

PROOF

STATE OF IOWA

House Journal

WEDNESDAY, FEBRUARY 24, 2010

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JOURNAL OF THE HOUSE

Forty-fifth Calendar Day - Thirty-second Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, February 24, 2010

The House met pursuant to adjournment at 9:00 a.m., Speaker Murphy in the chair.

Prayer was offered by the Honorable Jodi Tymeson, state representative from Madison County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Brent Smith, House Page from Pella.

The Journal of Tuesday, February 23, 2010 was approved.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on February 23, 2010, passed the following bill in which the concurrence of the House is asked:

[Senate File 2161](#), a bill for an act providing an exception to licensing requirements for certain bingo occasions.

Also: That the Senate has on February 23, 2010, passed the following bill in which the concurrence of the House is asked:

[Senate File 2192](#), a bill for an act prohibiting the running of a transfer fee covenant with the title to real property.

Also: That the Senate has on February 23, 2010, passed the following bill in which the concurrence of the House is asked:

[Senate File 2235](#), a bill for an act requiring provision of deliverable fuels to customers under specified circumstances, and including effective date provisions.

Also: That the Senate has on February 23, 2010, passed the following bill in which the concurrence of the House is asked:

[Senate File 2288](#), a bill for an act relating to the duties and operations of the department of education and local school boards.

MICHAEL E. MARSHALL, Secretary

SENATE MESSAGES CONSIDERED

[Senate File 2289](#), by committee on education, a bill for an act relating to deaccreditation of a school district by the state board of education and to the disposition of certain former school district funds, and including effective date, validation, and retroactive applicability provisions.

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

[Senate File 2310](#), by committee on natural resources, a bill for an act creating a natural resources and outdoor recreation trust fund to implement a proposed amendment to the Constitution of the State of Iowa, and providing for contingent implementation.

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

[Senate File 2318](#), by committee on veterans affairs, a bill for an act concerning and affecting veterans and military members, related to employment benefits, professional licensing, and interest rate limit enforcement, and making penalties applicable.

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

[Senate File 2349](#), by committee on commerce, a bill for an act requiring certain group health insurance plans established for employees of the state to provide coverage for autism spectrum disorders for certain persons, requiring certification of behavior specialists, and providing an applicability date.

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

[Senate File 2355](#), by committee on state government, a bill for an act relating to the licensure of persons engaged in fire protection system installation, maintenance, repair, service, or inspection.

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

On motion by Jacoby of Johnson, the House was recessed at 9:10 a.m., until 4:00 p.m.

AFTERNOON SESSION

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

SENATE MESSAGES CONSIDERED

[Senate Joint Resolution 2002](#), by Wilhelm, a joint resolution relating to the placement of a statue in the United States capitol honoring Dr. Norman Borlaug

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

[Senate File 2161](#), by committee on state government, a bill for an act providing an exception to licensing requirements for certain bingo occasions.

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

[Senate File 2192](#), by committee on commerce, a bill for an act prohibiting the running of a transfer fee covenant with the title to real property and including effective date and applicability provisions.

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

[Senate File 2235](#), by committee on state government, a bill for an act requiring provision of deliverable fuels to customers under specified circumstances, providing penalties, and including effective date provisions.

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

[Senate File 2288](#), by committee on education, a bill for an act relating to the duties and operations of the department of education and local school boards.

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

[Senate File 2328](#), by committee on local government, a bill for an act allowing county treasurers to collect delinquent taxes on behalf of the department of revenue from a person renewing a vehicle registration, requiring a plan for the collection of court debt by county treasurers, and providing a fee.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Horbach of Tama and Rants of Woodbury on request of Paulsen of Linn; Wendt of Woodbury on request of McCarthy of Polk.

The House stood at ease at 4:08 p.m., until the fall of the gavel.

The House resumed session at 4:54 p.m., Speaker Murphy in the chair.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed eighty-two members present, eighteen absent.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on February 24, 2010, passed the following bill in which the concurrence of the House is asked:

[Senate File 2343](#), a bill for an act relating to the appointment of judicial officers and senior judges.

