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**STATE OF IOWA**

# **House Journal**

**THURSDAY, FEBRUARY 11, 2010**

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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.)

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## JOURNAL OF THE HOUSE

Thirty-second Calendar Day - Twenty-third Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Thursday, February 11, 2010

The House met pursuant to adjournment at 9:17 a.m., Speaker Murphy in the chair.

Prayer was offered by Reverend Karl Bollhagen, pastor of Trinity Lutheran Church, Hampton. He was the guest of Representative Annette Sweeney of Hardin County and Representative Linda Upmeyer of Hancock County.

### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Jake and Zach Nemmers and Alex Kapler from Sacred Heart School in Waterloo. They were the guests of Representative Doris Kelley from Black Hawk County.

The Journal of Wednesday, February 10, 2010 was approved.

### INTRODUCTION OF BILLS

[House File 2387](#), by Kaufmann, a bill for an act relating to the membership of the board of regents and including transition and effective date provisions.

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

[House File 2388](#), by Ford, a bill for an act requiring a minority impact statement to be included with each contract bid submitted to a state agency and including applicability provisions.

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

[House File 2389](#), by Willems, a bill for an act relating to agreements between landholders and developers constructing wind energy facilities.

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

[House File 2390](#), by Gayman, a bill for an act relating to the Iowa summer youth corps, Iowa green corps, and Iowa conservation corps programs.

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

[House File 2391](#), by Mascher, a bill for an act relating to penalties for motor vehicle speeding violations for driving more than fifteen miles per hour over the speed limit.

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

[House File 2392](#), by committee on judiciary, a bill for an act relating to the abuse of a corpse and providing penalties.

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

#### CONSIDERATION OF BILLS Regular Calendar

[Senate File 2088](#), a bill for an act concerning state government reorganization and efficiency, making appropriations, establishing fees and penalties, and providing effective and applicability provisions, was taken up for consideration.

McCarthy of Polk asked and received unanimous consent that [Senate File 2088](#) be deferred and that the bill retain its place on the calendar.

On motion by McCarthy of Polk, the House was recessed at 9:28 a.m., until 5:30 p.m.

#### EVENING SESSION

The House reconvened at 6:08 p.m., Speaker Murphy in the chair.

#### INTRODUCTION OF BILLS

[House File 2393](#), by Mascher, a bill for an act imposing a registration surcharge on certain new luxury or fuel-inefficient motor vehicles.

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

[House File 2394](#), by Pettengill, a bill for an act relating to the purposes for which physical plant and equipment levy revenue and certain related revenues may be utilized, and including applicability provisions.

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

[House File 2395](#), by Pettengill, a bill for an act allowing a school district to use remaining market factor teacher incentive funds to be transferred to the district's general fund and used for general fund purposes and including effective date provisions.

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

[House File 2396](#), by Tymeson, a bill for an act creating a mechanism for schools, school consortiums, and school districts to increase opportunities for innovation.

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

[House File 2397](#), by Upmeyer, a bill for an act relating to prohibiting a person who is subject to a protective order or who has been convicted of a crime of domestic violence from possessing firearms and offensive weapons and providing a penalty.

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

[House File 2398](#), by May, a bill for an act requiring an arrested person to submit a DNA sample if the arrest is for a felony, providing for the reimbursement of costs, and providing a contingent effective date.

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

[House File 2399](#), by committee on commerce, a bill for an act modifying provisions applicable to electric generating and transmission facilities.

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

[House File 2400](#), by Kuhn, a bill for an act providing for the reestablishment of a technical advisory committee to reevaluate the master matrix used in approving sites for confinement feeding operations and including effective date provisions.

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

[House File 2401](#), by Taylor, a bill for an act relating to qualifications for and payment of unemployment compensation benefits, and including effective date and applicability provisions.

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

#### SUBCOMMITTEE ASSIGNMENTS

[House File 2182](#)

State Government: Taylor, Chair; Kaufmann and Willems.

[House File 2276](#)

Human Resources: Mascher, Chair; Heaton and Hunter.

[House File 2278](#)

Human Resources: Mascher, Chair; Hunter and Schulte.

[House File 2289](#)

Human Resources: Mascher, Chair; Hunter and Schulte.

[House File 2297](#)

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

[House File 2300](#)

Commerce: Petersen, Chair; Lukan and Quirk.

[House File 2331](#)

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

[House File 2335](#)

Human Resources: Smith, Chair; Abdul-Samad and L. Miller.

[House File 2336](#)

Human Resources: Smith, Chair; Abdul-Samad and Schulte.

