missions to the Air Force, Army, Navy, and Marine Corps. Of the 185th's many world-wide missions, evacuating wounded warriors from a combat zone is one of the most important and unique missions that it executes. These Aeromedical evacuation missions provide timely and efficient movement and mobile care to wounded Servicemen and women being evacuated from the battlefield to Landstuhl, Germany. In the past year, the 185th has deployed nearly 400 Airmen around the globe for operational missions.

As we gather together today, more than 120 Airmen from the Iowa Air National Guard's 132nd Fighter Wing, based in Des Moines, and the 185th Air Refueling Wing are 8,000 miles away from home participating in Sentry Down Under, a three-week exercise with our coalition partner, Australia. These Iowa Airmen will conduct numerous flight missions, maintain high-performance fighter aircraft to exacting standards, and learn about the capabilities and operations of the Royal Australian Air Force so we can more effectively operate with them during combat missions.

The 135th Mobile Public Affairs Detachment returned to Iowa from Iraq in late October. During their deployment, they provided public affairs support to the U.S. Army's 3rd Infantry Division. The mission of the 135th was to collect, produce and disseminate video, audio, and print stories, as well as online stories, to civilian and military media organizations.

The Information Operations Field Support Team deployed last March and has been operating in both Afghanistan and Iraq. Their expertise in processing and utilizing multiple sources of information has created opportunities for successful coalition operations. We look forward to welcoming them back in Iowa later this spring.

Company C, 2nd Battalion, 147th Aviation from Boone is currently deployed to Kosovo where they are conducting peacekeeping missions for that fledgling democracy. They've flown more than 150 missions and 2,000 accident-free flight hours while providing around-the-clock aviation support. In their spare time, many unit members teach English to local students and also interact with the local community members.

The 734th Agribusiness Development Team, comprised of 60 Soldiers and Airmen, is the first ever overseas combat deployment with both Army National Guard Soldiers and Air National Guard Airmen serving together in the history of the Iowa National Guard. This team's mission is the revitalization of the agricultural and livestock sector within Kunar Province, Afghanistan. Our team provides expertise, advice, and training in agricultural-related specialties to various provincial ministries and local farmers. During their pre-deployment preparation, the team established a partnership with Iowa State University and received training on a variety of agricultural topics. They also spent time training at Living History Farms and with the Amish community to gain a hands-on experience into past farming techniques and practices.

Soldiers from Company B, 2nd of the 211th General Support Aviation Battalion based in Davenport have recently arrived in Iraq and will be providing airlift capabilities in support of coalition forces with their Chinook helicopters.

But by far the most significant and anticipated deployment was the 2nd Brigade Combat Team's mission to Afghanistan, with more than 3,000 Soldiers deployed.

The 2nd Brigade Combat Team deployment was the largest single unit call-up of its type in Iowa since World War II. Almost every community in Iowa has been affected in some way by this mission.

To properly prepare, train, certify, sendoff and deploy all these forces to standard, it takes a team effort from everyone, including our families, employers, and communities. As part of last summer's surge of forces, we conducted our first State Annual Training Exercise in more than 30 years, at Camp Ripley, Minnesota. This event involved nearly all Iowa Army National Guard units to provide logistical and training support to assist the 2nd Brigade in their mobilization preparation over a three-week period.

In late July and early August last year, we conducted nearly 30 community send offs all across Iowa for the Soldiers of the 2nd Brigade. The community support and participation by loyal Iowans was outstanding. At every major community sendoff event, Boy Scouts, Girl Scouts, Patriot Guard and Legion Riders, members of veterans' organizations, local law enforcement, fire departments, veterans from all services, and community members showed up by the hundreds and in some cases thousands, to show their respect and appreciation for our deploying Warriors and their families.

Members of the 2nd Brigade Combat Team serving in Afghanistan currently operate in five provinces across Regional Command-East. These Soldiers execute missions ranging from security, cordon and search, and convoy operations, to counterinsurgency, key leader engagements, and numerous other tasks. But one of the most important and unique missions conducted by this Iowa unit is the Female Engagement Team initiative.