Also: That the Senate has on February 24, 2010, passed the following bill in which the concurrence of the House is asked:

[Senate File 2346](#), a bill for an act relating to certain coverage provisions contained in uninsured and underinsured motor vehicle insurance coverage.

Also: That the Senate has on February 24, 2010, passed the following bill in which the concurrence of the House is asked:

[Senate File 2351](#), a bill for an act enhancing the penalty for certain domestic abuse assault cases and providing a penalty.

MICHAEL E. MARSHALL, Secretary

CONSIDERATION OF BILLS
Regular Calendar

[Senate File 2151](#), a bill for an act relating to public funding and regulatory matters by making and revising appropriations made for purposes of health and human services and providing effective dates, with report of committee recommending passage, was taken up for consideration.

Heddens of Story 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?" ([S.F. 2151](#))

The ayes were, 53:

Abdul-Samad	Bailey	Beard	Bell
Berry	Bukta	Burt	Cohoon
Ficken	Frevert	Gaskill	Gayman
Hanson	Heddens	Hunter	Huser
Isenhart	Jacoby	Kearns	Kelley
Kressig	Kuhn	Lensing	Lykam
Marek	Mascher	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	Wenthe	Wessel-Kroeschell
Whitead	Willems	Winckler	Zirkelbach
Mr. Speaker			
Murphy			

The nays were, 42:

Alons	Anderson	Arnold	Baudler
Chambers	Cownie	De Boef	Deyoe
Dolecheck	Drake	Forristall	Grassley
Hagenow	Heaton	Helland	Huseman
Kaufmann	Koester	Lukan	May
Miller, L.	Olson, S.	Paulsen	Pettengill
Raecker	Rayhons	Roberts	Sands
Schulte	Schultz	Soderberg	Sorenson

Struyk	Sweeney	Tjepkes	Tymeson
Upmeyer	Van Engelenhoven	Wagner	Watts
Windschitl	Worthan		

Absent or not voting, 5:

Ford	Horbach	McCarthy	Rants
Wendt			

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

[House File 2322](#), a bill for an act relating to the Iowa finance authority by modifying certain duties and programs of the authority and establishing a workforce housing assistance grant fund administered by the authority, was taken up for consideration.

Forristall of Pottawattamie offered the following amendment [H-8091](#) filed by Horbach of Tama and moved its adoption:

[H-8091](#)

1 Amend [House File 2322](#) as follows:
2 1. Page 2, after line 23 by inserting:
3 <c. In any fiscal year, an area shall not receive
4 grants totaling more than twenty-five percent of the
5 moneys expended from the fund in that fiscal year. For
6 purposes of this paragraph, "area" means the same area
7 used to determine the median income under paragraph
8 "a".>

Amendment [H-8091](#) lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Schulte of Linn on request of Windschitl of Harrison.

The House stood at ease at 5:24 p.m., until the fall of the gavel.

The House resumed session at 5:47 p.m., Speaker Murphy in the chair.

Gayman of Scott asked and received unanimous consent that [House File 2322](#) be deferred and that the bill retain its place on the calendar.

House File 2348, a bill for an act relating to the collection of the use tax on manufactured housing, the licensing of manufactured home retailers, amending statutory references to certain types of home dealers, and making penalties applicable, was taken up for consideration.

Huser of Polk offered the following amendment [H-8167](#) filed by her and moved its adoption:

[H-8167](#)

