

PROOF

STATE OF IOWA

House Journal

WEDNESDAY, JANUARY 26, 2011

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

JOURNAL OF THE HOUSE

Seventeenth Calendar Day - Twelfth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, January 26, 2011

The House met pursuant to adjournment at 8:32 a.m., Kaufmann of Cedar in the chair.

Prayer was offered by Pastor Philip Robarge, Gloria Dei Lutheran Church, Urbandale. He was the guest of Representative Raecker of Polk County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Bob Pak, Page from Clive.

The Journal of Tuesday, January 25, 2011 was approved.

INTRODUCTION OF BILLS

[House File 110](#), by Isenhart and Hunter, a bill for an act relating to assisted living programs, and including effective date provisions.

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

[House File 111](#), by committee on commerce, a bill for an act establishing the right to choose whether to purchase health care.

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

[House File 112](#), by Heaton, Forristall, Drake, Iverson, Garrett, Jorgensen, Baudler, Huseman, Chambers, and Baltimore, a bill for an act relating to rules adopted by the environmental protection commission.

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

On motion by Upmeyer of Hancock, the House was recessed at 8:38 a.m., until 4:00 p.m.

AFTERNOON SESSION

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

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on January 26, 2011, passed the following bill in which the concurrence of the House is asked:

[Senate File 72](#), a bill for an act relating to professions which may practice together in professional limited liability companies and including effective and applicability date provisions.

MICHAEL E. MARSHALL, Secretary

INTRODUCTION OF BILLS

[House File 113](#), by Brandenburg, a bill for an act requiring proof of citizenship or lawful presence in the country as a condition of applying for student financial assistance for students attending certain postsecondary institutions.

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

[House File 114](#), by Watts, Baltimore, Cownie, Sands, and Helland, a bill for an act relating to the qualifications of a nominee to the supreme court, court of appeals, and district court.

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

[House File 115](#), by Hagenow, a bill for an act relating to considering the educational setting of a minor child in a child custody proceeding.

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

[House File 116](#), by Jorgensen and Iverson, a bill for an act relating to the compulsory school attendance age, a driver's license penalty for failure to attend, and including effective date provisions.

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

[House File 117](#), by Helland, a bill for an act relating to environmental management system designation.

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

[House File 118](#), by Lukan, Kaufmann, Sweeney, Dolecheck, J. Taylor, Jorgensen, and Grassley, a bill for an act requiring regents institutions to adopt policies to provide student athletes injured while participating in intercollegiate sports with information relating to available services.

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

[House File 119](#), by Lukan, Byrnes, Iverson, Baltimore, Koester, Shaw, Alons, J. Smith, Helland, Schultz, Chambers, Huseman, Baudler, Jorgensen, Garrett, Lofgren, Drake, Heaton, Grassley, Soderberg, Kaufmann, Rayhons, Moore, Worthan, S. Olson, Fry, Paustian, Hanusa, Jacoby, and Running-Marquardt, a bill for an act providing volunteer fire fighters and emergency medical services personnel with an individual income tax credit and including effective date and applicability provisions.

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

[House File 120](#), by Helland, a bill for an act authorizing a retrieval fee for copies of certain medical records or reports in workers' compensation cases.

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

[House File 121](#), by Windschitl, a bill for an act relating to the exemption of firearms, firearm accessories, and ammunition manufactured and retained in Iowa from federal regulation and including applicability provisions.

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

[House File 122](#), by Hagenow, a bill for an act relating to the authority to possess offensive weapons and the carrying of weapons

by a licensed private investigator and a licensed private security officer.

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

[House File 123](#), by Watts, Koester, Worthan, Pearson, Garrett, Thomas, Cownie, and Baltimore, a bill for an act relating to certain fees associated with solid waste.

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

[House File 124](#), by Dolecheck, a bill for an act replacing the charter school establishment option under the state's system of public education.

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

[House File 125](#), by Windschitl, a bill for an act requiring testing of family investment program applicants and participants for use of controlled substances.

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

[House File 126](#), by committee on ethics, a bill for an act relating to the filing of lobbyist registrations and lobbyist's client reports with the general assembly.

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

SENATE MESSAGE CONSIDERED

[Senate File 72](#), by committee on human resources, a bill for an act relating to professions which may practice together in professional limited liability companies and including effective and applicability date provisions.

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

[SENATE FILE 72](#) REREFERRED

The Speaker announced that [Senate File 72](#), previously referred to committee on **human resources** was rereferred to committee on **judiciary**.

COMMUNICATIONS RECEIVED

The following communications were received and filed in the office of the Chief Clerk:

IOWA BOARD OF MEDICINE/IOWA BOARD OF PHYSICIAN ASSISTANT

Collaboration and Teambuilding Report, pursuant to Chapter 148C.12, Code of Iowa.

IOWA COMMISSION OF VETERANS AFFAIRS

Iowa Veterans Trust Fund 2010, pursuant to Chapter 35.13(9), Code of Iowa.

IOWA COUNTY ENGINEERS ASSOCIATION SERVICE BUREAU

Report of Activities for 2010, pursuant to Chapter 312.3B, Code of Iowa.

