

PROOF

STATE OF IOWA

House Journal

THURSDAY, FEBRUARY 17, 2011

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JOURNAL OF THE HOUSE

Thirty-ninth Calendar Day - Twenty-eighth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, February 17, 2011

The House met pursuant to adjournment at 8:37 a.m., Speaker Paulsen in the chair.

Prayer was offered by Reverend Keith Williams, Gateway Baptist Church, Clinton. He was the guest of Representative S. Olson of Clinton County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Ariani Oehrlein, Page from DeWitt.

The Journal of Wednesday, February 16, 2011 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Arnold of Lucas, through February 23, 2011, on request of Upmeyer of Hancock;
L. Miller of Scott on request of McCarthy of Polk.

INTRODUCTION OF BILL

[House File 303](#), by De Boef, a bill for an act removing an exemption for specified electric public utilities from the regulatory authority of the utilities board of the department of commerce.

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

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 16, 2011, passed the following bill in which the concurrence of the House is asked:

[Senate File 166](#), a bill for an act establishing the categorical state percent of growth for purposes of the state school foundation program and including effective date and applicability provisions.

Also: That the Senate has on February 16, 2011, passed the following bill in which the concurrence of the House is asked:

[Senate File 167](#), a bill for an act establishing the state percent of growth for purposes of the state school foundation program and including effective date and applicability provisions.

MICHAEL E. MARSHALL, Secretary

On motion by Upmeyer of Hancock, the House was recessed at 8:44 a.m., until 12:00 p.m.

AFTERNOON SESSION

The House reconvened at 12:04 p.m., Speaker Paulsen in the chair.

INTRODUCTION OF BILLS

[House File 304](#), by Isenhardt, a bill for an act relating to the education requirements for licensed massage therapists.

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

[House File 305](#), by Windschitl, a bill for an act relating to the use of floodplain maps published by the federal emergency management agency.

Read first time and referred to committee on **economic growth/rebuild Iowa**.

[House File 306](#), by Grassley, a bill for an act to create a Lyme disease task force within the department of public health.

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

[House File 307](#), by De Boef and Pettengill, a bill for an act relating to the authorized uses of moneys under the decategorization of child welfare and juvenile justice funding initiative and including effective and retroactive applicability date provisions.

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

[House File 308](#), by Lofgren, a bill for an act requiring hospitals and outpatient surgical facilities to report data on the use of a registered nurse as a circulating nurse during surgical procedures and including effective date provisions.

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

[House File 309](#), by Heaton, a bill for an act relating to visitation or interaction with siblings by children participating in the subsidized guardianship program administered by the department of human services and including effective date provisions.

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

[House File 310](#), by Lofgren, a bill for an act relating to the division of retirement and pension accounts in a dissolution of marriage.

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

[House File 311](#), by Horbach, a bill for an act relating to the interest rate on weekly workers' compensation payments that are not paid when due and including applicability date provisions.

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

[House File 312](#), by Watts, a bill for an act relating to public employees, by requiring a survey and report on state employee salaries and benefits and relating to the arbitration of public employee collective bargaining agreements.

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

[House File 313](#), by Horbach, a bill for an act concerning private sector employee drug testing.

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

[House File 314](#), by Helland, a bill for an act prohibiting the Iowa lottery authority from charging specified fees.

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

[House File 315](#), by Cownie, a bill for an act relating to the option of voting straight party at certain elections.

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

[House File 316](#), by Cownie, a bill for an act relating to a voter's designee for purposes of returning absentee ballots.

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

[House File 317](#), by Lukan, a bill for an act providing for advance notification of the need to renew a driver's license at the request of a licensee and establishing a fee.

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

[House File 318](#), by Alons, Chambers, Watts, Shaw, Lukan, Wagner, Drake, Rayhons, De Boef, Pearson, Van Engelenhoven, Rasmussen, and Iverson, a bill for an act excluding from the computation of net income the net capital gain from the sale of certain business property and including retroactive applicability provisions.