- 1 Amend [House File 2348](#) as follows:
- 2 1. Page 6, after line 15 by inserting:
- 3 <Sec. __. **NEW SECTION.** 435.26B Affidavit in lieu
- 4 of surrender of certificate of title – manufactured and
- 5 mobile homes.
- 6 1. If there is no record that a certificate of
- 7 title has been issued or surrendered for a manufactured
- 8 home or mobile home that is located outside a
- 9 manufactured home community or mobile home park, that
- 10 has been converted to real estate by being placed
- 11 on a permanent foundation, and that is entered on
- 12 the tax rolls, the owner may effectuate a surrender
- 13 of the certificate of title by recording with the
- 14 county recorder an affidavit that includes all of the
- 15 following:
- 16 a. The full legal name, Iowa driver's license
- 17 number or Iowa nonoperator's identification card
- 18 number, bona fide residence, and mailing address of
- 19 the owner, and any other identification information
- 20 required by the state department of transportation.
- 21 If the owner is a firm, association, or corporation,
- 22 the affidavit shall contain the bona fide business
- 23 address and federal employer identification number of
- 24 the owner.
- 25 b. A description of the manufactured or mobile
- 26 home including, insofar as the specified data may
- 27 exist with respect to a manufactured or mobile home,
- 28 the manufacturer, model, year of manufacture, and
- 29 identification number or other assigned number.
- 30 c. A statement of the affiant's title or ownership
- 31 interest and a statement of all liens, encumbrances,
- 32 or security interest upon the manufactured or mobile
- 33 home, including the names and mailing addresses of
- 34 all persons having any such liens, encumbrances, or
- 35 security interests.
- 36 d. A statement of any facts or information known to
- 37 the affiant that could affect the validity of title or
- 38 the existence or validity of any lien, encumbrance, or
- 39 security interest on the manufactured or mobile home.

40 e. The name and address of the person from whom the
41 owner purchased or acquired the manufactured or mobile
42 home, including information related to the location and
43 date of purchase or acquisition.

44 f. The affidavit shall also include an attached
45 written opinion of an attorney licensed in this
46 state that certifies marketable record title to the
47 manufactured or mobile home.

48 g. A statement that the manufactured or mobile home
49 is located outside a manufactured home community or
50 mobile home park, has been converted to real estate by

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1 being placed on a permanent foundation, and has been
2 entered on the tax rolls. This statement shall be
3 endorsed by the city or county assessor, as applicable,
4 and include the legal description of the real property
5 upon which the manufactured or mobile home is situated.

6 h. A statement that the owner has made a diligent
7 search and inquiry but has been unable to locate
8 and produce a manufacturer's certificate of origin
9 or a certificate of title for the manufactured or
10 mobile home and that the owner has no knowledge that
11 a certificate of title has previously been issued or
12 surrendered for the manufactured or mobile home.

13 i. (1) An endorsement by the state department
14 of transportation that the department has searched
15 its records and has no record of a certificate of
16 title or a surrender of a certificate of title for the
17 manufactured or mobile home and that the department
18 has no record of any ownership interest contrary
19 to the ownership interest asserted by the affiant.
20 The endorsement shall also specify that the state
21 department of transportation is unable to identify any
22 lien, encumbrance, or security interest contrary to
23 those specified by the affiant.

24 (2) The state department of transportation shall
25 not conduct any search of records or provide any
26 endorsement until the affidavit has been completed,
27 executed, and endorsed pursuant to paragraphs "a"
28 through "h" and the affiant has paid a fee not to
29 exceed two hundred dollars. The state department of
30 transportation shall set the amount of the fee by rule.

31 (3) Following endorsement of the affidavit, the
32 state department of transportation shall return the
33 affidavit to the owner for recording.

34 (4) If the state department of transportation
35 has endorsed an affidavit, the department shall not
36 issue a certificate of title for the manufactured or
37 mobile home unless the manufactured or mobile home is
38 reconverted under section 435.27.

39 2. Recording the affidavit with all necessary
40 endorsements and attachments shall establish the
41 surrender of the certificate of title.
42 3. After the surrender of the certificate of title
43 under this section, a conveyance of an interest in
44 the manufactured or mobile home shall not require a
45 transfer of title if the manufactured or mobile home
46 remains located on the same real property that is
47 identified in the affidavit under subsection 2.
48 4. A foreclosure action on a manufactured or mobile
49 home for which the certificate of title was surrendered
50 under this section shall be conducted as a real estate

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1 foreclosure.
2 5. A tax lien and its priority shall not be
3 modified as a result of a surrender of title under this
4 section.
5 6. The state department of transportation shall
6 adopt rules under chapter 17A to implement this
7 section. The rules adopted by the state department of
8 transportation shall include a standardized form for an
9 affidavit required under this section.>
10 2. Page 6, after line 23 by inserting:
11 <Sec. ____ EFFECTIVE UPON ENACTMENT. This Act,
12 being deemed of immediate importance, takes effect upon
13 enactment.>
14 3. Title page, by striking line 4 and inserting
15 <home dealers, establishing titling procedures for
16 certain manufactured and mobile homes, making penalties
17 applicable, and including effective date provisions.>
18 4. By renumbering as necessary.