[House File 2337](#)

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

[House File 2342](#)

Human Resources: Smith, Chair; Abdul-Samad and L. Miller.

[House File 2343](#)

Human Resources: Smith, Chair; Abdul-Samad and Koester.

[House File 2344](#)

Transportation: Quirk, Chair; Kelley and Tjepkes.

[House File 2346](#)

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

[House File 2351](#)

Transportation: Quirk, Chair; Kelley and Tjepkes.

[House File 2352](#)

Economic Growth: Bailey, Chair; Anderson and Marek.

[House File 2354](#)

Education: Winckler, Chair; Steckman and Sweeney.

[House File 2356](#)

Transportation: Quirk, Chair; Kelley and Tjepkes.

[House File 2357](#)

Education: Cohoon, Chair; Cownie and Thede.

[House File 2358](#)

Education: Mascher, Chair; Chambers and Wendt.

[House File 2361](#)

Education: Ford, Chair; Cohoon and Dolecheck.

[House File 2363](#)

Environmental Protection: Frevert, Chair; Deyoe and Hanson.

[House File 2367](#)

Education: Cohoon, Chair; May and Steckman.

[House File 2386](#)

Transportation: Quirk, Chair; Kelley and Tjepkes.

[House File 2387](#)

Education: Cohoon, Chair; Ficken and May.

[House File 2388](#)

State Government: Lensing, Chair; Kaufmann and Taylor.

[House File 2389](#)

Commerce: Petersen, Chair; Reichert and Soderberg.

[House File 2390](#)

State Government: Lensing, Chair; Kaufmann and Taylor.

[Senate File 2109](#)

Judiciary: Huser, Chair; Mertz and Schultz.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

[House Study Bill 711](#)

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

[House Study Bill 721](#)

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

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

[H.S.B. 723](#) **Judiciary**

Requiring notice to the board of parole and the department of corrections about offenders required to serve certain special sentences.

**H.S.B. 724 Veterans Affairs**

Requiring the department of veterans affairs to provide copies of certain discharge documents to the county commissions of veteran affairs.

**H.S.B. 725 Economic Growth**

Relating to the allocation of moneys under the grow Iowa values fund for purposes of making grants to certain microenterprise development organizations.

**H.S.B. 726 Labor**

Relating to public employee collective bargaining.

**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 COMMERCE**

**Committee Bill** (Formerly [House File 2100](#)), modifying provisions applicable to electric generating and transmission facilities.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 8, 2010.

**COMMITTEE ON ECONOMIC GROWTH**

**Committee Bill** (Formerly [House Study Bill 665](#)), relating to the appointment of young adults to appointive boards, commissions, committees, and councils and including applicability date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 10, 2010.



**Committee Bill** (Formerly [House File 783](#)), relating to small business concerns regarding contracts with the department of transportation, and providing an applicability date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 10, 2010.

COMMITTEE ON EDUCATION

**Committee Bill** (Formerly [House File 620](#)), establishing market factor teacher incentives for school district attendance centers located in areas that have high rates of crime and making an appropriation.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 10, 2010.

**Committee Bill** (Formerly [House Study Bill 671](#)), relating to school business official training and authorization.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 10, 2010.

**Committee Bill** (Formerly [House File 2040](#)), relating to the use of certain regular physical plant and equipment levy funds and including effective date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 10, 2010.

**Committee Bill** (Formerly [House File 2185](#)), relating to the interviewing of racial and ethnic minority applicants by public school districts and accredited nonpublic schools and including effective date and applicability provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 10, 2010.

COMMITTEE ON ENVIRONMENTAL PROTECTION

**Committee Bill** (Formerly [House Study Bill 661](#)), relating to recycling initiatives.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 11, 2010.

**Committee Bill** (Formerly [House Study Bill 703](#)), providing for the application of pesticides by commercial applicators using an aircraft, providing penalties, and including effective date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 11, 2010.

COMMITTEE ON HUMAN RESOURCES

**Committee Bill** (Formerly [House Study Bill 634](#)), relating to the nursing workforce and providing for an Iowa needs nurses now initiative.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 10, 2010.

**Committee Bill** (Formerly [House File 2078](#)), relating to certification requirements related to services provided by an assisted living program, and including effective date and retroactive applicability provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 10, 2010.

**Committee Bill** (Formerly [House File 2223](#)), relating to the scheduling of a contested case hearing for child abuse or dependent adult abuse.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 10, 2010.

COMMITTEE ON JUDICIARY

**Committee Bill** (Formerly [House Study Bill 559](#)), relating to mechanics' liens including the establishment of a state construction registry for residential construction property and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 11, 2010.