Led by Captain Jodi Marti, this hand-picked team of female Iowa Soldiers works with coalition forces to gather intelligence and provide security for Afghan females in accordance with Islamic culture. Members of the Female Engagement Team serve side-by-side with their male counterparts during combat operations in some of the most rugged terrain in the world. The dedication, courage, skill, and professionalism of these Iowa women inspire male and female Soldiers alike.

Every day, we continue to see acts of kindness and generosity coming from our communities and businesses.

When Sgt. Bryan Pfeiler from Dyersville, Iowa, was wounded and lost part of his leg when he stepped on an anti-personnel mine in Afghanistan, the communities of Dyersville and Earlville immediately stepped up to the plate. The Earlville American Legion gave his family donations of over \$2100 to assist with expenses, while Beckman High School in Dyersville and the Earlville American Legion sponsored spaghetti suppers to raise money for the family. In addition, members of these communities

have mowed the grass and shoveled snow for SGT Pfeiler's family since he mobilized last August.

Recently, Sgt. Adam Craig from Cherokee returned to the U.S. from Afghanistan with a very aggressive form of cancer. He is currently undergoing medical treatment at the National Institute of Health in Bethesda, Maryland. In order for his mother, a long-time Hy-Vee employee with the Cherokee Hy-Vee store, to remain with her son while he receives medical care, Hy-Vee sponsored a spaghetti feed and silent auction to raise funds for the family. In addition, the Store Director, Tim Hoppert, and fellow co-workers have filled in at Hy-Vee during the absence of Sgt. Craig's mother so she doesn't have to worry about taking extensive sick leave and family leave in order to be with her son.

We have companies like Charles Gabus Ford of Des Moines, who donated more than one hundred thousand dollars to support the Officers' Auxiliary deployment teddy bear project. This program provides all children of deployed Soldiers and Airmen with a teddy bear during the unit sendoff event.

Dr. Pepper-Snapple of Des Moines donated over \$45,000 to purchase phone cards and post-exchange gift cards for our Soldiers and Airmen to use overseas.

These are just several of many efforts that so vividly demonstrate the profound and heartfelt generosity of our citizens. Iowa is a state that is truly serving together.

Another important priority for the Iowa National Guard is ensuring that we can provide an effective and timely emergency response capability right here in Iowa. Since the days of the Iowa Territory in the late 1830s, we have been deeply committed to protecting Iowans and safeguarding critical infrastructure in a moment's notice.

With the large number of Iowa Army National Guard Soldiers deployed in 2010 and 2011, our Joint Staff developed the Guard Emergency Situational Assessment Contact, or *GESAC*, program to bring back National Guard retirees on a voluntary basis for critical assistance during local emergencies. Ironically, we had just completed training our first group of retirees when the Lake Delhi dam breached. We immediately called retired Command Sergeant Major Lowell Tiedt from Anamosa, who quickly traveled to Lake Delhi and provided us with a situation report and assessed possible future requirements. As of today we have more than 75 trained retirees ready to provide assistance all across the state.

Two weeks ago, during the winter blizzard that hit the southeastern corner of Iowa, we deployed 18 Soldiers as part of our Highway Assistance Team operations. We partnered with the Iowa Department of Transportation and Iowa Department of Public Safety to travel the highways and assist stranded motorists. During this two-day operation, the Highway Assistance Teams rescued 36 motorists from the blizzard.

Finally, an area of significant importance is how we are caring for Soldiers, Airmen, Families and Employers.

Since the start of the war, we have shown significant progress in resourcing and manning our Warrior Services. One area we're particularly proud of our efforts is the

creation of the Survivor Outreach Support program. The purpose of this program is to provide unparalleled support to the families of Iowa's fallen service members in every possible way. This includes assisting them with understanding and procuring benefits and entitlements, receiving counseling services, connecting with other families of fallen warriors through support groups, or assisting with any other issues that result from the loss of a loved one. Through this program, our staff will help ensure these survivors receive all benefits they are entitled to and encourage them to remain an integral part of our military family for as long as they desire.

We recognize that the mental and emotional wellness of our force is as important as physical health. We are implementing a new program called Comprehensive Soldier Fitness, which increases the resilience of Soldiers and families by strengthening their spiritual, emotional, and family well-being, in addition to living physically healthy lives.

