

PROOF

STATE OF IOWA

House Journal

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JOURNAL OF THE HOUSE

Sixteenth Calendar Day - Eleventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, January 26, 2010

The House met pursuant to adjournment at 9:04 a.m., Speaker Murphy in the chair.

Prayer was offered by the Honorable Marcella Frevert, state representative from Palo Alto County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Ryan Fisher, House Page from Ellsworth.

The Journal of Monday, January 25, 2010 was approved.

RULE 57 SUSPENDED

McCarthy of Polk asked and received unanimous consent to suspend Rule 57, related to committee notice and agenda, for a meeting of the committee on veterans affairs at 1:00 p.m.

SPECIAL PRESENTATION

Isenhart of Dubuque and May of Dickinson presented a check to the American Red Cross Lincoln Way Chapter Executive Director, Kirk Brocker, for five-thousand dollars, for the relief effort in Haiti. This was a fund raising project for the House secretaries.

The House rose and expressed its appreciation.

On motion by McCarthy of Polk, the House was recessed at 9:14 a.m., until 4:00 p.m.

AFTERNOON SESSION

The House reconvened at 4:07 p.m., Speaker Murphy in the chair.

INTRODUCTION OF BILLS

[House Joint Resolution 2006](#), by T. Olson, a joint resolution to nullify administrative rules of the board of nursing concerning advanced registered nurse practitioners and providing an effective date.

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

[House Joint Resolution 2007](#), by Upmeyer, Deyoe, Drake, Schulte, Soderberg, Chambers, Sweeney, Huseman, Alons, Koester, Forristall, Sands, Dolecheck, L. Miller, Sorenson, Cownie, Grassley, May, Roberts, Mertz, Pettengill, Kelley and Windschitl, a joint resolution proposing an amendment to the Constitution of the State of Iowa preserving the freedom of Iowans to provide for their own health care.

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

[House File 2136](#), by T. Olson, a bill for an act regulating the practice of chronic interventional pain medicine and providing penalties.

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

[House File 2137](#), by committee on veterans affairs, a bill for an act relating to the military division of the department of public defense concerning state military service and the Iowa code of military justice.

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

[House File 2138](#), by committee on veterans affairs, a bill for an act exempting from the computation of the state individual income tax certain amounts received from the veterans trust fund and including a retroactive applicability provision.

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

[House File 2139](#), by Tymeson, a bill for an act prohibiting setting or maintaining traps within a public road right-of-way without prior

permission of the adjacent landowner or tenant and providing a penalty.

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

[House File 2140](#), by Sweeney, Watts, Drake, Rayhons, De Boef, Huseman, Kaufmann and Baudler, a bill for an act relating to core curriculum plan and implementation dates established for school districts and accredited nonpublic schools and including effective date provisions.

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

[House File 2141](#), by Pettengill, a bill for an act requiring state credit unions to make available loans subject to a gradually reduced rate of interest under specified circumstances.

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

[House File 2142](#), by Frevert, a bill for an act relating to park user permits and fees, providing penalties, making an appropriation, and including repeal and effective date provisions.

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

[House File 2143](#), by Wendt and Whitead, a bill for an act relating to prohibited contracts and activities for civil service commissioners.

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

[House File 2144](#), by committee on human resources, a bill for an act relating to health-related activities and regulation by the department of public health, and making penalties applicable.

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

CONSIDERATION OF BILLS
Regular Calendar

[House File 2109](#), a bill for an act relating to ethics laws by establishing disclosure requirements, providing jurisdictional

authority, and allowing certain procedures in resolving ethics complaints, and including effective date provisions, was taken up for consideration.

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

On the question "Shall the bill pass?" ([H.F. 2109](#))

The ayes were, 100:

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

The nays were, none.

Absent or not voting, none.

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

The House stood at ease at 4:19 p.m., until the fall of the gavel.

The House resumed session at 5:52 p.m., Speaker Murphy in the chair.

[House File 2110](#), a bill for an act relating to unemployment insurance benefits for spouses who leave employment to accompany a spouse on a military assignment, was taken up for consideration.

Tymeson of Madison asked and received unanimous consent that amendment [H-8027](#) be deferred.

Windschitl of Harrison asked and received unanimous consent that amendment [H-8028](#) be deferred.

Horbach of Tama asked and received unanimous consent to withdraw amendment [H-8026](#) filed by him on January 25, 2010.

Tymeson of Madison asked and received unanimous consent to withdraw amendment [H-8027](#), previously deferred, filed by her on January 25, 2010, placing out of order amendment [H-8030](#) filed by Bailey of Hamilton from the floor.

Windschitl of Harrison asked and received unanimous consent to withdraw amendment [H-8028](#), previously deferred, filed by him on January 25, 2010.