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

[House File 319](#), by Wagner, a bill for an act establishing a property tax exemption for certain residential property.

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

[House File 320](#), by committee on public safety, a bill for an act relating to the regulation of firearms and ammunition in a state of public emergency and providing a remedy.

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

[House File 321](#), by committee on judiciary, a bill for an act modifying the duties of a county attorney relating to schools and to the extradition of criminal defendants and securing of certain witnesses.

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

[House File 322](#), by committee on human resources, a bill for an act relating to the creation of a task force concerning drug product selection relative to antiepileptic drugs for the treatment of epileptic seizures and including effective date provisions.

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

[House File 323](#), by committee on economic growth/rebuild Iowa, a bill for an act relating to the rulemaking authority and voting requirements of the environmental protection commission.

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

On motion by Upmeyer of Hancock, the House was recessed at 12:09 p.m., until 1:00 p.m.

The House reconvened at 1:01 p.m., Speaker Paulsen in the chair.

INTRODUCTION OF BILLS

[House File 324](#), by committee on economic growth/rebuild Iowa, a bill for an act relating to the implementation of federal statute, regulation, or policy by state administrative agencies.

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

[House File 325](#), by J. Taylor, Willems, Hanson, Steckman, Paustian, Windschitl, Kaufmann, Byrnes, Klein, Chambers, Shaw, Lukan, De Boef, and Fry, a bill for an act relating to administrators of school districts and area education agencies and providing a penalty.

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

[House File 326](#), by Isenhart, a bill for an act providing for the collection and retention of fees by the public employment relations board.

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

[House File 327](#), by Rayhons, a bill for an act providing for special deer hunting licenses for certain nonresident landowners and providing penalties and an appropriation.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Horbach of Tama on request of Deyoe of Story; Jorgensen of Woodbury on request of Lukan of Dubuque.

CONSIDERATION OF BILL

Regular Calendar

[House File 267](#), a bill for an act relating to the identification of historic properties by certain rural electric cooperatives, was taken up for consideration.

Schultz of Crawford 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. 267](#))

The ayes were, 93:

Abdul-Samad	Alons	Anderson	Baudler
Berry	Brandenburg	Byrnes	Chambers
Cohoon	Cownie	De Boef	Deyoe
Dolecheck	Drake	Forristall	Gaines
Garrett	Gaskill	Grassley	Hagenow
Hager	Hall	Hanson	Hanusa
Heaton	Heddens	Hein	Helland
Hunter	Huseman	Isenhart	Iverson
Jacoby	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig

Lensing	Lofgren	Lukan	Lykam
Mascher	Massie	McCarthy	Miller, L.
Moore	Muhlbauer	Murphy	Oldson
Olson, S.	Olson, T.	Paustian	Pearson
Petersen	Pettengill	Quirk	Raecker
Rasmussen	Rayhons	Rogers	Running-Marquardt
Sands	Schulte	Schultz	Shaw
Smith, J.	Smith, M.	Soderberg	Steckman
Swaim	Sweeney	Taylor, J.	Taylor, T.
Thede	Thomas	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Watts
Wenthe	Wessel-Kroeschell	Willems	Winckler
Windschitl	Wittneben	Wolfe	Worthan
		Mr. Speaker	
		Paulsen	

The nays were, none.

Absent or not voting, 7:

Arnold	Baltimore	Fry	Horbach
Jorgensen	Miller, H.	Olson, R.	

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

IMMEDIATE MESSAGE

Upmeyer of Hancock asked and received unanimous consent that [House File 267](#) be immediately messaged to the Senate.

[HOUSE FILE 294](#) REREFERRED

The Speaker announced that [House File 294](#), previously referred to committee on **education** was rereferred to committee on **ways and means**.

SPONSOR ADDED ([House File 297](#))

Pettengill of Benton requested to be added as a sponsor of [House File 297](#).

COMMUNICATION RECEIVED

The following communication was received and filed in the office of the Chief Clerk:

DEPARTMENT OF MANAGEMENT

Report of Standing Appropriations, pursuant to Chapter 8.6(2), Code of Iowa.