We are also training Soldiers to be Master Resiliency Trainers at the unit level, in order to provide immediate support for our warriors during deployments, as well as at home. The focus of this program will ultimately help us to maintain the long-term total health of our force.

As part of our preparation for the 2nd Brigade Combat Team's deployment, we added three more Family Assistance Specialists, bringing the total to seven. These specialists help family members connect to military, community and veterans' resources, provide financial counseling, get answers to military health insurance questions, and provide military identification cards for dependents. During mobilizations, the Family Assistance Specialists regularly check in with the families of deployed service members to ensure they are coping well and receiving any needed services. We currently have Family Assistance Specialists located at Camp Dodge, Iowa City, Council Bluffs, and Waterloo, as well as new offices in Sioux City, Ft. Dodge and Davenport.

Finally, let me say "thank you" for what the Legislature and Senate does every day to support the men and women of the Iowa National Guard.

We deeply appreciate your efforts to provide critical state funding to the Iowa National Guard to support our men and women in this challenging fiscal environment. We are extremely grateful for your continued support of our National Guard Educational Assistance Program, which is helping nearly 1,200 Iowa National Guard Soldiers and Airmen defray their college or trade school educational expenses this academic year.

The Home Ownership Assistance Program and the Injured Veteran Grant Program are highly effective programs that keep faith with those who have sacrificed to protect our state and defend our nation. There are currently more than 125 Soldiers and Airmen that have used the Home Ownership Assistance Program to purchase their first home in Iowa. We have over 18 military families like the families of Sergeant Pfeiler and Sergeant Craig that received Injured Veteran Grants due to injuries sustained during deployments by their loved ones.

The Home Ownership Assistance program, coupled with membership in the Iowa National Guard and participation in the Tuition Assistance Program, help create powerful opportunities for our Soldiers, Airmen and their families to live, learn and lead happy and fulfilling lives right here in Iowa. These young men and women join Iowa National Guard units, they attend Iowa trade schools, colleges, and universities, they are hired by Iowa employers, and they buy Iowa homes, all of which creates a solid foundation for maintaining quality Iowa roots. None of this would be possible without the efforts of our Legislature and Senate.

Throughout the missions of the Iowa National Guard since our inception, Iowans from across the state have shown unbelievable kindness and encouragement to our members and we are so grateful for their continued support.

For the last eight years, the Iowa National Guard has been tested like few times in its history – and this year is shaping up to be the most challenging yet.

It's no small feat to prepare, train, equip and deploy more than 3,300 Soldiers and Airmen, while maintaining our organizational readiness, preparing trained war fighters for future missions, and taking care of our Soldiers, Airmen, families, and their employers, all while providing a robust domestic emergency response capability for Iowa.

Yet despite these incredible challenges, I am confident that the Iowa National Guard will continue to set the example for all states; we will be there for Iowa whenever we're called. And as a force, we will remain "Mission Focused and Warrior Ready."

May God bless you and your families, and God bless our men and women serving in harm's way.

Thank you.

General Orr was escorted from the House chamber by the committee previously appointed.

Governor Terry E. Branstad was escorted from the House chamber by the committee previously appointed.

Upmeyer of Hancock moved that the Joint Convention be dissolved at 10:33 a.m.

The House resumed session at 10:34 a.m., Speaker Paulsen in the chair.

On motion by Upmeyer of Hancock, the House was recessed at 10:35 a.m., until 3:00 p.m.

AFTERNOON SESSION

The House reconvened at 3:08 p.m., Kaufmann of Cedar in the chair.

The House stood at ease at 3:08 p.m., until the fall of the gavel.

The House resumed session at 4:05 p.m., Speaker Paulsen in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Swaim of Davis on request of Abdul-Samad of Polk; Arnold of Lucas, through February 23, 2011, on request of Upmeyer of Hancock.

INTRODUCTION OF BILLS

[House File 290](#), by committee on transportation, a bill for an act to allow the use of motorcycles equipped with detachable stabilizing rear wheels on Iowa roads.