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

On the question "Shall the bill pass?" ([H.F. 2110](#))

The ayes were, 56:

Abdul-Samad	Anderson	Bailey	Beard
Bell	Berry	Bukta	Burt
Cohoon	Ficken	Ford	Frevert
Gaskill	Gayman	Hanson	Heddens
Hunter	Isenhardt	Jacoby	Kearns
Kelley	Kressig	Kuhn	Lensing
Lykam	Marek	Mascher	McCarthy
Mertz	Miller, H.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Quirk	Reasoner	Reichert	Running-Marquardt
Schueller	Shomshor	Smith	Steckman

Swaim	Taylor	Thede	Thomas
Wendt	Wenthe	Wessel-Kroeschell	Whitead
Willems	Winckler	Zirkelbach	Mr. Speaker Murphy

The nays were, 44:

Alons	Arnold	Baudler	Chambers
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Grassley	Hagenow
Heaton	Helland	Horbach	Huseman
Huser	Kaufmann	Koester	Lukan
May	Miller, L.	Olson, S.	Paulsen
Pettengill	Raecker	Rants	Rayhons
Roberts	Sands	Schulte	Schultz
Soderberg	Sorenson	Struyk	Sweeney
Tjepkes	Tymeson	Upmeyer	Van Engelenhoven
Wagner	Watts	Windschitl	Worthan

Absent or not voting, none.

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

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2109** and **2110**.

[HOUSE FILE 384](#) REREFERRED

The Speaker announced that [House File 384](#), previously referred to committee on **transportation** was rereferred to committee on **environmental protection**.

[HOUSE FILE 2082](#) REREFERRED

The Speaker announced that [House File 2082](#), previously referred to committee on **ways and means** was rereferred to committee on **economic growth**.

[HOUSE FILE 2087](#) REREFERRED

The Speaker announced that [House File 2087](#), previously referred to committee on **ways and means** was rereferred to committee on **commerce**.

SUBCOMMITTEE ASSIGNMENTS

[House File 2053](#)

Public Safety: Whitead, Chair; Kuhn and Tjepkes.

[House File 2063](#)

Appropriations: Heddens, Chair; Gayman and Heaton.

[House File 2068](#)

Veterans Affairs: Zirkelbach, Chair; Bailey and Chambers.

[House File 2073](#)

Local Government: Whitead, Chair; Ford and Grassley.

[House File 2080](#)

Commerce: T. Olson, Chair; Helland and Wenthe.

[House File 2081](#)

Commerce: Kelley, Chair; Pettengill and Wenthe.

[House File 2085](#)

Education: Steckman, Chair; Abdul-Samad and Tymeson.

[House File 2089](#)

Veterans Affairs: Gayman, Chair; Bukta and Sweeney.

[House File 2100](#)

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

[House File 2101](#)

Commerce: T. Olson, Chair; Reasoner and Sorenson.

[House File 2102](#)

Veterans Affairs: Zirkelbach, Chair; Bailey and Chambers.

[House File 2105](#)

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

[House File 2107](#)

Economic Growth: Kelley, Chair; Cownie and Jacoby.

[House File 2108](#)

Public Safety: Reichert, Chair; Bell and Lukan.

[House File 2112](#)

Commerce: Quirk, Chair; Kelley and Wagner.

[House File 2116](#)

Labor: Kearns, Chair; Burt and Van Engelenhoven.

[House File 2117](#)

Commerce: T. Olson, Chair; Reasoner and Sorenson.

[House File 2122](#)

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

[House File 2123](#)

Veterans Affairs: Zirkelbach, Chair; Chambers and Mascher.

[House File 2125](#)

Commerce: Oldson, Chair; Pettengill and Reasoner.

[House File 2127](#)

Commerce: Wenthe, Chair; Helland, Kressig, Reasoner and Sands.

[House File 2128](#)

Transportation: Hagenow, Chair; Hanson, Chair; Abdul-Samad and May.

[House File 2129](#)

Human Resources: T. Olson, Chair; L. Miller and Smith.

[House File 2132](#)

State Government: Cohoon, Chair; Schulte and Willems.

[House File 2133](#)

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

[House File 2134](#)

Human Resources: Mascher, Chair; Hunter and Soderberg.

[Senate File 173](#)

Appropriations: Winckler, Chair; Dolecheck and Wenthe.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

[House Study Bill 589 Reassigned](#)

Judiciary: Huser, Chair; Mertz and Struyk.

[House Study Bill 609](#)

Human Resources: Wendt, Chair; Abdul-Samad and Heaton.

[House Study Bill 610](#)

Human Resources: Thede, Chair; Alons and Hunter.

[House Study Bill 611](#)

Human Resources: T. Olson, Chair; Forristall and Petersen.

[House Study Bill 612](#)

Human Resources: Abdul-Samad, Chair; Alons and Petersen.

[House Study Bill 613](#)

Transportation: Quirk, Chair; Kelley and Tjepkes.

[House Study Bill 614](#)

Transportation: Quirk, Chair; Kelley and Tjepkes.

[House Study Bill 615](#)

Transportation: Quirk, Chair; Marek and Tjepkes.

[House Study Bill 616](#)

Transportation: Abdul-Samad, Chair; Hagenow and Quirk.