Amendment [H-8167](#) was adopted.

[SENATE FILE 2199](#) SUBSTITUTED FOR [HOUSE FILE 2348](#)

Huser of Polk asked and received unanimous consent to substitute
[Senate File 2199](#) for [House File 2348](#).

[Senate File 2199](#), a bill for an act relating to the collection of the
use tax on manufactured housing, the licensing of manufactured
home retailers, amending statutory references to certain types of
home dealers, establishing titling procedures for certain
manufactured and mobile homes, making penalties applicable, and
including effective date provisions, was taken up for consideration.

Huser of Polk offered the following amendment [H-8210](#) filed by her and Helland of Polk and moved its adoption:

[H-8210](#)

1 Amend [Senate File 2199](#), as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 7, by striking lines 18 and 19 and
 4 inserting <opinion by an attorney licensed to practice
 5 law in this state who has examined the abstract of
 6 title of the land upon which the manufactured or
 7 mobile home is situated. The opinion shall state the
 8 names of the owners and holders of mortgages, liens,
 9 or other encumbrances on the land upon which the
 10 manufactured or mobile home is situated and shall note
 11 the encumbrances, along with any bonds securing the
 12 encumbrances. Utility easements shall not be construed
 13 to be encumbrances for the purpose of this section.>

Amendment [H-8210](#) was adopted.

Huser 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?" ([S.F. 2199](#))

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Beard	Bell
Berry	Bukta	Burt	Chambers
Cohoon	Cownie	De Boef	Deyoe
Dolecheck	Drake	Ficken	Forristall
Frevert	Gaskill	Gayman	Grassley
Hagenow	Hanson	Heaton	Heddens
Helland	Hunter	Huseman	Huser
Isenhardt	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	Rayhons	Reasoner	Reichert
Roberts	Running-Marquardt	Sands	Schueller

Schultz	Shomshor	Smith	Soderberg
Sorenson	Steckman	Struyk	Swaim
Sweeney	Taylor	Thede	Thomas
Tjepkes	Tymeson	Upmeyer	Van Engelenhoven
Wagner	Watts	Wenthe	Wessel-Kroeschell
Whitead	Willems	Winckler	Windschitl
Worthan	Zirkelbach	Mr. Speaker	
		Murphy	

The nays were, none.

Absent or not voting, 5:

Ford	Horbach	Rants	Schulte
Wendt			

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

[HOUSE FILE 2348](#) WITHDRAWN

Huser of Polk asked and received unanimous consent to withdraw [House File 2348](#) from further consideration by the House.

[House File 2402](#), a bill for an act relating to the development of a plan for a stroke triage system and registry, was taken up for consideration.

T. Olson of Linn offered the following amendment [H-8164](#) filed by him and moved its adoption:

[H-8164](#)

- 1 Amend [House File 2402](#) as follows:
- 2 1. Page 1, line 3, after <135.40,> by inserting
- 3 <and the American heart association,>

Amendment [H-8164](#) was adopted.

Soderberg of Plymouth offered the following amendment [H-8202](#) filed by him, Alons of Sioux and Forristall of Pottawattamie and moved its adoption:

[H-8202](#)

- 1 Amend [House File 2402](#) as follows:
- 2 1. Page 1, line 5, after <registry.> by inserting

3 <In developing the plan, consideration shall be given
 4 to inclusion in the stroke triage system of facilities
 5 outside the state that are the closest and most
 6 appropriate to provide stroke care to Iowans residing
 7 along the state's borders.>

Amendment [H-8202](#) was adopted.

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. 2402](#))

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Beard	Bell
Berry	Bukta	Burt	Chambers
Cohoon	Cownie	De Boef	Deyoe
Dolecheck	Drake	Ficken	Forristall
Frevert	Gaskill	Gayman	Grassley
Hagenow	Hanson	Heaton	Heddens
Helland	Hunter	Huseman	Huser
Isenhardt	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	Rayhons	Reasoner	Reichert
Roberts	Running-Marquardt	Sands	Schueller
Schultz	Shomshor	Smith	Soderberg
Sorenson	Steckman	Struyk	Swaim
Sweeney	Taylor	Thede	Thomas
Tjepkes	Tymeson	Upmeyer	Van Engelenhoven
Wagner	Watts	Wenthe	Wessel-Kroeschell
Whitead	Willems	Winckler	Windschitl
Worthan	Zirkelbach	Mr. Speaker	
		Murphy	

The nays were, none.