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

[House File 291](#), by Pearson, Brandenburg, Windschitl, Schultz, Massie, Alons, Shaw, Rogers, Sands, Huseman, Drake, Byrnes, Chambers, Wagner, Helland, Hagenow, J. Taylor, Dolecheck, Tjepkes, Rayhons, J. Smith, Garrett, Hanusa, and Sweeney, a bill for an act relating to the carrying of weapons including provisions relating to permits to carry weapons and providing a penalty.

Read first time and referred to committee on **public safety**.

[House File 292](#), by Dolecheck, a bill for an act relating to requests for agency action involving rules affecting livestock production, and including effective date provisions.

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

[House File 293](#), by Deyoe, a bill for an act relating to a tax credit for the promotion of biodiesel blended fuel, and including effective date and applicability provisions.

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

[House File 294](#), by De Boef, Alons, Windschitl, Massie, Pearson, Huseman, Fry, Shaw, Klein, Hanusa, and Schultz, a bill for an act providing for a credit against the individual income tax for the cost of home school textbooks and instructional materials and including retroactive applicability provisions.

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

[House File 295](#), by Drake, a bill for an act relating to wastewater discharges by on-farm processing operations.

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

[House File 296](#), by Heaton and Grassley, a bill for an act relating to including telemedicine services as a distinct covered service under the medical assistance program.

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

[House File 297](#), by Soderberg, a bill for an act relating to grandparent and great-grandparent visitation.

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

[House File 298](#), by Petersen, Murphy, T. Olson, Kelley, Isenhardt, Lensing, Hunter, Oldson, Winckler, Kajtazovic, Kearns, Hanson, Lykam, Thomas, Muhlbauer, Wessel-Kroeschell, Heddens, Steckman, Mascher, McCarthy, Abdul-Samad, M. Smith, Gaines, Gaskill, Cohoon, Jacoby, Kressig, Thede, and Hall, a bill for an act creating a government watchdog hotline within the office of the citizens' aide.

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

[House File 299](#), by committee on commerce, a bill for an act relating to the unlawful possession of or entry upon specified personal and public utility property, and providing penalties.

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

[House File 300](#), by committee on commerce, a bill for an act relating to the assessment of certain subdivided real property and including applicability provisions.

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

[House File 301](#), by J. Taylor, Fry, Schulte, and De Boef, a bill for an act relating to school district teaching assignments and responsibilities, student advancement by a teacher or school district, and providing for the withholding of state aid to school districts under certain conditions.

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

[House File 302](#), by Lukan, a bill for an act concerning the sales and use tax imposed on the operation of bingo games.

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

CONSIDERATION OF BILLS

Regular Calendar

[House File 194](#), a bill for an act providing for a reduction in the individual income tax rates and including effective date and applicability provisions, was taken up for consideration.

Helland of Polk offered amendment [H-1084](#) filed by him.

Helland of Polk offered amendment [H-1088](#), to amendment [H-1084](#), filed by him from the floor and moved its adoption.

Amendment [H-1088](#), to amendment [H-1084](#), was adopted.

Helland of Polk moved the adoption of amendment [H-1084](#), as amended.

Winckler of Scott rose on a point of order that amendment [H-1084](#), as amended, was not germane.

The Speaker ruled the point well taken and amendment [H-1084](#), as amended, not germane.

Helland of Polk asked and received unanimous consent to suspend the rules to consider amendment [H-1084](#), as amended.

Objection was raised.

Helland of Polk moved to suspend the rules to consider amendment [H-1084](#), as amended.

A non-record roll call was requested.

The ayes were 55, nays 38.

The motion to suspend the rules prevailed.

Amendment [H-1084](#), as amended, was adopted.

T. Olson of Linn offered amendment [H-1080](#) filed by T. Olson, et al., and moved its adoption.

Roll call was requested by T. Olson of Linn and Hunter of Polk.