[House Study Bill 617](#)

Transportation: May, Chair; Quirk and Wenthe.

[House Study Bill 618](#)

Commerce: Kelley, Chair; Pettengill and Reichert.

[House Study Bill 619](#)

Commerce: Quirk, Chair; Kelley and Wagner.

[House Study Bill 620](#)

Commerce: Shomshor, Chair; Helland and Zirkelbach.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

[H.S.B. 621](#) **Human Resources**

Relating to the office of the long-term care resident's advocate, and providing penalties.

[H.S.B. 622](#) **Education**

Relating to private college preparatory schools exempted from the state's educational standards and accreditation process, and including effective date provisions.

[H.S.B. 623](#) **Education**

Relating to the duties and operations of the department of education and local school boards.

[H.S.B. 624](#) **Education**

Relating to special education rights and duties and to the related duties and operations of the department of education and local school boards.

[H.S.B. 625](#) **Education**

Relating to deaccreditation of a school district by the state board of education.

H.S.B. 626 Human Resources

Making changes to the uniform controlled substances Act.

H.S.B. 627 Human Resources

Relating to community mental health centers.

H.S.B. 628 Commerce

Relating to the confidentiality of information disclosed pursuant to applications for broadband technology project grants, and projects undertaken pursuant thereto, and including effective date and applicability provisions.

H.S.B. 629 Commerce

Providing for the licensing and regulation of real estate closing agents, making penalties applicable, and including effective date provisions.

H.S.B. 630 Commerce

Relating to and making changes to matters under the purview of the division of banking of the department of commerce, making a penalty applicable, and including effective date provisions.

H.S.B. 631 Natural Resources

Relating to various conservation and recreation activities under the purview of the department of natural resources, and making penalties applicable.

H.S.B. 632 Local Government

Relating to the collection of the use tax on manufactured housing, the licensing of manufactured home retailers, and making penalties applicable.

H.S.B. 633 Veterans Affairs

Relating to assignment of visitation of a child to a family member when a parent is serving active duty in the military service of the United States.

H.S.B. 634 Human Resources

Relating to the nursing workforce and providing for an Iowa needs nurses now initiative.

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 ECONOMIC GROWTH

Committee Bill (Formerly [House Study Bill 504](#)), relating to economic development including changes to the administration of certain economic development programs and to the terms served by members of the economic development board and including effective date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** January 26, 2010.

Committee Bill (Formerly [House Study Bill 550](#)), concerning fine arts projects in state buildings.

Fiscal Note is not required.

Recommended **Do Pass** January 26, 2010.

COMMITTEE ON HUMAN RESOURCES

Committee Bill (Formerly [House Study Bill 517](#)), relating to health-related activities and regulation by the department of public health, and making penalties applicable.

Fiscal Note is not required.

Recommended **Do Pass** January 25, 2010.

Committee Bill (Formerly [House Study Bill 518](#)), creating the local public health governance Act, and providing penalties.

Fiscal Note is not required.

Recommended **Do Pass** January 25, 2010.

Committee Bill (Formerly [House Study Bill 519](#)), relating to the organization and duties of the state board of health.

Fiscal Note is not required.

Recommended **Amend and Do Pass** January 25, 2010.

Committee Bill (Formerly [House Study Bill 520](#)), relating to emergency medical care providers, emergency medical care service programs and emergency medical care services training programs, and providing penalties.

Fiscal Note is not required.

Recommended **Do Pass** January 25, 2010.

COMMITTEE ON JUDICIARY

Committee Bill (Formerly [House Study Bill 558](#)), relating to Iowa's uniform disclaimer of property interest Act.

Fiscal Note is not required.

Recommended **Amend and Do Pass** January 26, 2010.

COMMITTEE ON LOCAL GOVERNMENT

[Senate File 434](#), a bill for an act relating to nuisance properties by requiring the indexing of certain municipal citations and petitions affecting real property.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment [H-8029](#)** January 25, 2010.

COMMITTEE ON NATURAL RESOURCES

Committee Bill (Formerly [House File 721](#)), relating to the carrying of a gun in or on a vehicle on a public highway and making penalties applicable.

Fiscal Note is not required.

Recommended **Amend and Do Pass** January 26, 2010.

COMMITTEE ON VETERANS AFFAIRS

Committee Bill (Formerly [House File 2060](#)), providing an exemption from vehicle registration for trailers used in veterans parades.

Fiscal Note is not required.

Recommended **Amend and Do Pass** January 26, 2010.

Committee Bill (Formerly [House File 2061](#)), relating to a statement of professional recognition for persons qualified as instructors of the junior reserve officer training corps program curriculum.

Fiscal Note is not required.

Recommended **Do Pass** January 26, 2010.

AMENDMENT FILED

[H-8029](#) [S.F. 434](#) Committee on Local Government

On motion by McCarthy of Polk the House adjourned at 6:55 p.m., until 9:00 a.m., Wednesday, January 27, 2010.