Absent or not voting, 5:

Ford	Horbach	Rants	Schulte
Wendt			

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

[House File 2466](#), a bill for an act relating to the license or authorization issued to a person who qualifies as a driver education instructor and including effective date and retroactive applicability provisions, was taken up for consideration.

Bell of Jasper 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. 2466](#))

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Beard	Bell
Berry	Bukta	Burt	Chambers
Cohoon	Cownie	De Boef	Deyoe
Dolecheck	Drake	Ficken	Forristall
Frevert	Gaskill	Gayman	Grassley
Hagenow	Hanson	Heaton	Heddens
Helland	Hunter	Huseman	Huser
Isenhardt	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	Rayhons	Reasoner	Reichert
Roberts	Running-Marquardt	Sands	Schueller
Schultz	Shomshor	Smith	Soderberg
Sorenson	Steckman	Struyk	Swaim
Sweeney	Taylor	Thede	Thomas
Tjepkes	Tymeson	Upmeyer	Van Engelenhoven
Wagner	Watts	Wenthe	Wessel-Kroeschell
Whitead	Willems	Winckler	Windschitl
Worthan	Zirkelbach	Mr. Speaker	
		Murphy	

The nays were, none.

Absent or not voting, 5:

Ford	Horbach	Rants	Schulte
Wendt			

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

[House File 2469](#), a bill for an act relating to the administration of the election laws by the secretary of state and including effective date provisions, was taken up for consideration.

[SENATE FILE 2196](#) SUBSTITUTED FOR [HOUSE FILE 2469](#)

Willems of Linn asked and received unanimous consent to substitute [Senate File 2196](#) for [House File 2469](#).

[Senate File 2196](#), a bill for an act relating to the administration of the election laws by the secretary of state and including effective date provisions, was taken up for consideration.

Willems 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?" ([S.F. 2196](#))

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Beard	Bell
Berry	Bukta	Burt	Chambers
Cohoon	Cownie	De Boef	Deyoe
Dolecheck	Drake	Ficken	Forristall
Frevert	Gaskill	Gayman	Grassley
Hagenow	Hanson	Heaton	Heddens
Helland	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	Rayhons	Reasoner	Reichert
Roberts	Running-Marquardt	Sands	Schueller
Schultz	Shomshor	Smith	Soderberg
Sorenson	Steckman	Struyk	Swaim
Sweeney	Taylor	Thede	Thomas
Tjepkes	Tymeson	Upmeyer	Van Engelenhoven
Wagner	Watts	Wenthe	Wessel-Kroeschell

Whitead	Willems	Winckler	Windschitl
Worthan	Zirkelbach	Mr. Speaker	
		Murphy	

The nays were, none.

Absent or not voting, 5:

Ford	Horbach	Rants	Schulte
Wendt			

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

[HOUSE FILE 2469](#) WITHDRAWN

Willems of Linn asked and received unanimous consent to withdraw [House File 2469](#) from further consideration by the House.

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2402, 2466 and Senate Files 2151, 2196 and 2199.**

[House File 2478](#), a bill for an act relating to business organizations, including limited liability companies and business corporations, and providing for fees, was taken up for consideration.

Willems 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. 2478](#))

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Beard	Bell
Berry	Bukta	Burt	Chambers
Cohoon	Cownie	De Boef	Deyoe
Dolecheck	Drake	Ficken	Forristall
Frevert	Gaskill	Gayman	Grassley
Hagenow	Hanson	Heaton	Heddens
Helland	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	Rayhons	Reasoner	Reichert
Roberts	Running-Marquardt	Sands	Schueller
Schultz	Shomshor	Smith	Soderberg
Sorenson	Steckman	Struyk	Swaim
Sweeney	Taylor	Thede	Thomas
Tjepkes	Tymeson	Upmeyer	Van Engelenhoven
Wagner	Watts	Wenthe	Wessel-Kroeschell
Whitead	Willems	Winckler	Windschitl
Worthan	Zirkelbach	Mr. Speaker Murphy	

The nays were, none.