On the question "Shall amendment [H-1080](#) be adopted?" ([H.F. 194](#))

The ayes were, 37:

Abdul-Samad	Berry	Cohoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhardt	Jacoby	Kajtazovic
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	McCarthy	Miller, H.
Muhlbauer	Murphy	Oldson	Olson, T.
Petersen	Quirk	Running-Marquardt	Smith, M.
Steckman	Taylor, T.	Thomas	Wenthe
Wessel-Kroeschell	Willems	Winckler	Wittneben
Wolfe			

The nays were, 60:

Alons	Anderson	Baltimore	Baudler
Brandenburg	Byrnes	Chambers	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Garrett	Grassley
Hagenow	Hager	Hanusa	Heaton
Hein	Helland	Horbach	Huseman
Iverson	Jorgensen	Kaufmann	Klein
Koester	Lofgren	Lukan	Massie
Miller, L.	Moore	Olson, S.	Paustian
Pearson	Pettengill	Raecker	Rasmussen
Rayhons	Rogers	Sands	Schulte
Schultz	Shaw	Smith, J.	Soderberg
Sweeney	Taylor, J.	Thede	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Watts	Windschitl	Worthan	Mr. Speaker Paulsen

Absent or not voting, 3:

Arnold	Olson, R.	Swaim
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Amendment [H-1080](#) lost.

Jacoby of Johnson asked and received unanimous consent to withdraw amendment [H-1079](#) filed by Jacoby of Johnson et al., on February 14, 2011.

Jacoby of Johnson asked and received unanimous consent to withdraw amendment [H-1083](#) filed by Jacoby of Johnson et al., on February 15, 2011.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Jorgensen of Woodbury on request of Upmeyer of Hancock.

Kaufmann of Cedar in the chair at 5:20 p.m.

Speaker Paulsen in the chair at 6:00 p.m.

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

On the question "Shall the bill pass?" ([H.F. 194](#))

The ayes were, 62:

Alons	Anderson	Baltimore	Baudler
Brandenburg	Byrnes	Chambers	Cohon
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Fry	Garrett
Grassley	Hagenow	Hager	Hanusa
Heaton	Hein	Helland	Horbach
Huseman	Iverson	Jacoby	Kaufmann
Klein	Koester	Lofgren	Lukan
Lykam	Massie	Miller, L.	Moore
Olson, S.	Paustian	Pearson	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Rogers	Sands	Schulte	Schultz
Shaw	Smith, J.	Soderberg	Sweeney
Taylor, J.	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Windschitl
Worthan	Mr. Speaker		
	Paulsen		

The nays were, 33:

Abdul-Samad	Berry	Gaines	Gaskill
Hall	Hanson	Heddens	Hunter
Isenhardt	Kajtazovic	Kearns	Kelley
Kressig	Lensing	Mascher	McCarthy
Muhlbauer	Murphy	Oldson	Olson, T.
Petersen	Running-Marquardt	Smith, M.	Steckman
Taylor, T.	Thede	Thomas	Wenthe
Wessel-Kroeschell	Willems	Winckler	Wittneben
Wolfe			

Absent or not voting, 5:

Arnold	Jorgensen	Miller, H.	Olson, R.
Swaim			

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

[House File 260](#), a bill for an act granting home rule power and authority, subject to certain limitations, to school districts, was taken up for consideration.

Forristall of Pottawattamie offered amendment [H-1081](#) filed by him.

Hagenow of Polk offered amendment [H-1082](#), to amendment [H-1081](#), filed by him and moved its adoption.

Amendment [H-1082](#), to amendment [H-1081](#), was adopted.

Forristall of Pottawattamie moved the adoption of amendment [H-1081](#), as amended.

Amendment [H-1081](#), as amended, was adopted.

Byrnes of Mitchell 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. 260](#))

The ayes were, 65:

Alons	Anderson	Baltimore	Baudler
Brandenburg	Byrnes	Chambers	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Garrett	Grassley
Hagenow	Hager	Hall	Hanusa
Heaton	Hein	Helland	Horbach
Huseman	Iverson	Kaufmann	Klein
Koester	Lofgren	Lukan	Massie
Miller, L.	Moore	Olson, S.	Olson, T.
Paustian	Pearson	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Rogers
Sands	Schulte	Schultz	Shaw
Smith, J.	Soderberg	Steckman	Sweeney
Taylor, J.	Thomas	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Watts
Wenthe	Windschitl	Wittneben	Worthan
			Mr. Speaker
			Paulsen

The nays were, 30:

Abdul-Samad	Berry	Cohoon	Gaines
Gaskill	Hanson	Heddens	Hunter
Isenhardt	Jacoby	Kajtazovic	Kearns
Kelley	Kressig	Lensing	Lykam
Mascher	McCarthy	Muhlbauer	Murphy
Oldson	Petersen	Running-Marquardt	Smith, M.
Taylor, T.	Thede	Wessel-Kroeschell	Willems
Winckler	Wolfe		

Absent or not voting, 5:

Arnold Jorgensen Miller, H. Olson, R.
Swaim

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

IMMEDIATE MESSAGES

Upmeyer of Hancock asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 194** and **260**.