IOWA MENTAL HEALTH AND DISABILITY SERVICE COMMISSION

Combined Annual and Biannual Report, pursuant to Chapter 225C.6(1), Code of Iowa.

IOWA STUDENT LOAN

Moving Forward, Committed to Students Report, pursuant to Chapter 7C.13(2), Code of Iowa.

IOWA VETERANS HOME

Annual Cost-Savings Report on ICN Usage, pursuant to Chapter 8D.10, Code of Iowa.

STATE APPEAL BOARD

General Tort Claims, Highway Tort Claims and Settlements and Judgments Report, Pursuant to Chapter 669, Code of Iowa.

WATERSHED PLANNING ADVISORY COUNCIL

Final Interim Report, pursuant to [House File 2459](#), 2010 Iowa Acts.

SUBCOMMITTEE ASSIGNMENTS

[House Joint Resolution 1](#)

Appropriations: Wagner, Chair; Rogers and Wenthe.

[House File 28](#)

Agriculture: Deyoe, Chair; Hanson and Hein.

[House File 39](#)

Agriculture: S. Olson, Chair; Isenhardt and Rasmussen.

[House File 81](#)

Education: Hanusa, Chair; Pearson and Willems.

[House File 85](#)

Commerce: Grassley, Chair; Kressig and Watts.

[House File 86](#)

Commerce: Windschitl, Chair; Iverson and Kajtazovic.

[House File 87](#)

Appropriations: Hagenow, Chair; Dolecheck and Heddens.

[House File 90](#)

State Government: Schulte, Chair; Massie and T. Taylor.

[House File 91](#)

State Government: Iverson, Chair; Hein and Lensing.

[House File 92](#)

Agriculture: Alons, Chair; Drake and Wenthe.

[House File 93](#)

Commerce: Horbach, Chair; Oldson and J. Smith.

[House File 97](#)

State Government: Kaufmann, Chair; Gaskill and Vander Linden.

[House File 102](#)

Transportation: Garrett, Chair; Watts and Wenthe.

[House File 106](#)

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

[House File 107](#)

Education: L. Miller, Chair; Abdul-Samad and Forristall.

[House File 108](#)

Education: L. Miller, Chair; Abdul-Samad and Forristall.

[House File 109](#)

Education: Jorgensen, Chair; Hanson and Lofgren.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

[House Study Bill 30](#)

Human Resources: Koester, Chair; Garrett and Mascher.

[House Study Bill 31](#)

Judiciary: Anderson, Chair; Swaim and Tjepkes.

[House Study Bill 32](#)

Education: Forristall, Chair; J. Taylor and Willems.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

[H.S.B. 34](#) **State Government**

Relating to the licensure of orthotists, prosthetists, and pedorthists and providing for fees and penalties.

[H.S.B. 35](#) **State Government**

Relating to the use of tanning facilities by minors and making penalties applicable.

H.S.B. 36 Public Safety

Relating to the use of justifiable reasonable force including deadly force.

H.S.B. 37 Public Safety

Relating to the authorized possession of certain offensive weapons.

H.S.B. 38 Judiciary

Relating to the disposition of a child with mental illness or mental retardation in juvenile court.

H.S.B. 39 Judiciary

Relating to a magistrate acting as counsel for clients within the jurisdiction of the magistrate.

H.S.B. 40 Labor

Excepting certain employee injuries which occur on an employer's premises from compensability under the state's workers' compensation laws.

H.S.B. 41 Ways and Means

Establishing a school district property tax relief supplement for certain fiscal years, making an appropriation, and including effective date and applicability provisions.

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 STATE GOVERNMENT

Committee Bill (Formerly [House File 1](#)), establishing an organized system of reviews and ongoing repeal dates for programs and projects administered by executive branch departments.

Fiscal Note is not required.

Recommended **Amend and Do Pass** January 25, 2011.

RESOLUTIONS FILED

[H.C.R. 8](#), by Alons, Brandenburg, Windschitl, Fry, Rogers, De Boef, and Chambers, a concurrent resolution requesting the United States Food and Drug Administration to rescind approval of ulipristal acetate.

Laid over under **Rule 25**.

[H.R. 3](#), by Watts, Massie, Chambers, Byrnes, Baudler, Forristall, L. Miller, Soderberg, Deyoe, S. Olson, Drake, Rayhons, Sweeney, Brandenburg, and Worthan, a resolution relating to the regulation of intrastate waters.

Laid over under **Rule 25**.

[H.R. 4](#), by Watts, a resolution calling for the withdrawal of the state of Iowa from the Midwestern Regional Greenhouse Gas Reduction Accord.

Laid over under **Rule 25**.

[H.R. 5](#), by Kaufmann, Hall, Byrnes, Wittneben, Upmeyer, Muhlbauer, Brandenburg, Cohoon, Forristall, and Thomas, a resolution recognizing January 27, 2011, as a day to honor Iowa's community colleges on their 45th anniversary.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-1033	H.F. 94	Isenhart of Dubuque
H-1034	H.F. 94	Petersen of Polk
H-1035	H.F. 94	Helland of Polk
H-1036	H.F. 95	Schulte of Linn

On motion by Upmeyer of Hancock the House adjourned at 4:12 p.m., until 8:30 a.m., Thursday, January 27, 2011.