Absent or not voting, 5:

Ford	Horbach	Rants	Schulte
Wendt			

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

[House File 2488](#), a bill for an act relating to the appointment of young adults to appointive boards, commissions, committees, and councils, was taken up for consideration.

Wenthe of Fayette 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. 2488](#))

The ayes were, 93:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Beard	Bell
Berry	Bukta	Burt	Chambers
Cohoon	Cownie	De Boef	Deyoe
Dolecheck	Drake	Ficken	Forristall
Frevert	Gaskill	Gayman	Grassley
Hagenow	Hanson	Heaton	Heddens
Helland	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	Rayhons	Reasoner	Reichert
Roberts	Running-Marquardt	Sands	Schueller
Shomshor	Smith	Soderberg	Sorenson
Steckman	Struyk	Swaim	Taylor
Thede	Thomas	Tjepkes	Tymeson
Upmeyer	Van Engelenhoven	Wagner	Watts
Wenthe	Wessel-Kroeschell	Whitead	Willems
Winckler	Windschitl	Worthan	Zirkelbach
Mr. Speaker Murphy			

The nays were, 2:

Schultz	Sweeney
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Absent or not voting, 5:

Ford	Horbach	Rants	Schulte
Wendt			

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

House File 2496, a bill for an act relating to recycling initiatives, was taken up for consideration.

D. Olson of Boone 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. 2496](#))

The ayes were, 89:

Abdul-Samad	Anderson	Arnold	Bailey
Baudler	Beard	Bell	Berry
Bukta	Burt	Cohoon	Cownie
Deyoe	Dolecheck	Drake	Ficken
Frevert	Gaskill	Gayman	Grassley
Hagenow	Hanson	Heaton	Heddens
Helland	Hunter	Huseman	Huser
Isenhardt	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	Rayhons	Reasoner	Reichert

Roberts	Running-Marquardt	Sands	Schueller
Shomshor	Smith	Soderberg	Sorenson
Steckman	Struyk	Swaim	Sweeney
Taylor	Thede	Thomas	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Wagner
Wenthe	Wessel-Kroeschell	Whitead	Willems
Winckler	Windschitl	Worthan	Zirkelbach
Mr. Speaker			
Murphy			

The nays were, 6:

Alons	Chambers	De Boef	Forristall
Schultz	Watts		

Absent or not voting, 5:

Ford	Horbach	Rants	Schulte
Wendt			

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 2478, 2488 and 2496.**

House File 2497, a bill for an act relating to special education rights and duties and to the related duties and operations of the department of education and local school boards, was taken up for consideration.

[SENATE FILE 2291](#) SUBSTITUTED FOR [HOUSE FILE 2497](#)

Winckler of Scott asked and received unanimous consent to substitute [Senate File 2291](#) for [House File 2497](#).

Senate File 2291, a bill for an act relating to special education rights and duties and to the related duties and operations of the department of education and local school boards, was taken up for consideration.

May of Dickinson asked and received unanimous consent to withdraw amendment [H-8189](#) filed by him and Abdul-Samad of Polk on February 22, 2010.

Under the provision of Rule 31, related to the timely filing of amendments, amendment [H-8231](#) filed by Sweeney of Hardin from the floor was placed out of order.

Winckler 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?" ([S.F. 2291](#))

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Beard	Bell
Berry	Bukta	Burt	Chambers
Cohoon	Cownie	De Boef	Deyoe
Dolecheck	Drake	Ficken	Forristall
Frevert	Gaskill	Gayman	Grassley
Hagenow	Hanson	Heaton	Heddens
Helland	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	Rayhons	Reasoner	Reichert
Roberts	Running-Marquardt	Sands	Schueller
Schultz	Shomshor	Smith	Soderberg
Sorenson	Steckman	Struyk	Swaim
Sweeney	Taylor	Thede	Thomas
Tjepkes	Tymeson	Upmeyer	Van Engelenhoven
Wagner	Watts	Wenthe	Wessel-Kroeschell
Whitead	Willems	Winckler	Windschitl
Worthan	Zirkelbach	Mr. Speaker	
		Murphy	

The nays were, none.