**Committee Bill** (Formerly [House Study Bill 693](#)), relating to the service of notice requirements for landlords and tenants and the service of notice requirements in an action for forcible entry and detainer and including effective date provisions.

Fiscal Note is not required.

Recommended **Do Pass** February 11, 2010.

**Committee Bill** (Formerly [House Study Bill 714](#)), relating to business organizations, including limited liability companies and business corporations, and providing for fees.

Fiscal Note is not required.

Recommended **Do Pass** February 11, 2010.

**Committee Bill** (Formerly [House Study Bill 716](#)), providing for the regulation of consumer approval transactions, and providing penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 11, 2010.

**Committee Bill** (Formerly [House File 2126](#)), specifying those authorized to solemnize marriages in this state, and including effective date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 11, 2010.

**Committee Bill** (Formerly [House File 2275](#)), expanding the definition of criminal mischief in the third degree, and providing penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 11, 2010.

#### COMMITTEE ON PUBLIC SAFETY

**Committee Bill** (Formerly [House File 2053](#)), providing for the use of photo traffic enforcement in road work zones on primary highways.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 11, 2010.

#### COMMITTEE ON STATE GOVERNMENT

**Committee Bill** (Formerly [House Study Bill 534](#)), requiring certain campaign finance statements and reports to be filed in an electronic format.

Fiscal Note is not required.

Recommended **Do Pass** February 10, 2010.

**Committee Bill** (Formerly [House Study Bill 564](#)), relating to the licensure of persons engaged in fire protection system installation, maintenance, repair, service, or inspection.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 10, 2010.

**Committee Bill** (Formerly [House Study Bill 566](#)), concerning public retirement systems, including the public safety peace officers' retirement, accident, and disability system, the Iowa public employees' retirement system, and the statewide fire and police retirement system, making appropriations, and including effective date and retroactive applicability provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 10, 2010.

**Committee Bill** (Formerly [House Study Bill 668](#)), making technical changes to the laws relating to elections and voter registration and including effective date and applicability provisions.

Fiscal Note is not required.

Recommended **Do Pass** February 10, 2010.

**Committee Bill** (Formerly [House Study Bill 713](#)), concerning live dog racing at pari-mutuel dog racetracks, establishing fees, and including effective date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 10, 2010.

**Committee Bill** (Formerly [House File 781](#)), establish a scope of practice review committee relating to the licensing of midwives.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 10, 2010.

#### COMMITTEE ON VETERANS AFFAIRS

**Committee Bill** (Formerly [House Study Bill 724](#)), requiring the department of veterans affairs to provide copies of certain discharge documents to the county commissions of veteran affairs.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 11, 2010.

#### RESOLUTION FILED

**HCR 106**, by McCarthy and Paulsen, a concurrent resolution to provide for a joint convention of the two houses of the 2010 session of the Eighty-third General Assembly to be held on Tuesday, February 16, 2010, at 10:00 a.m. for Brigadier General Timothy Orr to present his message of the Condition of the Iowa National Guard.

Laid over under **Rule 25**.

## AMENDMENTS FILED

<a href="#">H-8093</a>	<a href="#">S.F. 2088</a>	Petersen of Polk
<a href="#">H-8094</a>	<a href="#">S.F. 2088</a>	Watts of Dallas
<a href="#">H-8095</a>	<a href="#">S.F. 2088</a>	Winckler of Scott
<a href="#">H-8096</a>	<a href="#">S.F. 2088</a>	Winckler of Scott
		Wendt of Woodbury
<a href="#">H-8097</a>	<a href="#">S.F. 2088</a>	Sweeney of Hardin
<a href="#">H-8098</a>	<a href="#">S.F. 2088</a>	Schulte of Linn
		Heddens of Story
<a href="#">H-8099</a>	<a href="#">H.F. 2384</a>	Chambers of O'Brien
<a href="#">H-8100</a>	<a href="#">S.F. 2088</a>	Mascher of Johnson
<a href="#">H-8101</a>	<a href="#">S.F. 2088</a>	L. Miller of Scott
<a href="#">H-8102</a>	<a href="#">H.F. 2199</a>	Thede of Scott
<a href="#">H-8103</a>	<a href="#">S.F. 2088</a>	Horbach of Tama
		Pettengill of Benton
		S. Olson of Clinton
		Tymeson of Madison
		Kaufmann of Cedar

On motion by McCarthy of Polk the House adjourned at 6:12 p.m., until 10:00 a.m., Friday, February 12, 2010.