SUBCOMMITTEE ASSIGNMENTS

[House File 162](#)

Transportation: Iverson, Chair; Lykam and Tjepkes.

[House File 223](#)

Local Government: J. Smith, Chair; Berry and Horbach.

[House File 236](#)

Local Government: Tjepkes, Chair; Klein and Kressig.

[House File 266](#)

Local Government: Baltimore, Chair; Gaines and Hager.

[House File 273](#)

State Government: Vander Linden, Chair; Kajtazovic and Pettengill.

[House File 285](#)

Education: Koester, Chair; Pearson and Willems.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

[House Study Bill 57](#) Reassigned

Commerce: Pettengill, Chair; Oldson and Shaw.

House Study Bill 84 Reassigned

Appropriations: Watts, Chair; Murphy and Wagner.

House Study Bill 93

Transportation: Watts, Chair; Arnold, Lykam, Murphy and Rogers.

House Study Bill 94

Transportation: Massie, Chair; Petersen and Windschitl.

House Study Bill 96

Judiciary: Baltimore, Chair; Pearson and Wolfe.

House Study Bill 97

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

House Study Bill 98

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

House Study Bill 99

Agriculture: Hein, Chair; Muhlbauer and Paustian.

House Study Bill 100

State Government: Rogers, Chair; Drake and Hunter.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 101 Labor

Relating to stays of decrees or judgments in workers' compensation cases pending judicial review.

H.S.B. 102 Commerce

Relating to matters under the purview of the alcoholic beverages division of the department of commerce, and making penalties applicable.

H.S.B. 103 Economic Growth/Rebuild Iowa

Relating to the organization of the executive branch agencies responsible for administering economic development programs, making certain properly related changes, and including effective date and transition provisions.

H.S.B. 104 Ways and Means

Making changes relating to the administration of the tax and related laws by updating the Code references to the Internal Revenue Code and including effective date and retroactive applicability provisions.

H.S.B. 105 Ways and Means

Eliminating specified provisions relating to the administration of the replacement tax for new cogeneration facilities.

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.

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON COMMERCE

Committee Bill (Formerly [House Study Bill 79](#)), relating to matters under the purview of the division of banking of the department of commerce.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 16, 2011.

Committee Bill (Formerly [House Study Bill 85](#)), relating to equipment dealership agreements by providing for supplier liability.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 16, 2011.

COMMITTEE ON ECONOMIC GROWTH/REBUILD IOWA

Committee Bill (Formerly [House File 176](#)), relating to the implementation of federal law or policy by state administrative agencies.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 16, 2011.

Committee Bill (Formerly [House File 180](#)), relating to the rulemaking authority and voting requirements of the environmental protection commission.

Fiscal Note is not required.

Recommended **Do Pass** February 16, 2011.

COMMITTEE ON HUMAN RESOURCES

Committee Bill (Formerly [House Study Bill 23](#)), relating to restrictions for drug product selection relative to antiepileptic drugs.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 15, 2011.

COMMITTEE ON PUBLIC SAFETY

Committee Bill (Formerly [House Study Bill 18](#)), relating to the regulation of firearms and ammunition in a state of public emergency and providing a remedy.

Fiscal Note is not required.

Recommended **Do Pass** February 16, 2011.

AMENDMENTS FILED

H-1085	H.F. 182	Hagenow of Polk
H-1086	H.F. 222	Isenhart of Dubuque
H-1087	H.F. 222	Isenhart of Dubuque
H-1089	H.F. 195	J. Taylor of Woodbury
H-1090	H.F. 222	Isenhart of Dubuque

On motion by Upmeyer of Hancock the House adjourned at 6:47 p.m., until 8:30 a.m., Thursday, February 17, 2011.