Absent or not voting and 5:

Ford	Horbach	Rants	Schulte
Wendt			

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

[HOUSE FILE 2497](#) WITHDRAWN

Winckler of Scott asked and received unanimous consent to withdraw [House File 2497](#) from further consideration by the House.

[House File 2229](#), a bill for an act prohibiting the imposition by a dental plan of fee schedules for the provision of dental services that are not covered by the plan, was taken up for consideration.

Struyk of Pottawattamie asked and received unanimous consent to withdraw amendment [H-8194](#) filed by him on February 22, 2010.

Reasoner of Union 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. 2229](#))

The ayes were, 93:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Beard	Bell	Berry
Bukta	Burt	Chambers	Cohoon
Cownie	De Boef	Deyoe	Dolecheck
Drake	Ficken	Forristall	Frevert
Gaskill	Gayman	Grassley	Hagenow
Hanson	Heaton	Heddens	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	Rayhons
Reasoner	Reichert	Roberts	Running-Marquardt
Sands	Schueller	Schultz	Shomshor
Smith	Soderberg	Sorenson	Steckman
Struyk	Swaim	Sweeney	Taylor
Thede	Thomas	Tjepkes	Tymeson
Upmeyer	Van Engelenhoven	Wagner	Watts
Wenthe	Wessel-Kroeschell	Whitead	Willems
Winckler	Windschitl	Worthan	Zirkelbach
Mr. Speaker			
Murphy			

The nays were, 1:

Helland

Absent or not voting, 6:

Baudler	Ford	Horbach	Rants
Schulte	Wendt		

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on February 24, 2010, amended and passed the following bill in which the concurrence of the House is asked:

[House File 2456](#), a bill for an act prohibiting a person from writing or sending a text message while driving a motor vehicle and providing penalties.

Also: That the Senate has on February 24, 2010, passed the following bill in which the concurrence of the House is asked:

[Senate File 2234](#), a bill for an act relating to the regulation of motor vehicle franchises.

Also: That the Senate has on February 24, 2010, passed the following bill in which the concurrence of the House is asked:

[Senate File 2305](#), a bill for an act modifying sex offender registry provisions, and providing penalties and including effective date provisions.

Also: That the Senate has on February 24, 2010, passed the following bill in which the concurrence of the House is asked:

[Senate File 2323](#), a bill for an act concerning requirements for granting a new license to conduct gambling games on a gambling boat or structure in a county with an existing gambling boat or structure.

MICHAEL E. MARSHALL, Secretary

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2229** and [Senate File 2291](#).

[HOUSE FILE 2494](#) REFERRED

The Speaker announced that [House File 2494](#), previously referred to committee on **human resources** was placed on **calendar**.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on February 23, 2010, he approved and transmitted to the Secretary of State the following bills:

[House File 2075](#), an Act requiring health benefit coverage for certain cancer treatment delivered pursuant to approved cancer clinical trials and providing an applicability date.

[House File 2319](#), an Act relating to activities of the department of public safety including regulating the storage of flammable and combustible liquids in aboveground storage tanks and retaining fees.

[Senate File 2076](#), an Act 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.

[Senate File 2117](#), an Act to allow therapeutically certified optometrists to supply pharmaceutical-delivering contact lenses.

[Senate File 2146](#), an Act relating to claims for warranty parts, repairs, or service performed by motor vehicle dealers.

[Senate File 2149](#), an Act relating to criminal history and abuse registry checks for employees of health care facilities and other health-related providers and requiring such checks for certified nurse aide training program students and providing a penalty.

SUBCOMMITTEE ASSIGNMENTS

[Senate Joint Resolution 2007](#)

Veterans Affairs: Bailey, Chair; Isenhardt and Windschitl.

[Senate File 2190](#) Reassigned

Judiciary: Swaim, Chair; Anderson and Wessel-Kroeschell.

[Senate File 2250](#)

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

[Senate File 2270](#)

State Government: Willems, Chair; Kaufmann and Mascher.