SUBCOMMITTEE ASSIGNMENTS

[House Concurrent Resolution 9](#)

Commerce: Watts, Chair; Swaim and Wagner.

[House File 92](#) Reassigned

Agriculture: Alons, Chair; Drake and Hanson.

[House File 231](#)

Public Safety: Hagenow, Chair; Berry and Fry.

[House File 246](#)

Commerce: Grassley, Chair; Horbach and Kajtazovic.

[House File 255](#)

Commerce: Horbach, Chair; Grassley and Lykam.

[House File 274](#)

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

[House File 276](#)

Public Safety: Tjepkes, Chair; Baudler and Kressig.

[House File 279](#)

Judiciary: Alons, Chair; Massie and Wolfe.

[House File 280](#)

Judiciary: Rogers, Chair; Lensing and Massie.

[House File 281](#)

Commerce: Watts, Chair; Quirk and Wagner.

[House File 282](#)

Judiciary: Baltimore, Chair; Hagenow and Swaim.

[House File 283](#)

Judiciary: Tjepkes, Chair; Massie and M. Smith.

[House File 284](#)

Local Government: Van Engelenhoven, Chair; Arnold and Kearns.

[House File 286](#)

Judiciary: Pearson, Chair; Heaton and Wessel-Kroeschell.

[House File 287](#)

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

[House File 288](#)

Human Resources: Heaton, Chair; Garrett and Petersen.

[House File 296](#)

Human Resources: Heaton, Chair; Pearson and Wessel-Kroeschell.

[House File 297](#)

Human Resources: Fry, Chair; Massie and Winckler.

[House File 298](#)

State Government: Iverson, Chair; Drake and Mascher.

[House File 301](#)

Education: J. Taylor, Chair; Schulte and Steckman.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

[House Study Bill 95](#)

Public Safety: Shaw, Chair; Fry and R. Olson.

[House Study Bill 102](#)

Commerce: Brandenburg, Chair; Iverson and Muhlbauer.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 106 State Government

Excluding certain employees of the secretary of state from the public employee collective bargaining law.

H.S.B. 107 Local Government

Providing for the nonpartisan election of certain county officers.

H.S.B. 108 Agriculture

Placing the agricultural development authority within the department of agriculture and land stewardship.

H.S.B. 109 Agriculture

Relating to ethanol by providing for tax credits and reporting for ethanol blended gasoline, and including effective date and applicability provisions.

H.S.B. 110 Agriculture

Relating to the regulation of egg production.

H.S.B. 111 Agriculture

Providing for the transfer of duties relating to the certification of milk from the department of public health to the department of agriculture and land stewardship, providing for the transition, and providing an appropriation.

H.S.B. 112 Agriculture

Relating to the promotion of biodiesel fuel, by providing for tax credits to retail dealers and payments to biodiesel producers, making an appropriation, providing a penalty and including effective date provisions.

[H.S.B. 113](#) Agriculture

Relating to motor fuel, including ethanol blended gasoline and biodiesel or biodiesel blended motor fuel, by providing for regulation and taxes.

[H.S.B. 114](#) Appropriations

Relating to and making transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund.

[H.S.B. 115](#) Appropriations

Relating to and making appropriations to the judicial branch.

[H.S.B. 116](#) Appropriations

Relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters and including effective date provisions.

[H.S.B. 117](#) Labor

Relating to public employee collective bargaining agreements and including applicability provisions.

[H.S.B. 118](#) State Government

Relating to filling a vacancy in an elective city office.

[H.S.B. 119](#) State Government

Relating to voter registration.

[H.S.B. 120](#) State Government

Relating to persons not permitted to return an absentee voter's ballot.

H.S.B. 121 Local Government

Modifying water service requirements for rural water providers.

On motion by Upmeyer of Hancock the House adjourned at 1:09 p.m., until 10:00 a.m., Friday, February 18, 2011.