[Senate File 2274](#)

Veterans Affairs: Gayman, Chair; Chambers and Whitead.

[Senate File 2289](#)

Education: Cohoon, Chair; Ficken and May.

[Senate File 2297](#)

Veterans Affairs: Kearns, Chair; Alons and Bukta.

[Senate File 2317](#)

Rebuild Iowa and Disaster Recovery: Kuhn, Chair; Grassley, Jacoby, Pettengill and Running-Marquardt.

[Senate File 2318](#)

Veterans Affairs: Zirkelbach, Chair; Bukta and Watts.

[Senate File 2352](#)

Judiciary: Mertz, Chair; Kaufmann and T. Olson.

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 LOCAL GOVERNMENT

[Senate File 2264](#), a bill for an act relating to the review and approval of proposed subdivisions by a city.

Fiscal Note is not required.

Recommended **Do Pass** February 24, 2010.

COMMITTEE ON PUBLIC SAFETY

[Senate File 205](#), a bill for an act relating to required testing for infectious diseases of persons under supervision of judicial district departments of correctional services.

Fiscal Note is not required.

Recommended **Do Pass** February 24, 2010.

COMMITTEE ON STATE GOVERNMENT

[Senate File 2218](#), a bill for an act relating to elections by eliminating double election boards and by requiring the commissioner of elections, upon petition, to use automatic tabulating equipment in certain elections and including effective date provisions.

Fiscal Note is not required.

Recommended **Do Pass** February 24, 2010.

[Senate File 2247](#), a bill for an act authorizing the modification of the designation of a gaming enforcement officer.

Fiscal Note is not required.

Recommended **Do Pass** February 24, 2010.

RESOLUTION FILED

[HR 116](#), by Raecker, a resolution honoring the Urbandale Major League All-Star Team for a successful tournament season and for its participation in the 2009 Little League World Series.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-8222	H.F.	2448	Baudler of Adair
H-8223	S.F.	2226	Gayman of Scott
H-8224	H.F.	2410	Windschitl of Harrison
H-8225	H.F.	2410	Windschitl of Harrison
H-8226	H.F.	2410	Windschitl of Harrison
H-8227	H.F.	2410	Windschitl of Harrison
H-8228	H.F.	2470	Roberts of Carroll
H-8229	H.F.	2470	Roberts of Carroll
H-8230	H.F.	2474	Petersen of Polk
H-8232	H.F.	2017	Zirkelbach of Jones
H-8233	S.F.	2067	Willems of Linn
H-8234	H.F.	2483	Huser of Polk
H-8235	H.F.	2483	Huser of Polk
H-8236	H.F.	2442	Huser of Polk
H-8237	S.F.	2345	Huser of Polk

<u>H-8238</u>	<u>S.F. 2345</u>	Huser of Polk
<u>H-8239</u>	<u>H.F. 2508</u>	Burt of Black Hawk
<u>H-8240</u>	<u>S.F. 2288</u>	May of Dickinson
<u>H-8241</u>	<u>S.F. 2288</u>	Schulte of Linn
<u>H-8242</u>	<u>S.F. 2288</u>	Pettengill of Benton
<u>H-8243</u>	<u>S.F. 2288</u>	May of Dickinson Dolecheck of Ringgold Chambers of O'Brien Raecker of Polk Tymeson of Madison
<u>H-8244</u>	<u>S.F. 2288</u>	May of Dickinson Dolecheck of Ringgold Chambers of O'Brien Raecker of Polk Tymeson of Madison
<u>H-8245</u>	<u>S.F. 2288</u>	Upmeyer of Hancock
<u>H-8246</u>	<u>H.F. 2484</u>	Running-Marquardt of Linn
<u>H-8247</u>	<u>H.F. 2324</u>	Kuhn of Floyd D. Olson of Boone
<u>H-8248</u>	<u>S.F. 2288</u>	May of Dickinson
<u>H-8249</u>	<u>S.F. 2288</u>	May of Dickinson
<u>H-8250</u>	<u>H.F. 2322</u>	Raecker of Polk

On motion by McCarthy of Polk the House adjourned at 7:08 p.m., until 9:00 a.m., Thursday, February 25, 2010.